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The Honourable GEORGE J. FUREY,
Speaker

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THE SENATE

Tuesday, October 25, 2022

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

Prayers.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, before calling for Senators' Statements, I would like to remind all senators to make sure your earpieces are away from the microphones when your microphones are live and to make sure that all electronic devices are on silent mode. We have heard from our translators that there are some acoustical issues — not only in the Senate but in committees as well. If you could bear this in mind, it would be much appreciated. Thank you.

[Translation]

SENATORS' STATEMENTS

TRIBUTE TO MARIETTE CARRIER-FRASER

Hon. Lucie Moncion: Colleagues, Mariette Carrier-Fraser passed away on September 15. She was born on October 19, 1943, in Jogues, a small village near the town of Hearst in northern Ontario.

The third of nine children, she came from humble beginnings. Mariette started Grade 1 at the age of four, which was extraordinary and unusual for the time. At the age of 17, she began her teaching career in Hearst and spent the next 36 years in the teaching profession. She rose through the ranks to become assistant deputy minister of French-language education at the Department of Education, a position she held from 1983 to 1997.

She was very active in her community. She became the founding principal of St. Noël Chabanel school at the age of 26 and later of Notre-Dame school in Hamilton at the age of 32. She was then recruited by the Department of Education to manage French-language education advisory services in Ontario, before being appointed regional superintendent and then assistant deputy minister of education. As Bette Stephenson, the Minister of Education at the time, put it:

[English]

“It’s safer to have you on the inside than on the outside.”

[Translation]

Mrs. Carrier-Fraser was the driving force behind establishing French-language sections in every school board, securing equitable funding for Catholic secondary education, establishing Collège Boréal and Collège des Grands Lacs and creating Ontario’s 12 French-language school boards.

Throughout the years, Mariette championed francophones’ right to education in French. She fought for francophones to have their own institutions, an expanded curriculum and access to quality programs.

Her achievements were remarkable, but, as she said, a lot remained to be done.

After retiring, Mariette got involved with many organizations. She chaired the French Language Health Services Advisory Council and served on the boards of Laurentian University, the Postsecondary Education Quality Assessment Board, La Cité, the Northern Ontario School of Medicine University, the Montfort Hospital, the Centre d’appui et de prévention and the Réseau des services de santé en français de l’Est de l’Ontario. She was the first president of the Assemblée de la francophonie de l’Ontario.

She received numerous prestigious awards, including the Order of Canada, the Ordre de la Pléiade and an Ontario Francophonie Award.

This incredible woman made a lasting impact on all who knew her. She was a strong, competent woman with a brilliant mind and a unique way of approaching people. She was a unifying force, a go-getter, an agent of change, a model of commitment and determination who advanced the cause of francophone minority communities and French-language education in Ontario. Mariette Carrier-Fraser was incredibly compassionate and had great respect for others. She took her rightful place in Ontario’s francophone community with pride, honesty and wisdom.

I offer my deepest condolences to her daughters, Lori and Brenda, to her brothers and sisters and her entire extended family.

Rest in peace, my friend, and know that your star will continue to shine for all those who knew and loved you.

Thank you.

OCTOBER 3, 2022, QUEBEC ELECTION

Kwei, honourable colleagues.

Hon. Michèle Audette: [Editor’s Note: Senator Audette spoke in Innu.]

I rise today in the upper chamber with my heart full of pride. This is why: On October 3, Quebecers went to the polls to elect a government. That election was rather special. Several First Nations candidates were running for different parties in the Quebec election. I would like to congratulate and name those candidates: Maïté Labrecque-Saganash, Kateri Champagne Jourdain, Jacline Rouleau, Jacques T. Watso, Gérard Briand, Michaël Ottereyes, Benjamin Gingras and Tunu Napartuk.

In this election, Kateri Champagne Jourdain became the first Innu woman to be elected as an MNA. That is amazing. The same sense of pride was felt when Alexis Wawanoloath, an Abenaki man, became the first Indigenous person to be elected to the National Assembly many moons ago.

On Thursday, October 20, there was another first in Quebec's history when Kateri Champagne Jourdain was appointed Minister of Employment and minister responsible for the North Shore region, my beloved North Shore. To say I am proud is an understatement.

I will echo the words of my community's chief, Mike Pelash Mckenzie, who said the following after her appointment:

Kateri Champagne Jourdain's appointment to cabinet is a wonderful sign of confidence and recognition from the premier. Ms. Champagne Jourdain is unquestionably skilled, and we are confident she will succeed in her role.

He believes that this is more proof for the members of our nation, especially women and youth, that we can all succeed and have an important role in society. We wish Ms. Champagne Jourdain all the best in her new position.

Of course, this appointment is not just historic for me. It recognizes the woman and the Innu woman, especially her skills, her knowledge, her leadership and her language, Innu-aimun. As we say back home, that is big. *Nasss ne shenen.*

I agree with Premier Legault that this appointment does not mean everything should fall on the shoulders of our new Innu minister. I hope that the burden will be shared by Quebec society as a whole and, of course, by this government's cabinet.

Once again, Kateri, I congratulate you and commend your family for supporting you in this new endeavour. Good luck. *Iame.*

DEMONSTRATION IN SUPPORT OF IRANIAN WOMEN

Hon. Julie Miville-Dechéne: Last Saturday, in Montreal, thousands of women and men marched in solidarity with the women of Iran, who have spent 40 years under the yoke of an Islamist theocracy that violates their basic rights by forcing them to wear the hijab. I marched with them and we chanted, "Women, life, liberty." We sang *Baraye*, the anthem that has become the rallying cry of these courageous Iranian women of all ages who are risking their lives by going out with their heads uncovered, hair blowing in the wind. Here is a short excerpt from *Baraye*:

For dancing in the streets
For our fear when kissing loved ones
For my sister, your sister, our sisters
For yearning for an ordinary life

Several thousand of us marched in Montreal, and over 50,000 people, both women and men, took to the streets in Toronto.

[Senator Audette]

• (1410)

It is no secret that Quebec's feminist movement is divided on the issue of the veil. Some see the hijab as a symbol of oppression and believe it should be banned in all public institutions. For others, including myself, it is impossible to compare a religious dictatorship like Iran, where women are forced to wear the veil, with western democracies. In Quebec, for example, women are often free to wear the hijab or not, although there is no denying that there are cases in which family pressures force them to cover up. Here, too, the veil is polysemous, in that it has different meanings.

Unfortunately, this division between Quebec feminists is preventing us from expressing our solidarity. One camp criticizes the other for being too silent in the face of the Iranian women's uprising, while the other worries that Quebec women who wear the veil will be even more stigmatized.

Instead of being divided like this, I want Quebecers to rally around what unquestionably unites us, namely our support for Iranian women who want to be free. We may very well be witnessing the start of the world's first feminist revolution. It is an inspiring time. In the demonstrations in Iran, women without veils are leading the charge alongside their veiled sisters, and many men are risking their lives to share in their struggle. Let's put our differences aside and support them in their quest for fundamental freedom.

[English]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of the Honourable John Main, Member of the Legislative Assembly of Nunavut, Minister of Health and Minister responsible for Suicide Prevention; Mr. Ron Elliott, former Member of the Legislative Assembly of Nunavut; and Priya Sharma, General Manager for the Nunavut Chamber of Mines. They are the guests of the Honourable Senator Patterson.

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

Hon. Senators: Hear, hear!

THE HONOURABLE JOHN MAIN

Hon. Dennis Glen Patterson: Honourable senators, I am pleased to welcome the Honourable John Main to the Senate of Canada today. Mr. Main is a two-term MLA — he was acclaimed in the 2021 election — serving the rapidly growing community of Arviat, formerly Eskimo Point, on the Hudson Bay coast, with a population of 3,000, and Whale Cove, a smaller community of 500, north of Arviat, also on the Hudson Bay coast. He is fluently bilingual in English and Inuktitut.

Minister Main is the Minister of Health and Minister responsible for Suicide Prevention in the Government of Nunavut. The minister is in town visiting with federal ministers,

and I appreciate the opportunity to spend time discussing Nunavut issues with him and supporting his efforts here in Ottawa.

He met today with the Minister of Indigenous Services, the Honourable Patty Hajdu, to discuss and encourage Nunavut's participation in Indigenous Services Canada's Non-Insured Health Benefits program and Inuit Child First Initiative, which is based on Jordan's Principle. They also discussed the very real issue of tuberculosis in Nunavut and ways to move that file forward through the tripartite table.

He also met with the Minister of Northern Affairs, the Honourable Dan Vandal, to emphasize the serious infrastructure deficiencies in Nunavut and report progress on the Nunavut recovery centre — Nunavut's first treatment centre for substance abuse — which arose from a federal financial commitment made to the Senate of Canada's Indigenous Peoples Committee when cannabis legislation was passed in 2018. It will be Inuit-led and staffed, and trauma informed. This vital service for Nunavut, which is being planned by the federal government, the Government of Nunavut and Nunavut Tunngavik Incorporated is scheduled to begin construction in 2023, but is facing cost challenges due to inflation.

Yesterday, Minister Main met with Minister Carolyn Bennett, discussing mental health and addiction services in the territory and explained how the Nunavut recovery centre not only complements the services already provided to Nunavummiut but enhances them.

After attending here, he will meet with Minister Jean-Yves Duclos. With the upcoming health ministers' federal, provincial and territorial meeting, it is vital that our federal colleagues understand the crucial role they play in supporting Nunavut as it continues to grow as a territory. Nationally, the Canada Health Transfer is on the agenda for discussion at both the premiers' and health ministers' tables.

Honourable colleagues, I applaud Minister Main's advocacy for Nunavummiut. *Qujannamiik.*

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Ms. Gabrielle Maillet. She is the guest of the Honourable Senator Hartling.

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

Hon. Senators: Hear, hear!

THE LATE ISABEL MARGARET HICKS

Hon. Nancy J. Hartling: Honourable senators, it is with a heavy heart that I rise to pay tribute to Isabel Hicks from my home community in Riverview, New Brunswick. Her sudden death a few weeks ago shocked our community and left us feeling unprepared to say goodbye. I will share some of my reflections about Isabel with you so you will understand why she will be missed so much.

Isabel was born in Alma, New Brunswick. She was a true and genuine person with a big personality: Her smile and laugh could engulf a room. She loved her family and friends deeply. Her husband, Dale, of 65 years was an ideal husband for her because he supported her career, travels and life plans without hesitation. Many of us would like a "Dale" in our lives.

They had three children — Cathy, Pat, and Marty. Sadly, Marty died in an accident several years ago. She had several grandchildren and many relatives and friends she adored.

