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(HANSARD)

Wednesday, September 21, 2022

The Honourable PIERRETTE RINGUETTE,  
Speaker pro tempore

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## THE SENATE

Wednesday, September 21, 2022

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

Prayers.

### VICTIMS OF TRAGEDY

JAMES SMITH CREE NATION AND WELDON, SASKATCHEWAN—  
SILENT TRIBUTE

**The Hon. the Speaker pro tempore:** Honourable senators, we were all deeply saddened and shocked to learn of the senseless acts of violence that occurred on September 4, 2022, in the James Smith Cree Nation and Weldon communities, and terrorized the entire province of Saskatchewan. I know that senators wish to express their support for the grieving families and the communities, and will continue to do so. I would ask you to rise in a minute of silence in memory of the victims of this tragedy.

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

### BUSINESS OF THE SENATE

**The Hon. the Speaker pro tempore:** Honourable senators, I know that many senators wish to speak about the September 4 tragedy. I understand that there is therefore agreement to extend the time for Senators' Statements to 33 minutes.

Is leave granted, honourable senators?

**Hon. Senators:** Agreed.

## SENATORS' STATEMENTS

### VICTIMS OF TRAGEDY IN JAMES SMITH CREE NATION AND WELDON, SASKATCHEWAN

TRIBUTES

**Hon. Marc Gold (Government Representative in the Senate):** Honourable senators, on September 4, a small community in Saskatchewan was devastated when it lost 10 of its residents and 18 more were wounded in a horrible and senseless act of violence. The sister of one of the victims described her feelings as "climbing a mountain" of devastation. These words apply to all who live in James Smith Cree Nation.

The impact on this community of 1,900 souls cannot be understated. One of the news crews who arrived to cover the tragedy expressed their amazement at the resiliency, compassion and generosity they observed from residents, who insisted that the reporter and crew share a meal with them so as to hear the stories of those they lost.

Carol Burns was 46. It is said she had an infectious laugh and a colourful sense of humour.

Thomas Burns was 23. He was Carol's son. A friend posted on his Facebook page, "You were so funny and kind and you didn't deserve this at all."

Gregory Burns was 28. He was a father to two young children and he had a third on the way.

Lydia Gloria Burns was 61. She was a first responder on the reserve, and she died while responding to a crisis call during the attacks.

Bonnie Goodvoice-Burns was 48. She was the matriarch of her family and she died outside her home trying to protect her children.

Earl Burns was 66. He was a veteran with the Princess Patricia's Canadian Light Infantry, and he was a loving father and grandfather, who also died protecting his family.

Lana Head was 49. She worked as a security guard and was a mother of two daughters.

Christian Head was 54. He was an avid golfer, enjoyed going to car shows and loved teaching his toddler grandchildren to speak.

Robert Sanderson was 49. He was a cook and wanted to be a caterer.

Wesley Petterson was 78 and lived in Weldon, about 30 kilometres away. He loved his cats and was very proud of his homemade Saskatoon berry jam.

Eighteen people were wounded and are recovering.

Honourable senators, this small, tight-knit community was impacted greatly, and everyone — literally everyone — has been touched by this tragedy: parents, brothers, sisters, partners, spouses, children, grandchildren, friends, co-workers. The number of lives affected is unimaginable. But neither will this small, tight-knit community allow these people to be forgotten. The incredible number of lives they touched will be the incredible number of lives who will remember.

On behalf of the Senate of Canada, I extend our most sincere condolences to all who knew the victims and for the speedy recovery of those who were injured. Please know that the country mourns with you.

*[Translation]*

**Hon. Raymonde Saint-Germain:** It is with great sadness that I rise today to honour the victims and survivors of the violent attacks perpetrated in Saskatchewan a few days ago, on September 4.

On behalf of the Independent Senators Group, I would like to extend our deepest sympathies to the families and friends of the victims, the entire James Smith Cree Nation and the residents of Weldon, who are suffering today. We share your suffering.

[English]

This is an unthinkable tragedy, one of the worst to happen in our country, one that leaves us with many unanswered questions and deep sorrow, but most importantly one that requires us to stand in solidarity with the communities affected.

Every time such an event occurs, we are all concerned, and the only thing I can say right now is that all of us are in spirit with the people of Saskatchewan and those of the James Smith Cree Nation.

My thoughts are now focused on the bravery of some of the victims. People like Bonnie Goodvoice-Burns, a mother to five children, who died heroically protecting her children from the attackers; or like Lydia Gloria Burns who, at 61, was still a first responder and an addiction counsellor for the community. She will be remembered for her sense of duty and her commitment to the people of the James Smith Cree Nation. In a recent interview, her brother Darryl Burns echoed the same values as his late sister in saying, "She died helping people. And we have to pick up that torch and carry it." How not to admire this sense of selflessness?

• (1410)

The survivors of this horrific event, especially the children involved, will require long-term and sustained support; let's ensure they get it. Let's ensure we do not forget.

In conclusion, I would like to reiterate our solidarity with the citizens of Saskatchewan and our compassion for the Indigenous peoples and all the communities affected by this tragedy.

Thank you, *meegwetch*.

**Hon. Denise Batters:** Honourable senators, it is with deep sadness that I rise today to pay tribute to the victims of the recent horrible murders in James Smith Cree Nation and Weldon, in my home province of Saskatchewan, earlier this month.

It is important that we as a Senate name and honour the victims whose lives were so senselessly cut short in this tragedy.

The youngest of the victims was 23-year-old Thomas Burns. Friends described him as "funny" and "kind."

Carol Burns, who was 46 years old, was described by her co-workers as having a "sunny disposition and an infectious laugh" and an "immense love of family." She was described as "the type of person who made work fun for those around her without even trying."

Forty-eight-year-old Bonnie Burns was a devoted wife, mother and foster mother who was active in her community. She will be remembered for her love of home and her family, for her laughter and her storytelling. Bonnie died protecting her sons.

Bonnie Burns' 28-year-old son, Gregory "Jonesy" Burns, was found beside her. A father of two, he was expecting a third child at the time he died. His uncle, Mark Arcand, described Jonesy as a "great kid" who "did whatever he could for his family."

Indigenous Elder Gloria Burns, 61, was an addictions counsellor who dedicated her life to helping people. A first responder with a community crisis team, Gloria was killed while responding to this crisis call.

Earl Burns, a 66-year-old Princess Patricia's Canadian Light Infantry veteran, described himself as a "cowboy, rancher, bricklayer and bus driver." His sister called him a "true hero" who "fought till the death to protect his family."

Lana Head, a 49-year-old mother of two daughters, was known by friends as a "sweet gentle soul." She worked as a security guard at Northern Lights Casino and was also a Commissionaires officer.

Fifty-four-year-old Christian Head was a sports enthusiast who enjoyed riding ATVs and going to car shows. His grandchildren called him "Papa Chicken."

Forty-nine-year-old Robert Sanderson also went by the name "Bobby." He was a chef, and many of the posts on his Facebook page revolved around cooking and catering.

Wesley Petterson, a 78-year-old widower, lived in Weldon, Saskatchewan. Neighbours described him as kind and loving, a nature lover with a fondness for people and animals. He was known in his community for wearing flowers in his hat and for his daily coffee group with the village's older men at Weldon Silvertone Club.

Honourable senators, let us honour each of these unique souls by remembering them and by recognizing the voids they leave in their families, their communities and our country.

I join with others in my province of Saskatchewan, across Canada and around the world in extending my condolences and support to the loved ones of those who died, to those victims who were injured in these attacks and to all who now struggle to heal from these horrific events. May loving memories, prayers and the arms of your community support and surround you now, and always.

Thank you.

**Hon. Brent Cotter:** Honourable senators, a great tragedy unfolded in Saskatchewan in the early morning hours of September 4 on the James Smith Cree Nation and shortly afterward in the small town of Weldon. It resonated across our province, the country and beyond.

I received a message of condolence and thought from friends I had not heard from in years who live in Uganda.

Eleven people, perhaps twelve, died at the hands of a deeply troubled person prone to great violence, and another eighteen were seriously injured.

I will not repeat the beautiful, caring and thoughtful remarks of Senators Gold and Batters about each of the victims who died. But I do want to extend my sympathies and those of my family to those who have lost loved ones, to those who are recovering from their injuries and their families, and to the communities so deeply affected by these horrific events.

Questions are being asked regarding how this could have been avoided, how well law enforcement responded to these unfolding events. In time, we will know more on these fronts, and this is good and legitimate. We can look forward to insights based on the investigations flowing from the tragedy, including coroner's inquests which were announced today.

I have known members of the James Smith Cree Nation for a long time and have great regard for their leadership, their commitment to their community and to the interests of First Nations people across Saskatchewan. Some of the great First Nations leaders in our province come from James Smith Cree Nation. In Chief Mark Arcand and his colleagues, that commitment of support continues to this day. We should be proud of the courage and commitment they have provided to their community in the face of such a horrific tragedy.

We should also listen to their message about the needs of their community and many other First Nations communities in this country. In my own experience, and in my view, in the same way that some First Nations desperately need clean water, so many First Nations communities desperately need the authorities and the resources to build healthy communities themselves from the ground up. I hope we will listen to these voices.

Let me close with a reminder. First Nations and First Nations people are a direct responsibility of the Government of Canada. We need a whole-of-government comprehensive response so that First Nations can build their communities and care for their members in healthy ways going forward, ways that are available to so many of us in the rest of the country.

Thank you, *hiy hiy*.

**Hon. Marty Klyne:** Honourable senators, I rise as a senator from Saskatchewan and do so with a heavy heart at a time of mourning and healing following the events of September 4 at the James Smith Cree Nation and the Village of Weldon, Saskatchewan.

As people around the world know, a mass stabbing occurred with 10 victims killed, two suspects deceased, and 18 victims injured, including one young teen, making this one of Canada's worst mass killings.

In the wake of this violence, we remember the victims and support the affected persons and communities. We remember those lives lost: Bonnie Goodvoice-Burns, 48; Gregory "Jonesy" Burns, 28; Lydia Gloria Burns, 61; Earl Burns, 66; Lana Head, 49; Robert Sanderson, 49; Thomas Burns, only 23; Carol Burns, 46; Christian Head, 54; and Wesley Petterson, 78.

Senators, we remember them all and think of their loved ones, as well as those injured, wishing them a speedy and full recovery.

These are resilient communities who will pull together and find the strength collectively to cope with the trauma.

