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(HANSARD)

Wednesday, February 9, 2022

The Honourable GEORGE J. FUREY,  
Speaker

## CONTENTS

(Daily index of proceedings appears at back of this issue).

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## THE SENATE

Wednesday, February 9, 2022

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

Prayers.

### SENATORS' STATEMENTS

#### THE HONOURABLE DONALD H. OLIVER, C.M., Q.C.

**Hon. Colin Deacon:** Honourable senators, I rise today to honour a retired senator well known to many of us, the Honourable Don Oliver. Appointed by Prime Minister Brian Mulroney in 1990, former Senator Oliver served Canadians in this chamber for 23 years.

Among his numerous contributions, Don Oliver is one of two parliamentarians whose efforts resulted in February being named Black History Month.

Recently, Don Oliver published his autobiography *A Matter of Equality: The Life's Work of Senator Don Oliver*. As I read it, I marvelled at the accomplishments of this remarkable Canadian. Last November, Senator Loffreda hosted an online book launch attended by many past and present parliamentarians, and included messages from three former prime ministers.

Born and raised in Wolfville, Nova Scotia, Don Oliver's life was guided by his parents' values: work hard, be humble and do everything possible to help others. He was an exceptional student, even working as a cub reporter for the *Halifax Chronicle Herald* while still in high school. He was chosen as valedictorian of his graduating class at Acadia University in 1960.

Don Oliver went on to become a talented lawyer and partner of a leading law firm. His advice and mentorship helped many young articling students, including our very own Senator Wetston.

Colleagues, as I read *A Matter of Equality*, it was Don Oliver's courageous and constructive responses to constant acts of overt racism that I found most inspiring and also most troubling.

Still today, Black, Indigenous and people of colour in Canada must respond to deeply hurtful acts of racism in a calm, controlled and respectful manner, regardless of how accomplished these individuals are, or how respectful they are being. I don't carry this daily burden. For far too long, I have been naively ignorant of the benefits of my own White privilege. I now strive to address that ignorance through work and action.

It's well proven that embracing diversity is not just a crucial social priority, but a powerful economic opportunity.

Throughout his life, Don Oliver worked to make the business case for prioritizing diversity and inclusion in Canada, and led a major project on this topic with The Conference Board of Canada 20 years ago. I wish we'd acted on his advice then, especially in the face of our current labour shortages.

Don Oliver's aunt, the world-renowned concert singer Portia White, once said, "First you dream, and then you lace up your boots." The Honourable Don Oliver, indeed, laced up his boots.

Don, countless people have benefited from the products of your dreams of justice and opportunity, your courageous and determined efforts and your landmark successes.

Colleagues, I encourage all of you to read Don Oliver's book, and commit to fully embracing diversity and inclusion, both within the Senate and — as a result of our collective efforts — throughout Canada.

Thank you.

#### PARLIAMENTARY PRECINCT

**Hon. Vernon White:** Honourable Senators, I want to speak to you about the encampment that has been set up in front of our Parliament.

The expectation of demonstrations and protests in the nation's capital are not lost on me. In my former role, we had hundreds of demonstrations and protests, some that parked themselves for days and weeks, others that were mobile through our streets. The focus on peacefulness was paramount, and the maintaining of peace was always the goal.

I do not want to give the current encampment on Wellington Street more notoriety than they have already, so I will not speak specifically to their actions or even the ability or capability of the officials to act.

I want to speak to an issue that has been raised from a security perspective for more than a decade and state that it is time for us to finally act to improve security on Wellington Street.

I speak on the issue of converting Wellington Street to pedestrians only. There have been many clear discussions on Parliament Hill security over the past few decades. In 1989 an individual armed with a handgun was able to hijack and then drive a bus onto Parliament Hill. After the attacks in New York on 9/11, there were changes brought about to better secure Parliament Hill and better guarantee a safe and secure seat of government.

Following the attack on Parliament Hill in October 2014, for which many of you were present, discussions intensified, bringing forward legislative change, a new Parliamentary Protective Service and new security measures, tools and requirements.

One area that has been raised throughout these security review times has been the security of Wellington Street in front of Parliament. It has been raised that the risk of having vehicle traffic on this portion of Wellington Street was extremely high. Reports have been developed and presented regarding what would, and possibly could, happen should someone choose to take extreme action in this area.

We watch closely what is happening in Ottawa today, and again I raise the issue of protecting Parliament. I am asking that the Government of Canada and the City of Ottawa take the necessary action to expand the parliamentary precinct: that they secure the area of Wellington Street to the east at Elgin Street, to the west at Lyon Street and south as far as Queen Street.

While adding this area to the precinct, I would argue that we as well make this an area for pedestrian traffic only, removing all vehicular traffic. This would provide Parliament with a buffer from traffic, thus protecting this area from risk but as well protect other buildings that house parliamentarians, staff and the Office of the Prime Minister. I hope this current situation brings forward a fruitful discussion that allows for a better level of protection for the seat of our federal government.

• (1410)

In closing, I believe that working together, the city and federal governments could make these changes quickly and ask that both make this a priority.

Thank you.

[*Translation*]

#### OMBUDSMAN FOR VICTIMS OF CRIME

**Hon. Pierre-Hugues Boisvenu:** Honourable senators, today I'm speaking on behalf of Canada's victims of crime and their families.

As you know, my mission as a senator is to ensure that our justice system and our federal institutions respect the rights of victims of crime. In 2015, after more than 10 years of tireless work, the Canadian Victims Bill of Rights was adopted by the previous government, thereby enshrining victims' rights in law. The bill of rights is supra-constitutional and enforced by the Ombudsman for Victims of Crime, who is also the voice of victims within our federal institutions, ensuring that the government is discharging its responsibilities toward them.

As of October 1, the Liberal government has been in default of its obligations under the bill of rights because it has allowed the position of Ombudsman for Victims of Crime to remain vacant. This situation is unacceptable to victims, because the ombudsman reports to the Minister of Justice, who knew very well when the previous ombudsman's term ended because he himself set the length of that term.

The government's delays and failure to fill the position directly infringe on victims' rights. Once again, Prime Minister Justin Trudeau is sending the wrong message to victims of crime, namely, that they're not a priority for him or his government. As proof, this is the second time since 2015 that this government has been woefully slow to fill this position. Meanwhile, that has never been the case for the position of Correctional Investigator, the ombudsman for criminals.

In 2017, criminals were even given an interim representative until the position was filled on January 1, 2018. Unlike victims of crime, who have been without an official representative for more than 11 months now, inmates have not gone a single day without representation in the past 10 years.

We must redress the imbalance that still exists between these two positions. It is inconceivable for victims that their ombudsman does not enjoy the same privileges and powers as the inmates' representative. The latter is a permanent, independent position, enshrined in and protected by federal law, unlike the office of the ombudsman for victims, which is a program that depends entirely on the goodwill of the Minister of Justice to ensure its existence. Its status is not recognized by Parliament, and it could be abolished at any time.

This injustice to victims must stop, and the Leader of the Government in the Senate needs to tell us exactly when the new ombudsman will be appointed, as I requested on December 7, 2021.

Honourable colleagues, I ask you, on behalf of victims of crime, to come together and act to ensure that this position is filled without delay, so that victims can be represented within our federal institutions as they deserve to be.

Since their voices are not being heard at the other place, it is essential that the Senate bear the responsibility of representing them by sending a clear message of hope, a message assuring them that the upper chamber has not forgotten them.

Thank you.

[*English*]

#### THE LATE SUSAN JANE SCOTT

**Hon. Patricia Bovey:** Honourable senators, in all our communities, our not-for-profits, arts organizations and artists benefit immeasurably from the generosity of time, thought and dollars from individual citizens. I thank them all.

Recently on January 14, Winnipeg sadly lost a truly wonderful, quiet, committed, behind-the-scenes, generous anonymous donor — Susan Scott. Words fail in attempting to thank her for all her many impacts as no one knows them all. Among the myriad parts of the community for which she was an angel after her retirement from her successful business career, she was particularly dedicated to advancing opportunities for First Nations youth and artists.

I met with a number of artists she assisted, and I can assure you they were so appreciative of her moral and financial support and her genuine interest in their work. She attended many western Canadian art courses I presented over the years and was always engaged and interested in the images, messages and the substance of the work, especially when I showed that of Indigenous artists.

She funded women's shelters; supported fledging Indigenous business ventures; gave money for families in need to attend our Winnipeg Art Gallery family days; sponsored community

intergenerational creative programs; assisted me in ensuring that Indigenous art and Indigenous children's books were in the Aboriginal Family Room at St. Boniface Hospital, and much more.

Colleagues, time only lets me mention a very few of the organizations she supported, including establishing bursary funds for Indigenous students at both of Winnipeg's major universities, funding summer camps for immigrant children, women's and art's mentoring groups, LEAF, music, galleries and museums. I can honestly say that without her quiet dedication, so many aspects of her home city would be considerably poorer.

Awarding her the Senate 150th Anniversary Medal was one of the easiest decisions I have ever made. Susan was also a member of the Rotary Club of Winnipeg and they too honoured her with the Paul Harris Fellow Award.

Susan became a dear friend of mine. It was always a treat to talk about art, community, needs, visions and more with her. I loved bumping into her on evening walks and seeing the twinkle in her eye when she did something, or when something she supported reached fruition or when she witnessed public reaction to those accomplishments. No one knew these were her projects or artists in her orbit. Susan's orbits were always expanding, and we know through her enjoyment of giving and encouraging that she has inspired others to do so too.

Thank you, Susan. My condolences go to your family and your many friends.

### OLYMPIC WINTER GAMES 2022

**Hon. Marty Deacon:** Honourable senators, I'd like to take this brief opportunity to share some wonderful stories of our Canadian athletes, coaches and their families representing our country at the Olympic Games.

First, I want to share with you one more outcome of the Summer Olympic Games in Tokyo. You may recall there was an IOC Refugee Olympic Team at the Tokyo Games. I am thrilled to share that some are now here in Canada as part of the IOC Refugee Athlete Support Programme, training for Paris 2024 and attending Sheridan College for the next three years.

As for these Olympic Games, we are on day six. Our 215 athletes and 85 coaches have faced a number of pandemic-related obstacles in preparation for some of the most important moments of their athletic careers. Each story is incredible. For athletes there for the first time, to athletes in their final games, all having done so much just to get to the start line in their field of play.

Imagine Liam Gill of Calgary, waking up to a call at home invited to get on a plane to replace a snowboard half-pipe icon, Derek Livingston, shifting to become an Olympic athlete in one moment. He, in his own words, was stoked to be the only Indigenous athlete on the snowboard team.

Our Olympic delegation includes six sets of siblings and four children of past Olympians. Regionally it includes one cross-country ski athlete who will be wildly cheered on from the Yukon, with a high of 57 athletes hailing from Quebec.