Heather McKinley, her niece, delivered a meaningful tribute to Isabel at her celebration of life. It was funny, personal and thoughtful. I will summarize a bit of what she said about "Aunt Is":

Indeed, Aunt Is was an early proponent of "Girl Power." She was a savvy businesswoman and her accomplishments in real estate were outstanding.

Heather's dad, Sydney, and Isabel were really good friends.

When Isabel would blow into Granny Myrte's like a sandstorm in the desert, not even taking off her shoes, Heather often wondered if her Uncle Dale ever got a word in edgewise, but he was her rock and allowed her to soar.

One of Isabel's greatest passions was politics. Two of her closest political friends were the late senator Brenda Robertson and Ann Seamans, former mayor of Riverview. She got behind these women, and they were elected more than once. We all need someone like Isabel to support us.

I would often see Isabel and Brenda at our church in Riverview, and I wondered what kind of conversations they shared over coffee or a glass of wine. Isabel, of course, loved the colour blue and wore it to make a statement about her political affiliation. At her celebration of life, even our minister wore blue.

She volunteered for many causes, including food banks and St. Paul's United Church. She was a doer.

A few days before she died, she called me at home and said she had a proposal for me. I wasn't sure what she was going to ask me but she said:

I have a huge, framed photo of our Senate Chamber that was a birthday gift from the late senator Brenda Robertson in 1998, and I thought you would like to take it to Ottawa and put it in your office.

Of course, I said yes. I was deeply touched. After our phone call, Isabel fell and broke her hip and needed surgery. Unfortunately, she didn't recover. I picked the picture up from her daughter while Isabel was in surgery and later learned she died. I was shocked and saddened. However, her special gift to me will be hanging in my office — it's here now ready for hanging — as a constant reminder of her unwavering spirit.

Thanks, Isabel, for your generosity to many, and for your love of your family, friends and community. You will be missed and always remembered. My sincere condolences to your dear family and friends.

[*Translation*]

TRIBUTE TO ÉDITH BUTLER

Hon. René Cormier: Dear colleagues, all peoples have their icons, men and women who serve as sources of inspiration and spread hope to those around them.

Recently, thanks to the Association acadienne des artistes professionnels du Nouveau-Brunswick, Acadians paid glowing tribute to the great artist Édith Butler during the Soirée des Éloïzes, a televised gala that was broadcast on Radio-Canada.

Édith Butler's career spanned 60 years. She released 28 albums, selling 2 million copies. She put on countless shows on countless stages in places like Japan, Belgium and France. She performed at Paris' legendary Olympia music hall and at concert venues in other francophone countries. She met with success ever since she first started performing, in Acadia.

Édith Butler was awarded the Order of Canada and the Ordre de la Pléiade and was named a Chevalier of France's Ordre National du Mérite. She was made an honorary princess of the Abenaki Nation and was inducted into the Canadian Songwriters Hall of Fame in 2007 for her famous song, "Paquetville."

In 2009, Canada Post issued a stamp in her honour as part of the Canadian recording artists series.

Together with her agent and long-time collaborator, Lise Aubut, Édith Butler wrote songs in rich, elegant French, songs that have become anthems of love and hope for an entire people. Her voice bears witness to the battles fought by the generations of Acadians who came before her, and her breath contains all the aspirations of the current generation.

• (1420)

Édith Butler is also a champion of freedom. She fought and blazed a trail as an artist and a woman. She planted seeds of hope around her and, today, many young artists are following in her footsteps, inspired by her talent, strength and unwavering determination. Colleagues, Édith Butler is the voice of a francophone people who have been helping to build our country for over 400 years.

I had the great privilege of being her piano accompanist for a few years and, thanks to her, I saw, heard and understood the essential role that artists play in our society. When we are engaging in important debates about the future of our artists and cultural community, let's not forget the invaluable contribution this sector makes to our society.

On the evening of October 1, in the small village of Petit-Rocher on the shores of the beautiful Chaleur Bay, where this gala took place, Édith said, and I quote:

[Senator Hartling]

When I sing, it's my father, my mother and my ancestors who are singing. When I sing, it's an entire people who are singing.

She is right, honourable senators. Édith Butler has been and always will be the spark that ignites the pride of the Acadian people. She has earned her place in the history books, where she will live on forever.

Since it is Women's History Month, and this year's theme is "She Did, So Now I Can," we thank her a million times over for blazing a trail for others to follow, and we also express our love for her a million times over. Thank you, dear Édith.

Hon. Senators: Hear, hear!

[*English*]

QUESTION PERIOD

PUBLIC SAFETY

ROYAL CANADIAN MOUNTED POLICE

Hon. Donald Neil Plett (Leader of the Opposition): Government leader, an audio tape released last week from the Nova Scotia Mass Casualty Commission has revealed some very troubling information indeed. In this tape, RCMP Commissioner Brenda Lucki can be heard berating her team for not including details on the types of guns used in the Nova Scotia massacre and makes reference to "a request I got from the minister's office."

Leader, this tape confirms that the then-Public Safety Minister Blair pressured the commissioner into releasing sensitive details into the investigation of the largest mass shooting in Canadian history in order to advance the Liberal government's pending firearms legislation.

Leader, it was just a few months ago that the Prime Minister himself stated, "I want to remind everyone that politicians don't direct police in a democratic society"

Was the Prime Minister excluding himself and his cabinet when he made that statement, or is this just for other politicians?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question.

The independence of police operations is a key component in our democratic society and one that this government deeply respects. I am assured that at no times did the government attempt to interfere in police operations. The RCMP Commissioner has said in her own words:

. . . I did not receive direction and I was not influenced by government officials regarding the public release of information

The government remains committed to supporting the work of the Mass Casualty Commission so that Nova Scotians and Canadians can achieve the closure, to the extent that's ever possible, on this tragedy, which they deserve.

I will end with another quote from the Prime Minister:

Every step of the way we recognized and supported the fact that the RCMP and the police of jurisdiction are the ones who decide what is released and when. They make decisions about how to balance the need of the public to get answers and the need to protect the integrity of investigations.

Senator Plett: "A request I got from the minister's office." I wonder whether Jody Wilson-Raybould would be able to shed some light on what these requests mean.

Leader, your government's conduct is beneath the standards of a democratic country. It is now clear that Minister Blair politically interfered in an active investigation. This is not the first time the Trudeau government has shown blatant contempt for our democratic procedures.

The right thing, government leader, would be for Minister Blair to be held to account, but there seems to be little honour left in Justin Trudeau's cabinet, so I won't hold my breath. Leader, do you agree that Minister Bill Blair should resign and will you call for his resignation?

Senator Gold: I do not and I will not.

CROWN-INDIGENOUS RELATIONS

INDIGENOUS CONSULTATION

Hon. Donald Neil Plett (Leader of the Opposition): My question is for the leader again. Senator Gold, on September 22, the Minister of Crown-Indigenous Relations Marc Miller was before us here in this chamber for Question Period. Both Senator Housakos and I asked three questions of the minister that day on the same topic. Regrettably, the minister tried very hard to avoid the questions. It seems he preferred, which was probably a politically calculated move, to proceed and pretend to not understand the very simple question on Indigenous consultation on Bill C-11.

The Prime Minister, leader, has specifically outlined in all of his ministers' mandate letters the need to:

... implement the United Nations Declaration on the Rights of Indigenous Peoples and to work in partnership with Indigenous Peoples to advance their rights.

What Indigenous organizations have been consulted? Which ones, leader, for Bill C-11, as per your obligations under UNDRIP, the United Nations Declaration on the Rights of Indigenous Peoples?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. Senator Plett, in all of the questions you have asked, you have gone from statements of fact to imputing motives and assuming that you know what the

motives were or what the rationale was when the minister in this particular case answered your question. I do not believe you have any greater insight than any of us into these matters, and I think it is not appropriate to impute motives as you have done.

Minister Miller is a remarkable and devoted minister on the file of Crown-Indigenous Relations and has done more than any minister in this country to seriously engage and work hard and be transparent with Canadians about the issues that confront Indigenous peoples and communities.

• (1430)

There is no minister whose integrity and devotion to the file are more evident than Minister Miller. If he didn't know the answer, and if my memory serves me correctly, he undertook to find it. He is a person of his word, and I am satisfied with his answer. I will follow up to find out the status of that request, and I have nothing more to say on this subject.

Senator Plett: Well, I guess we might as well end Question Period if you have nothing more to say, because you're the one we're asking.

I'm asking you another question on this subject. Thank you.

Senator Batters: He'll make inquiries.

Senator Plett: Senator Gold, you're saying that I impugn motives. His motives were quite clear. There was very little left there for the imagination.

Your government seems to care only about one thing, and that is to pass its legislation. The Trudeau government has shown complete disregard for any attempt of ours to ensure proper evaluation and debate of bills. Canadians deserve that the legislation your government proposes is thoroughly reviewed. In order to do so, your government needs to provide background and context as to who was consulted while drafting Bill C-11.

It's been more than a month since your minister — Minister Miller — said, "I'm sure we could look at a list of people who were consulted . . ."

Well, leader, you've also said, ". . . the minister did undertake to provide information to the chamber in response to that question. . . ." and that you would undertake what you've promised for a second time now, namely, to make those inquiries and report back to the house.

Senator Gold, your silence on this points to two possible situations: number one, your government failed to consult with Indigenous organizations; or, two, your government has no respect for this chamber.

How much longer, Senator Gold, will you be keeping us in the dark? Is there a list of consulted Indigenous organizations on Bill C-11? You want Bill C-11 passed by a certain date; we want answers to our questions.

Senator Gold: This is pretty rich. Senator Plett, I undertook to make inquiries and I need not say anything more, but allow me. If we're talking about respect for this chamber, may I remind honourable senators who were perhaps not here during the

Forty-first Parliament when the government you represent introduced time allocation over a hundred times in the House of Commons at various stages. I guess in the alternative world that some people live in that's respect for the Senate.

With regard to Bill C-11, this chamber gave authority to the Standing Senate Committee on Transport and Communications to engage in a study of this bill in June. Every step of the way, this Government Representative Office has shown respect for the Senate, for the committee process and for the agreements that were brought to us by all four leaders for a third-reading debate. I guess in the alternative world that some of you may live in that is disrespect for the process.

I am not personally offended, but, on behalf of the Senate, I ask that we rein in this rhetoric and deal with true facts.

Senator Plett: Answer the question.

Senator Gold: I've answered the question, Senator Plett. I've finished my answer, and you've finished your questions.

NATURAL RESOURCES

REGIONAL ENERGY AND RESOURCE TABLES

Hon. Tony Loffreda: My question is also for the Government Representative in the Senate.

Last week, before our Banking Committee, Mark Carney, former governor of the Bank of Canada, addressed Canada's pathway to meeting our greenhouse gas emissions-reduction targets. He stressed that building a clean electricity grid must be part of the equation, but this can only be done if we have a cooperative economic policy, including between the federal and provincial governments.