Leaders and citizens will also ask, "What lessons have we learned, and how can we prevent such tragedies?"

In a statement, the Federation of Sovereign Indigenous Nations Chief Bobby Cameron said:

This is the destruction we face when harmful illegal drugs invade our communities, and we demand all authorities to take direction from the Chiefs and Councils and their membership to create safer and healthier communities for our people.

James Smith Cree Nation Chief Wally Burns is calling for the funding of on-reserve addiction treatment centres. Another call for attention centres on Indigenous policing services.

In this instance, the RCMP acted swiftly, and two officers from the Melfort RCMP detachment, 45 kilometres away, arrived within 38 minutes after the call; however, we can do better than that.

We all need to support the collaborative work under way to establish more Indigenous policing programs with the clear objective of developing dedicated policing services within Indigenous communities so that they can enjoy their equal right to personal security and public safety, regardless of where their communities may be located.

• (1420)

Through this, we can ensure that the community police services know local people, understand their needs and commit to long-term service.

Colleagues, there will be opportunities ahead for further reflection. For now, we offer our prayers and deepest condolences. Thank you. *Hiy kitatamihin*.

**Hon. Pamela Wallin:** Honourable senators, this morning, thousands gathered in Toronto to bury Constable Andrew Hong, gunned down because he wore a uniform. The horror in Portapique in Nova Scotia — senseless, brutal murders and testimony that catalogues police inaction, confusion and perhaps even deliberate denial of the events that unfolded. Earlier this month, the horrific events in my own province have left all too many families in unbearable pain on James Smith Cree Nation and in Weldon.

But in many small communities and neighbourhoods, there is fear. Seniors are trapped in their homes, locking their doors and daring not to venture out for groceries or a doctor's appointment. Kids can't walk alone to school, dance lessons or football practice. Time and again, neighbours, friends or teachers saw the warning signs: broken homes, drug use, gangs. But they did not know how — or did not dare — to intervene.

In this country, police have not often faced mass killing sprees or people who have no fear of consequences. Communications always seem too little too late, and police too often speak in a language that reassures nobody. Too often, we are left with no answers as to the why of it all.

The accused, Myles Sanderson, had a long history of drug and alcohol abuse and some 59 crimes over two decades, including convictions for assault, assault with a weapon, assaulting a police officer, uttering threats, mischief and robbery. Though he was hiding in plain sight, his parole officer had not been able to find him since May. Chief Burns at James Smith Cree Nation has vowed to act and has asked for more money for tribal policing and long-term mental health supports. As well, Chief Burns wants the inquiry to find out why Myles Sanderson was back in the community in the first place. The Parole Board of Canada released Sanderson on February 1, saying that he would “not present an undue risk to society.”

Both criminals and especially their victims need timely justice and laws that can be equally applied. People who commit crimes need to take responsibility for their actions, and our justice and legal systems need to see that they do. Yes, more money poured into programs, counsellors and police forces will help, but this is about something deeper. It’s about the disintegration of families and social norms and our responsibilities to one another. It will take hard work, honesty and courage to change the circumstances that combine and combust into these senseless acts of violence. We need to act for all our own sakes.

[*Translation*]

**Hon. Pierre-Hugues Boisvenu:** I rise today to honour the 10 women and men who were tragically killed in the September 4 massacre in James Smith Cree Nation, which has left me feeling deeply troubled and grappling with many questions.

This tragedy directly affects all First Nations in our country as it has shaken this northern Saskatchewan community, where people were living their lives peacefully and everyone knew and liked one another.

I would first like to offer my deepest condolences to the families of the victims who were brutally murdered and to wish a speedy recovery to the other 15 people who were injured in this tragedy. My thoughts and prayers are with the families who have lost loved ones. I understand only too well the pain and anger you are feeling as a result of this tragedy.

Unfortunately, crime is an unpredictable scourge of humanity that can affect us at any time in our lives, but that could be avoided if our justice system were more rigorous.

Colleagues, these families will be forever traumatized and will have to survive what I would call unspeakable violence, just like the families of the victims of the Portapique massacre.

One of the two suspects in the James Smith Cree community stabbings was 30 and a repeat offender. He had accumulated 59 criminal convictions since the age of 18, or an average of six crimes a year over a decade. Clearly, the principle of rehabilitation did not work, and incarceration was the only solution that would guarantee the safety of that community.

This tragedy unfolded as a result of the current dysfunction of the Parole Board of Canada and the Correctional Service of Canada. In a 2018 report, the Auditor General highlighted the significant shortcomings with supervised release in the community and the role of correctional officers.

In 2020, the brutal murder of Marylène Levesque by a repeat offender on day parole was the result of the Parole Board of Canada’s negligence. Unfortunately, the Department of Public Safety did nothing to fix our deeply flawed correctional system. Even the study done by the House of Commons public safety committee into the murder of Marylène Levesque made no difference.

It is unacceptable that the board agreed to release the offender and deemed that his release would help protect society. Today, we see the result of that decision. Ten people paid with their lives for this institutionalized incompetence because the justice and public safety systems utterly failed to protect the public from this dangerous criminal.

Honourable senators, please know that I am tired of making such statements, and that I would rather talk about new measures and lives saved than lives prematurely stolen from families.

I remain convinced that, like me, you are outraged and agree that the Senate must take urgent action to remind the government of its duties and responsibilities and ensure that protecting Canadians is a real priority; otherwise, the death of these victims will be meaningless.

Thank you.

[*English*]

**Hon. Brian Francis:** Honourable senators, I rise today to pay tribute to those who lost their lives during the horrific attacks at James Smith Cree Nation and in Weldon. Among them were fathers and mothers, brothers and sisters and neighbours and friends who are loved and missed deeply.

I also want to honour those who were injured and forever changed by this tragedy. There are no words we can say that will soothe the immense pain, grief and many other emotions being felt. However, we can take the time to listen and act.

Colleagues, Chief Wally Burns of James Smith Cree Nation and other Indigenous leaders have called for greater access to mental health and substance-use treatment, as well as the establishment of First Nations-run police services. These and other issues affecting the well-being of Indigenous people cannot continue to be dealt with in a piecemeal manner. Immediate and effective action from all levels of government and society is long overdue.

I have no doubt that the people of James Smith Cree Nation and surrounding communities will continue to be there for each other in the coming months. Our people are incredibly strong, resilient and connected. However, we need help to not just survive but to thrive in Canada.

It is important to acknowledge that this tragedy did not occur in a vacuum. It is closely linked to the intergenerational violence and trauma that has been inflicted on Indigenous people. In recent years, there has been a lot of talk about reconciliation, but less so about truth, justice and healing, which must come first. We cannot establish and maintain a mutually respectful relationship with Indigenous peoples when so many of us are in crisis and dying.

I sincerely pray and hope all of us here and around the country will turn our collective outrage and sadness over this heartbreaking tragedy into real and lasting change. In my opinion, that would be the best way to honour and remember the victims and to prevent and reduce further injuries and deaths.

*Wela'lin.* Thank you.

**Hon. Kim Pate:** Honourable senators, following the tragedies in James Smith Cree Nation and Weldon, leaders such as Chief Wally Burns of James Smith Cree Nation, Prince Albert Grand Council Chief Brian Hardlotte, Saskatoon Tribal Council Chief Mark Arcand and Professor Niigaan Sinclair, and many other relatives and community members, have called for support, including increased resources and autonomy to ensure that all members of the James Smith Cree Nation are provided with the kinds of supports that they are requesting and need.

• (1430)

Community member and brother of one of the murder victims Darryl Burns, urged his community to come together, while simultaneously challenging the rest of us to address the roots of the unthinkable violence. He pointed out that the long history of intergenerational trauma stemming from residential schools — just spoken about also by our colleague Senator Francis — was at the root of the tragedy. While calling for an examination of how the situation evolved to the point of such horrific violence, let us be clear: Their community has prioritized the provision of support for all to heal.

Niigaan Sinclair reminded us of the reality that virtually all Indigenous families are touched by both victimization and criminalization. He linked the horrific tragedies in James Smith Cree Nation to the ongoing travesty of colonial violence perpetrated in residential schools and perpetuated by child welfare and criminal legal systems.

Tribal Chief Mark Arcand's sister and nephew were among the victims. He urged me to please share with you the need to, first and foremost, focus on supporting families through the trauma they are experiencing as a direct impact of what they saw and continue to relive as a result of the murders. He hopes they can be supported to heal, which could, in turn, lead to a better quality of life for them and their community in the future.

[ Senator Francis ]

In this moment and in the aftermath of these tragedies, it is imperative that we listen to the calls for healing processes as well as resources to ensure support with the work to develop services in Indigenous communities. These must include housing, education, economic and health services, including, of course, mental health and addiction treatment programs.

Let us support the James Smith Cree Nation survivors and all Indigenous communities by addressing inequities and through rehabilitation work rather than reactions that exacerbate inequality and injustices and result in more victimization and criminalization.

*Chi-meegwetch.* Thank you.

## VISITORS IN THE GALLERY

**The Hon. the Speaker pro tempore:** Honourable senators, I wish to draw your attention to the presence in the gallery of Duane Aucoin; Dave Joe, an Indigenous lawyer who was called to the bar 45 years ago today; Georgina Sydney; Mary Bob; and Victoria Fred, all of the Teslin Tlingit Council. They are the guests of the Honourable Senator Duncan.

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

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

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## ROUTINE PROCEEDINGS

### STUDY ON THE IMPLEMENTATION OF INDIGENOUS RIGHTS-BASED FISHERIES ACROSS CANADA

FOURTH REPORT OF FISHERIES AND OCEANS COMMITTEE  
DEPOSITED WITH CLERK DURING ADJOURNMENT OF THE SENATE

**Hon. Fabian Manning:** Honourable senators, I have the honour to inform the Senate that pursuant to the orders adopted by the Senate on February 10, 2022, and May 12, 2022, the Standing Senate Committee on Fisheries and Oceans deposited with the Clerk of the Senate on July 12, 2022, its fourth report entitled *Peace on the Water (Advancing the Full Implementation of Mi'kmaq, Wolastoqiyik and Peskotomuhkati Rights-Based Fisheries)* and I move that the report be placed on the Orders of the Day for consideration at the next sitting of the Senate.

I apologize if I mispronounced anything. I'm still working on the English language.

(On motion of Senator Manning, report placed on the Orders of the Day for consideration at the next sitting of the Senate.)