The pandemic has brought with it any number of obstacles, of course, with some members of Team Canada having lost their Olympic dreams before the Games began. But whether athletes are competing in arena events in Beijing or Yanqing, which is the home of alpine skiing, bobsled, luge and skeleton, or even further up the bubble train to the cold mountain-top village of Zhangjiakou for skiing and snowboarding events. Every member of Team Canada will give it their all. They will make us proud and unite us in our love for this country.

I remind you of one of my cherished moments of the many Games I had the opportunity to experience. Just before marching in the opening ceremonies, you see three large words on the wall; *citius, altius, fortius*; faster, higher, stronger.

In Tokyo, after 100 years, a fourth word was added; that is "together." Let us be spectators together. I encourage you to learn the stories and engage with athletes from your community. And colleagues, for you, let these athletes inspire you to get moving inside or outside. Next week is National Health and Fitness Week, a time when I encourage you all to get outside and show Canada your moves in an effort to get people moving, get active and embrace the physical and mental health benefits that come with an active lifestyle. Thank you, *meegwetch*.

• (1420)

### HOOKED ON SCHOOL DAYS

**Hon. Éric Forest:** Honourable senators, I am wearing the school day green ribbon today.

[*Translation*]

Your Honour, the third week of February marks the middle of the school year, a critical time in the school calendar, because that is when Quebec students start to lose motivation.

That is where Hooked on School Days comes in. It is a time to remind people that, together, we have the power to help young people across Quebec stay in school and hold on to their dreams.

Let's use the opportunity afforded by Hooked on School Days to recognize the invaluable contributions that parents, teachers, educators, employers, community workers, educational stakeholders and support staff make to the education of young people.

The Hooked on School Days initiative is all the more important given the challenges our children and school staff are facing as a result of the pandemic. Take, for example, the public health measures in our schools, which include directives to wear a mask in class; the need to leave windows open when it is -20 degrees Celsius to keep schools ventilated; remote learning and isolation; the suspension of extra-curricular activities, which are so important to keeping our kids in school; and burnout among school staff, who have had to manage IT and public health guidelines on top of teaching. Let's also think about parents, who are exhausted from having to help their children with virtual school while working from home.

In short, it is clear that getting kids to stay in school is even tougher during COVID-19.

It's easier to move forward and persevere through obstacles and challenges when you find meaning and have a dream. During these often difficult times, it's important to take a moment to acknowledge the children, teens and young adults who have continued to believe that their dreams are still achievable.

I also want to commend the adults in their lives who have worked hard to help them stay on the path to their dreams. Every ounce of your encouragement helps our young people succeed in school. Every single one of your words pushes them to achieve their potential.

I learned about this issue through my involvement in COSMOSS Bas-Saint-Laurent, an umbrella initiative that brings organizations together to help children and youth develop their potential, from birth to the age of 30.

I commend the efforts of all those who are helping young people find their way. Back home, in the Lower St. Lawrence, we immediately think of the staff in our educational institutions, of course, but I would also like to recognize the work of the team at COSMOSS, along with its partners in the health care and education sectors, community organizations, municipalities and the private sector.

Laurent Duvernay-Tardif agreed to be the spokesperson for Hooked on School Days 2022 for the fourth consecutive year. Who better than a well-known and admired doctor and professional football player to talk to our young people about motivation, self-esteem and dedication?

I encourage you to watch his discussion with guests on February 16 and learn more about the many inspiring activities that will take place from February 14 to 18 all across Quebec, at [journeesperseverancescolaire.com](http://journeesperseverancescolaire.com).

Thank you very much.

**Hon. Senators:** Hear, hear!

[*English*]

## ROUTINE PROCEEDINGS

### THE SENATE

#### MOTION TO AFFECT TODAY'S PROCEEDINGS ADOPTED

**Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I move:

That, if required, Question Period today be suspended to permit the Minister of Health to participate in a vote in the House of Commons;

That today's sitting continue beyond 4 p.m., if required, until the conclusion of Question Period; and

That committees scheduled to meet today be authorized to meet after 4 p.m., even though the Senate may then be sitting, with rule 12-18(1) being suspended in relation thereto.

**The Hon. the Speaker:** Is leave granted, honourable senators?

**Hon. Senators:** Agreed.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

[*Translation*]

## ADJOURNMENT

### NOTICE OF MOTION

**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, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, February 22, 2022, at 2 p.m.

[*English*]

## STRENGTHENING ENVIRONMENTAL PROTECTION FOR A HEALTHIER CANADA BILL

### BILL TO AMEND—FIRST READING

**Hon. Marc Gold (Government Representative in the Senate)** introduced Bill S-5, An Act to amend the Canadian Environmental Protection Act, 1999, to make related amendments to the Food and Drugs Act and to repeal the Perfluorooctane Sulfonate Virtual Elimination Act.

(Bill read first time.)

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

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

[Translation]

**CITIZENSHIP ACT  
IMMIGRATION AND REFUGEE PROTECTION ACT**

BILL TO AMEND—FIRST READING

**Hon. Mobina S. B. Jaffer** introduced Bill S-235, An Act to amend the Citizenship Act and the Immigration and Refugee Protection Act.

(Bill read first time.)

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

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

**ORDERS OF THE DAY**

**BUSINESS OF THE SENATE**

**Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, pursuant to rule 4-13(3), I would like to inform the Senate that as we proceed with Government Business, the Senate will address the items in the following order: Motion No. 14, followed by all remaining items in the order that they appear on the Order Paper.

[English]

**THE SENATE**

MOTION TO RESOLVE THAT AN AMENDMENT TO THE  
CONSTITUTION (SASKATCHEWAN ACT) BE AUTHORIZED  
TO BE MADE BY PROCLAMATION ISSUED BY  
THE GOVERNOR GENERAL—DEBATE

**Hon. Marc Gold (Government Representative in the Senate),** pursuant to notice of February 8, 2022, moved:

Whereas on October 21, 1880, the Government of Canada entered into a contract with the Canadian Pacific Railway Syndicate for the construction of the Canadian Pacific Railway;

Whereas, by clause 16 of the 1880 Canadian Pacific Railway contract, the federal government agreed to give a tax exemption to the Canadian Pacific Railway Company;

Whereas, in 1905, the Parliament of Canada passed the *Saskatchewan Act*, which created the Province of Saskatchewan;

Whereas section 24 of the *Saskatchewan Act* refers to clause 16 of the 1880 Canadian Pacific Railway Contract;

Whereas the Canadian Pacific Railway was completed on November 6, 1885, with the Last Spike at Craigellachie, and has been operating as a going concern for 136 years;

Whereas, the Canadian Pacific Railway Company has paid applicable taxes to the Government of Saskatchewan since the Province was established in 1905;

Whereas it would be unfair to the residents of Saskatchewan if a major corporation were exempt from certain provincial taxes, casting that tax burden onto the residents of Saskatchewan;

Whereas it would be unfair to other businesses operating in Saskatchewan, including small businesses, if a major corporation were exempt from certain provincial taxes, giving that corporation a significant competitive advantage over those other businesses, to the detriment of farmers, consumers and producers in the Province;

Whereas it would not be consistent with Saskatchewan's position as an equal partner in Confederation if there were restrictions on its taxing powers that do not apply to other provinces;

Whereas on August 29, 1966, the then President of the Canadian Pacific Railway Company, Ian D. Sinclair, advised the then federal Minister of Transport, Jack Pickersgill, that the Board of the Canadian Pacific Railway Company had no objection to constitutional amendments to eliminate the tax exemption;

Whereas section 43 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province to which the amendment applies;

Whereas the Legislative Assembly of Saskatchewan, on November 29, 2021, adopted a resolution authorizing an amendment to the Constitution of Canada;

Now, therefore, the Senate resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the annexed schedule.

**SCHEDULE**

**AMENDMENT TO THE CONSTITUTION OF CANADA**

1. Section 24 of the *Saskatchewan Act* is repealed.
2. The repeal of section 24 is deemed to have been made on August 29, 1966, and is retroactive to that date.



## CITATION

3. This Amendment may be cited as the *Constitution Amendment, [year of proclamation] (Saskatchewan Act)*.

He said: Honourable senators, it's an honour for me to rise and move Government Motion No. 14, dealing with the proposed constitutional amendment in relation to Saskatchewan.

I want to begin by acknowledging and thanking our colleague Senator Cotter, who is the seconder of this motion, for having brought this to the chamber's attention, and to all my colleagues from Saskatchewan for their work on this matter.

Before I begin, I would like to put on the record a correspondence I received yesterday from the Honourable David Lametti, Minister of Justice and Attorney General of Canada, which serves as the genesis of the motion before you:

• (1430)

Dear Senator Gold,

Today, the House will consider an important constitutional amendment to the Saskatchewan Act, S.C. 1905, c. 42., which forms part of our Constitution. As you are aware, on November 29, 2021, the Legislative Assembly of Saskatchewan unanimously adopted a resolution to amend the Act, thus initiating a constitutional amendment process through the bilateral formula found in s. 43 of the Constitution Act, 1982. The amendment aims to remove a historical exemption from provincial and municipal taxes granted to Canadian Pacific Railway (CPR) in the Saskatchewan Act, as a result of a prior agreement between the federal government and CPR. The Government will be supporting this vital amendment to support the Province of Saskatchewan and its economy. The amendment will promote tax and fiscal fairness, as well as cooperative federal provincial relations that would be beneficial to national unity. The amendment would also have the benefit of reflecting in the law the ongoing practice whereby CPR, despite its historical tax exemption, has been paying taxes to the province of Saskatchewan. To have the constitutional amendment proclaimed by the Governor General, we would need a motion in both the House of Commons and the Senate. We look forward to its speedy passage in the House. I understand that senators are already alive to the issue in light of the motion put on notice by Senator Brent Cotter. I would like to encourage the Senate to take this issue up with alacrity. It is important to the people of Saskatchewan that this issue be resolved. Our Government is proud to have worked with the Province of Saskatchewan to advance this motion and looks forward to the proclamation of the constitutional amendment.

[Translation]

Honourable colleagues, allow me to provide some context. A resolution authorizing the proposed amendment has already been adopted by the Legislative Assembly of Saskatchewan. If the resolution is then authorized by the Senate, the amendment will repeal a provision of the Saskatchewan Act, which was passed by

Parliament in 1905 but is now an integral part of the Constitution of Canada. The government is proud to support this constitutional amendment that seeks to ensure fairness in Saskatchewan's tax system.

[English]

As honourable senators know, this amendment uses the bilateral constitutional amendment procedure as set out in section 43 of the Constitution Act, 1982. It states that an amendment to the Constitution of Canada, in relation to a provision that applies to one or more but not all provinces, may be made by a proclamation issued by the Governor General where authorized by resolutions of the Senate and the House and of the legislative assembly of each province to which the amendment applies. The provision that would be amended, section 24 of the Saskatchewan Act, only applies to Saskatchewan; and the legislative assembly of the province to which the amendment applies, the Legislative Assembly of Saskatchewan, has authorized the amendment, as has the House of Commons. It is now up to us to determine whether to adopt resolutions authorizing the same amendment that is the repeal of section 24.