The extent of the task before us is huge. To get any major project off the ground, proponents need to get the approval or support from the Government of Canada, provinces and territories, municipalities and First Nations, along with all the necessary environmental assessments and permits — which is not an easy task nowadays. Even green projects are met with resistance.

I'm getting to my question. Budget 2022 announced \$250 million over four years to support pre-development activities of clean electricity projects of national significance, such as interprovincial electricity transmission projects.

What specific projects are currently being considered by the Government of Canada to "greenify" our electricity grid? Are you working with provinces, Indigenous peoples, industry and other stakeholders to get these major projects off the ground so we can meet our government's target to produce 100% of our electricity from zero-emitting sources by 2035?

[Senator Gold]

Hon. Marc Gold (Government Representative in the Senate): Senator, thank you for your question. The government knows that in order to achieve its net-zero goal, it must continue to work with provinces and territories, Indigenous communities, industry and unions. That is why, earlier this year, Natural Resources Canada launched the Regional Energy and Resource Tables. This initiative seeks to align resources, timelines and regulatory approaches between the levels of government in order to seize the economic opportunities that are presented by a net-zero transition. Minister Wilkinson announced this morning that Ontario would be the ninth region to join the Regional Tables.

In addition, the government has committed \$964 million through the Smart Renewables and Electrification Pathways Program to replace fossil fuel-generated electricity with renewables and to fund grid modernization projects, as well as \$500 million through the Clean Energy for Rural and Remote Communities Program. These programs aim to decarbonize our electrical grid and to reduce our emissions while creating good-paying jobs for all Canadians.

The government is proud that nearly 83% of the electricity produced in Canada comes from no-emission or low-emission sources. The government remains committed to investing in infrastructure that will help us to reach net zero, and to work, as I said, with the provinces, territories and Indigenous communities to ensure that clean energy can circulate in Canada rapidly and efficiently.

Senator Loffreda: Thank you for that answer. That is a very insightful response. Thank you, Senator Gold.

I will lean in a little more. According to some reports, despite a decade of investments, we still need to invest about \$200 billion by 2035 to meet current green-grid goals and even more to accommodate rapid growth in electricity demand due to an increased number of electric vehicles.

Our population also continues to climb. In other words, not only do we need to replace emitting sources of electricity from our grid, but we also need to expand our grid.

As one of our Senate reports stated in 2017, the bulk of the transition will have to be paid for through higher electricity rates or higher public spending to stabilize rates and to drive clean-generation investment.

Beyond investments in infrastructure, what is the government doing to ensure our grid remains reliable, affordable for households and businesses and resilient to climate change-related natural disasters like floods and storms?

Senator Gold: Thank you for the question. Canadians have been clear that they expect their government — their governments, in fact — to do more to fight climate change, to reduce emissions and to transition away from emission-intensive energy in Canada and abroad. That is why the Regional Tables to which I've referred have been established.

As well, every year across Canada, we're seeing the increasingly devastating and costly impacts of climate change — from floods, to wildfires, to severe storms that have hit us recently in the East.

The government recognizes that urgent action is needed to provide and build local resiliency and protect communities in the years ahead. That's why the government is investing over \$3.3 billion in the Disaster Mitigation and Adaptation Fund, which supports communities in building local resiliency.

The government knows that to reduce emissions, we need to move towards lesser emission-intensive energy sources. That is why — from the federal investment in the Atlantic Loop to the development of small modular reactors, or SMRs, and government investments in renewable energy across the country — the government is not only decarbonizing our electrical grid, but increasing our clean electrical production.

TREASURY BOARD SECRETARIAT

MANDATORY TRAINING FOR THE FEDERAL PUBLIC SERVICE

Hon. Brian Francis: My question is for Senator Gold.

According to recent news reports, only about 18% of federal government employees have taken any Indigenous sensitivity training. Chris Aylward, President of the Public Service Alliance of Canada, said the union wanted to make such training a mandatory part of the collective agreement, but was told “no” by the Treasury Board.

In reference to Call to Action 57, could you confirm whether the federal government will be making ongoing training related to Indigenous peoples mandatory for all federal public servants?

• (1440)

I would also like you to update this chamber on what each federal department and each agency is doing to ensure public servants have the awareness and competencies necessary to be sensitive and responsive to the particular rights and needs of Indigenous peoples.

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question, senator. As we mature as a country — and as our relationships with Indigenous peoples, communities and leadership evolve — it's important to know that there are more important interactions that will and should take place. I don't know the specific answers to your questions. I'll do my best to find answers, and I'll report back as soon as I can.

[Translation]

PUBLIC SAFETY

FIREARMS CONTROL

Hon. Jean-Guy Dagenais: Last week, Minister Lametti announced a freeze on the sale, purchase and transfer of handguns. He made the announcement in Montreal North, a

neighbourhood plagued by shootings and murders committed with firearms. Apparently, it hasn't occurred to Canada's Minister of Justice that criminals do not use guns that are sold legally, but rather black market firearms from the United States. Police officers, analysts, mayors and provincial security officials all know this and have been saying so for years.

Leader, was last Friday's announcement another example of the government shirking its responsibilities, or are the Prime Minister and his ministers really that naive when it comes to the gun crimes that continue to claim lives in Montreal, Toronto, Ottawa and elsewhere in Canada?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. The answer is neither one nor the other, honourable colleague. The government has worked in close collaboration with the Government of Quebec to reduce gun violence, and the Minister of Public Safety has worked with the Government of Quebec and the municipalities. The government has given the Government of Quebec \$46 million in funding under the Gun and Gang Violence Action Fund. I am told that the government is finalizing an agreement to transfer funds under the Building Safer Communities Fund to prevent gun-related crimes, especially in Quebec. The government will continue to communicate directly with its counterparts in Quebec as it works to stem gun-related crimes.

Senator Dagenais: Obviously I need to remind you that Minister Mélanie Joly publicly said that she was working on a plan to punish the street gangs that are terrorizing Haiti. Allow me to be skeptical and say that it will do nothing but create false hope within the Haitian diaspora in Montreal if Canada claims to be able to do elsewhere what the government can't do here at home. Could the Prime Minister please come up with a logical, effective strategy to curb gun trafficking at the border between Canada and the United States?

Senator Gold: Thank you for this question. Once again, attributing irrational motives is not limited to one group in this place, dear colleagues. That said, as you may know, I am told that last year, the Canada Border Services Agency seized a record number of illegal weapons at the border. Nevertheless, the government recognizes that there is much more work to be done, and that is why the government has invested more than \$350 million to reduce, if not eliminate or prohibit, the entry of illegal firearms.

I also note that there is a task force that is actively working to address the root causes of this problem. The government is working hard to ensure that illegal firearms do not find their way to the streets of Montreal, in order to keep the peace and allow Canadians to feel safe on their streets, in their cities and elsewhere in Canada.

JUSTICE

PROTECTION OF JOURNALISTIC SOURCES

Hon. Claude Carignan: My question is for the Leader of the Government in the Senate. Leader, in an article by the esteemed journalist Daniel Leblanc published on Radio-Canada last week, we learned that the federal government searched employees' telephone records and emails last year in an attempt to flush out the confidential sources who had criticized the plan to appoint an American who does not speak French as head of the Canadian Museum of History.

The article stated, and I quote:

Investigators searched the emails of these employees to try to find evidence of leaks, without success.

They also searched telephone records to see if there were any incoming or outgoing calls to numbers associated with Radio-Canada and CBC.

Leader, does your government remember that in 2017, both houses unanimously passed Bill S-231 to protect journalistic sources?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. The government believes that people who disclose serious wrongdoing must be protected. The law provides a secure and confidential process for disclosing serious wrongdoing in the workplace and protection for acts of reprisal. I'm told that public servant disclosures expose an average of 10 wrongdoings per year. Whistle-blowing legislation is one option people can use in the case of harassment, discrimination, labour grievances and privacy complaints. The government has enhanced training, report follow-up, and policies on workplace harassment and violence. Budget 2022 includes funding for a review of the act, which I'm told is to begin later this year. The government would be happy to provide more details about the review then.

Senator Carignan: That reminds me of a song by Francine Raymond, "Y'a les mots." Words, just words.

If what you say is true, why set off a witch hunt to scare public servants and prevent them from reporting this government's wrongdoings?

Senator Gold: There is no witch hunt. I believe I answered your question. I have nothing more to add.

NATIONAL DEFENCE

RESERVE TROOPS

Hon. Pierre-Hugues Boisvenu: My question is also for the Government Representative in the Senate. Senator Gold, The Canadian Press reported this morning that the Canadian Forces Ombudsman, Gregory Lick, had some harsh criticism about how CAF reservists and Rangers are being treated.

In 2015, the ombudsman tabled a report that included nine recommendations for how ill and injured reservists and Rangers could be treated better. The ombudsman is now pointing out that none of those recommendations have been implemented since the report was released seven years ago. That is unacceptable.

Senator Gold, since the situation is serious and the Chief of the Defence Staff, General Eyre, has ordered that recruitment and retention be a priority for the Canadian Forces, why has your government ignored this report since 2015?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. I will have to make some inquiries on the government's position regarding the recommendations. I will get back to you with an answer shortly.

Senator Boisvenu: Furthermore, Senator Gold, you know that Arctic security has become a matter of capital importance since Russia invaded Ukraine. Could you table in this chamber the action plan that the Minister of Defence plans to adopt in order to address the main gaps identified by the Canadian Forces Ombudsman? The gaps include, and I quote:

. . . a lack of follow up after reservists are deployed on military tasks, excessive red tape in asking for assistance . . .

He mentions in particular that the army does not communicate with reservists and Rangers to let them know what help is available.

Senator Gold: Thank you, I will add this to the inquiries I have to make with the government.

[English]

HEALTH

MIDWIFERY SUPPORTS

Hon. Marilou McPhedran: My question is for Senator Gold. This summer, members of the Standing Senate Committee on Human Rights released their carefully documented report, *The Scars that We Carry: Forced and Coerced Sterilization of Persons in Canada — Part II*. The victims' harrowing testimonies detailed racist treatment that harmed women, through invasive surgery, when they were at their most vulnerable: when they were in labour or when they were in that hazy state following birth. What those who give birth need when they are in and following labour is expertise, advocacy and support.

• (1450)

The Senate report recommended that one way to achieve this is with well-trained and culturally competent midwives. Currently in Canada, there are fewer than 10 midwifery programs. They include cultural competency elements, and they are excellent programs that reserve seats for Indigenous students and emphasize Indigenous realities. However, they are too few. There are provinces with no midwifery education programs.