**STUDY ON THE FEDERAL GOVERNMENT'S  
RESPONSIBILITIES TO FIRST NATIONS,  
INUIT AND MÉTIS PEOPLES**

SEVENTH REPORT OF INDIGENOUS PEOPLES COMMITTEE  
DEPOSITED WITH CLERK DURING ADJOURNMENT OF THE SENATE

**Hon. Brian Francis:** Honourable senators, I have the honour to inform the Senate that pursuant to the orders adopted by the Senate on March 3, 2022, and June 14, 2022, the Standing Senate Committee on Indigenous Peoples deposited with the Clerk of the Senate on June 27, 2022, its seventh report (Interim) entitled *Make it Stop! Ending the remaining discrimination in Indian registration* and I move that the report be placed on the Orders of the Day for consideration at the next sitting of the Senate.

(On motion of Senator Francis, report placed on the Orders of the Day for consideration at the next sitting of the Senate.)

**THE SENATE**

MOTION TO AFFECT WEDNESDAY SITTINGS FOR THE REMAINDER  
OF THE CURRENT SESSION 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, for the remainder of the current session:

- (a) when the Senate sits on a Wednesday, it adjourn at 4 p.m., as if that were the ordinary time of adjournment provided for in the Rules, unless it has been suspended for the purpose of taking a deferred vote or has earlier adjourned; and
- (b) if a vote is deferred to a Wednesday, or to later that same day on a Wednesday, it take place at 4:15 p.m., notwithstanding any provision of the Rules, with the Speaker interrupting the proceedings immediately prior to any adjournment, but no later than 4 p.m., to suspend the sitting until 4:15 p.m. for the taking of the deferred vote, with the bells to start ringing at 4 p.m.

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

**Hon. Senators:** Agreed.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

[*Translation*]

NOTICE OF MOTION TO AUTHORIZE JOINT COMMITTEES TO HOLD  
HYBRID MEETINGS

**Hon. Marc Gold (Government Representative in the Senate):** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, notwithstanding any provision of the Rules, previous order, or usual practice, until end of the day on December 22, 2022, any joint committee be authorized to hold hybrid meetings, with the provisions of the order of February 10, 2022, concerning such meetings, having effect; and

That a message be sent to the House of Commons to acquaint that house accordingly.

[*English*]

**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, September 27, 2022, at 2 p.m.

**QUESTION PERIOD**

**PUBLIC SAFETY**

PAROLE BOARD OF CANADA

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

Senator Gold, earlier this month — and we have spent 33 minutes on statements on this today — the worst fears of more than a dozen Canadian families were realized when an individual, described as having a long criminal history, murdered 10 people and wounded 18 others.

• (1440)

The description of a long criminal history, of course, barely scratches the surface since the offender in question had — as Senator Wallin mentioned in her statement — 59 criminal

convictions spanning 20 years, including for violent crimes such as assault, assault with a weapon, assault on a police officer, uttering threats and robbery.

Minister Mendicino has said that there will be a Parole Board inquiry into this case. Leader, 10 Canadians are dead and 18 were wounded. Will the government ensure that every aspect and relevant fact of this inquiry will be fully available to Parliament and to the Canadian public?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question, Senator Plett. I have full confidence that the inquiry that the minister has announced will be a serious and comprehensive one. I do not have information about the scope of it beyond that or about plans to make the results available or when, but I'll certainly make inquiries and report back.

**Senator Plett:** Thank you, Senator Gold. I look forward to you getting back to us on that.

Senator Gold, I'm puzzled — indeed, outraged — about this situation, as are Canadians. Why does the board not automatically — and I believe you served on the Parole Board — post every decision with reasons on its website?

One could easily black out information to protect victims, so why isn't there full transparency in every other respect? Why isn't every Parole Board decision automatically made public? Will the government commit to making them so? Court proceedings, as well as nearly every other tribunal, are public.

**Senator Gold:** Thank you for your question. Yes, indeed, I had the honour of serving on the Parole Board of Canada in my region of Quebec. The Parole Board is governed by legislation that sets out the principles and rules governing both the conduct of hearings and the publication of results.

Again, I will make inquiries as to whether there are any plans to legislate or otherwise direct the Parole Board. My understanding is that there are reasons of confidentiality that may very well limit what can be disseminated. Again, I will make inquiries and report back.

## IMMIGRATION, REFUGEES AND CITIZENSHIP

### TAIWAN

**Hon. Leo Housakos:** Honourable senators, my question is for Senator Gold, the Leader of the Government in the Senate. My question is a simple one. Senator Gold, can you tell us what the Trudeau government's position is on issuing visas to Taiwanese officials who are travelling to or through Canada?

**Hon. Marc Gold (Government Representative in the Senate):** My answer will simply be that I will have to make inquiries and find out about that. I'm not aware of what the position is at this juncture.

**Senator Housakos:** My supplementary question, Senator Gold, is equally simple. Can you please share with us what the Trudeau government's position is on cabinet ministers' right to travel to Taiwan, particularly as representatives of the Canadian government?

**Senator Gold:** Thank you for the question. As you know, senator, it is the right of parliamentarians and legislators to travel internationally. We know that that issue has been in the news. Canada remains committed to its "one China" policy. With regard to your specific question, I'll have to make inquiries.

## AGRICULTURE AND AGRI-FOOD

### CARBON SEQUESTRATION

**Hon. Brent Cotter:** Honourable senators, my question, in collusion with Senator Deacon, Nova Scotia, is for the Leader of the Government in the Senate. It relates to the government's strategies to assist the agricultural community in its efforts to contribute to the government's net-zero goals.

More specifically, Senator Deacon and I were exploring with the office of the Minister of Agriculture the potential for carbon sequestration as a meaningful dimension of that net-zero strategy. What we learned essentially was, to say the least, discouraging. There is an all-of-government set of net-zero goals well supported, but there appears to be no comprehensive, cross-government strategy to assist the various sectors of our economy — and here specifically agriculture — in achieving these goals. With respect to agriculture and carbon sequestration specifically, I think Senator Deacon and I would say we were shocked by this lack of government-wide focus on solutions.

Is there an all-of-government strategy to support the use of carbon sequestration? If so, Senator Gold, what is that strategy?

**Hon. Marc Gold (Government Representative in the Senate):** I thank the honourable senator for the question. Indeed, carbon sequestration is a crucial part of the government's comprehensive Emissions Reduction Plan. As the Emissions Reduction Plan highlights, when it comes to addressing climate change, it is an all-hands-on approach and it includes, of course, the agricultural sector. I'm advised that there is a sharing of information and expertise between departments on this point. I would also note that there are currently a number of initiatives that involve many departments on carbon capture, utilization and storage. Most recently, there have been consultations undertaken by the government with partners, including Canadian farmers who are already taking action notably to sequester carbon.

**Senator Cotter:** I note, Senator Gold, that the United States has recently announced its net-zero strategy in agriculture that highlights dramatically the potential for carbon sequestration as a significant tool in the net-zero strategy. Indeed, the estimate is that they will reduce carbon emissions at a level of 50 million metric tonnes in five years. That is actually one quarter of Canada's total goal to be achieved by 2030 and exceeds the goal with respect to agriculture by a factor of 10.

It feels to me, Senator Gold, that we are not on the same page in this country with respect to carbon sequestration despite the enormous opportunities. Could you respond to that?

**Senator Gold:** Thank you for your supplementary question. Attaining net zero is a commitment that this government has made. Both Canada and the United States are investing in their respective strategies to meet that goal. Those strategies are meant, intended and designed to reduce emissions as well as to grow our economy and create good jobs for Canadians.

The government regularly engages with its counterparts in the United States on many subjects, including on this particular topic. It is looking forward to seeing meaningful reductions in emissions, both in Canada and on the other side of the border.

## FOREIGN AFFAIRS

### AFGHANISTAN CRISIS

**Hon. Ratna Omidvar:** Honourable senators, my question is for the Leader of the Government in the Senate. Will Senator Gold take a question?

**Hon. Marc Gold (Government Representative in the Senate):** Yes, of course.

**Senator Omidvar:** My question is about Afghanistan. I think we all appreciate the people of Afghanistan are suffering under brutal persecution by the Taliban. Added to that, there are food and medicine shortages, an earthquake that left 1,000 people dead, as well as other humanitarian issues. Canadian charities and NGOs on the ground in Afghanistan are ready and willing to help, but their hands are tied behind their backs and they are unable to do any work in Afghanistan because of a strict interpretation of Canada's anti-terrorism law. That law effectively bans them from working on anything in Afghanistan because it is governed by the Taliban, which is listed by Canada as a terrorist entity. Therefore, anything they do runs the risk of being charged under the anti-terrorism law.

Other countries such as the U.S. and the U.K. have exempted charities and NGOs from similar laws so as to at least provide assurance that their work will not result in prosecution. Will the Canadian government do the same?

**Senator Gold:** Thank you, senator, for the question. As you properly mentioned, the Taliban has been identified and listed as a terrorist entity under the Canadian Criminal Code. I'm advised that departments from across the Government of Canada are seized with this issue and are working to identify a solution that upholds Canada's national security interests while facilitating the effective delivery of assistance to the Afghan people in this horrible and unprecedented situation. I'm further advised that the government is working with Public Safety and the Department of Justice to look at necessary changes to support the needs of the Afghan people.

**Senator Omidvar:** Senator Gold, I'm happy to know that they are seized with the question. I understand they have been seized with the question for three or four months since this was identified. Minister Lametti understands that the legislation must be amended.

• (1450)

Can you kindly reach out to him and let us know when the amendment is to be tabled in the House of Commons or here in the Senate?

**Senator Gold:** I'll certainly speak to the minister, whom I will be seeing later today in committee, and I will pass on that message.

## IMMIGRATION, REFUGEES AND CITIZENSHIP

### STUDY PERMIT PROCESSING BACKLOG

**Hon. Jane Cordy:** Senator Gold, as we return to the Senate this week, there are many university students across the country who are returning to their campuses. However, thousands of international students who have applied to attend university here in Canada are all no doubt under a tremendous amount of stress and face uncertainties as they continue to wait for study permits.

It was reported that, as of August 18, the government was still processing 163,000 applications from international students. With those numbers, and with only two weeks before the start of the semester, I would think that many of those students would have missed the start of this fall term.

Senator Gold, would you be able to provide an update to this chamber on the backlog of international student study permit applications?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question and for highlighting this issue that is important both to the students who want to come here and also to our universities and our country that benefit from those students. The government understands the hardships, difficulties and uncertainties caused by longer wait times in their applications.