The bilateral constitutional amendment procedure has previously produced seven constitutional amendments. Four of them concerned Newfoundland and Labrador, one changing the name of the province to include Labrador in 2001 and three changing the denominational schools provision of the Terms of Union in 1987, 1997 and 1998. One was made at the request of Quebec to remove their application so as to favour the organization of school boards along linguistic lines, this in 1997. One was made at the request of New Brunswick in 1993 and added section 16.1 to the Canadian Charter of Rights and Freedoms, and thus recognized in the constitution the equality of the English and French linguist communities in that province. Lastly, one was made at the behest of Prince Edward Island in 1993 to remove the requirement in the Terms of Union for Canada to maintain a ferry service, thereby facilitating the substitution and construction of Confederation Bridge to the mainland.

[Translation]

The amendment would repeal, retroactive to August 29, 1966, section 24 of the Saskatchewan Act, the enactment that created the Province of Saskatchewan. This section of the law purports to subject Saskatchewan's constitutional powers to clause 16 of an agreement dating back to 1880 between the Government of Canada and the founders of the Canadian Pacific Railway. This clause exempted the CPR from certain federal, provincial and municipal taxes indefinitely.

Despite the tax exemption, in 1966 CP agreed to pay the applicable taxes. More recently, CP took legal action against all the governments concerned to reassert its historic tax exemption.

[English]

Saskatchewan's concerns regarding section 24 are threefold. First, Saskatchewan is of the view that it would be inconsistent with the province's position as an equal partner in Confederation if the provision restricted Saskatchewan's taxation powers relative to those of the other provinces of Canada.

Second, Saskatchewan believes that it would be unfair to other businesses operating in the province, including small businesses, if a major corporation were exempt from certain provincial taxes, providing that corporation a significant competitive advantage over those other businesses to the detriment of farmers, consumers and producers in the province.

Third, Saskatchewan asserts that it would be unfair to the residents of Saskatchewan if a major corporation were exempt from certain provincial taxes, casting an additional tax burden onto the people of Saskatchewan.

Back in 1880, this tax exemption for a single large corporation may very well have been appropriate as it was intended to recognize and encourage CPR's investments in the construction of the trans-Canadian rail network in the late 19th century. As such, it was just one of the incentives that Canada offered to CPR to build Canada's first cross-country railway in fulfillment of a promise made to British Columbia for joining Confederation.

[Translation]

The government is of the opinion that Saskatchewan should be able to impose taxes within its provincial boundaries as it deems appropriate. The government agrees with its Saskatchewan counterpart that other taxpayers in the province should not bear a heavier tax burden as a result of a single large corporation benefiting from an exceptional exemption from provincial taxation. The government also agrees that there should be a level playing field between all businesses operating in Saskatchewan's transportation industry.

[English]

As we all know, the completion of this railway was fundamental to the birth of our nation and the subsequent rapid growth and development of our economy. The "Last Spike" uniting east and west is an iconic representation of our national heritage and unity. Thank you, colleagues, and I urge speedy adoption of this resolution.

**The Hon. the Speaker:** Senator Griffin, did you wish to enter debate or ask a question?

**Hon. Diane F. Griffin:** I wish to ask a question, Your Honour.

**The Hon. the Speaker:** Senator Gold, would you take a question?

**Senator Gold:** Of course.

**Senator Griffin:** Thank you, Senator Gold. I have a question that's related to process rather than to policy related to this constitutional amendment. In the Senate, we often talk about ensuring sober second thought when it comes to reviewing and protecting rights under the charter; and in this case, the motion

proposes to remove the constitutional right, for better or for worse, that was given to the Canadian Pacific Railway. As you noted, there was a constitutional debate on the amendments to remove the Prince Edward Island ferry service and replace it with the Confederation Bridge. I don't think you noted, though, that the debate on this amendment occurred over four sitting days. I'm a little concerned that we might be rushing here. You asked for speedy delivery of the results.

By the way, the other constitutional amendments that you cited, some of those, of course, were referred to committee. So in all of those cases I believe the Senate was sincerely providing sober second thought.

The question I have is: As a matter of procedural fairness, should Canadian Pacific Railway be afforded the opportunity to make its views known in the Senate prior to extinguishing its constitutional right? Even worse, what precedent does this set? Thank you.

**Senator Gold:** Thank you for your question. It's the position of the Government of Canada that it is appropriate to respond to the initiative of the legislature of Saskatchewan to redress what is now clearly an anomaly and an unfair situation for the people of Saskatchewan. I do hope we deal with this quickly and appropriately. I leave it open to the Senate, as we are masters of our own house, to decide how long the debate shall take and how we ultimately proceed to a final vote.

• (1440)

[Translation]

**The Hon. the Speaker:** Senator Dupuis, do you have a question?

**Hon. Renée Dupuis:** I would like to ask the Government Representative a question if that's okay with him.

**Senator Gold:** Yes.

**Senator Dupuis:** Senator Gold, you mentioned an amendment that would be retroactive to a specific date in the 1960s.

Can you give us some more details about that retroactivity? You know there are always questions when we want to create retroactive legislation, so I wanted to make sure I understand correctly.

**Senator Gold:** Thank you for the question. I think Senator Cotter will have more to say about that in his speech, but I believe the date was chosen because, on that date, there was an agreement between the Government of Saskatchewan and other governments. In addition, the president of Canadian Pacific at the time knew the railway company was going to start paying tax. The terms of the agreement were a little complicated. Anyway, that's why this amendment would be retroactive to that date, the date on which Canadian Pacific decided to pay tax to Saskatchewan regardless of the constitutional provision on Saskatchewan.

[ Senator Gold ]

[English]

**Hon. Denise Batters:** Senator Gold, that might have been my favourite speech that I've heard you deliver in this chamber.

**Senator Gold:** I aim to please.

**Senator Batters:** I'm sure that is because it was all about Saskatchewan, and quite wonderful at that. Thank you to the Government of Canada for bringing this forward in an expeditious way in the Senate so that we can take what has happened in the Legislative Assembly of Saskatchewan and what is, I believe, concurrently happening in the House of Commons as a result of the hard work of my Saskatchewan Conservative caucus colleagues there so we can make this fair for Saskatchewan.

I also wanted to give you the chance, as a former constitutional law professor, to perhaps impart some wisdom on the constitutional aspect of this and tell us if there is anything else that we should know, or you would like us to know, as to why this is a constitutionally sound manner in which to proceed.

**Senator Gold:** Thank you for your questions and your comments. The appropriate way to proceed is to follow the amending formula set out in the Constitution Act, 1982. As I outlined in my speech — and I suspect we'll hear again from Senator Cotter who is a great constitutional expert in his own right — this is a provision that allows for the Constitution to be amended when it affects one or more but not all of the provinces, unlike constitutional amendments that affect all of the provinces and require a different formula or those that only involve the federal Parliament. That is something that can also be done differently.

Even though the Constitution was only patriated in 1982, this has been used many times. There has never been a question raised, to the best of my knowledge, as to the appropriateness of proceeding this way in cases like this. The government is satisfied that this is the appropriate constitutional way to resolve this issue, which is an issue of fairness for the people of Saskatchewan.

[Translation]

**Hon. Pierrette Ringuette:** Senator Gold, if I understood you correctly, you said in your speech that, in the Constitution, Canadian Pacific was given an exemption from paying municipal, provincial and federal taxes. Is that correct?

**Senator Gold:** Thank you for the question. That is correct. I was informed that the matter of provincial and municipal taxes has been of great concern to the Province of Saskatchewan for some time.

**Senator Ringuette:** I understand that the Province of Saskatchewan is concerned about this, but as a Canadian citizen, I am also concerned about the corporate taxes paid to the federal government.

Canadian Pacific has been paying taxes in Saskatchewan, despite the exemption. Can you tell us whether it has been paying corporate taxes at the federal level as well? If not, why?

**Senator Gold:** I do not know how much was paid or the date the payments began. I will try to find out. I invite my other colleagues to talk about that when they rise to speak.

According to the information I have, Canadian Pacific pays taxes to the federal government. However, that is not the issue. We are talking about provincial and municipal taxes. Essentially, it is the municipal taxes that are at issue. That is all the clarification I can provide. I can't say more. I don't have the information, the amounts or the details.

[English]

**Hon. Paula Simons:** May I ask you, Senator Gold, to speak more as a former professor than as the government representative? Alberta and Saskatchewan entered Confederation at the same time under very similar legal frameworks. The railroad, of course, also runs through Alberta. I'm just curious, did this exemption ever exist in Alberta? Does it still exist in Alberta? If it doesn't exist anymore, at what point, do you know, was it changed in my province?

**Senator Gold:** Thank you for your question. The exemption does currently exist in Alberta in the same terms as we find in The Saskatchewan Act. There is also an exemption in Manitoba in slightly different terms because Manitoba was already a province by the time that the arrangement was made with Canadian Pacific Railway. To date, neither the Province of Manitoba nor the Province of Alberta has approached the Government of Canada with an indication that they want to proceed as Saskatchewan has done.

**Senator Simons:** I'm taken aback that Alberta would not have proceeded in the same direction. That is very interesting and curious information. Thank you very much.

[Translation]

**Hon. Pierre J. Dalphond:** I understand that the constitutional amendment actually targets a commercial entity, Canadian Pacific, not necessarily the parent company, but the company that runs the railway.

Does the parent company or the railway have a position on the proposed constitutional amendment?

**Senator Gold:** Thank you for the question. As I mentioned earlier, the company has been paying taxes for some time now. More recently, it initiated a process to ensure it would no longer have to continue paying taxes. Maybe that's one reason the Government of Saskatchewan, or the Saskatchewan legislature, decided to proceed with the resolution that was passed last year.

**Senator Dalphond:** The answer is more interesting than I expected. So the amendment is being proposed at the request of the province that is involved in a court battle with Canadian Pacific to end the litigation.

**Senator Gold:** I'm not sure what stage the dispute is at. I will refer back to my text to be more precise. More recently, Canadian Pacific filed a lawsuit against the relevant governments to reassert its exemption. I don't have the details of the exact timing of the filing or the steps in this lawsuit.

• (1450)

**Senator Ringuette:** Senator Gold, my question is about information on whether Canadian Pacific is or is not exempt from federal taxation. Will you undertake to provide us with this detailed information before we proceed with this motion?

**Senator Gold:** Yes, gladly. I apologize for not having that information with me, but I will make inquiries and report back to the chamber with more details. I will be available to answer your questions.