In many communities, especially northern and remote ones, the lack of midwifery supports limits and constrains women's abilities to choose. They must travel to hospitals far from their families to birth their babies in an environment with back-up care in case of difficulty. Senator Gold, what leadership, including funding, is the federal government undertaking to work with provinces and territorial governments to address this issue?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question, and it's an important one. My daughter has worked in a related field for many years, so I'm not unaware of the importance of providing all kinds of support to women and their families at that important time of life.

I don't know the answer, but I'm glad you've made reference to working with the provinces and territories for reasons that we all understand, given the exclusivity of jurisdiction at least over these matters of health. I don't know the level of priority to which this may have risen in different provincial and territorial governments either. I'll make inquiries and be happy to report back.

FOREIGN AFFAIRS

COST OF DELEGATION TO THE FUNERAL OF HER MAJESTY QUEEN ELIZABETH II

Hon. Donald Neil Plett (Leader of the Opposition): You get another opportunity, Senator Gold.

Government leader, recently we learned of the bill that taxpayers will be footing for Canada's delegation to Her Majesty the Queen's funeral. I had to rub my eyes a few times to make sure I was seeing things properly, because the cost of hotel rooms alone is reflected at just shy of \$400,000. This includes charges from the Corinthia Hotel in London. The bill for the hotel reflects a charge of £4,800 per night for the River Suite, which works out to more than \$6,000 per night for five nights. I wonder who was staying in that room.

Leader, I'm old enough to remember the pushback directed at former Conservative minister Bev Oda over a \$16 glass of orange juice in 2012. In fact, the current Prime Minister himself was calling for Minister Oda to resign at that time. Senator Gold, is there a reason that the bill was so high other than the fact that this Prime Minister thinks he's above any sort of accountability to taxpayers?

Hon. Marc Gold (Government Representative in the Senate): This government is not above the law. That's not what Canada stands for — no government and no member should presume to be, and is not.

I don't know how many people stayed in how many rooms in what hotels. It's appropriate that Canada sent a large delegation to honour the late Queen Elizabeth II. I don't know, Senator

Plett, when the last time was that you tried to rent a good hotel room in London. I would love to be able to go to London more frequently. It's a frightfully expensive city, and, to some very large degree, the cost of living in London is surely reflected in all aspects of the cost of being there as part of the Canadian delegation.

But without further information about the number of people and the length of their stay, it really is inappropriate to draw any conclusions, nefarious or otherwise, from the aggregate bill that Canada assumed to pay honour to the late Queen Elizabeth II.

ORDERS OF THE DAY

ONLINE STREAMING BILL

BILL TO AMEND—SECOND READING

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. Leo Housakos (Acting Deputy Leader of the Opposition): Honourable senators, as I begin my remarks on Bill C-11, I'll probably surprise many of you by agreeing with the bill's sponsor, Senator Dawson, that the Broadcasting Act is absolutely in need of modernization. And we must do so, to quote Senator Dawson:

. . . in a way that appropriately considers the technological realities, business models and dynamics at play in the current Canadian broadcasting system.

Furthermore — and this is where Senator Dawson makes an extremely important point:

The law needs to establish an updated regulatory framework with clear guidance, the necessary tools and the flexibility needed to maintain its relevance.

Colleagues, that is pretty much where Senator Dawson and I part ways on Bill C-11.

Perhaps the biggest problem with this legislation is its scope. The government and the bureaucrats who wrote this bill have wrongly treated the internet as a form of broadcasting. While there are streaming platforms that behave like broadcasters and should certainly be brought into our regulatory framework as such, this bill goes beyond that.

Vivek Krishnamurthy, Director of Samuelson-Glushko Canadian Internet Policy and Public Interest Clinic at the University of Ottawa, explained the difference during our pre-study this way:

The first is spectrum scarcity. There is only so much electromagnetic spectrum available for linear broadcasting or bandwidth on a traditional cable connection, so certain kinds of restrictions on content are more justifiable in a broadcasting context than an internet or print context.

He goes on to point out that there's no spectrum scarcity in the online world and that an individual can watch as many cat videos as they want on the platform without affecting the ability of other people to see content online. Mr. Krishnamurthy takes exception to the breadth of the definition of "broadcasting" in the proposed legislation coupled with the existing legislation, saying that, "Taken together, these two provisions seek to regulate practically all audiovisual content distribution on the internet."

I quote Mr. Krishnamurthy where he says:

We shouldn't be enacting laws that seek to sweep so much content into a regulatory scheme. Surely there are problems with internet content distribution, but those require a different kind of response. We shouldn't just say that everything is in except for these few things that are out.

Let's look at the exceptions in proposed section 4. I've been a lawyer for the better part of 15 years and this section is about the most confusing thing I've ever encountered.

So while I agree with what Senator Dawson says the law needs to do, the problem is that, as written, that is not what the law would do, no matter how many times he and the government says it will — just like it doesn't matter how many times they say this bill will give more access to and remove barriers for unrepresented artists and creators in Canada or how many times they claim this bill and the regulations that come with it won't capture digital creators and user-generated content.

In fact, allow me to quote an important exchange that occurred between our very own Senator Wallin and the Chairperson of the Canadian Radio-television and Telecommunications Commission, or CRTC, Mr. Ian Scott, when he appeared before our committee this past June. Remember, it is the CRTC that will be left to interpret and apply this legislation.

Senator Wallin said to the CRTC chair, Mr. Scott:

I think we're going to have to revisit the issue of user-generated content one more time. I know that you, the minister and other officials insist that you're not regulating user-generated content, but I think there's a bit of parsing the words. You will regulate the platforms, and then the platforms will impose your rulings and directives, as you said. You won't manipulate the algorithms; you will make

the platforms do it. That is regulation by another name. You're regulating either directly and explicitly or indirectly, but you are regulating content.

Mr. Scott's response to Senator Wallin's question was, "You're right." So while the language of the bill is ambiguous at best, the position of the CRTC chair on this matter is quite clear and unequivocal. This has been an absolutely pivotal issue as supporters of the bill attempt to defend the provision in the legislation that clearly has a much broader implication than they want us to believe.

It hasn't escaped my attention during our committee pre-study that witnesses, and even some of my colleagues who are taking the government's word that user-generated content will not be captured, spent an awful lot of time pushing back on witnesses who have testified as to the negative impacts that would be felt by digital creators if user-generated content is included.

• (1500)

Meanwhile, the government's insistence that there's nothing to see here and that we should just trust them is having the opposite of the desired effect, including the swift passage of this bill.

While I agree that the Broadcasting Act is in desperate need of modernization, and I appreciate the principle that we shouldn't allow the perfect to be the enemy of the good, I've yet to see justification for pushing through this bill without taking the opportunity to make it better. It is our duty as the chamber of sober second thought to do just that. I sympathize with stakeholders who feel they've waited long enough and have been worn down to the point that they believe this is as good as it's going to get, but the government has no one but itself to blame for not prioritizing this and for digging in its heels on matters outside the scope of the act.

The truth is that while the impact of this bill on digital creators, user-generated content and algorithm manipulation has been taking up a lot of space here in the Senate, the opposite was true during the House of Commons Heritage Committee study in which few digital creators were given the opportunity to appear and those who did were often bullied and berated by government MPs on the committee. We've heard from several digital creators who appeared before our committee here in the Senate how thankful they are, not only for the opportunity to be heard but also for the dignity with which they were treated. I want to thank all of the members on our committee for that on both sides of the chamber; it is a testament to each and every one of you.

The truth is, colleagues, the study of this bill would likely be playing out very differently if not for the eleventh-hour inclusion of user-generated content in this legislation's predecessor bill, Bill C-10. It is playing out this way because of the government's almost hysterical refusal ever since to clearly remove it. Despite having time to address this issue when Parliament was prorogued and for several months after, the troublesome inclusion of user-generated content remains there in black and white. The

government tells us that section 4.1 excludes user-generated content from regulation. However, what they don't tell you — and you can clearly see by reading it yourself — the very next clause goes on to put it right back in by including exceptions to the exemption. It's a double negative, so to speak, and one that makes clear that user-generated content is in the bill.

It's not just me saying it. It's not just the digital creators themselves saying it. It's not the platforms like YouTube and TikTok lining up the digital creators to say it, as the Parliamentary Secretary to the Minister of Canadian Heritage would like to claim. None other than a former chair of the Canadian Radio-television and Telecommunications Commission, or CRTC, is saying it himself, and, perhaps more importantly, the current chair of the CRTC, Ian Scott, is also saying it.

During his testimony, Mr. Scott went on to confirm something else that the government has been claiming isn't in the bill: algorithmic manipulation. The government and Senator Dawson insisted that Bill C-11 does not force platforms to use particular algorithms. However, Mr. Scott, chair of the CRTC, testified:

... I will give you simple examples. Instead of saying — and the act precludes this — “We will make changes to your algorithms,” as many European countries are contemplating doing, we will say, “This is the outcome we want. We want Canadians to find Canadian music. How best to do it? How will you do it? I don't want to manipulate your algorithm. I want you to manipulate it to produce a particular outcome.”...

Pretty clear. Let me repeat that last part. Mr. Scott is saying that this legislation allows him to say to the platforms: We, the government, won't manipulate your algorithm. We'll just make you do it for us. In court, we would call that a clear and recorded admission of intent.

As I mentioned, proponents of the bill have argued in committee that there are other ways to achieve the desired outcomes without algorithmic manipulation, despite testimony from creators, users, the platforms and the regulator saying otherwise.

Last week, Senator Dasko, my colleague, insisted on this position in an exchange with former television personality, now digital creator, Jennifer Valentyne. Senator Dasko was adamant that there are other ways, but when asked by Ms. Valentyne to give an example she was unable to do so.

I want to be clear here, colleagues. We aren't talking about all platforms. We're talking specifically about platforms that feature user-generated content like YouTube and Instagram, to name a couple.

It isn't just users, creators and the platforms who are raising the red flag. There are also significant privacy concerns with the government's approach which were outlined by the Privacy Commissioner, Philippe Dufresne, when he appeared before our committee. Mr. Dufresne stated:

The bill would provide the CRTC with the power to impose conditions respecting the discoverability of Canadian programs and programming services. While the bill specifies that in doing so the CRTC could not require the use of a specific computer algorithm or source code, discoverability conditions could nonetheless potentially require the adaptation of existing algorithms that rely on personal information or the analysis of personal information to determine whether user-generated content is Canadian.

The potential privacy impacts would depend upon the specific circumstances of each case, including how these powers are exercised by the CRTC and how regulated entities respond to new obligations by their collection and analysis of personal information. Given this, it will be important that these privacy implications be fully assessed and mitigated prior to the CRTC imposing these conditions.

The commissioner recommended that we adopt an amendment to clearly incorporate the protection of privacy as an objective of the act. I completely agree that this is a minimal step for us to take. Much of the approach that underpins this bill are — as I mentioned previously — “just trust us” assumptions, particularly as related to the powers of the CRTC.