That's why the government has taken a number of measures to do more to tackle the backlog while making the immigration system more sustainable in the long term. That includes the fact that Immigration, Refugees and Citizenship Canada, or IRCC, will have hired approximately 1,250 new employees to improve processing capacity.

Allow me to share some figures with you regarding student permit processing. IRCC finalized almost 560,000 study permit applications in 2021, and that beats their previous record in 2019 by 31%. IRCC is already outpacing that amount this year, with almost 452,000 study permits finalized between January and August this year, which compares to about 367,000 finalized during the same period last year.

Government will be open and transparent in their plan to tackle the backlog and return to service standards. That's why the government has, in fact, started publishing their progress online on a monthly basis.

**Senator Cordy:** Thank you very much, Senator Gold, for those statistics. I was not able to jot them all down, but I will certainly take note of them when I get your answer in print.

You are absolutely right: Our country gains so much from our international students. Canadian universities have increasingly relied upon attracting international students to study in Canada, who have provided our schools with much more diverse campuses and a learning culture that benefits all students. It also benefits the communities in which the universities are located.

Not surprisingly, Canada's universities have maintained an excellent reputation internationally, and they attract students from all over the world.

This backlog — and I know you gave information this afternoon — does threaten all of that. As application backlogs continue, the fear is that potential international students may start to look elsewhere.

Senator Gold, does the government have a plan — you gave a bit of it earlier — to expedite the process for the start of the January 2023 term because that isn't too far away? These are students who have applied well in advance, accounting for the 12 weeks stated processing time by IRCC, with some applying eight or nine months ago.

**Senator Gold:** I'll be brief. The government has put into place the measures I described. It believes that these will make a difference. We are on track to do better than last year, and the government will continue to do what it can to clear the backlog and make our universities accessible to those students from abroad who wish to come here.

## NATIONAL SECURITY, DEFENCE AND VETERANS AFFAIRS

### BUSINESS OF THE COMMITTEE

**Hon. Percy E. Downe:** Honourable senators, my question today is for the Chair of the Standing Senate Committee on National Security, Defence and Veterans Affairs.

As you know, retention and recruitment have been an ongoing problem for the Canadian Armed Forces, or CAF. To that end, I have been contacted by members of the CAF who are concerned that, given the health care accessibility crisis in Canada, medical support for their immediate family members will be next to impossible to obtain when they are posted to any new location in Canada.

As you are all well aware, members of the forces currently have access to military medical personnel, including doctors and nurses, but their family members do not. Therefore, when they are posted to a new location, their quality of medical care will

continue, but their family members have to join a waiting list for a family doctor that, in many provinces, can be thousands of names long.

This growing problem means that every posting is creating stress in military families.

Could you advise the Senate what issues the Standing Senate Committee on National Security, Defence and Veterans Affairs intends to study over the next year and if the concerns I have raised today on behalf of CAF members' families could also be looked at during that time?

**Hon. Tony Dean:** Thank you for the question — it's an important one — and thank you for providing it to me in advance.

First of all, we know that access to primary health care is a challenge for Canadians right across the country, but it's particularly a concern for the family of members of the Canadian Armed Forces who have no choice but to relocate. It's almost part of the job description, and we know that causes particular challenges.

It is an issue that I think deserves the attention of the Senate and the National Security, Defence and Veterans Affairs Committee in particular. We will certainly endeavour to give it that attention.

You might know that we are currently midway through a comprehensive study of security and defence in the Arctic. That is in the context, particularly, of the Russian invasion of Ukraine. Backed up behind that study, likely in the new year, is an important study on cybersecurity. Nevertheless, we will look for opportunities to explore this issue. We know it's a very important one.

On that note, I also acknowledge that you have written to the Minister of National Defence on this matter. When the minister is next before us — and I think that will happen in the near future — we will be sure to follow up with her on your letter and with our own enquiries.

So thank you for that question on a very important matter. I hope this answer is satisfactory to you.

**Senator Downe:** That's a wonderful answer. Thank you very much.

[*Translation*]

## PUBLIC SAFETY

### PAROLE BOARD OF CANADA

**Hon. Pierre-Hugues Boisvenu:** My question is for Senator Gold, who no doubt listened to the senators who made statements about the terrible attacks in Saskatchewan.

These attacks stir up a lot of emotion, but, more importantly, they raise a lot of questions. The man who killed those people in Saskatchewan was granted parole because the Parole Board of Canada did not consider him to be an undue risk to society.

It came to the same conclusion in its assessment of Eustachio Gallese, who murdered Marylène Levesque in Quebec City just a few weeks after his release. Obviously, the Parole Board and correctional services are failing across the board when it comes to assessing risk.

My question is quite simple. What has the government done since Marylène Levesque's death in 2020 to strengthen Canada's correctional system, particularly when it comes to decisions on supervision of offenders in the community?

**Hon. Marc Gold (Government Representative in the Senate):** I thank the honourable senator for his question. Members of the Parole Board of Canada and the panels that are established to assess specific cases in different regions work within a legislative framework, which means they must take into consideration the recommendations of correctional institution workers and those who keep track of the people involved in the process.

• (1500)

Parole Board members make independent decisions free from interference by the federal government or even by their team supervisor. This system relies on the members' independence.

The minister will look into the tragedy that happened in Saskatchewan and we will be very interested to learn what he finds.

**Senator Boisvenu:** Senator Gold, in 2018, the Auditor General released a scathing report on the Parole Board and Correctional Service Canada. He identified some significant deficiencies regarding the supervision of offenders in the community. Will you present in this chamber, as soon as possible, the action plan that the Parole Board and Correctional Service Canada implemented in response to the recommendations that the Auditor General made four years ago?

**Senator Gold:** I will inquire with the government to see whether that is accessible. I do want to point out, however, that there's a big difference between decisions made by the tribunals and those made by the Parole Board. The Parole Board itself does not do the monitoring. This is done by the Correctional Service of Canada. That said, I'll look into it and will report back in this place.

## CANADIAN HERITAGE

### FUNERAL OF QUEEN ELIZABETH II

**Hon. Claude Carignan:** My question is for the Government Representative in the Senate. I looked at the Table of Precedence for Canada and I noticed that the Speaker of the Senate is listed immediately after the Governor General, the Prime Minister of Canada and the Chief Justice of Canada. Was the Speaker of the Senate invited to attend the funeral of Queen Elizabeth II?

**Hon. Marc Gold (Government Representative in the Senate):** I don't know. I have no idea.

**Senator Carignan:** I heard through the grapevine that he was not invited. I would appreciate it if you could check on why the Speaker of the Senate was not invited and others who are quite far down in the order of protocol, despite their musical talent, were.

**Senator Gold:** I will check.

However, I would like to mention that, for those who had the honour and privilege of taking part in the ceremony here in Ottawa, it was very moving. The Speaker of the Senate was there to represent the Senate and had a place of honour in the room.

**Hon. Raymonde Saint-Germain:** As you're making inquiries to follow up on Senator Carignan's question, could you ask specifically if there is any obligation for the Chief Justice of the Supreme Court — who is third in the Table of Precedence — and the Speaker of the Senate — who is fourth — to remain in the country so they can respond to any eventuality while the Governor General and the Prime Minister, our country's leaders, are abroad?

**Senator Gold:** Thank you for your answer in the form of a question. I will add it to my answers.

[English]

## FINANCE

### CANADA'S INFLATION RATE

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Honourable senators, my question for the government leader concerns the escalating cost of living for Canadians. Yesterday's Consumer Price Index numbers clearly show that the price for food has risen at the fastest pace in the last four decades. Conservatives have spent the last 24 months warning the government about inflation and the consequences of out-of-control spending. Yet the Prime Minister continues to spend and costs continue to rise. Now Canadians face a 10.8% increase in the cost to feed their families. Leader, when will the government finally realize they were wrong all along and cap government spending?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. The government is very focused on the challenge that the increased cost of living poses to Canadians. Notwithstanding that there have been some modest improvement in the overall inflation numbers, as you properly point out, the cost of food, which is a fundamental human need, continues to rise. The government is proposing and has proposed a number of measures to assist those most seriously affected, some of them are in bills that were just introduced and that we will have an opportunity to study here.

The government does not believe it was wrong to invest as it did in helping Canadians through the pandemic and will continue to invest and target support for those who are most severely affected by the ongoing challenges that the world is facing. Supply chain challenges, challenges based on the increased costs of the materials of production, caused in part by the pandemic, in part by the war in Ukraine and in part by inflation, as you have underlined. The government remains committed to helping Canadians and will continue to do so.

**Senator Martin:** Leader, the time has long passed for this government to get inflation under control and to provide relief to Canadians. The price of housing has doubled, interest rates continue to rise and families are forced to spend less at the grocery store. This government's solution to the crisis is to reduce Canadians' paycheques with higher payroll taxes, to raise gas and home heating taxes and, indirectly, the cost of food by tripling the carbon tax. Leader, will the government stand with Conservatives and Canadians and axe the carbon tax and cancel payroll tax hikes so families can feed their families and heat their homes?

**Senator Gold:** The answer is most likely no, honourable senator. The government has a different approach to addressing the economic crisis. That approach has proven effective in maintaining Canada's credit rating abroad, maintaining our economy, which is growing well and recovering — exceptionally well despite the differences. In a democratic society, it's good and healthy that there is a debate between different approaches to managing the economy and different understandings of the causes of inflation. This government is satisfied that it is on the right track and will continue to so act.

## JUSTICE

### CRIMINAL JUSTICE SYSTEM

**Hon. Donald Neil Plett (Leader of the Opposition):** Senator Gold, Robyn Urback wrote in the *Globe and Mail* a few weeks ago that this case illustrates a sad reality about Canada's justice system and that it is a revolving door system with short sentences, usually less than five years. Of course, I'm referring to the murders in Saskatchewan.

Generous parole provisions, automatic statutory release at the two-thirds mark of the sentence and often insufficient rehabilitation programming. As a member of the Parole Board, you have obviously seen the endless parade of offenders before the board, where complex cases are reviewed in a very short space of time because sheer volume allows for little else. In this case, the offender was serving a sentence of only 53 months for violent offences despite dozens of previous convictions, yet he was out on statutory release in just two thirds of that time.

Senator Gold, this is something you can answer; you don't have to ask. Would you not agree that this case shows that we have a fundamental problem in our justice system, and will you do everything you can to convince the government to commit to reviewing its entire approach to criminal justice matters in the face of the tragedy that just occurred?