[*English*]

**Senator Dalphond:** I have another question.

If I properly read the text of the draft, it says that there was some kind of agreement in 1966 between the then president Ian Sinclair of CP and the Government of Canada through the minister of transport Jack Pickersgill. Do we have a copy of that agreement? Is it a written agreement or an oral agreement? If it is a written agreement, could we have a copy of it?

**Senator Gold:** Again, thank you for your question. I actually don't know whether there is a copy of that agreement, but there was an agreement — at least, I've been advised there was an agreement. I will make inquiries as to whether there was. If there is one and it is public, I would be happy to share it.

**Senator Dalphond:** Thank you.

[*Translation*]

**Senator Dupuis:** Senator Gold, you just told us about a lawsuit filed by Canadian Pacific against the governments. Can you specify which governments? Are we talking about the Government of Saskatchewan only? Are we talking about the Government of Saskatchewan and the Government of Canada?

**Senator Gold:** To ensure that I give you the right response, I will add this question to the ones you asked me and I will come back to you with the answers as soon as possible.

**Senator Dupuis:** I understand the procedure for presenting the motion as a request from the Government of Saskatchewan, following a resolution adopted by its legislative assembly to amend the Constitution as it relates to the Province of Saskatchewan. However, if this is a dispute between Canadian Pacific and a government other than the Government of Saskatchewan, for instance the Government of Canada and the Government of Saskatchewan, this would no longer be part of the same constitutional discussion, because this amendment will have a direct impact not only on the Constitution as it relates to Saskatchewan, but also on federal government operations.

**Senator Gold:** I understand your question. Once again, the objective of this resolution is to eliminate an inequity, or lack of equity, for the Province of Saskatchewan and its taxpayers, because Canadian Pacific has a tax exemption that was granted a long time ago and is no longer warranted, not just in the opinion of the Government of Saskatchewan, but also in the opinion of the Government of Canada.

**Hon. Raymonde Saint-Germain:** Senator Gold, would you take another question?

**Senator Gold:** Yes.

**Senator Saint-Germain:** Senator Gold, I have listened to the questions and comments of colleagues on all sides in this chamber. I would like to know if you think we should have more time to study the amendments and give sober second thought to an issue that seems complex and on which the constitutional experts in this chamber have raised some aspects that concern me personally.

**Senator Gold:** Thank you for the question. I have a great deal of respect for all members and for the Senate. The government's position is that it would be appropriate to pass this resolution. However, as I told our colleague, Senator Griffin, it is up to the Senate to decide how much time we wish to take and how we wish to study it. I have already undertaken to return to this chamber with the clarifications requested.

I am certain that this will adequately respond to any concerns, but it will nonetheless be up to us, to you, to decide how quickly you wish to proceed. I want to point out that resolving this situation is important to the Government of Canada and the Government of Saskatchewan, because that will correct this unjustifiable situation.

[*English*]

**Hon. Pamela Wallin:** I wanted to ask you, Senator Gold, if you wanted to speak briefly to the fact that the lobbying around this issue has been going on for the entire 20th century and into the 21st, and that Alberta and Manitoba were very much a part of that effort to end this constitutionalized tax, and that what has really provoked all of this and prompted this more current discussion is a decision rendered by the Federal Court in September 2021. That is what has brought this issue to the fore again in an urgent way.

**Senator Gold:** Thank you, senator. You're far more intimately involved with the history of this than I would be, considering where I come from. It is true. Thank you for underlining the fact that this has been a matter of some concern for the people and the Government of Saskatchewan, regardless of their political stripe. Indeed, elsewhere in the Prairies it has been a concern.

That it has come to a head is a good thing, at least from the point of view of the Government of Canada, so that it can partner with the Province of Saskatchewan to address this historical inequity.

**The Hon. the Speaker:** Honourable senators, it is now 3:00 p.m. and pursuant to order adopted for this sitting for Question Period, we will take a short pause while the minister enters the chamber. I will remind honourable senators that debate on this motion will resume at the next sitting of the Senate.

• (1500)

[Translation]

## QUESTION PERIOD

(Pursuant to the order adopted by the Senate on December 7, 2021, to receive a Minister of the Crown, the Honourable Jean-Yves Duclos, P.C., M.P., Minister of Health, appeared before honourable senators during Question Period.)

### BUSINESS OF THE SENATE

**The Hon. the Speaker:** Honourable senators, we welcome today the Honourable Jean-Yves Duclos, C.P., M.P., Minister of Health, to ask questions relating to his ministerial responsibilities. Pursuant to the order adopted by the Senate on December 7, 2021, senators do not need to stand. Questions are limited to one minute and responses to one-and-a-half minutes. The reading clerk will stand 10 seconds before the expiry of these times. Question Period will last one hour.

Only the Leader of the Opposition will be recognized, once, for a supplementary question, which reflects practices followed for previous Question Periods with ministers.

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Thank you very much for having me.

[English]

### MINISTRY OF HEALTH

#### COVID-19 PANDEMIC RESTRICTIONS

**Hon. Donald Neil Plett (Leader of the Opposition):** Welcome, minister. Yesterday morning, a fellow Liberal MP of yours from Quebec Joël Lightbound held a press conference, during which he said:

... I believe the government should provide quickly a roadmap with clear and measurable targets to lift all restrictions within its purview.

Conservatives have been saying this same thing for months. He said about the vaccine requirement for truckers:

This is a policy that now goes against the World Health Organization's recommendation and for which no epidemiological studies and projections have been provided.

Today, Liberal MP Robillard echoed Mr. Lightbound's comments, saying that many of his colleagues agreed.

Minister, he says you aren't being responsive enough to adapt to the changing reality of the pandemic. Will you listen, minister — finally listen — to this advice and change course?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** I'd like to thank the honourable senator for his very important question. I will say that "responsive," as he mentioned, is the

right word, and that's why we had to be responsive. We have been responsive for the last 22 months. I think "responsive" and "responsible" have been key objectives to describe what the Government of Canada had to do and was able to do with the collaboration of many partners and leaders across Canada, including scientists and experts whose input has been key in guiding us through this very difficult circumstance.

May I remind everyone that this is the biggest health crisis in over a century? It's also the biggest economic crisis. It used to be the biggest economic crisis since the crisis of the 1930s. We have gone through that crisis successfully relative to many other countries. If I have a moment in a second, I will be able to say more.

**Senator Plett:** Minister, yesterday your colleague MP Lightbound said:

... it's time to stop dividing Canadians, to stop pitting one part of the population against another. I can't help but notice with regret that both tone and the policies of my government changed drastically on the eve and during the last election campaign. From a positive and unifying approach, a decision was made to wedge, to divide and to stigmatize.

Your colleague, minister — your own Liberal colleague — said the Trudeau government's politicization of the pandemic risks undermining the public's trust in public health institutions. He said this is not a risk we ought to be taking lightly.

There is a difference between being responsive and being responsible, minister. Will your government — and especially the Prime Minister — be responsible and stop driving wedges between Canadians? Will you work to unite us instead of dividing and demonizing Canadians?

**Mr. Duclos:** Yes, I do know the difference between responsive and responsible. We've had to do the two things at the same time: responsive to the evolution of science and responsive to the change in the economic circumstances, which we have done quite well.

Let me briefly mention that in Canada compared to many other countries in the world — certainly compared to our southern neighbour — we have done much better in terms of economic growth and jobs. We have recuperated and surpassed all of the jobs lost during the pandemic. The United States still has a significant deficit in that respect.

We also understand that there is much fatigue, including among members of Parliament. I myself receive tons of messages every day, as well as calls from people who are tired of the situation. However, we are united. Canadians have never been more united. Now that 91% of adults have been vaccinated; 91% of Canadians have made the right choice, which is to protect themselves and to protect those they love by being vaccinated. We know that vaccination is the key to exiting from this crisis, and that's why we're so proud of the work of health care workers. We're so grateful for that work and so proud of the efforts that Canadians have made going through this crisis in support of each other.

[Translation]

**Hon. Pierre-Hugues Boisvenu:** Welcome, minister. I appreciated working with you on reviewing the assistance program for parents of murdered or missing children when you were in another department.

That said, I listened carefully to the answer you gave Senator Plett, and I don't think you listened closely to the eloquent remarks made by MP Lightbound yesterday or the similar remarks made today by another one of your colleagues, MP Robillard. Two MPs in two days makes for a powerful message to your government.

I'd like to quote something MP Lightbound said that rang true for me: "There are experts, professors, who are saying that it's time to stop with this approach —"

**The Hon. the Speaker:** Senator, I'm sorry, but your speaking time is up. Minister Duclos, do you have a response?

**Mr. Duclos:** I want to add something that I didn't have time to mention before, about Canadian unity. Listen, 99% of public servants made the right choice and got vaccinated. Also, 84% of Canadians of all ages have received at least one dose, and 79% have received two doses. This is one of the highest vaccination rates in the world and has been for several months.

Since the Omicron variant emerged, this has given us a higher degree of vaccine protection in Canada than we would have had without the vaccine requirements that the Government of Canada brought in over the last few months.

We estimate that up to 3 million more Canadians would have chosen to put off getting vaccinated until the summer or late fall. Imagine how much worse off we would be now if 3 million more Canadians were unvaccinated on top of those who are still unvaccinated today.

#### COVID-19 PANDEMIC RESPONSE PLAN

**Hon. Renée Dupuis:** Welcome to the Senate of Canada, minister.

In the mandate letter you received as Minister of Health on December 16, 2021, the Prime Minister wrote:

As Minister of Health, your immediate priority is to help finish the fight against COVID-19, working in close cooperation with provinces and territories.

• (1510)

What's more, the mandate letter asks that you:

Continue working with the Minister of Public Safety and the Minister of Transport to protect the health and safety of Canadians through safe, responsible and compassionate management of the border with the United States and other ports of entry into Canada.

In an interview with Radio-Canada on January 25, you talked about caring. Minister, can you clarify what you meant by "caring measures" in that interview?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Thank you, senator. I believe that "caring" is the right word.

When we talk about vaccination, it's not because we want to punish people, but because we want to protect them.

Roughly 14 months ago, we had the privilege of receiving an immense gift from science called vaccination. In normal times, it would have taken a decade to be able to get a vaccine like that.

Over the past year, Canada was lucky enough to be able to use this extraordinary scientific gift and vaccinate people because we care. We want to be able to protect ourselves and protect the people we love around us. I got vaccinated to protect myself, but also to protect my parents when I visit them. I also did it to protect my children. I was happy to see my youngest son get vaccinated, because he is protecting himself and his friends.

This is about caring, not punishment. When we talk about vaccination, it is because we care.

[English]

#### HEALTH CARE PROVIDERS

**Hon. Stan Kutcher:** Thank you for being here today, minister. The pandemic has laid bare the problem of inadequate health care surge capacity and insufficient numbers of health care providers across Canada. However, the pandemic only brought to the forefront what we've known for decades. Discussions about how to enhance human resources in health care have been under way since I was in medical school in the 1970s. There has been much chat but little effective action.