The CRTC chair, Mr. Scott, referenced the consultative process that would follow upon the passage of this legislation. He noted that this process would play a central role in determining how platforms could and should best achieve particular outcomes.

It all sounds wonderful to those who implicitly trust large government bureaucracies. But as Monica Auer, Executive Director of Canada's Forum for Research and Policy in Communications, testified before our Senate committee:

In terms of accountability and transparency, the problem with the CRTC right now is that it is not making its decisions public. Every year, it's publishing dozens of decisions that you can't see because there's no hyperlink and they don't publish. When we say that the CRTC is transparent, it is simply not. It is holding public hearings without witnesses. I'm sorry — you've been very kind to invite me — but the CRTC chooses not to invite anybody to some hearings, including transfers of ownership. ...

I submit that such testimony about an absence of transparency in the CRTC should be of equal concern to us in this chamber, as it is an absence of transparency on the part of online platforms. Otherwise, it is, shall we say, a bit rich.

However, I do, in fact, fully agree that Canadian consumers have a right to greater transparency. However, we need to be cognizant of the fact that by giving the CRTC powers as are being proposed in this bill, there simply will be no outcome other than algorithm manipulation, as promised by the chair.

For many of these platforms, there just isn't enough screen real estate to accomplish the kind of outcomes we are talking about without such manipulation, even if it is passive. By "passive," I'm referring to having a tab or file that compiles Canadian content, for example. The problem with that is that it's just not physically possible on some of the platforms we are talking about.

Colleagues, if you take a moment to look at your phone on an app like Instagram, you will see right away what I'm talking about. These types of platforms or apps are essentially just feeds. The only way to promote Canadian content to make sure it shows up in someone's feed more often than something that is not Canadian content is to manipulate the algorithm. As much as the government and supporters of this bill insist that it won't affect algorithms, for many platforms it's completely unavoidable.

That's the point that Jennifer Valentyne, Scott Benzie, Justin Tomchuk, Darcy Michael, Morghan Fortier, J.J. McCullough, Frédéric Bastien Forrest and so many more have all made during their testimony at our committee.

With this legislation written the way it is, an arm of the government would be compelling platforms to change the way they do business to keep their customers coming back. We are also interfering with the businesses of Canadian digital creators. We are interfering with their livelihoods. They're asking us not to do so. They're telling us that they're doing quite well already, and they deserve to be left alone.

• (1510)

As Morghan Fortier, CEO of Skyship Entertainment — perhaps Canada's most successful exporter of Canadian content on YouTube — told our committee, when you tamper with that, you are essentially doing the same thing as tampering with radio stations' ability to access ratings information and adjust their playlists or on-air talent accordingly.

I'll take it a step further: It would be like telling a bookstore they can't use their sales information or bestsellers list to determine how many copies of a book to order, or telling them where they can or can't place certain books in their store to optimize their sales.

Most legislators wouldn't dream of advocating for that level of interference in private sector marketing, but that is precisely what we are considering in this bill.

Why would we do that? And why do we continue to impugn the motives of these companies, as if they're up to something other than running a business and trying to make a profit?

Why do we assume nefarious motivations on the part of these platforms, when it comes to the conduct of their business, that we don't assume of other businesses like radio stations or bookstores?

Just because — with all due respect, colleagues — we don't understand it, doesn't mean they must be up to no good. Do you know what a lot of the people who are affected by this and looking at us — myself included — are saying right now? "Okay, boomer." That is the truth.

This isn't an argument against greater transparency but, rather, in favour of placing greater trust in the users of these platforms and in the creators of these platforms — who know what they want to watch, listen to or promote — to judge for themselves whether platforms are meeting those needs. It's an argument in simple favour of consumer choice.

The consumer experience will be further impacted by the prohibitive cost of regulating user-generated content in the manner described in this bill. Not only will the higher costs to these platforms be passed on to consumers but, in some cases, could also lead to some platforms pulling out of the Canadian market altogether.

Should that occur, do you know who will be disproportionately affected? Diaspora communities in Canada, because it will be the smaller platforms — that serve these communities from abroad — that will most likely decide they can no longer afford the cost of doing business in Canada.

The consumer experience will also be negatively impacted because they will lose trust in the system. They will be seeing more and more content that is not based on their likes and their interests. I get that it sounds like an enticing prospect to force people out of their comfort zone.

Who among us wishes to be force-fed? Being force-fed has never had the desired or intended impact. If anything, the more it feels like something is being forced on an individual, or a society, the less trusting they will be of whomever, or whatever, is forcing it on them. And the less inclined they will be to appreciate it or desire it. That is a fact.

That, colleagues, will become a problem for the very people this bill is supposedly designed to protect and promote: Canadian artists and creators. There is a risk that many consumers will tune out such content altogether. They will go elsewhere to find what they're looking for — unimpeded. They will simply click and make it go away.

As YouTube creator Justin Tomchuk told our committee:

CanCon content will perform poorly on the platforms because the audience will be mismatched with their interests. You can force a video to play, but you can't force them to watch it. Canadians will click away and learn to actively avoid CanCon.

They will just go to the section and click it away.

That is precisely what we're seeing now with conventional broadcasting. Viewership for conventional broadcasting is down dramatically because consumers now have choices as a result of streaming. They no longer have to consume what's being forced on them. That's not the fault of the streaming platforms.

At some point, conventional broadcasters in this country have to accept that the product they're offering isn't appealing to a lot of consumers. Just look at the ratings. That's not to say that there aren't good Canadian products available. It's quite the contrary.

Conventional broadcasters in this country use local sports and news to satisfy a hefty portion of their CanCon quotas. Then they fill in the rest with repeats of Canadian shows that can also be found on their subscription services, and the rest is syndicated programming from the United States, which consumers can watch from the source American network or online anyway.

That's not a problem with Canadian culture or Canadian artists not being good enough, colleagues. That's a problem with the current legacy broadcasting business model.

Mr. Tomchuk explained another risk to Canadian digital creators if algorithms are manipulated to satisfy CanCon: If content is promoted based on something other than what the consumer wants to see, or may like based on their previous habits, they will click on it, realize it's not something they want to see and then quickly move on without watching to its completion.

This will drive down the audience retention rate on that item. In turn, the lower retention rate will drive down the item's global ranking, thereby driving down its discoverability, which refers to where it appears on the "suggested for you" list that you see on platforms like YouTube.

In that manner, Canadian artists and creators — who are enjoying immense success globally — will see that success greatly diminished. In essence, we are blunting worldwide success in exchange for limited, parochial success at home.

As a recent editorial in the *Financial Post* put it:

Even if Bill C-11 helps them find a little more success here at home, and there's no guarantee of that, it could be to the detriment of any success they might hope for beyond Canada's borders.

Colleagues, there is a large world out there.

This will be exacerbated even more by the threat of global protectionism. No other Western democracy in the world regulates user-generated content in the manner being proposed by Bill C-11. However, there are other countries who are closely watching what we are about to do here.

There is no doubt that if we enact this legislation, without removing user-generated content from it, other countries will respond with similar protectionist legislation. And all of the success and opportunities our artists and creators have enjoyed — as a result of the world opening up to them through the barrier-free advent of the internet — will be gone.

For what? And at what cost?

Will we have saved Canadian culture, or will we have just made it more insular and made creators more reliant on grants and a system of gatekeepers once again picking winners and

losers? Will we have provided more exposure for under-represented voices, or will we have just thrown up barriers where there currently are none?

[*Translation*]

I want to focus on the impact that Bill C-11 will have on francophone creators.

With Canada's traditional broadcasting platforms, francophone artists have a limited audience. They reach francophones in Canada, most of whom are in Quebec. However, the internet has changed all that. Platforms like YouTube and Instagram give these artists a global reach. Think about the success that Damien Robitaille had on YouTube and Twitter during the pandemic. Tens of thousands of people who do not speak a word of French and who would never think about listening to a French broadcaster saw videos of him performing.

Obviously, we need to ensure that our Quebec, Acadian, Franco-Ontarian and other cultures not only survive but also thrive. However, we were wrong in thinking that digital platforms were nothing but a threat to francophones in Canada and that we needed to address that and reduce their scope.

The internet represents freedom, the freedom for a Quebecer to listen to music from Burkina Faso or for a Lebanese person to listen to the band La Bottine souriante at a New Year's celebration. The government needs to be very careful because it would be counterproductive to Canadian culture to erect barriers around it. In any case, it is unrealistic to think that that would work.

As a Quebecer, I certainly understand that our artists and creators face a different reality and different challenges than their anglophone counterparts. I unreservedly support the principle that the federal government must play a role in promoting Canadian culture and must ensure that digital platforms become a launching pad for Canadian artists and creators, especially francophones.

Unfortunately, I do not believe that Bill C-11 is the right tool. YouTuber Frédéric Bastien Forrest had this to say:

So if we really want to place an emphasis on culture from here — Quebec, Canadian, Montreal and francophone — I would concentrate on enabling those who are already making use of these platforms to become better and get more YouTube exposure.

[*English*]

We've seen indications from these platforms that they understand that contributing to Canada's cultural ecosystem is a requirement of doing business in this country.

One such proposed amendment would explicitly ensure that if a platform's content is out of scope for things like discoverability, the platform itself would still be subject to the CRTC's order-making powers on required expenditures to support Canadian culture in section 11.1. This would address the concern from the music industry stakeholders that platforms that

only carried music clips, or otherwise did not carry full-length commercial music, would find a way to avoid contributing to the ecosystem.

• (1520)

Senator Simons has raised concerns in the committee about the necessity of including section 4 to protect against big music labels using YouTube, for instance, to stream music without paying royalties to artists. However, it was made clear at committee that's not the case. There are already protections against that.

Music labels can only share the music of artists they represent. To do otherwise would be copyright infringement, whether on YouTube or otherwise. Furthermore, when labels share music from their own artists on YouTube or any other platforms, they have to pay royalties to their artists based on their contracts. It's contractual. And if they breach their contractual obligations to their artists, that's not something for Bill C-11 to address.

As it relates to our culture and our stories, Senator Dawson says that this is an opportunity to ask ourselves big questions about how we, as Canadians, are going to and want to define that. And he's absolutely right.

Senator Dawson said:

. . . 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.

I agree with you 100%, Senator Dawson. The problem is that this bill doesn't recognize that times have changed. On the contrary, it is trying to replicate and revive a system that is clearly on life support if you look at legacy broadcasters — otherwise we wouldn't be having this debate — and that's just not feasible.

We're talking about a system of regulation and broadcast that is in decline, and not because Canadian talent and Canadian culture are in decline. On the contrary, the Canadian entertainment and creative industries are thriving like never before. It's the antiquated system of delivery, and certainly funding, that's on life support. Without this pillar, I'm not quite sure it will survive.