[ Senator Gold ]

**Hon. Marc Gold (Government Representative in the Senate):** Senator, thank you for your question. It was a tragedy. There are no words to describe the tragedy. But no, respectfully, I do not agree that our government is on the wrong track with regard to criminal justice reform.

• (1510)

Indeed, we have judges who exercise their discretion and apply the law appropriately. We have a Criminal Code framework that is well designed. Of course, improvements are always possible. Indeed, improvements there shall be — perhaps not in the direction you may necessarily subscribe — but if there is a problem with the criminal justice system, I think it is simply that Canadians don't fully understand the variety of circumstances that may go into the determination of an appropriate sentence. In that regard, I will end my comments.

[Translation]

## ORDERS OF THE DAY

### BUSINESS OF THE SENATE

**Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, pursuant to the order adopted December 7, 2021, I would like to inform the Senate that Question Period with the Honourable Marc Miller, P.C., M.P., Minister of Crown-Indigenous Relations, will take place on Thursday, September 22, 2022, at 3:20 p.m.

### HOUSE OF COMMONS PROCEEDINGS

#### MESSAGE FROM COMMONS

**The Hon. the Speaker pro tempore:** Honourable senators, I have the honour to inform the Senate that a message has been received from the House of Commons which reads as follows:

Thursday, June 23, 2022

*EXTRACT, —*

That, notwithstanding any standing order, special order or usual practice of the House, beginning on Friday, June 24, 2022, and ending on Friday, June 23, 2023:

- (a) members may participate in proceedings of the House either in person or by videoconference, provided that members participating remotely be in Canada;
- (b) members who participate remotely in a sitting of the House be counted for the purpose of quorum;

- (c) provisions in the Standing Orders to the need for members to rise or to be in their place, as well as any reference to the chair, the table or the chamber shall be interpreted in a manner consistent with the virtual and hybrid nature of the proceedings;
- (d) the application of Standing Order 17 shall be suspended;
- (e) in Standing Orders 26(2), 53(4), 56.1(3), and 56.2(2), the reference to the number of members required to rise be replaced with the word “five”;
- (f) the application of Standing Order 62 shall be suspended for any member participating remotely;
- (g) documents may be laid before the House or presented to the House electronically, provided that:
- (i) documents deposited pursuant to Standing Order 32(1) shall be deposited with the Clerk of the House electronically,
  - (ii) documents shall be transmitted to the clerk by members prior to their intervention,
  - (iii) any petition presented pursuant to Standing Order 36(5) may be filed with the clerk electronically,
  - (iv) responses to questions on the Order Paper deposited pursuant to Standing Order 39 may be tabled electronically;
- (h) should the House resolve itself in a committee of the whole, the Chair may preside from the Speaker’s chair;
- (i) when a question that could lead to a recorded division is put to the House, in lieu of calling for the yeas and nays, one representative of a recognized party can rise to request a recorded vote or to indicate that the motion is adopted on division, provided that a request for a recorded division has precedence;
- (j) when a recorded division is requested in respect of a debatable motion, or a motion to concur in a bill at report stage on a Friday, including any division arising as a consequence of the application of Standing Order 78, but excluding any division in relation to the budget debate, pursuant to Standing Order 84, or the business of supply occurring on the last supply day of a period, other than as provided in Standing Orders 81(17) and 81(18)(b), or arising as a consequence of an order made pursuant to Standing Order 57,
- (i) before 2:00 p.m. on a Monday, Tuesday, Wednesday or Thursday, it shall stand deferred until the conclusion of Oral Questions at that day’s sitting, or
  - (ii) after 2:00 p.m. on a Monday, Tuesday, Wednesday or Thursday, or at any time on a Friday, it shall stand deferred until the conclusion of Oral Questions at the next sitting day that is not a Friday,
- provided that any extension of time pursuant to Standing Order 45(7.1) shall not exceed 90 minutes;
- (k) if a motion for the previous question under Standing Order 61 is adopted without a recorded division, the vote on the main question may be deferred under the provisions of paragraph (j), however if a recorded division is requested on the previous question, and such division is deferred and the previous question subsequently adopted, the vote on the original question shall not be deferred;
  - (l) when a recorded division, which would have ordinarily been deemed deferred to immediately before the time provided for Private Members’ Business on a Wednesday governed by this order, is requested, the said division is deemed to have been deferred until the conclusion of Oral Questions on the same Wednesday, provided that such recorded divisions be taken after the other recorded divisions deferred at that time;
  - (m) for greater certainty, this order shall not limit the application of Standing Order 45(7);
  - (n) when a recorded division is to be held, the bells to call in the members shall be sounded for not more than 30 minutes, except recorded divisions deferred to the conclusion of Oral Questions, when the bells shall be sounded for not more than 15 minutes;
  - (o) recorded divisions shall take place in the usual way for members participating in person or by electronic means through the House of Commons electronic voting application for all other members, provided that:
    - (i) electronic votes shall be cast from within Canada using the member’s House-managed mobile device and the member’s personal House of Commons account, and that each vote require visual identity validation,
    - (ii) the period allowed for voting electronically on a motion shall be 10 minutes, to begin after the Chair has read the motion to the House, and members voting electronically may change their vote until the electronic voting period has closed,

- (iii) in the event a member casts their vote both in person and electronically, a vote cast in person take precedence,
  - (iv) any member unable to vote via the electronic voting system during the 10-minute period due to technical issues may connect to the virtual sitting to indicate to the Chair their voting intention by the House videoconferencing system,
  - (v) following any concern, identified by the electronic voting system, which is raised by a House officer of a recognized party regarding the visual identity of a member using the electronic voting system, the member in question shall respond immediately to confirm their vote, either in person or by the House videoconferencing system, failing which the vote shall not be recorded,
  - (vi) the whip of each recognized party have access to a tool to confirm the visual identity of each member voting by electronic means, and that the votes of members voting by electronic means be made available to the public during the period allowed for the vote,
  - (vii) the process for votes in committees of the whole take place in a manner similar to the process for votes during sittings of the House with the exception of the requirement to call in the members,
  - (viii) any question to be resolved by secret ballot be excluded from this order,
  - (ix) during the taking of a recorded division on a private members' business, when the sponsor of the item is the first to vote and present at the beginning of the vote, the member be called first, whether participating in person or remotely;
  - (p) during meetings of standing, standing joint, special, special joint, except the Special Joint Committee on the Declaration of Emergency, and legislative committees and the Liaison Committee, as well as their subcommittees, where applicable, members may participate either in person or by videoconference, and provided that priority use of House resources for meetings shall be established by an agreement of the whips and, for virtual or hybrid meetings, the following provisions shall apply:
    - (i) members who participate remotely shall be counted for the purpose of quorum,
    - (ii) except for those decided unanimously or on division, all questions shall be decided by a recorded vote,
  - (iii) when more than one motion is proposed for the election of a chair or a vice-chair of a committee, any motion received after the initial one shall be taken as a notice of motion and such motions shall be put to the committee seriatim until one is adopted,
  - (iv) public proceedings shall be made available to the public via the House of Commons website,
  - (v) in camera proceedings may be conducted in a manner that takes into account the potential risks to confidentiality inherent in meetings with remote participants,
  - (vi) notices of membership substitutions pursuant to Standing Order 114(2) and requests pursuant to Standing Order 106(4) may be filed with the clerk of each committee by email; and
  - (q) notwithstanding the order adopted on Wednesday, March 2, 2022, regarding the Special Joint Committee on the Declaration of Emergency, until the committee ceases to exist and where applicable,
    - (i) the committee shall hold meetings in person only should this be necessary to consider any matter referred to it pursuant to subsection 61(2) of the act,
    - (ii) members who participate remotely shall be counted for the purpose of quorum,
    - (iii) except for those decided unanimously or on division, all questions shall be decided by a recorded vote,
    - (iv) in camera proceedings may be conducted in a manner that takes into account the potential risks to confidentiality inherent in meetings with remote participants,
    - (v) when more than one motion is proposed for the election of the House vice-chairs, any motion received after the initial one shall be taken as a notice of motion and such motions shall be put to the committee seriatim until one is adopted;
- that a message be sent to the Senate to acquaint Their Honours that this House has passed this order; and
- that the Standing Committee on Procedure and House Affairs be instructed to undertake a study on hybrid proceedings and the aforementioned changes to the Standing Orders and the usual practice of the House.

*ATTEST*

Charles Robert

*The Clerk of the House of Commons*



[English]

## ONLINE STREAMING BILL

BILL TO AMEND—SECOND READING—DEBATE

On the Order:

Resuming debate on the motion of the Honourable Senator Dawson, seconded by the Honourable Senator Bovey, for the second reading of Bill C-11, An Act to amend the Broadcasting Act and to make related and consequential amendments to other Acts.

**Hon. Dennis Dawson:** Honourable senators, I rise today to speak to Bill C-11, the online streaming act, and to update you on its key legislative priority: the modernization of the Broadcasting Act.

I moved second reading in June and this is officially my speech, but the committee has started its study and is moving forward during the next few weeks.

[Translation]

Modernizing the legislation means updating it and preparing for the future. This must be done in a way that appropriately considers the technological realities, business models and dynamics at play in the current Canadian broadcasting system. The law needs to establish an updated regulatory framework with clear guidance, the necessary tools and the flexibility needed to maintain its relevance.

[English]

Bill C-11 is part of a broader set of initiatives put forward by the government to create a forward-thinking digital policy agenda, including the online news act and the government's commitment to address online safety.

Bill C-11 aligns with other acts, legislative instruments and the Canadian Charter of Rights and Freedoms. It also helps Canada fulfill its international commitments, such as the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions and the United Nations Declaration on the Rights of Indigenous Peoples.

[Translation]

The 1991 Broadcasting Act needs to be modernized, and that needs to be done now.

[English]

That's what our artists, creators and the broadcasting industry have been asking for.

Bill C-11 is important to Canadians. We have heard from our cultural sectors that the passage of Bill C-11 is important. We have heard from our broadcasting sectors that passage of this bill is urgent.

While we studied Bill C-11 at committee, I'm sure we have all received a significant amount of correspondence on this bill, as many of you have told me. However, I want to take a moment to urge caution and critical consideration. There has been a great deal of misinformation circulated by the opponents of this bill with little basis in reality or appreciation of the goals of the legislation.