I have a three-part question. What specific plans are the federal government putting into place so that the chat-to-act gap will be rapidly closed? As part of this plan, would the federal government consider directly investing in post-secondary institutions to increase the numbers of graduates? Is there an action plan to improve the pathway to licensure for internationally trained health care providers?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Thank you, Senator Kutcher. The question is good but quite broad, so I'm afraid I'm going to be unfair and incomplete in answering it.

First, human resources in health care are a key priority for all of my colleagues, the health ministers across Canada. We've spoken to each other and met many times since December. The topic is high on their agendas.

Second, it's a crucial topic in my mandate letter, and the Prime Minister has signalled it's a key aspect of our relationship with the provinces and territories as we repair and prepare our health care system for the future.

Third, yes, education and the recognition of international credentials are critical. We need to be mindful and respect jurisdiction while doing that, but if we can find ways to do that effectively and respectfully with your support and that of others, we'll certainly do that.

#### HEALTH AND WELL-BEING OF CHILDREN

**Hon. Wanda Elaine Thomas Bernard:** Minister, thank you for being with us today.

The National Council of Youth in Care Advocates and the Child Welfare League of Canada released a report in 2021, which clearly outlines equitable standards in eight pillars of transition to adulthood for youth exiting care. The pillar on health and well-being states that every young person should be provided with timely, ongoing services that are offered within a trauma-informed, non-judgmental and harm-reduction approach.

Minister, what is the government doing to ensure this standard, the pillar of health and well-being, is being met?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Thank you very much. I certainly value that question as well. The way our young Canadians, young adults and youth are treated in Canada has an impact on their own well-being and on the well-being and welfare of our nation moving forward.

Senator Bernard, you are obviously aware of and have contributed to the important work that continues to be done when it comes to looking after those marginalized, often racialized young Canadians who find it difficult to find their path in our society with what's happening in the world. Again, I look forward to your further input. I also look forward to working with the Minister of Indigenous Services, Patty Hajdu, and the Minister of Employment, Workforce Development and Disability Inclusion, Carla Qualtrough. We're mindful of that challenge, and we are focused on trying to address it with other key ministers. As you said, as we care for our children and youth, we know they will care for us as they age, as they grow and as they live.

#### SPECIAL JOINT COMMITTEE ON MEDICAL ASSISTANCE IN DYING

**Hon. Pamela Wallin:** Minister Duclos, as legally required, the Special Joint Committee on Medical Assistance in Dying was formed to address serious issues left unresolved in what was known as Bill C-7. The committee has held only three meetings, two of which were organizational. Then, Parliament prorogued and an election followed.

Minister, could you and your cabinet colleagues, including the Prime Minister, commit to reconvening the committee this month as the clock is ticking on the mandatory reporting date for the committee set for May?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Thank you, senator, for this question. Yes, there are indeed important commitments to be made to ensure that the relatively recent legislation around MAID is appropriately brought forward and implemented in the right way. As you have mentioned, there is further parliamentary and expert work needed to pave the way forward, and in respect to the parliamentary committee's freedom and agenda, I look forward to benefiting from the committee's work by doing precisely that.

There have been significant advances on that in the last few years, but there is much more to be done in the next few weeks, months and, probably, years for everybody not only to age but also to die in dignity.

#### COVID-19 PANDEMIC—RAPID TESTING

**Hon. Judith G. Seidman:** Welcome, minister. I've been asking questions of your government for almost two years now concerning the procurement of COVID-19 rapid tests, especially for use in congregate settings such as long-term care.

Despite your announcement on January 5 that 140 million rapid tests would be delivered to the provinces and territories that month, this did not occur. Our province of Quebec did not receive almost 6 million tests they were expecting. Manitoba received less than half of their expected allotment. Ontario didn't receive tens of millions of tests they were expecting, and today announced they are procuring their own.

Minister, what happened? I understand the tests have recently been delivered to Canada, but have the provinces received all the tests they were promised last month? If not, when will that take place? Thank you.

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Thank you for your question. There are two angles to be considered: first, the federal role and federal use of those tests, and second, the provincial and territorial responsibility for and operations regarding those rapid tests.

Let me first speak to the federal role. We had indeed procured a very large number of those rapid tests in the last year and in the last few weeks in particular. Some of those tests have been used in federal departments, like Correctional Service Canada, Indigenous Services Canada and the Armed Forces, for a long time — since the fall of 2020.

Provinces and territories have been unequal and perhaps slower in their use of and demand for rapid tests for most of 2020 and 2021. That was until the beginning of December when we had to increase fivefold the number of rapid tests we were delivering to them because they were asking for more. So we multiplied by five, therefore, from 7 million on average — that was their request for most of 2021 — to 35 million in December. Multiply it by four again, to 140 million for January. All of those tests had been received by the end of January. The majority of those tests had already been received by provinces and territories

prior to the end of January. My understanding is that all of those tests are being delivered now to provinces and territories as we work toward a longer-term path for the use of rapid tests.

• (1520)

#### MENTAL HEALTH SERVICES

**Hon. Salma Atallahjan:** Minister, survey data from the Angus Reid Institute reveals that one in three Canadians is struggling with their mental health. Half say they feel fatigued, frustrated or anxious. In fact, 7% of Canadians say they are barely getting by, which is more than double the number measured since October 2020.

Minister, accessing mental health support appears to be a challenge as, according to the Centre for Addiction and Mental Health, one third of Canadians aged 15 or older seeking mental health care say those needs are not fully met. Only half of the Canadians experiencing a major depressive episode have received potentially adequate care.

Minister, how is the government planning to support Canadians now that we have entered a third year of the pandemic?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Thank you, senator.

These are numbers, but as you say, these are also real people who have suffered not only from a physical perspective in most cases and an economic perspective in many cases, but from a mental health perspective in almost all cases.

Minister Bennett, the first Minister of Mental Health and Addictions in the history of the Government of Canada, quoted to me some other numbers just recently. Half of Canadians are reporting that their mental health has deteriorated over the last few months, and 7 out of 10 health care front-line workers say the same thing. These are very big numbers. More importantly, these have very significant impacts on their personal lives and the lives of their families as well.

There is no health without mental health. That's true for an individual. That's also true for a family, a neighbourhood and for a community. That's why, as you suggested, we are going to go forward with extensive, important and, in fact, historic investments in mental health over the next few years for the purposes and the reasons that you identified.

[*Translation*]

#### LONG-TERM CARE SYSTEM

**Hon. Marie-Françoise Mégie:** Good afternoon, minister. Thank you for being with us today.

The first wave of COVID-19 killed thousands of seniors. The Prime Minister said that he wants to pass a bill on safe long-term care that sets national quality standards. The Standards Council

[ Mr. Duclos ]

of Canada, the Health Standards Organization and the Canadian Standards Association are all in favour of developing new pan-Canadian standards.

The draft version of the standards would lay the foundation for the future of long-term care. It is open for public review until March 27. To ensure the Senate has enough time, when do you expect to introduce a long-term care standards bill in the other place?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** I have a two-part answer to that.

I will start with the personal, family and social trauma we experienced at the beginning of the COVID-19 pandemic. About 80% of the deaths during the first wave of COVID-19 in early 2020 occurred in long-term care centres. Living conditions were a contributing factor, living conditions that many, if not all, of us are aware of. I was certainly aware of the situation because I had visited long-term care facilities in Quebec during election campaigns and observed utterly unacceptable living and dying conditions in Quebec and elsewhere in the country.

During the COVID-19 pandemic, about 50% of all deaths occurred in long-term care facilities. We promised to work respectfully and efficiently with the provinces and territories to protect our seniors, their health and their unity. As you said, there will be major investments and legislation enabling us to work in a way that respects jurisdiction and the sense of shared accountability when it comes to treating our seniors responsibly and with dignity.

**Senator Mégie:** Thank you.

[*English*]

**Hon. Rosemary Moodie:** Minister Duclos, welcome.

Recently, the Health Standards Organization released their first draft of the National Long-Term Care Services Standard. This is highly anticipated because long-term care, as you just pointed out, has been a long-standing issue in this country, one made worse by the pandemic, and was the scene of some of the most disheartening instances of neglect and death during the pandemic.

You have acknowledged that these issues require a broad, systemic change that considers a number of factors: standards of care, conditions for workers, affordability, access to care, and that federal leadership is really needed and essential here.

In the face of an aging population and a weakened health care system, it is clear that the Guaranteed Income Supplement is not going to be the change that will make significant change here. Many of these issues require —

**The Hon. the Speaker:** Your time has expired, senator.



**Mr. Duclos:** Thank you, Senator Moodie.

Yes, “neglect and death” is a key phrase, as you have mentioned. I would say that, again, we have a joint responsibility to look after our seniors.

We have different roles to play, but the responsibility is common. That’s why we, as a country and a government, will be both a leader and a partner. It’s about leadership, but also about a partnership. We need to do this respecting provincial and territorial jurisdictions while we focus on the results of protecting the dignity and the lives of Canadians; those results are absolutely key to our conversations and partnerships with provinces and territories.

Your Honour, I am being told that I have to leave for a period of time because I need to vote in the House of Commons. To do that I will need to turn my camera off.

**The Hon. the Speaker:** Thank you, minister.

We will suspend until the minister finishes voting.

(The sitting of the Senate was suspended.)

(The sitting of the Senate was resumed.)

• (1530)

#### MINISTRY OF HEALTH

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Thank you for your patience.

**The Hon. the Speaker:** Minister Duclos, you have 20 seconds to finish your response to Senator Moodie.

**Mr. Duclos:** I will just add that I’m grateful for the question and look forward to receiving any further input into how we can work together to make that right.

**The Hon. the Speaker:** I should inform all honourable senators and the minister that the clock stopped so we will have our full hour for Question Period.

[Translation]

#### HEALTH CARE TRANSFERS

**Hon. Clément Gignac:** Good afternoon, minister. Thank you for being here. My question is about the provinces’ requests for increased, recurrent funding for health care. According to official statistics, the federal government contributes about 22% of provincial health care budgets. At the last meeting of the Council of the Federation, the provincial premiers called for that contribution to be increased to 35%.

Your government has so far responded by saying that its priority is fighting the pandemic and helping Canadians and businesses. That’s what you did. Now, however, more and more experts, political leaders and even colleagues of yours are saying that we’re going to have to learn to live with this virus. Some provinces have even announced that they’re doing away with the

vaccine passport. Don’t you think it’s time for Ottawa to agree to the provinces’ request to provide increased, permanent funding, in order to avoid having to shut down the economy because of a lack of capacity in our hospitals?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Thank you very much for this excellent question, Senator Gignac. I will give you a three-part answer.