The old regulatory system worked well to varying degrees because it was designed for conventional broadcasters that mainly stopped at our national borders. It was designed in the 1970s, but it has served its purpose, and its time and usefulness have come and gone.

It is certainly not needed when it comes to digital creators and user-generated content. The creators themselves are telling us that. They're begging us not to force the old regulatory regime on them. They're showing us that, unlike under conventional broadcasting, they don't need us. Actually, they don't even want us. What they need is for us to stay out of their way. They're

imploping us to look at their success and to acknowledge that this success is a result of producing quality, interesting, innovative content that people want to see and hear.

If we leave user-generated content in this bill, we are saying that we don't think Canadian creators are capable of doing it on their own. We are saying that we don't think that what they produce is all that interesting on its own and that it won't succeed without our intervention — especially the marginalized and under-represented creators like Indigenous people, BIPOC and francophone artists and creators.

Frankly, it's not only disheartening to these creators; it's extremely paternalistic.

If we truly want to remove the barriers that underserved and marginalized Canadians are facing, we should start by ensuring equal access to reliable internet service across Canada, especially for communities in the North, which currently are underserved.

We should also look at ways to assist in informing artists and creators on how to produce quality content and how to upload it themselves. As a matter of fact, the very platforms that are being somewhat demonized about their algorithms, source codes and their supposed lack of transparency have testified that they are setting up accelerator programs to provide exactly that kind of education and incubation for emerging artists and creators.

One recent example of this was Google's announcement on October 3, 2022, of \$2.7 million in funding to empower Indigenous peoples in Canada, to help close the skills and education gap between Indigenous and non-Indigenous communities in this country, to re-skill Indigenous job seekers for new careers in technology. Obviously, that's just one example, but we need to continue to encourage more of that.

But again colleagues, we heard from the creators themselves time and time again that the best thing we can do to make sure Indigenous, BIPOC, francophone and other under-represented artists and creators in Canada do not face barriers in showcasing their art and their work is to, quite simply, get out of their way.

What I fear with respect to Bill C-11 is that if it is passed in its current form, we will risk standing squarely in their way. That would be a terrible outcome.

Here I think it is useful to return to Senator Dawson's point about the law needing to provide "clear guidance." Sorry for over-quoting you in this speech, Senator Dawson. I agree with that insofar as I think it is absolutely necessary to amend this bill to make it crystal clear that user-generated content is out. That's all we have to do. Let there be no doubt for anyone, least of all the persons tasked with implementing and overseeing it. And I implore the members of the Committee on Transport and Communications to deliberate on the best way to accomplish that. We need to do that.

If there is any consensus among a majority of witnesses who have appeared before our committee, it is on the importance of doing just that.

That brings us to a central rationale for this legislation: that foreign streaming companies that behave like broadcasters must pay their fair share in relation to the profits they generate in the Canadian market share. These are the streaming companies including, but not limited to, Netflix, Disney+ and Prime Video, to name a few.

This is where there is a little less daylight between what the government is proposing and what my concerns are regarding those proposals, but there is some.

It's interesting — to me, anyway — that our committee has heard from several witnesses who are proponents of Bill C-11 but who are seeking amendments nevertheless. It is telling when even the supporters of a bill come to Parliament seeking amendments. We have seen this on other recent bills where it is far from clear that the government has listened or even properly consulted on legislation it has chosen to bring forward.

The good news is that we're here to fix flawed legislation. As Senator Dawson says, we have an opportunity here. And I agree that we must seize that opportunity.

This bill and its predecessor, Bill C-10, have taken so long to advance through the parliamentary process, and if we're being honest, as I said earlier, that lies primarily at the feet of this government. Regardless, it's taken this long, so taking a little more time now to get it right is not the doomsday scenario the government would have us believe it is.

The minister responsible for this file, Minister Pablo Rodriguez, would have us believe that we are bleeding money and losing out on some imaginary windfall of \$1 billion; I say imaginary because neither the minister nor his department has ever been able to provide documentation of where that number comes from.

By the way, I've asked countless number of witnesses before our committee. They can't give me an answer either.

Regardless, I appreciate that an entire industry is awaiting this legislation, but I am confident that in the long run everyone in the industry and consumers will appreciate that we took the time and the opportunity to make sure that whatever changes we make to the Broadcasting Act, they will either stand the test of time or have the flexibility, as Senator Dawson himself pointed out, to adapt to a continuously evolving internet.

In this regard, I want to go back to something Minister Rodriguez claimed, and also Senator Dawson echoed, in relation to the money our broadcasting sector is supposedly losing. Yes, it's true, conventional broadcasters are losing revenue, and, in turn, entities like the Canada Media Fund don't receive the same amount of money they once did. However, this notion that foreign streamers aren't paying their fair share is, at a minimum, not entirely accurate. While funds may not be going directly into these centralized kitties that our current system props up and forces artists and creators to rely on, it doesn't mean there isn't money on the table for Canadian artists and creators. On the

contrary, one could argue that because a portion of the funds no longer goes to the gatekeepers who pick winners and losers, there's actually more money for Canadian artists and creators themselves.

Our committee heard from Wendy Noss of the Motion Picture Association, or MPA, which includes companies like Disney, NBCUniversal, Netflix, Paramount, Sony, Warner Bros. and Discovery.

In 2021, the MPA spent more than \$5 billion across Canada, accounting for more than half of all production in this country and 90% of the growth in the sector over the last decade. They hired, trained and provided opportunities for 200,000 of Canada's most talented creative workers and supported more than 47,000 Canadian businesses.

This so far exceeds the footprint of a government-supported corporation like the CBC, which should give us all pause and a real think.

However, despite this impressive economic footprint that these companies have in Canada, we are asking them to pay more into our paternalistic system that supports domestic companies. Meanwhile, Canadian broadcasters who pay into these mandatory kitties draw benefits and protections from them that these foreign streamers will not, according to this bill. So, they will have to pay into them without being afforded the same benefits and protections. How is that fair or a level playing field?

• (1530)

Then there is the additional problem of the outdated definition, which the bill perpetuates, regarding what counts as Canadian content. It is twofold for foreign streaming companies. First, global undertakings operate for a worldwide audience, not just a closed domestic market. Unlike conventional broadcasters, who have the advantage of using localized sports and news programming to count against their minimum CanCon requirements, these undertakings cannot.

Second, quite plainly, they don't get credit for the investment they do make into Canadian storytelling and for supporting Canadian artists. The example of "The Handmaid's Tale" is often raised. It is a production that is filmed in Toronto, whose story is partly or even largely set in Toronto, that employs Canadians and was written by a celebrated Canadian author. Yet it is not considered Canadian content because the owner of the production company, the investor, is not Canadian.

That example is far from unique, yet it is a product of our outdated Canadian content rules.

Think about the millions of dollars that a foreign production or streaming company is willing to invest in telling a Canadian story and employing many Canadian artists, writers, actors, producers, editors, camera operators and audio techs not being good enough unless they also hand over ownership of the product. That is notwithstanding the money they are often pouring into the economy of Canadian towns, cities, our infrastructure, hotels and so on, yet our government has the nerve to claim that this is justified under the guise that they're protecting and promoting Canadian culture and Canadian artists.

Colleagues, Canadian artists have never been busier in the history of this country, and it's because of the new platforms and the new opportunities, not because of the legacy broadcasters.

The whole thing about this bill is about protecting the big corporate players in our television and film sector that are used to calling the shots under the old system and want to make sure that nothing changes under the new, modern system. That's the biggest problem I have with this part of the bill. I'm not suggesting we just hand over the keys to streaming companies and allow them to come in here and make money hand over fist without Canadians standing to benefit, but I would like the government and supporters of this legislation to be equally clear about what the bill really protects — the status quo and the guys in the corner offices. Let's call a spade a spade: Bell Media, Rogers, Quebecor — none of which takes into consideration that Canadian talent want to work with the best producers, writers, actors and singers in the world, nor does it consider that the best in the world want to work and collaborate with Canadians who are leaders and the best in their field. The global companies want to pay for that.

Yet we are saying that it's not good enough. You have to pay more. You cannot benefit from the funds that you do pay.

Colleagues, it's not common sense, and it will be more so if we don't take this opportunity to address it, especially if we're going to continue to say that we're doing all this in the name of protecting and promoting Canadian stories and talent. We need to be fair, and much of what is contained in this bill is not fair.

That lack of fairness may also have serious trade implications in other sectors for Canada. The former chair of the CRTC, Konrad von Finckenstein, and other witnesses were quite clear on this when they appeared before our committee. He said:

Under the Canada-United States-Mexico Agreement, or CUSMA, such restrictions, while falling under the cultural industry exception and, thus, technically allowed, allow our partners to take retaliatory measures of equivalent commercial effect. Since most streamers are U.S.-based, you can expect that to happen.

These are serious considerations that the government has quite evidently ignored. The government sponsor and all the supporters of this bill in this chamber talk poetically about the urgent need to modernize the act in order to account for the realities of the digital age, but nowhere do I see any modern thinking or anything of the government having thought outside the box and outside of traditional habits when it comes to broadcasting.

It's a continuation of a Broadcasting Act that is already 50 years old. What I do see is a whole lot of romanticizing about what we think works so well in the age of conventional radio and television, and I see an attempt to apply that approach to the internet. Colleagues, it doesn't work. My kids tell me all the time that it doesn't fit and, quite frankly, it's out of scope.

It also does not allow for flexibility. Senator Dawson said the law requires it to be able to adapt as the digital landscape continues to evolve. A lot of what is in Bill C-11 was built around principles, like I said, from 50 years ago. Those principles

no longer apply. Look at the way millennials consume information — the way they put it out and consume it — compared to how an old guy like me consumes it.

Where is the impetus in this legislation for conventional broadcasters to adapt their business models to deal with the reality of the digital age? I know the CBC in the last decade has spent millions and millions of taxpayer dollars trying to upgrade their digital capability. Why do you think that is? Because they realize their model doesn't work anymore. Quebecor's digital footprint is growing in leaps and bounds. Why do you think that is? Because they realize their business model doesn't work anymore.

It reminds me so much of the fight over ride-sharing services when they first started becoming popular. The taxi industry, understandably, was upset. We all remember that. Taxi owners were overburdened with regulatory red tape with their vehicles, drivers and taxi licences — red tape that new ride-sharing services weren't subject to and that allowed them to easily swoop into the markets and take business away from taxis. Drivers and owners were upset. I don't blame them. They at least wanted a level playing field, but the truth is that there had to be some adjustments on the part of the taxi industry and on the part of the ride-sharing services. I resisted Uber for a very long time, but I'm not the norm. Millennials have changed the way we do things.