A large number of messages are driven by a sophisticated, well-organized campaign that makes use of computer-generated emails. The vast majority of messages I have received are linked to automatically filled online forms, some of which contain totally inaccurate information about the bill. I would also like to note that many of those forms do not have any verification protections to ensure that real individuals are sending these messages. I bring this up now only to urge caution. Our committee and our colleagues are carefully studying the modernization of the broadcasting framework, and this work is too important to be distracted by misinformation.

The project of modernization has been considered for many years. A little known fact is that four years ago, in 2018, the Transport and Communications Committee began a study on the modernization of the Broadcasting Act. At that time, we decided to defer our study to the ongoing broadcasting telecommunications legislative review done by the government. That panel studied this issue for two years before publishing its report entitled *Canada's Communications Future: Time to Act*. That report was published in January 2020, and here we are in 2022. The task at hand is important work because we are already late.

I stand before you again, almost a year and a half since Bill C-10 was introduced to modernize the 1991 Broadcasting Act. When I rose at that time to introduce Bill C-10 to you, I noted that the bill had already received considerable parliamentary input with 112 days at the Standing Committee on Canadian Heritage. With over 40 meetings and close to 50 witnesses — not counting departmental briefings — the bill reflected the work done by parliamentarians and substantial input from industry and community stakeholders.

With Bill C-11, the Standing Committee on Canadian Heritage held an additional 28 meetings with 46 briefs, representing input from 142 witnesses. Collectively, the interested parties have repeatedly recognized the need to modernize the act even though their opinions might differ on the details. In fact, all parties in the other place have signalled that the modernization of the Broadcasting Act is a necessity.

Whenever we talk about modernizing our broadcasting system, it is an opportunity to ask ourselves big questions about how we are as Canadians and how we want to define our culture and our stories. It was the same in 1981, and even in 1982. I was in the other place at that time — as you know, I have been here for a long time — pushing to update the act then as American programs were threatening to overpower our arts and culture.

[*Translation*]

Our culture is all of us. It is our past, present and future. It is how we talk to one another.

[*English*]

Honourable senators, for more than 50 years the Broadcasting Act helped us share our stories. That's how we built our strong Canadian culture, forged our Canadian identity and brought Canadian voices to the world. We want to build on this for the future, so we must recognize that times have changed.

[*Translation*]

The last time our system was updated, our world was completely different. In 1991, we rented movies at Super Club Vidéootron or at Blockbuster, and we had Walkmans. A lot has changed in 30 years. Online streaming has changed the way we create, discover and consume content. Our system needs to reflect that reality.

For decades, Canadian broadcasters have been investing in the system to create the content we love so much. It is a simple matter of fairness to ask online broadcasters to do their part.

Companies such as Netflix, Amazon and Disney are already investing in the Canadian economy and we are happy about that. We are happy that they are choosing to produce their shows in Canada. Let's be honest, they are doing that because of the incredible talent here in Canada.

What this bill does is update our rules so that every streaming platform contributes to our culture, period.

[*English*]

As this bill reaches us today, Bill C-11 has received more and more input. It was drafted to build upon the work done on Bill C-10 in the last session, with minimal, targeted changes and a recalibrated approach to social media. This bill has been updated to reflect the hard work of parliamentarians of all parties and caucuses.

• (1520)

The government listened to the concerns and feedback from the last session and has updated the bill to address concerns surrounding user-generated content. It was further amended at committee in the other place to strengthen protections on free speech.

The online streaming act is not about picking winners and losers in the landscape of Canada's programming offerings. It does offer as much as Canadians want. It does not compromise the personal freedoms of Canadians by censoring the internet. In fact, it specifies in multiple places throughout the text of the bill that freedom of expression must be protected. I cannot express this enough: Freedom of expression in Canada will not be impacted by this act.

What it does is simple: It updates our legislation so that the broadcasting framework in Canada accounts for the realities of modern broadcasting and ensures a level playing field for those

commercial players that can materially contribute to its objectives. This legislation will update Canada's broadcasting rules to include online streaming services. It will require them to contribute in an equitable way to our culture. If you benefit from the system, you need to contribute to it; it's that simple.

Our chamber has an important role to play within our democratic process. We have been asked to examine the bill, to study its merits and aims and understand how it will work. As you know, our chamber authorized the Standing Senate Committee on Transport and Communications to do a pre-study of this bill, and we have been doing it since June. We actually came in last week, before the session started, to have committee meetings. I am pleased to advise that we have begun that work. So far, we have repeatedly heard from our creative sector that we need to pass this bill without delay.

We owe it to our hardworking artists and creators to pass this bill. We owe it to them to make sure that the online streamers who benefit from our system contribute to the strength and vitality of Canada's cultural sector.

Let's remember that Canada's strong culture is not an accident. We made that decision. We made that call. We chose to be different from our neighbour to the south; we chose cultural sovereignty.

At a high level, the online streaming act addresses many important issues. The online streaming act advances the interests of Canada and Canadians in several ways. Canadian broadcasters are suffering financial losses because they are being forced to compete on an uneven regulatory playing field. Passing this bill is crucial for sustaining the economic ecosystem for Canadian culture, music and stories.

It is needed to maintain our audio-visual production activities and keep our cultural industries working. It is recognized by music stakeholders as critical to supporting and making discoverable our music and stories. It creates a dedicated and intentional space within our broadcasting system for communities that have faced systemic marginalization for too long.

Taking this work seriously includes getting it done, doing it right and doing it urgently.

The problem is that our broadcasting regulatory framework is out of date. This hurts our creative industries, doesn't serve the interests of Canadians or Canada, and limits our ability to realize the cultural broadcasting objectives that the Broadcasting Act is ultimately meant to support. These policy objectives are instrumental in shaping our Canadian culture.

Digital disruption has happened, and our legislation must adapt. The reality is that broadcasting has dramatically changed since 1991. Digital disruption in this sector has brought about change at an unprecedented pace, heightened by the pandemic. The traditional services of radio, television and cable are still

important players in the broadcasting system, yet these days, most Canadians regularly use online streaming services such as Netflix, Spotify, CBC Gem, Club Illico and discovery+ to listen to their favourite songs, watch films and television shows.

[*Translation*]

The reasoning was that these services had relatively little impact on the sector at the time, and it was beneficial to allow these innovative services to develop as part of what was then an emerging sector. This reasoning is simply no longer valid.

It is time the services were required to contribute to Canadian stories in the same way traditional Canadian broadcasters do.

[*English*]

More are coming, and their libraries are growing. They see what we all know is true: The Canadian market is lucrative. It's good to do business here in Canada. Online streamers compete directly with the regulated broadcasters. In some cases, due to licensing, the only way Canadian consumers can view the latest popular series, such as "Bridgerton" and "Moon Knight," is through streaming services. Even "Kim's Convenience," content commissioned by the CBC, is being watched by Canadians on platforms like Netflix instead of on a Canadian service like Gem.

Yet, streaming services are not presently required to support the broadcasting system as their Canadian broadcasting counterparts are. They are benefiting from the Canadian market but have no obligations to contribute back into it. This is a problem that requires urgent action and one that the online streaming act directly addresses.

This is not a quick cash grab or a punishment to those who have enjoyed success in an unregulated environment. Canadians stream 2 billion songs in a single week using services like Spotify and Apple Music. We know that there is a market for legitimately sourced music in Canada, ensuring that Canadians are paid and their music is played.

This is about updating our laws and regulations to provide rules for our broadcasting system that make sense today and for tomorrow. It's about providing the certainty and structure for sustainable future success.

We have heard from critics of this bill that we are trying to fit new technologies into an outdated regulatory model. That could not be further from the truth. The online streaming act would modernize Canada's broadcasting system, realigning our country's cultural priorities and future-proofing the framework as new technologies will inevitably arise. We know that technology advancements can be happening at lightspeed. Just think that when we were debating Bill C-10 last year, TikTok was a very different platform than what it is today. We need to build a system that will have the flexibility to adapt to new technology, and that is precisely what Bill C-11 will accomplish.

We have heard from Canadian broadcasters and producers, who continue to dutifully contribute to Canada's cultural sector, about how they compete at a disadvantage with entities that exist outside our regulatory framework.

As I wrote in 1982 on the subject of broadcasting modernization:

Unless new policy initiatives are introduced, the industry is at risk in the face of new technological and global competition which could destroy the infrastructure of Canadian program production.

Technological innovation does not stop. We again face a challenge by new technology and global competition, and again I am calling for the modernization of our regulatory regime.

Honourable senators, we are faced with an important task. Righting the regulatory asymmetry between traditional and online broadcast undertakings has been delayed for too long. The process around modernizing the Broadcasting Act has seen remarkable debate, filibustering and unreasonable claims of imagined breaches of our Charter. These have obscured the real issue. I think it's enough.

[*Translation*]

It is time to provide solutions. We must address the regulatory challenge right now by requiring online audio and video broadcasting services to contribute to the achievement of important cultural policy objectives in the same way that traditional broadcasters always have.

Let us recall that under the 1991 Broadcasting Act, radio stations and TV channels, as well as cable and satellite distribution companies, had to be Canadian owned and licensed. They could show foreign programs or carry American channels.

In return for participating in Canada's broadcasting system and accessing our domestic market, they were required to fund, acquire or broadcast Canadian programs. They were also required to make programs accessible to Canadians and contribute to the creation of Canadian content, including, of course, original programming in French.

[*English*]

This was intentional, and it worked. Our broadcasting system saw an increase in demand for Canadian programs, our creative talent flourished and our cultural industries saw predictable investments on which they could plan, build and grow.

The online streaming act brings online broadcasters under similar rules and requirements as our traditional broadcasters, because unlike traditional Canadian broadcasters, platforms profit from our culture but have no obligations to contribute to it. With money leaving the traditional broadcasters to go to these platforms, this is putting our creators, industries and jobs at risk. We have to act.

Colleagues, our system must also pave the way for new and upcoming Canadian artists.

• (1530)

For decades, our current system introduced us to incredible artists that we all love. Many of them now share their art around the world.

*Anne of Green Gables*, *The Tragically Hip*, *C.R.A.Z.Y.*, Drake, Charlotte Cardin, Lara Fabian, Shawn Mendes, “District 31,” “Schitt’s Creek” — we all know the list of Canadian successes. We want to make sure our children and future generations grow up as we did: having the chance to watch our stories and listen to our songs.

[*Translation*]

Culture is a powerful and foundational form of expression. It enables us to share moments, feelings and dreams. It enables us to forge a shared identity. Its scope and influence are greater than ever.