First, as you mentioned, it is important to remember that the provinces and territories and the Government of Canada were working together very closely over the past few months. As a result, Canada came through COVID-19 in much better shape than other countries. Canada’s mortality rate is much lower than that of all other G7 countries, except for Japan. Our economy is bouncing back more quickly than many other economies. The OECD is forecasting that, of the G7 countries, Canada will have the most significant growth by 2023.

That said, there is much work to be done to fix the health care system. We must fix the damage done by the COVID-19 pandemic, the significant delays and cancellations of diagnostic tests, treatments and surgeries. We also have to fix it because we have to keep fighting COVID-19. There will be other variants. COVID-19 is not going away. No legislation or wishful thinking will stop COVID-19 anywhere on the planet over the next few months or even the next few years. We must get our health system ready to fight future waves and future variants. That is why all the work that has been done to this point and that will continue to be done, not to mention all the money, is so important.

**The Hon. the Speaker:** I’m sorry, minister, but your time has expired.

[English]

#### MANDATORY QUARANTINE

**Hon. Jim Quinn:** Thank you, minister, for being with us today. There have been changes in the rules in the administrative procedures throughout the past two years dealing with what is truly a fluid COVID situation.

Minister, my question is focused on one administrative procedure that creates perhaps unnecessary confusion for Canadians returning to Canada from the U.S. at our land border crossings.

Currently, a Canadian entering at a land crossing must fill in ArriveCAN within 72 hours before arrival to Canada. If not submitted, then that Canadian must quarantine for 10 days. But if that same Canadian, in short order, returns to the United States, they can again arrive at the border crossing and enter Canada without quarantine for that 10-day period.

Rather than creating this workaround situation, can the government not create a rule that would allow the returning Canadian to fill in the ArriveCAN at the border crossing or perhaps within a short period after entering Canada?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Thank you, Senator Quinn. You allude to and describe quite well some of the various features of the border measures. Border measures obviously are part of a broader agenda to protect the health and safety of Canadians. What you're signalling now is obviously the joint outcome of the Public Health Agency of Canada's expert advice and transportation and public safety in that particular context with the Minister of Public Safety being responsible for the ArriveCAN application.

We know it's quite complicated. It's difficult for many people who want to travel abroad. Now is still not the time to travel abroad, not with the level of infection of Omicron; the world is at a historic high. Our hospitals are still obviously overloaded in Canada. People returning or intending to return to Canada are often infected with the virus, which complicates either their departure from hotels or other places in the world or their return to Canada. We understand it is complicated.

The Public Health Agency of Canada is continuously reviewing the measures in support of others in the government, Transport and Public Safety in particular.

#### TESTING FOR COVID-19

**Hon. Elizabeth Marshall:** Minister, your Bill C-10 is requesting \$2.5 billion for expenses for COVID tests. The bill consists of six lines. That's it, six lines to justify \$2.5 billion. Effectively, you're asking Parliament to sign a blank cheque for \$2.5 billion without providing any of the usual information on how the money will be spent.

When you were the Treasury Board minister, your bills always provided substantial financial information on how the money will be spent. Why doesn't this bill include the usual appendices and other information detailing how the \$2.5 billion will be spent?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Thank you, Senator Marshall.

Two things. First, I believe we all understand and certainly we all have heard of the use and usefulness of rapid tests for COVID-19. As I mentioned earlier, those rapid tests were rarely and unequally used by provinces and territories prior to the end of 2021. That's why we were so happy and collaborative in providing hundreds of millions of rapid tests in quite a short amount of time. We know they were being used and appreciated by many Canadians.

This being said, as you have noted, we note there will be a greater demand for such rapid tests. I will be glad to ask my office to get back to you and provide examples and ways for which these rapid tests will be of continuing use and usefulness for Canadians across the country.

#### SOCIOECONOMIC HEALTH INEQUITIES

**Hon. Kim Pate:** Thank you for joining us, minister. According to the Public Health Agency of Canada, the poorest in Canada are twice as likely as those more well off to die of COVID-19.

The issues at the root of the siege of this city right now are not so much about vaccine and mask mandates, but really about many people feeling disenfranchised and being drawn to populist messages that incite division and violence.

The debate around these mandates has obscured decades of evisceration of social, health and economic supports that put people collectively at risk, and most have succumbed to an emphasis on individualized responsibility for protecting one's own health.

How will the government redress systemic health as well as social and economic inequities and marginalization, in particular given the destructive forms of populism that we are witnessing?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Thank you. With these words, what you have said and I've just heard is tremendously to the point. Marginalization is unfortunately but understandably leading to greater polarization and division in Canada. We spoke about unity earlier today.

The reason why Canadians are more united than ever — as are so many other places in the world — is we have been able to work together to support each other over the last few months. However, this doesn't mean that there are no signs or increasing concerns around marginalization and disenfranchisement, leading to forms of extremism, division and disinformation that are harmful to the common good. We need to stick together, work together and support each other because that is the only way we will get through this crisis now and in the future when new variants and waves come to our country.

• (1540)

#### IMPACT OF ARTS AND CULTURE ON HEALTH

**Hon. Patricia Bovey:** Thank you, minister, for being with us today. The pandemic has taken a mental and physical toll on all Canadians. Hill Strategies Research proved the strong connection between cultural participation and general and mental health. We know people who attend live theatre, classical and popular music, comedy events, cultural festivals, art galleries and who read books have better mental health and medical outcomes. B.C. doctors are now able to prescribe a national park pass to patients to aid in their mental health, and in Montreal they have been prescribing museum visits. Artists' generosity and inspiration have given so much to us all during these two years.

Minister, is there any thought of Health Canada promoting arts and culture as a means of achieving better overall health for Canadians as we emerge from the effects of the pandemic?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Thank you. That's a wonderful question, Senator Bovey. Here at Health Canada, we've spoken about, and the department has worked a long time on, healthy living, healthy eating and health in general — physical health, in most cases. What you are alluding to, and I think you are doing it well, is the fact that with mental health also comes healthy social and cultural activities. How we are together, what we do together, what we listen to and enjoy together — they contribute significantly to our mental health, individually and collectively.

I'm so grateful that you highlight the role and benefit of the cultural sector in this. I come from Quebec City, where arts and culture are very strong, and we're proud of that. I'm certainly very proud of the tremendous level of talent and energy that I normally see in Quebec City, and hopefully we will see it increasingly across Canada as we go through this crisis and return to greater mental and physical health.

[Translation]

#### COVID-19 BORDER RESTRICTIONS

**Hon. Jean-Guy Dagenais:** Minister, why do you still refuse to end the inconsistent measures imposed on Canadians when they cross the Canada-U.S. border on their way back into Canada?

Let me explain. Travellers can be triple vaccinated, have a negative PCR test in hand and complete an ArriveCAN form, yet they may still come across a customs officer who requires them to undergo an additional test via the internet.

How is this anything but hassling Canadians at the border?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Senator Dagenais, I'm so glad you asked me that question, as it allows me to share some statistics that may give you some food for thought. The first thing I want to emphasize is that now is not a good time to travel. Like me, you probably know people who've decided to travel anyway. Everyone has the right to leave Canada, regardless of the Canadian government's advice. However, anyone who did so in the last few weeks may have found themselves in very difficult situations, including being stuck in hotel rooms. Flights have been cancelled. People have fallen ill without having access to proper health care. These are very difficult situations, and there's not much the Canadian government can do to help after people have left the country. I just want people to be informed about the real risks they run if they decide to travel.

Currently, when people come back into the country, they have to do a pre-entry test. Even so, if you look at the Public Health Agency of Canada numbers available on the website, between 6% and 9% of individuals are found to be COVID-19 positive, even though their pre-entry test was negative. On average, 1 in 12 people arriving in Canada has COVID-19. As people move around in airports, airplanes, taxis and buses, they come into contact with others, and the virus is transmitted through contact. People have to be careful to protect their own health and that of their loved ones. That is why these measures are constantly being reviewed, but the goal remains the same: to protect people's health.

[English]

#### HEALTH CARE PLAN

**Hon. David M. Wells (Acting Deputy Leader of the Opposition):** Minister Duclos, the pandemic revealed a number of failures in emergency planning for infectious disease outbreaks. These included closing down three of the national emergency stockpile warehouses, throwing out and not replenishing millions of PPE that hospitals could have used, closing down Canada's infectious diseases early warning system prior to the initial outbreak and also taking vaccines destined for Third World countries under the World Health Organization's COVAX program. There are more, but these make the point.

Minister, we've learned from experience that infectious disease pandemics are costly in lives and money. Your government has a climate change plan that looks to 2050, and that's important, but you don't have a long-term or even a short-term plan to address Canada's obviously vulnerable health care system. Why not? Will a plan be brought forward and will it be informed by the lessons learned from the lack of preparedness in our current situation? When I say "current," I mean what has been happening in the last two years.

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Thank you. We can be extremely proud of what Canadians themselves and businesses have done over the last 22 months. Let's just look at a few examples. In December 2020, we were the first country in the world to start administering the Moderna vaccine, and the second in the world to start administering the Pfizer vaccine. We were among the top four countries in the world to start administering the Paxlovid antiviral treatment, which we are glad to see being used across Canada.

We have seen enormous success in the contribution of businesses, small and large, in procuring and delivering personal protective equipment right from the start of COVID-19. We can be so proud of what we have done together as Canadians. It is all right if we also do so in this particular context. Let's be fully aware of our immense fortune to have been living in Canada over the last 22 months with all of these outstanding achievements.

#### SUPPORT FOR SYSTEMIC CHANGE IN FIRST NATIONS HEALTH CARE

**Hon. Mary Jane McCallum:** *Tansi*, Minister Duclos, and welcome. During the peak of the Omicron wave, First Nations communities enacted states of emergency and protective measures that extended beyond provincial public health orders to keep their members safe. Manitoba Keewatinowi Okimakanak, or MKO, represents 30 Northern communities. MKO and other members of the Manitoba First Nations COVID-19 Pandemic Response Coordination Team have reprofiled human resources from each of their partner organizations to meet the challenges arising from the current pandemic, including the deployment of rapid response teams into First Nation communities facing rising positive case counts. The COVID-19 pandemic has demonstrated ongoing First Nation collaboration between governments and service providers.

Will Health Canada provide ongoing funding to support First Nations in addressing systemic change in the health care system, and are you agreeable to meeting with MKO?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Just to answer the last question, I will always be pleased to meet with those important leaders in support of their communities. I'm also very glad and pleased to hear what you've mentioned about the leadership exerted by remote, Northern and Indigenous communities over the last 22 months. They have demonstrated the ability to be leaders and partners, and we knew they had the potential for it. We now know that they were able to exert that leadership over the last 22 months during a crisis that put enormous pressure on their communities — enormous stress, both mental and physical.