Certainly, regulatory obligations have reasonably been placed on these ride-sharing services, especially where passenger safety is concerned, but taxi companies have had to accept that their business model, up to that point, was out of date and they would have to change it if they wanted to compete.

Colleagues, the taxi industry had to change their ways; it was not the new technology industry having to go to the old way. That's why, now, most cab companies have apps that operate similarly to the apps on offer from ride-sharing programs. That gives consumers more choice and flexibility, even in something as simple as the way they pay the fare. The world has changed. Even I now have an app where I order that type of service.

That sort of acceptance of the reality of the digital age and the give-and-take is something I see woefully little of in this legislation.

Consumer choice and consumer protection will be the inevitable losers if we pass this bill, but this town has always been all about standing up for the big giants. This is another example of it. This bill is not about standing up for millennials. It's not about standing up for new platforms in a digital age. It's not standing up about giving people more choice at a more efficient cost. It's not. It's trying to save some giants that we all have an affinity for, but the world is changing on them. As legislators, I do not believe we can simply stand by and permit that to happen.

I'm cautiously hopeful that many senators on our committee may see it the same way in the face of very strong testimony that we've heard so far in the pre-study. There's a lot of good in this bill. I do believe that, as we adapt to the reality of online streaming, we shouldn't compromise our values, culture and identity in allowing foreign streamers to operate in Canada. I

don't think any of us here are diametrically opposed to that. However, as I've outlined, I think there's work to be done on how we achieve what we want to achieve in a fair manner, without compromising consumer choice and affordability.

Where I think we have a bigger problem is the lack of clarity around the inclusion of user-generated content. There, too, I'm confident we can achieve what needs to be done in a fair manner, without sacrificing the enormous successes of so many Canadian digital creators who are enjoying this both at home and abroad, and without compromising consumer choice and affordability, which is fundamental. I'm cautiously hopeful that our committee will send the government a strong message and vote to fix flaws in this legislation and substantially improve it. We've waited decades and decades to deal with the Broadcasting Act, and we have an opportunity to fix it in a non-partisan, transparent fashion, because at the end of the day, we've heard from so many stakeholders who have come before our committee, and very few think this bill is fine as is. Even those who support the principle of the bill, which I don't — and I've always been clear about that — come with a long list of fixes that they think have to be dealt with.

Colleagues, 8 billion streams of Canadian music or podcasts are exported every month on Spotify. The top nine international markets for Canadian artists provide 7.2 streams of Canadian content for every one person in Canada. Streaming is driving record revenues for companies like Spotify, record labels and music publishing partners, now representing 77.9% of the market for recorded music in Canada.

• (1540)

Canadian YouTubers are amongst the top performers in the world. I met with senior executives from YouTube, and I looked at their stats. Canadians, per capita, punch way above our weight, as we do in just about everything that we engage in.

Content creators, artists, actors and producers enjoy benefits that we've never seen before. But colleagues, we need to encourage them, and we need to make sure that the amendments to the Broadcasting Act that we're proposing accommodate the new way of the world, the way millennials choose to consume and express information around the world. We can't hinder that in an attempt to protect a dying legacy broadcasting industry.

With that, colleagues, I'm pleased with the opportunity to have spoken, and I call the question on second reading of Bill C-11.

Senator Plett: Hear, hear.

Some Hon. Senators: Question.

The Hon. the Speaker pro tempore: Are senators ready for the question?

It is moved by the Honourable Senator Dawson, seconded by the Honourable Senator Bovey, that this bill be read a second time. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker pro tempore: All those in favour of the motion will please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker pro tempore: All those opposed to the motion will please say "nay."

Some Hon. Senators: Nay.

The Hon. the Speaker pro tempore: In my opinion, the "yeas" have it.

And two honourable senators having risen:

The Hon. the Speaker pro tempore: I see two senators rising. Do we have agreement on a bell?

An Hon. Senator: No, we don't. One hour.

The Hon. the Speaker pro tempore: The vote will take place at 4:41 p.m. Call in the senators.

• (1640)

Motion agreed to and bill read second time on the following division:

YEAS
THE HONOURABLE SENATORS

Anderson	Gignac
Arnot	Gold
Audette	Harder
Bellemare	Hartling
Boehm	Klyne
Boniface	LaBoucane-Benson
Busson	Loffreda
Campbell	Lovelace Nicholas
Christmas	Marwah
Clement	McPhedran
Cordy	Mégie
Cormier	Miville-Dechêne
Cotter	Moncion
Coyle	Omidvar
Dalphond	Pate
Dasko	Petitclerc
Dawson	Ravalia
Deacon (<i>Nova Scotia</i>)	Ringuette
Deacon (<i>Ontario</i>)	Saint-Germain
Duncan	Shugart
Dupuis	Simons
Francis	Sorensen
Gagné	Woo
Galvez	Yussuff—49
Gerba	

NAYS
THE HONOURABLE SENATORS

Batters	Patterson
Black	Plett
Boisvenu	Richards
Carignan	Seidman
Dagenais	Smith
Greene	Tannas
Housakos	Verner
Manning	Wallin
Marshall	Wells—19
Mockler	

ABSTENTIONS
THE HONOURABLE SENATORS

Nil

REFERRED TO COMMITTEE

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

(On motion of Senator Dawson, bill referred to the Standing Senate Committee on Transport and Communications.)

[*Translation*]

**EMPLOYMENT INSURANCE ACT
EMPLOYMENT INSURANCE REGULATIONS**

BILL TO AMEND—THIRD READING—MOTION IN AMENDMENT—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Duncan, seconded by the Honourable Senator Clement, for the third reading of Bill S-236, An Act to amend the Employment Insurance Act and the Employment Insurance Regulations (Prince Edward Island), as amended.

And on the motion in amendment of the Honourable Senator Ringuette, seconded by the Honourable Senator Petitclerc:

That Bill S-236, an Act to amend the Employment Insurance Act and the Employment Insurance Regulations (Prince Edward Island), as amended, be not read a third time, but that it be referred back to the Standing Senate Committee on Agriculture and Forestry to hear from the Parliamentary Budget Officer concerning his office's fiscal analysis on the bill; and

That the committee report to the Senate no later than November 15, 2022.

Hon. Diane Bellemare: Honourable senators, I rise today to lend my support to this amendment. I will be brief. I had prepared a speech like Senator Ringuette's, but I found hers very compelling.

I would first like to say that I fully understand the purpose of Bill S-236 and why several senators supported it. The fact that Prince Edward Island has two zones is an anomaly that dates back to 2014. Prior to that, the province had only one zone. In the context of the work surrounding this bill, many have said that these two zones were created as a result of steps taken by certain individuals in the other place. That explains why Prince Edward Island was divided into two zones.

A number of people have talked about this anomaly. Apparently, according to the Commissioner for Workers, four zones were created at that time, quite spontaneously and arbitrarily. I can understand why several senators want to put an end to this two-zone anomaly.

• (1650)

Why? Because it causes all sorts of inconsistencies and inequalities. As you know, given that unemployed workers receive benefits based on their place of residence, two unemployed workers who worked at the same business but who live in different areas would receive different amounts for different weeks. We must think about that and change it.

However, I rather agree with what Senator Simons told the committee. She said that it is not really the Senate's role to micromanage. To some extent, amending the schedule to the Employment Insurance Act is micromanaging, and that is not our job. We can point out anomalies, but it is not up to us to fix them. It is really the government's job to make those changes.

I am also very sympathetic to Senator Ringuette's remarks. She eloquently stated, following the release of the Office of the Parliamentary Budget Officer's report, that it had calculated that merging the two regions would result in a \$76.6-million loss between fiscal years 2021-22 and 2025-26. This represents a lot of money that the people of Prince Edward Island would not receive, according to the Office of the Parliamentary Budget Officer. I appreciate this argument.

Third, the government wants to reform Employment Insurance. The work is under way and the changes should be substantial. I believe that that would be the right time to correct this anomaly and review the complexity of the current system. We must not bury our heads in the sand. The current EI system is incredibly complex.

There are 66 zones in Canada and, depending on the zone and its unemployment rate, each person requires a different number of weeks to qualify for EI. Once you qualify, the duration of benefits is also different. There are tables that contain 29 rows and 11 columns. This means that there are over 400 possible boxes that can apply to a Canadian in terms of EI. That needs to be fixed.

I am not aware of any country that uses zoning as an eligibility criterion. In some countries, a person's age and income can be used as eligibility criteria for Employment Insurance benefits, but never the zone they live in.

It is important to remember that our entire system is the result of the 1976 reform, the Axworthy reform, which had some positive and some less positive results. It needs to be said that, at the time, the main purpose of Employment Insurance was to manage unemployment. There was a period in the 1990s where the monetary policy was having a major impact on the participation rate in Canada. I am reminding senators of this because I think it is important. The monetary policy worked like it does today, with agreements, and it targeted a range of interest rates. However, its target at the time was the natural rate of unemployment.

We were so afraid of inflation and inflation expectations that the Bank of Canada's focus was the non-accelerating inflation rate of unemployment, which was assessed at 8% for Canada as a whole. That was the rate at which interest rates would increase. When the rate approached the natural rate of 8%, the Bank of Canada tightened its monetary policy. It is also important to remember that mortgage rates were very high at that time.

When you have an unemployment rate of 8% and that is the rate you want to achieve, imagine the unemployment rate in certain regions. It could be very high in the Maritimes and lower elsewhere. There were and still are very big regional disparities.

Nowadays, the problem is different for a number of reasons, including the inevitable aging of the population. Even if we do have a recession, the unemployment rate will rise, but probably not as much as it would have in the past because the population is aging. A recession will lead to earlier retirements, and the total unemployment rate will rise, but it will not rise as much as it would have in the past.

Now, because of the rapid pace of technological change and people moving from job to job often, along with the aging population I mentioned, we have a labour shortage. We need to reform Employment Insurance to deal with the labour shortage.

I invite the committee to consider this, if the amendment is agreed to, and to take another look at Bill S-236. I also invite the committee to take another look at it in light of the upcoming reform and consider what else the committee might suggest with respect to Employment Insurance reform.

That's all I wanted to say. Thank you.

[English]

Hon. Dennis Glen Patterson: Senator Bellemare, since 2014, the House of Commons committees have twice recommended a restoration to one EI zone for P.E.I., and you've talked about reforming the EI system. Out of respect for Prince Edward Islanders, let's not confuse their specific issue with the larger matter of EI reform that you've advocated.

Is it not the role of the Senate to work on behalf of our regions and address issues of regional interest first?

[Translation]

Senator Bellemare: I agree, Senator Patterson, but we have to consider the Parliamentary Budget Officer's report. According to his calculations, Prince Edward Island will receive less benefits overall after the zones are merged. Given the multiplier effect in the region, it's not very useful to promote growth.