People need their culture to reflect who they are. Francophones throughout the country depend on it. Our system, our language, our culture depend on it. If we want our children to speak our language, we need a strong culture. To do that, we need a system that is both just and fair.

[*English*]

Colleagues, a primary goal of the renewed approach to regulation is to provide sustainable support to Canadian music and stories in the years ahead. The bill aims for fair treatment of programs consumed on different platforms, regardless of how they are transmitted.

New legislation will shift away from issuing broadcasting licences to a new conditions-of-service model. This will allow the Canadian Radio-television and Telecommunications Commission, the CRTC, to seek contributions related to the discoverability and showcasing of programs.

Canada’s music stakeholders have expressed that the bill addresses their need for creative support and their desire to be fairly promoted online. In this framework, broadcasting undertakings, including online undertakings, will be required to make financial contributions to support Canadian music, stories, creators and producers.

There are two notable themes in the bill that merit some clear and specific mention. They are the treatment of digital-first creators and the recalibrated approach to social media.

Digital-first creators will never face any obligations under the online streaming act. In other words, a producer of audio or audiovisual content that is primarily produced and intended for online distribution as user-uploaded content on social media services will be excluded. There has been fearmongering that the bill will create a world where 30% of a digital-first creator’s

revenue will have to be contributed to an art fund. This is simply not true. There is no question about individual creators being asked to forfeit a portion of their revenues.

We have been clear from the beginning. It is disappointing that the opposition continues to speculate wildly on alarming, far-reaching hypotheticals that simply will never happen. Some social media platforms may have to contribute, yes, but the revenues of digital-first creators will not be included in the calculation of social media platforms’ revenues for the purposes of financial contributions. Content from digital-first creators will not face any obligations related to showcasing and discoverability. Despite some vocal critics on this issue, the concerns of Canada’s digital-first creators have been listened to. They have told us that they do not want to be part of this framework. They will be exempt, and I am confident that the policy direction to the CRTC will make this extra clear.

[*Translation*]

Content uploaded by Canadians on social media platforms, such as Facebook or YouTube, would not face obligations, except in clearly defined circumstances as provided in section 4.2 of the act.

The online streaming act would only allow the CRTC to impose obligations on social media services with regard to a subset of commercial content, such as commercial music. The legislation includes three factors the CRTC would have to consider in identifying commercial programs. It would consider the amount of revenue generated by the program, whether the program was available on other traditional or online broadcasters, such as Netflix or Spotify, and whether the content had been assigned an international standards code number.

Social media content that does not generate revenue for the person who posted it or the copyright holder will never be regulated.

The reason for including these provisions is simple. A Céline Dion song must be treated the same way on YouTube and on Spotify. It is really simple.

[*English*]

Our new approach to social media responds to concerns about freedom of expression. At the same time, it takes into account that music is largely distributed and broadcast online.

More and more, we are seeing social media companies broadcast commercial content. YouTube Music is a prime example. That’s why this bill includes important updates that will only focus on relevant types of commercial content. In fact, a study conducted by Media Technology Monitor in 2020 found:

About two-thirds of Canadian adults used YouTube to listen to music . . . which outpaces dedicated music services such as Apple Music and Spotify.

The proposed amendments in the online streaming act regarding social media will not apply to content uploaded by users or to users themselves. They will only apply to commercial

content based on these specific criteria. This responds to the needs of music stakeholders, who stated that platforms that broadcast commercial music must contribute to the system.

The minister met with social media content creators, including YouTubers and other digital creators, and heard their concerns. Here at the Senate, we are continuing to listen to them. These creators share incredible content with audiences here in Canada and around the world. But this bill is not about them and will not require them to do anything new.

And if I haven't been crystal clear on this yet, let me add once and for all that after this bill has gone through the parliamentary process and received Royal Assent, it will be made even more clear to the regulator, through a policy directive, that this legislation does not touch users — only online streaming platforms.

Platforms are in; users are out. I want to be absolutely clear. This law will never control what Canadians can or cannot see online. We will always be able to choose what we listen to and what we watch. Users are not broadcasters. Their content will not be regulated. An individual online creator's content will not be regulated.

Again, the principle is simple: Platforms are in; users are not.

In sum, the new approach to social media online streaming will ensure that social media services contribute to the Canadian broadcasting system when appropriate and fair while respecting the rights, freedoms and choices of Canadians.

To help understand why action is urgently needed, let us review the current economic reality in the sector.

Broadcasting is an important economic driver, which supports Canada's creative industries and the evolving cultural identity. Together, Canada's broadcasting, film and video, and music and sound recording sectors contributed \$14 billion to Canada's GDP and over 160,000 jobs. That was in 2019.

[Translation]

Over the past decade, the percentage of Canadians who subscribe to online broadcasters has grown from 6% to 78%. Even if we only focus on the last few years, the revenues of online streaming services have seen fast and substantial growth, while traditional broadcasters have seen steadily shrinking revenues.

[English]

This is no surprise. After all, we know that the world of broadcasting has changed. In addition to this new reality, Canada's broadcasting sector is facing long-term structural challenges. Without intervention, current trends in the market are expected to result in a decline in the production of Canadian television content by approximately half a billion dollars within the next five years. This means there will be 13% less Canadian

television production in 2025 than there was in 2020. And in 2020, we had already seen a \$320 million drop in production from 2018 levels.

We have learned from our witnesses at committee, for example, that for the first time, there are more households in Quebec with online subscriptions than traditional television services and that the online streaming market is overwhelmingly dominated by foreign players outside Canada's regulatory framework.

[Translation]

According to a Léger poll conducted for the ADISQ, which we have heard about, 60% of Quebecers identify the radio as a tool for discovering new artists. The survey also showed that 61% of people now listen to music using online services, which are completely unregulated. Just 8% of the tracks people stream online in Quebec are in French.

[English]

Sustainable, long-term support for the system is required to enable ongoing success for Canadian creators, producers and broadcasters. This is what this modernization is about. This is what the online streaming act will achieve.

[Translation]

The status quo is unacceptable.

[English]

Cultural policy is a main element of this legislation. Ensuring the continued viability of Canadian broadcasting is also about our cultural sovereignty. Culture can play a role in the process of truth-telling and reconciliation with Indigenous peoples and healing. Diversity and inclusion are Canadian values, and they must be elements of our cultural policy. This is a key pillar of the new online streaming act.

• (1540)

[Translation]

These are a few of the cultural policy issues that the online streaming act will address. Improving fairness in our broadcasting system means being more inclusive, supporting the livelihoods of Canadian artists and creators, as well as enriching the lives of Canadians who want to see more Canadian content.

[English]

Racialized Canadians, women, LGBTQ2+ persons and persons with disabilities deserve to have the space to tell their stories to other Canadians and to the world. The amendments adopted at committee in the other place further enshrine the importance of having everyone reflected in our broadcasting system. This bill claims that space and ensures that online streaming platforms contribute to Canadian culture.

[*Translation*]

Currently, Canadian broadcasters have to follow a set of rules, but streaming platforms follow a completely different set.

[*English*]

This legislation provides real gains for Canadians, including community media and local news, French language productions, racialized communities, third language programming and so much more. Importantly, this legislation also takes steps to ensure space within our broadcasting system for Indigenous storytelling and Indigenous languages.

[*Translation*]

The rules should be fair for everyone, and that is exactly what the online streaming act would do. Quite simply, if you benefit from the system you have to contribute to it.

[*English*]

Honourable senators, let's walk through the process of what will happen after the bill receives Royal Assent. The government will issue a policy directive to the Canadian Radio-television and Telecommunications Commission, or CRTC, to indicate our priorities when it comes to putting in place the new regulatory framework. The policy direction has two primary goals. First, it will focus on the importance of consultation and special consideration for the needs of equity-seeking groups. Second, the direction will make clear the areas where regulation is needed, as well as the areas where it should be exercised. After the policy direction is published, all stakeholders, including members of the public, will have ample opportunity to participate in the regulatory process and provide their feedback.

Let me emphasize that we are putting in place a regulatory process like in other sectors. That means there will be the publication of the proposed policy direction, followed by public consultation and then the final policy direction. This would be a fully collaborative process with online platforms, traditional media and creators, as well as the general public. The CRTC, in turn, will have its own public process as it further develops steps to implement the legislation. This will be done within the clear limits established by the legislation and in keeping with the policy direction provided by the government.

Canada can be a leader on the global stage for innovative measures that benefit Canada's creative industries and grow its economy in a fast-moving digital and data-driven world. The online streaming act seizes the opportunity to support our dynamic cultural sector in an ever-changing digital context. This bill and its outcomes will serve as examples of how well-thought-out policy mechanisms can result in positive changes for years to come. We need good outcomes, especially for Canadian artists, creators and broadcasters, who have waited too long for this to occur.

The time to act on these measures is overdue. While some critics say we are trying to focus on a moving target, that is a misconception. The government is looking to the future and how we can support our culture; not just maintain the status quo, but challenge it in the interests of Canadian creatives.

[ Senator Dawson ]

I want to spend a couple of minutes clarifying what the bill will not do. The online streaming act is not about regulating the internet, and it will not affect Canadians' ability to use the internet. The bill does not apply to the content generated by Canadians on their favourite social media platforms. The CRTC does not and will not have the power or ability to have content removed from an individual's social media feed or personal website. This is not the purpose of Bill C-11.

The bill clearly outlines that the regulator will have no power to regulate the everyday use of social media by Canadians. Let me be clear: The government will not regulate users or online creators through the bill or policy direction. This act is not about censoring personal videos, social media posts or political discourse, nor is it about taxing them. It is about Canadian culture and our cultural industries, not digital-first creators, not influencers and not users. Only the online streaming companies themselves will have new responsibilities under the online streaming act. That's the goal, and the bill's objective is to attain this goal.

Let's consider a service based in the Philippines as an example, since there have been concerns raised at committee. The Filipino Channel, TFC, streams content in Tagalog and has been presented as a popular service for the hundreds of thousands of Tagalog-speaking Canadians across the country. I want to assure everyone that services like TFC will not be hindered by the act, and there is certainly nothing in this legislation that would cause TFC to block Canadians from accessing its service.

[*Translation*]

What is the goal? This bill is designed to ensure fair treatment for all broadcasters, whether they are online streaming platforms or traditional broadcasters. That is our main objective. Any service used by distributors of commercial shows, in our homes, our cars or our pockets, will be required to contribute to Canadian music and storytelling.