• (1550)

We can always do better, and we should always try and want to do better. But I think what we've seen over the last 22 months in terms of the collaboration, partnership and leadership of Indigenous, Northern and remote communities are signs of hope for the future.

[Translation]

#### COVID-19 PANDEMIC RESTRICTIONS

**Hon. Pierre J. Dalphond:** I thank you and the entire government for supporting the provinces in their fight against the pandemic, for example by providing vaccines and implementing complementary health care measures, especially at the borders.

According to scientists, including federal experts, we are transitioning from pandemic to endemic, so wouldn't this be the time to review the federal measures that may no longer be necessary?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Thank you very much for the question.

The answer is yes, and that is what we've been doing all along. These measures absolutely need to be reviewed, for two reasons. The first is that Canada's economic and health situation continues to evolve, and the second is that we keep learning more about the science of the virus and its variants as time goes on. I'd also like to mention another reason, which is that now, in February 2022, we have some exceptional tools that we did not have back in March 2020, at the start of the pandemic.

In other words, February 2022 is not March 2020. We fortunately have PPE, highly effective tests, proven, recognized and comprehensive public health measures, and antiviral treatments. On top of that, we have vaccines. We are unbelievably lucky to have gotten vaccines last year, thanks to science. Without vaccines, the lockdown measures we have now would have been much stricter. Being against vaccination is tantamount to being for lockdowns. The only way to avoid future lockdowns is to continue getting people vaccinated. That's the only way to protect our health, our economy and our society.

[ Senator McCallum ]

[English]

#### SPECIAL JOINT COMMITTEE ON MEDICAL ASSISTANCE IN DYING

**Hon. Pamela Wallin:** Minister, in Quebec, as you know, the National Assembly's inter-party committee report on end-of-life care recommended allowing advance requests for medical assistance in dying, or MAID.

I have two questions. First, do you agree with that recommendation? Second, I will ask you this again: Do you commit to reconvening the joint committee this month so that we can study Quebec's report in a timely way?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Thank you. There are three things here. Yes, I am aware of this recommendation of the Quebec group. Second, we are obviously going to take that into account as we proceed with the necessary and useful revision of the work that needs to be done. Third, I, along with my team, will always be pleased to support the important inter-chamber parliamentary work that needs to be done in that context.

I obviously won't decide the agenda that parliamentary committees will want to follow, but I will be there to support whatever agenda is decided upon by the appropriate people.

#### DELAYS IN MEDICAL CARE

**Hon. Michael L. MacDonald:** Minister Duclos, your home province of Quebec has said that it will take at least two years to reduce their backlog of surgeries to pre-pandemic levels. In my province of Nova Scotia, the senior director of the cancer care program recently said that even if COVID-19 went away tomorrow it will take years to catch up on the backlog of patients needing care and to rebuild the system.

This past Friday, the provincial premiers asked your government to increase the Canada Health Transfer. What are you going to do to help Nova Scotia and all provinces to overcome these challenges?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Thank you. It is a much-appreciated question.

Some estimates suggest there have been 1 million surgeries either delayed or cancelled over the past few months because of the impact of COVID-19. There are approximately 5 million Canadians who don't have access to primary care through, for instance, a family doctor, and that has been worsened by the pandemic.

That is why we were there, and we needed to be there, during the pandemic with an investment of \$63 billion in health, in addition to the Canada Health Transfer, which will increase from \$43 billion to \$45 billion in a few weeks, then to \$49 billion, and then to \$51 billion and \$53 billion, by the way. So in just about three or four years, it will have increased by 25%. That is in addition to the things we promised we would do during the campaign in support of, as you said, not only repairing the system but also preparing the system for possible and almost certain future waves and variants of the pandemic.

[Translation]

#### HIRING OF PHYSICIANS AND NURSES

**Hon. Éric Forest:** Thank you, minister, for being with us during this pandemic.

The pandemic has revealed the fragile state of our health care systems, which have been crippled by years of underfunding. While waiting for the necessary reinvestment in transfers to the provinces — which we hope will increase the federal government's contribution to health care costs to 35% — Canadians are wondering what has happened to the government's election promise to hire 7,500 physicians and nurses.

My question is twofold. We understand that it is the responsibility of Quebec, and accordingly the provinces and territories, to hire health care workers. However, given the urgency of the situation, can you tell us if the funding of \$3.2 billion or so has been disbursed to the provinces? If yes, how many physicians and nurses have been hired?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Thank you, Senator Forest.

I will limit my remarks to two aspects. First, as I mentioned a little earlier, not only has there been ongoing collaboration among the different levels of government, but it has yielded several results. In the past few weeks alone, I have attended seven meetings with my fellow health ministers from across the country.

The Prime Minister has held nearly forty meetings with his counterparts, the premiers of the provinces and territories. Many of these meetings have focused on the health response and investments in health care to protect health. In my case, the meetings have always been about that, of course. We just spoke about \$2.5 billion for rapid tests, on top of investments of several hundreds of millions made a little earlier for Pfizer's Paxlovid treatment courses.

In the meantime, vaccines are being provided free of charge to Canadians by the Government of Canada and, in my opinion, in a relatively efficient manner.

However, more needs to be done. That is why, knowing the priorities of the provinces and territories, we identified elements during the election campaign and in our platform that we believe could form the foundation for a relationship that respects provincial jurisdictions. By recognizing the government's shared responsibility and by focusing on results, I think this relationship will continue to progress over the coming years, because we're all in the same boat and we all have a responsibility to take care —

**The Hon. the Speaker:** I'm sorry, minister, but your time is up and I have to move on to the next speaker on the list.

#### SPECIAL JOINT COMMITTEE ON MEDICAL ASSISTANCE IN DYING

**Hon. Pierre J. Dalphond:** During the last Parliament, your government asked us to amend the medical assistance in dying legislation. The legislation, as passed, required the establishment of a special joint committee of senators and members of Parliament to report on the first few years of medical assistance in dying and to study the possibility of advance directives.

Why didn't the government reconvene this special committee after the election?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** I believe I already answered that question earlier, but I can sum up my response again.

First, the commitment was made, and that was the right thing to do.

Second, we are working together with the provinces and territories to do this in the most appropriate way possible.

Third, I don't set the parliamentary agenda. Parliamentarians do. However, my responsibility is to ensure that all of this is done efficiently and quickly, and I will be there to do that.

#### COVID-19 STRATEGY AND PARTISANSHIP

**Hon. Claude Carignan:** Minister, MP Joël Lightbound made an extremely important statement yesterday. For one thing, he said that the government is using the pandemic for partisan purposes. For another, he is a key witness who was present behind closed doors and participated in developing strategies to use the pandemic to sow partisan division.

When was that strategy developed, and who was involved in developing it?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Although Canada is showing incredible unity in fighting COVID-19, especially when it comes to recognizing that vaccination is key to that fight, there are diverse points of view. Some people still believe that vaccination is not effective or doesn't work. I heard some individuals say this again yesterday in the House of Commons.

• (1600)

That really worries me. It was said again today in the House of Commons, and it is one thing that divides us. There are still people in Canada, including some Conservative MPs, unfortunately, who say vaccination doesn't work.

That is terrible. It is both ironic and tragic that, a year after we started administering vaccines in this country, some people still think vaccination doesn't work and must be stopped. That really worries me. Vaccination is the most important tool we have to guard against lockdowns, social ills, and the economic and fiscal costs of the COVID-19 pandemic. People need to stop spreading this kind of idea, which is dividing Canadians.

#### ENVIRONMENTAL JUSTICE

**Hon. Rosa Galvez:** Minister Duclos, exposure to toxic substances is a public health issue and an environmental justice issue.

The Canadian Association of Physicians for the Environment welcomed Bill C-28, which was introduced last year, but it is calling on the government to do more.

A bill was introduced in the Senate today, Bill S-5, An Act to amend the Canadian Environmental Protection Act, 1999, to make related amendments to the Food and Drugs Act and to repeal the Perfluorooctane Sulfonate Virtual Elimination Act. Have you held any further consultations since Bill C-28 was introduced? What improvements can we expect in the new bill? As Minister of Health, what are you doing to address the environmental injustice that disproportionately affects the health of Indigenous peoples and racialized people?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** Senator Galvez, I will get back to you about the more specific and relevant aspects regarding Bill C-28.

However, I can tell you that I very much appreciate your question. It is an excellent one. I appreciate the link you made between people's physical and mental health, the health of the physical environment, meaning the natural environment that nourishes us and sustains us, the health of the economy — we now know how connected people's health is to the health of the economy — and the health of our society. The health of our society includes reducing inequality, poverty, vulnerability and marginalization. All this goes hand in hand in a society like Canada, which is always striving to be better. So I commend you, and I thank you for making this important link between all these aspects of health. I promise to get back to you later on Bill C-28.

#### COVID-19 STRATEGY AND PARTISANSHIP

**Hon. Claude Carignan:** You didn't answer my question earlier, minister. You responded like a true politician. The Olympic Games are going on right now in Beijing. That's where the skating should be happening.

I'll ask my question again. When was that strategy developed and by whom?

**Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health:** People often ask me what politics is like. I tell them that politics is the art of working together even when you don't always agree. That is exactly what has been going on in Canada over the past 22 months.

People have different points of view. Elections sometimes bring out a variety of opinions. We had a big debate during the last election campaign about vaccine mandates, and Canadians decided they wanted them.

As I said, this has produced amazing results. Three million Canadians made the decision to protect themselves because of the federal, provincial and territorial vaccine mandates. These Canadians were also protecting their loved ones and protecting our economy from lockdowns. What this means is that Canada is still doing fairly well, even with a variant like Omicron. If we'd experienced the Omicron variant in April 2020, without any vaccines or vaccine mandates, there probably would have been tens of thousands more deaths. I can't imagine what it would have been like for our hospitals. It would have had a disastrous economic and fiscal impact.

We are in the position we're in today because we made good individual decisions and because, during the last election, Canadians decided to do the right thing and encourage people to protect themselves and get vaccinated.

[English]

**The Hon. the Speaker:** The time for Question Period has expired. I'm sure all senators would join me in thanking you, Minister Duclos, for being with us today. We look forward to seeing you back in the chamber again at some future time. Thank you again, minister.

#### DELAYED ANSWERS TO ORAL QUESTIONS

(For text of Delayed Answers see Appendix.)

(At 4:05 p.m., pursuant to the orders adopted by the Senate on November 25, 2021, and earlier this day, the Senate adjourned until 2 p.m., tomorrow.)

## APPENDIX

### DELAYED ANSWERS TO ORAL QUESTIONS

#### AGRICULTURE AND AGRI-FOOD

##### SUPPORT FOR FARMERS AND PRODUCERS

*(Response to question raised by the Honourable Donald Neil Plett on November 24, 2021)*

#### Agriculture and Agri-Food Canada

Producers have access to a suite of business risk management (BRM) programs to help them manage significant risks that threaten the viability of their farms and are beyond their capacity to manage. AgriStability, AgriInsurance, and AgriInvest are designed to assist producers deal with their immediate financial needs.