[*English*]

The online streaming act brings with it many opportunities. It presents the chance to achieve greater diversity of perspectives, make and cement gains for many communities and ensure inclusive support within our broadcasting sector. To provide greater diversity of perspectives and inclusive support that represents and aligns with our communities, Canadians of diverse backgrounds must see a broadcasting system that reflects the importance of diversity and inclusion.

Bill C-11 strengthens our broadcasting system by including explicit broadcasting policy objectives requiring that it should include all Canadians. Another strengthened objective requires that accessibility and barrier-free programming be provided. Accessible and inclusive broadcasting is not an afterthought. They are the foundational pillars to build upon.

[*Translation*]

In terms of diversity and inclusion, one of the goals of Bill C-11 is to put diverse and marginalized voices in the spotlight, given that they have historically been under-represented in the broadcasting system.

We want to improve content options for viewers and listeners who have a hard time finding content that reflects their reality. To that end, the broadcasting system must support and promote programs and creators from diverse communities and backgrounds.

[*English*]

The broadcasting system cannot be made current without ensuring that all Canadians from diverse communities and backgrounds can see themselves reflected and supported. While some lament that niche markets will be lost, this is not true. The proposed legislation makes space for all. It cements the concept that we are a country that not only invites diversity but encourages it and supports its creation. It is modernizing our approach to Canadian culture in an increasingly digital world.

[*Translation*]

The act must be amended to ensure that broadcasting in Canada evolves with the necessary framework and space for Canadians from francophone, Indigenous and racialized communities or who represent diversity through their ethno-cultural background, socio-economic status, abilities and disabilities. Sexual orientation, gender identity or expression, and age must all be represented. This is what the online streaming act proposes to do.

[*English*]

Bill C-11 removes the previous limitation as resources become available for the purpose with respect to providing programs that reflect the Indigenous cultures of Canada within our broadcasting system. I am pleased that amendments adopted in the other place last spring go further in enshrining the importance of Indigenous stories in our broadcasting system. This is as it should be, and long overdue.

New technologies and platforms can aid in the revitalization of Indigenous languages. It saddens me to see so many Indigenous languages on the brink of extinction.

Ensuring space for Indigenous peoples to have narrative sovereignty is important, and will support their efforts to revitalize indigenous languages. Modernizing the act includes changes to help Indigenous peoples tell their stories from their viewpoint and to see themselves represented in our broadcasting system. This bill emphasizes the importance of Indigenous-controlled broadcasting services and productions. APTN was in front of the committee this week, and strongly supports the passage of this legislation.

French language programming is a cornerstone of our broadcasting future.

[*Translation*]

Bill C-11 strengthens original French-language content and production, which should not rely solely on dubbing and subtitling. Broadcasters, both traditional and online, must make original French-language content a priority on their platforms.

• (1550)

More and more people are speaking out about how foreign programming is mostly in English and there's so much more of it than there is of original content and production in French — even though this is something francophone communities across the country really need.

[*English*]

The government listened to the concerns raised in the previous Parliament and updated the act to better enshrine these measures in legislation.

[*Translation*]

The online streaming act gives a boost to original French-language content and production by stating that Canadian broadcasting must support the production and broadcasting of original French-language programs; that the CRTC must support the availability of Canadian programs created and produced in French; and that the CRTC will have the power to issue terms of service, including terms governing the proportion of original French-language programs.

As a senator from Quebec, it's particularly important to me to ensure ongoing support for Quebec's audiovisual media market. Specifically, I want to focus on the needs of francophones and anglophones in minority communities. Linguistic duality in Canada depends heavily on our Canadian broadcasting system.

This legislation meets the unique emerging needs and interests of francophone and anglophone minority communities that want to be identified and named in the act as a way of ensuring their growth and vitality in the long term.

I can see my friend, Senator René Cormier, smiling. I believe his community has called for this as well, and I know that that came up in the other place. It is bound to come up again in the Senate too.

The online streaming act includes objectives for francophone and anglophone minority communities. The legislation specifies that any interpretation and implementation of the act must respect the federal government's desire to enhance the vitality of these communities, support their development and ensure the recognition and use of official languages in Canadian society.

At the same time, the CRTC must promote the presentation of programs created and produced by these communities and take their specific needs and interests into account.

The broadcasting system and new online players are necessary vehicles for the transmission of language and culture in Canada.

[*English*]

Honourable senators, we must act now. Through the pandemic, our artists have been a source of inspiration, breathing life and support into our diverse communities daily. They revitalize the spirit of our culture. They elevate with resolve that which constitutes our heritage as Canadians.

[*Translation*]

We have said it, we have seen it, and we have lived it: COVID-19 accelerated our transition to the online world, even for us in the Senate.

Physical distancing pushed Canadians toward online platforms and streaming services.

Canadians are communicating with their friends and families online. Millions of people are teleworking. Students are taking their courses online. In these difficult times, many of us have found an escape in streaming online music, television shows and movies.

[*English*]

Canadian artists and creators are facing many pandemic-related challenges that have severely limited their revenue streams for almost two years. An imbalanced system with unequal obligations is only making this situation worse for our artists, creators and culture.

With fewer resources, opportunities and productions, Canadian music and stories will become harder and harder to find. Without intervention, current trends in the market are expected to result in a decline in the production of Canadian television content of almost \$1 billion by 2023 compared to 2018. This is only a measure of the economic loss. The truth is our cultural identity is at stake.

[*Translation*]

A distinct cultural space allows us to speak, understand and build the Canadian identity. It allows us to come together to find solutions to national issues.

As this space erodes, our ties dissolve and our stories, values and perspectives fade. Our diversity starts to disappear as our francophone, anglophone and Indigenous voices diminish. Productions made by women, racialized communities, LGBTQ2+ communities and persons with disabilities are increasingly at risk because they lack the space to thrive.

Doing nothing is not an option.

We have taken action and we will continue to act to protect our culture, our jobs, our creators and the interests of Canadians.

The online streaming bill will directly contribute to the vitality of Canadian culture. Online broadcasters must do their fair share to fund, create, produce and distribute Canadian content. We just want online streamers to promote English, French and Indigenous language programming made in Canada.

[ Senator Dawson ]

We want them to support diversity at every stage of production through a greater representation of women, racialized communities, LGBTQ2+ communities and persons with disabilities.

The legislation will help ensure the future of Canadian broadcasting as well as promote and protect our cultural sovereignty.

The Canadian broadcasting, film and television production sectors are important economic drivers in our country. In 2020, the audiovisual and interactive media sectors contributed over \$19 billion to Canada's GDP and represented more than 160,000 jobs.

This legislation will help keep this vital sector of our economy competitive. It is essential that creative industries reopen safely and be given the help they need to adapt and thrive.

[*English*]

It is clear that we need to modernize the Broadcasting Act. The bill has broad support across Canada's cultural industries. Moreover, this bill is in the public interest. It is about making sure that we continue to uphold Canadian values in our society as technology and consumer habits evolve. After all, we are not just citizens, we are also consumers.

I look forward to continuing our study on the online streaming act at committee, including tonight, where it can receive the careful consideration that I know it deserves.

[*Translation*]

As the Minister of Canadian Heritage often says, "A day without culture would be boring." I would add that a country without culture would be very sad to see.

[*English*]

This legislation is the result of several years of hard work and consultations on the part of Canadians, industry stakeholders and parliamentarians. I want to thank them all for their thoughtful insight and hard work.

And while we start the debate on this very important legislation, let's remember that, at the end of the day, this is about updating our system to reflect today's digital reality. Things have changed. Streaming platforms are the new big players. This bill makes sure that everyone contributes in a similar and equitable way to our culture.

The objectives of our cultural policy and broadcasting system have not changed. It's about fairness. It's about good middle-class jobs in the cultural sector. It's about having the power to shape our own culture. It's about making sure that everyone can see ourselves in our culture. It's about being proud of who we are, of being Canadians.

[*Translation*]

Together, we are offering a bright future to Canadian culture and to our artists and creators.



We are giving Canadians the space they need to talk to each other, understand each other and share their art, here and around the world. We are building a strong foundation for Canada in the digital age.

The internet brings with it many challenges, and it will not be possible to overcome them if we continue to follow outdated rules that exclude some people and leave others behind. We must act decisively to protect our economy and our culture.

[English]

Today, I invite all senators to stand up for Canadian culture and support this legislation.

Thank you, *meegwetch*.

**The Hon. the Speaker pro tempore:** Senator Dawson's time has expired. If you are in agreement — I have Senator Tannas and Senator Batters on my list — in two minutes, Senator Dawson, will you take a question?

**Senator Dawson:** Certainly.

**Hon. Scott Tannas:** Senator Dawson, I hope you will take a question. You mentioned that 61% of Quebecers use a streaming service for music in addition to the radio. But only 8% of the music that they choose is Canadian content.

**Senator Dawson:** French.

**Senator Tannas:** Is French.

So under the rules, would we be empowering some government body to force people to listen to more than 8%? This could be used for Spotify in other parts of the country. For radio, there is a mandatory 30% that must be Canadian content. Is that what is going to happen? Are folks going to be told what to listen to on Spotify because they haven't listened to enough Canadian content? Can you provide some assurance on that?

**Senator Dawson:** Contrary to the old system, we don't have those 30% quotas. Again, the situation has changed so much that, even though those quotas exist, they are not obviously being respected.

No, there will be no obligation. There will be encouragement. There will be negotiations between the Canadian Radio-television and Telecommunications Commission, or CRTC, and the big players so that they can find ways to put Canadian content, French Canadian content and multicultural content on their platforms.

• (1600)

But there will be no forcing of anybody to do anything and certainly nothing that will attack freedom; freedom is guaranteed in this act, and it will be respected.

**Hon. Denise Batters:** Regina's own Hitesh Sharma — Teshar — became a TikTok star with his smash hit "Jalebi Baby." Megastar Jason Derulo then collaborated with Teshar on "Jalebi Baby," and the hundreds of millions of YouTube views for "Jalebi Baby" multiplied.

Teshar's op-ed was published yesterday in the *Regina Leader-Post*, sounding the alarm on Bill C-11. The headline is "TikTok gave my music a global audience; Bill C-11 threatens that path."

**The Hon. the Speaker pro tempore:** Senator Batters, I'm sorry, but I tried to make it possible for everyone to have a question and an answer. Maybe you can go to Senator Dawson and have your question answered.

(At 4 p.m., pursuant to the order adopted by the Senate earlier this day, the Senate adjourned until 2 p.m., tomorrow.)

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