In addition to the BRM suite, the AgriRecovery framework is able to cover the extraordinary costs related to those activities necessary to resume business operations as quickly as possible, or those actions associated with short-term actions necessary to minimize/contain the impacts of the disaster on producers.

British Columbia requested an assessment under the AgriRecovery Framework on November 19, 2021. A federal and provincial task team is assessing the impacts of the flood against the AgriRecovery criteria. This assessment will provide a better understanding of the scope of the disaster, the type and level of extraordinary expenses, and the ultimate impact on producers to ensure producers have the support they require to manage this disaster event.

#### FINANCE

##### RECOVERY OF FRAUDULENT COVID-19 SUPPORT PAYMENTS

*(Response to question raised by the Honourable Leo Housakos on December 1, 2021)*

#### CANADA REVENUE AGENCY (CRA)

The CRA is committed to ensuring that individuals receive only the benefits to which they are entitled, while protecting the integrity of the COVID-19 support program.

In terms of suspicious and ineligible benefit claims, the analysis and review work is still ongoing. Therefore, the CRA is not able to provide the number of suspicious claims related to Canada Emergency Response Benefit or the amounts associated with them.

Dealing with complex suspected cases may require several months of review and verification. In some cases, the CRA asks taxpayers to provide documents and information that will need to be authenticated before it can continue with audits. In other cases, the CRA will identify suspicious transactions and take other preventive measures.

To ensure effective coordination of identity theft prevention, detection and response activities, the CRA works with the Royal Canadian Mounted Police, the Canadian Anti-Fraud Center and local police to investigate suspicious incidents.

#### INDIGENOUS SERVICES

##### INDIGENOUS COMMUNITY SUPPORT FUND

*(Response to question raised by the Honourable Dennis Glen Patterson on December 7, 2021)*

Indigenous Services Canada (ISC) remains committed to supporting Indigenous communities and organizations with their needs to keep their community members safe during the pandemic. To minimize the burden on Indigenous communities, the Indigenous Community Support Fund has flowed a significant amount of funding via direct allocations. For 2021-22, funding was allocated in two direct allocation payments, on June 2, 2021, and on October 4, 2021, respectively. This funding was flowed directly to First Nations, Inuit, and Métis communities. Urban Indigenous service providers were also provided with critical pandemic supports.

The department is aware that many recipients continue to have COVID-19-related needs and that unspent funding may need to be carried forward into the next fiscal year. In order to enable carry forwards into next fiscal year, ISC confirmed that an extension of the time-limited COVID-19 measures within the Urban Programming for Indigenous Peoples' authorities, which are currently set to expire on March 31, 2022, would be required. To ensure Indigenous communities can continue to keep their community members safe, particularly as the Omicron variant continues to circulate, ISC is working with central agencies to enable carry forwards into the next fiscal year. We are working to expedite this process.

**TREASURY BOARD SECRETARIAT**

## PAN-CANADIAN DIGITAL TRUST FRAMEWORK

*(Response to question raised by the Honourable Colin Deacon on December 8, 2021)*

**Treasury Board of Canada Secretariat (TBS):**

A priority for the Government is to implement a common and secure digital identity platform to support Canadians in many facets of their lives including streamlined access to government services.

The Government has been working with provincial and territorial partners on the pan-Canadian approach to digital identity to accept trusted digital identities issued by other jurisdictions. This cross-jurisdictional effort requires the involvement of many stakeholders and as such this work will include the determination of any required adaptations to legislation, and a formal consultation with Canadian citizens and businesses to drive user-centric design.

In 2019, we updated the policy framework, and in mid-2021 we successfully accepted trusted digital identities issued by British Columbia and Alberta. Now, Albertans and British Columbians, using their provincial trusted digital identity, have immediate and secure access to My Service Canada Account and My CRA Account for Individuals. While progress has been slower given COVID priorities, this project is included in the mandate letter for the President of

the Treasury Board, and the Treasury Board of Canada Secretariat is in the process of developing a work plan to accelerate digital identity and commits to communicating progress on milestones.

**NATURAL RESOURCES**

## THE 2 BILLION TREES PROGRAM

*(Response to question raised by the Honourable Percy Mockler on December 17, 2021)*

**Natural Resources Canada (NRCan):**

NRCan is working closely with all provinces and territories to establish cost-shared partnerships, including with the provinces of Atlantic Canada. These partnerships are vital to the success of the 2 Billion Trees program and will lead to long-lasting and positive outcomes. As of December 17, 2021, there are three projects by private organizations, and one grant with a First Nation organization within Atlantic Canada. Many stakeholders, communities and Indigenous organizations within Atlantic Canada have also expressed interest in the 2 Billion Trees program. Additionally, on December 16, 2021, NRCan launched a new Call for Proposals with two streams, a cost-shared tree-planting stream and a capacity-building stream. NRCan will continue discussions with provinces and territories to establish long-term tree planting agreements to meet shared objectives.



## CONTENTS

Wednesday, February 9, 2022

	PAGE		PAGE
<b>SENATORS' STATEMENTS</b>			
<b>The Honourable Donald H. Oliver, C.M., Q.C.</b>			
Hon. Colin Deacon . . . . .	470	Hon. Pierre J. Dalphond . . . . .	477
<b>Parliamentary Precinct</b>			
Hon. Vernon White . . . . .	470	Hon. Raymonde Saint-Germain . . . . .	478
<b>Ombudsman for Victims of Crime</b>			
Hon. Pierre-Hugues Boisvenu . . . . .	471	Hon. Pamela Wallin . . . . .	478
<b>The Late Susan Jane Scott</b>			
Hon. Patricia Bovey . . . . .	471	<hr/>	
<b>Olympic Winter Games 2022</b>			
Hon. Marty Deacon . . . . .	472	<b>QUESTION PERIOD</b>	
<b>Hooked on School Days</b>			
Hon. Éric Forest . . . . .	472	<b>Business of the Senate</b>	
<hr/>			
<b>ROUTINE PROCEEDINGS</b>			
<b>The Senate</b>			
Motion to Affect Today's Proceedings Adopted		Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .	
Hon. Raymonde Gagné . . . . .	473	479	
<b>Adjournment</b>			
Notice of Motion		<b>Ministry of Health</b>	
Hon. Raymonde Gagné . . . . .	473	COVID-19 Pandemic Restrictions	
<b>Strengthening Environmental Protection for a Healthier</b>			
<b>Canada Bill (Bill S-5)</b>			
Bill to Amend—First Reading		Hon. Donald Neil Plett . . . . .	
Hon. Marc Gold . . . . .	473	479	
<b>Citizenship Act</b>			
<b>Immigration and Refugee Protection Act (Bill S-235)</b>			
Bill to Amend—First Reading		Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .	
Hon. Mobina S. B. Jaffer . . . . .	474	480	
<hr/>			
<b>ORDERS OF THE DAY</b>			
<b>Business of the Senate</b>			
Hon. Raymonde Gagné . . . . .	474	COVID-19 Pandemic Response Plan	
<b>The Senate</b>			
Motion to Resolve that an Amendment to the Constitution		Hon. Renée Dupuis . . . . .	
(Saskatchewan Act) be Authorized to be Made by		480	
Proclamation Issued by the Governor General—Debate		Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .	
Hon. Marc Gold . . . . .	474	480	
Hon. Diane F. Griffin . . . . .	476	Health Care Providers	
Hon. Renée Dupuis . . . . .	476	Hon. Stan Kutcher . . . . .	
Hon. Denise Batters . . . . .	477	480	
Hon. Pierrette Ringuette . . . . .	477	Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .	
Hon. Paula Simons . . . . .	477	480	
<hr/>			
<b>Business of the Senate</b>			
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .	479	Health and Well-being of Children	
<b>Ministry of Health</b>			
COVID-19 Pandemic—Rapid Testing			
Hon. Judith G. Seidman . . . . .			
481			
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .			
481			
Mental Health Services			
Hon. Salma Atallahjan . . . . .			
482			
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .			
482			
Long-term Care System			
Hon. Marie-Françoise Mégie . . . . .			
482			
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .			
482			
Hon. Rosemary Moodie . . . . .			
482			
<hr/>			
<b>Ministry of Health</b>			
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .			
483			
Health Care Transfers			
Hon. Clément Gignac . . . . .			
483			
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .			
483			
Mandatory Quarantine			
Hon. Jim Quinn . . . . .			
483			
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .			
484			
Testing for COVID-19			
Hon. Elizabeth Marshall . . . . .			
484			
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .			
484			
Socioeconomic Health Inequities			
Hon. Kim Pate . . . . .			
484			
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .			
484			
Impact of Arts and Culture on Health			
Hon. Patricia Bovey . . . . .			
484			
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .			
485			
COVID-19 Border Restrictions			
Hon. Jean-Guy Dagenais . . . . .			
485			
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .			
485			

## CONTENTS

Wednesday, February 9, 2022

	PAGE		PAGE
Health Care Plan		Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .	488
Hon. David M. Wells . . . . .	485	COVID-19 Strategy and Partisanship	
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .	485	Hon. Claude Carignan . . . . .	488
Support for Systemic Change in First Nations Health Care		Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .	488
Hon. Mary Jane McCallum . . . . .	485		
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .	486	<b>Delayed Answers to Oral Questions . . . . .</b>	<b>488</b>
COVID-19 Pandemic Restrictions			
Hon. Pierre J. Dalphond . . . . .	486	<b>APPENDIX</b>	
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .	486	<b>DELAYED ANSWERS TO ORAL QUESTIONS</b>	
Special Joint Committee on Medical Assistance in Dying		<b>Agriculture and Agri-Food</b>	
Hon. Pamela Wallin . . . . .	486	Support for Farmers and Producers . . . . .	489
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .	486		
Delays in Medical Care		<b>Finance</b>	
Hon. Michael L. MacDonald . . . . .	486	Recovery of Fraudulent COVID-19 Support Payments . . . . .	489
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .	486		
Hiring of Physicians and Nurses		<b>Indigenous Services</b>	
Hon. Eric Forest . . . . .	487	Indigenous Community Support Fund . . . . .	489
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .	487		
Special Joint Committee on Medical Assistance in Dying		<b>Treasury Board Secretariat</b>	
Hon. Pierre J. Dalphond . . . . .	487	Pan-Canadian Digital Trust Framework . . . . .	490
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .	487		
COVID-19 Strategy and Partisanship		<b>Natural Resources</b>	
Hon. Claude Carignan . . . . .	487	The 2 Billion Trees Program . . . . .	490
Hon. Jean-Yves Duclos, P.C., M.P., Minister of Health . . . . .	487		
Environmental Justice			
Hon. Rosa Galvez . . . . .	488		