I think that, given the current context, we can wait. That is my answer.

[English]

Senator Patterson: Thank you for the answer, Senator Bellemare. I'm not sure about the accuracy of the statistics from the Office of the Parliamentary Budget Officer, or PBO, because in 2021, the *Eighth Annual Report on Child and Family Poverty on Prince Edward Island* highlighted that the federal riding of Charlottetown, which is smaller than the EI zone of Charlottetown, has the highest rate of both child poverty, at 25%, and poverty of people of working age, at 24.4%.

By contrast, the westernmost riding of Egmont, which is entirely in the P.E.I. EI zone, has a 19.4% rate of child poverty and a poverty rate of persons of working age of 14.7%. This is the discrepancy you spoke about in ensuring access to benefits to the working poor in Charlottetown due to requiring 700 qualifying hours compared to 560 hours in the P.E.I. zone.

The authors of that report recommended that the federal government immediately end the division of EI on P.E.I. into two zones, thereby ending that disparity that currently exists among EI recipients in this province.

• (1700)

In light of this information from the annual report on child and family poverty, 2021, would you not conclude that passing Bill S-236 actually benefits the working poor in Prince Edward Island, given that the highest rates of poverty are in the Charlottetown EI zone? Should we not listen to the subject matter experts on Prince Edward Island?

[Translation]

Senator Bellemare: I knew you were going to ask me a question about poverty rates. I didn't have enough time to study the matter in detail. But it's not for me to study it. That is why there is an amendment that proposes that the Parliamentary Budget Officer's report be reviewed. Then it will be possible to examine the problem of poverty more thoroughly and determine whether it is truly linked to the number of weeks of benefits and the duration of benefits.

We know, in fact, that unemployment rates change. In September 2022, the unemployment rate in Prince Edward Island as a whole was 8.3%, while it was 7.3% in the Charlottetown zone and 8.7% in Prince Edward Island excluding Charlottetown. With a rate of 8.3%, this is a slight improvement. I am not really sure that the difference between the rates of 7.3%, 8.3% and 8.7% is considerable. All that will be for you to judge and to report to us after the committee does its work.

[English]

Hon. Ratna Omidvar: Senator Bellemare, your interest in EI and EI reform is well known in this chamber.

I was struck by Senator Ringuette's interventions and her conversations with the two EI commissioners who were less than completely forthcoming, perhaps because the question was not asked directly or indirectly. I'm not able to say.

You have a bill before this chamber, and your proposal is to create an advisory council to the Canada Employment Insurance Commission. Do you believe that the presence of such an advisory council would have helped the two EI commissioners answer the questions more fulsomely?

[Translation]

Senator Bellemare: Thank you for the question, Senator Omidvar. The advisory council that I am proposing will help the current commission do its job, which is to comment, reflect, make proposals and receive testimony. The commission would also be able to act on its own initiative. It could therefore receive requests from outside parties, conduct its own analyses and present them to the commissioners.

In my bill, the commissioners would be members of the advisory council, this broader commission, if you will, so they could offer an objective view and help develop common solutions for problems that are identified.

Dear colleagues, I hope that we can discuss this more fully when you participate in the debates on my bill.

[English]

Hon. Robert Black: Honourable senators, I rise today to speak briefly to Senator Ringuette's amendment on Bill S-236 regarding P.E.I. Employment Insurance.

As you all know, Bill S-236 was studied earlier this year at the Standing Senate Committee on Agriculture and Forestry during which we heard support for changes to the existing system of two Employment Insurance zones that divide Prince Edward Island.

On September 7, months after the Agriculture Committee completed its study of Bill S-236, the Parliamentary Budget Officer published a costing note on the matter that raised new concerns for members of this chamber.

[Senator Bellemare]

Honourable colleagues, at this time, I would like to share that, before and after Senator Ringuette's amendment was introduced, I heard from members of this chamber that they would be willing and interested in sending this bill back to the Agriculture Committee in order for the committee to conduct a comprehensive review of the information that is now available before we send this bill to the other place.

Colleagues, given this understanding, I do believe the amendment should be revised. Thus, I would like to propose a subamendment. Before I do so, as chair of the committee, I feel it is necessary that I address several matters of the original amendment and its impact on the proceedings of the Agriculture Committee.

As we heard, Senator Ringuette's original amendment would see the committee hear from the Parliamentary Budget Officer and report back by November 15, 2022. This first clause is understandable, given the PBO's direct role in the release of their costing report and its subsequent impact on this bill. However, the committee may also be interested in hearing from additional witnesses who may not have had all the facts when we heard from them last spring.

It is imperative that the committee be able to hear from any relevant source with information on the matter who could inform the committee's report on this bill. We cannot limit ourselves to just the PBO, given that the information that was released in September by their office is both new to us and to our witnesses that we heard from previously. It cannot be assumed that this information will not have an impact on their perspectives, given that we would return to this bill with the understanding that this report could change our perspectives as well.

With that in mind, I ask that this chamber consider the impact this amendment would have on the committee and, in fact, the ability of all Senate committees to determine their own proceedings and call witnesses beyond that of the PBO.

While Senate committees do take direction from this chamber, I believe it is crucial that they maintain the ability to make their own decisions and call witnesses beyond those recommended to allow for well-rounded deliberations.

In that same vein, I am also concerned with the clause in Senator Ringuette's amendment which details that the committee must report back by November 15, 2022. We all know that the calendar of the Senate is fluid, and we must remain flexible. In order to accommodate a comprehensive effort to examine the new information that has come to light, I believe it is prudent that the committee be able to determine its own timeline to report back on this bill, with the understanding that we will do so in good time to ensure that Islanders are not further impacted by the stalling of this bill any longer than needed.

Let me be clear: I am not trying to stall this bill in any way. To that end, I believe it would be best to remove the second clause entirely to ensure that the Agriculture Committee, and any other Senate committee impacted by such a motion in the future, will be able to conduct its work within a time frame that reflects the amount of work necessitated by the committee itself.

MOTION IN SUBAMENDMENT—DEBATE ADJOURNED

Hon. Robert Black: Therefore, honourable senators, in amendment, I move:

That the motion in amendment be not now adopted, but that it be amended by:

1. adding the words “additional witnesses, including” between the words “to hear from” and “Parliamentary Budget Officer” in the first paragraph; and
2. by deleting the final paragraph.

Hon. Colin Deacon: Honourable senators, I think it’s wonderful to hear this focus in the Senate of Canada on those who are marginalized and disadvantaged in Prince Edward Island. It shows we’re focused on a very important part of our job, which is to represent regions and to represent issues that are not being as well debated sometimes as they need to be and where Parliament may not be acting in a way that serves every issue.

I would like to speak in support of the subamendment because the issue of Bill S-236 gets to the core of a very important national problem that we have, and it’s a business crisis in terms of labour shortage.

I want to speak to a bit of history I have on the Island. When I first worked there in the 1990s, I worked in a job where I had a board that I reported to, and sometimes I would come forward with issues that were concerning to employees and where employees were really hoping to have certain advancement so they could do their job better. I would often hear a response that was: Well, they’re just lucky to have a job in the first place.

• (1710)

At a certain point in time in this country, that was very much a perspective: that there was a line around the block for people to replace you in a position, and if you didn’t want to do the job as you were told, you could see yourself being replaced and you were lucky to have that job.

Things are different today. Twenty-five years later, Prince Edward Island actually has the youngest population in Atlantic Canada — it’s the fastest-growing population in all of Canada — and it has seen a tremendous change since the 1990s. I remember when former premier Wade MacLauchlan was president of the University of Prince Edward Island, or UPEI, and the crisis was so dire with an aging population and a lack of a vibrant working environment that he said, “Would the last person to leave P.E.I. please turn off the lights as they head out the door?” It was a really tough time on the Island.

Just to give you an example, between September 2021 and September 2022 there were 2,300 net new jobs, relatively speaking, created in the month of September on Prince Edward Island, mainly in manufacturing and construction, that were not there a year ago. There are a lot of people moving to Prince Edward Island. Last year 4,800 people moved to P.E.I., the fastest ever in 50 years in terms of population growth on the Island, but the trouble is that population growth is exacerbating a

housing shortage that is also being exacerbated by a labour shortage. There are 1,000 unfilled construction jobs in P.E.I. right now.

The P.E.I. tourism sector, which has worked so hard to build a shoulder season so that you’re not just making money as a tourist business in July and August but building your business from April right through to November — and that shoulder season has always been affected by a drop in the number of student workers as they head back to school — but now it’s being absolutely negatively impacted by a lack of workers to replace that labour in the shoulder season. This has been a hard-fought win on the part of the Island to expand the length of the tourist season.

Small businesses post-COVID are not able to hire the staff to meet market demands today on the Island. The labour shortages have never been bigger. We have moved in Atlantic Canada — and this is true for Nova Scotia and the tour that I did of different businesses across Nova Scotia, labour shortages were crucial, especially in rural communities. You couldn’t get people to move to those communities in many cases, and the businesses are really struggling. We’re no longer in a world of job shortages. We’re in a world of pervasive and growing labour shortages. But our federal-provincial labour market agreements are based on a world of job shortages; they are based on the assumption and the paradigm of job shortages. From my perspective, that revisiting that Senator Bellemare and many of us have spoken about is really important.

I want to give you a sense of the risks facing businesses nationally for sure and in Nova Scotia and Prince Edward Island absolutely. In my home province, one anchor employer in a rural area — a profitable, very well-respected business — 30% of their workforce is over 55 years of age. They do not have replacement workers coming along. We have to fix this issue of labour shortages in this country. To me, the challenge that I have is that the current situation on P.E.I. I think is indicative of some of the challenges that we have in this country, on the basis that we’re really supporting a job shortage market, not a labour shortage market. We’re incentivizing people in the second zone to stay home and work less. That’s the net result of that.

I really respect the concerns that have been raised by my honourable colleagues. I absolutely think we need to address them vigorously, but I like the fact that Senator Black has proposed a subamendment that allows us to look at the issue because in agricultural and rural communities it is especially challenging. The larger question of how we have to revisit our programs supporting those who are unemployed is crucial.

I will finish off by saying I hope we do vote in support of this subamendment and give the Agriculture and Forestry Committee the flexibility and time they need, and having the committee look at this issue makes an awful lot of sense in my mind. There is a profound challenge facing small businesses. They need the help to fill jobs and they don’t need people being incentivized to stay home.

The success of business is built — as we all know — on the quality and reliability of the workforce, but Bill S-236 is trying to get at this challenge of labour shortages on the Island. We heard it in committee when we did our study last May, and it is worse in rural communities and much harder for some of these

businesses to get people to move into the communities and make sure they have the ability to create the value that they could deliver to their customers.

Colleagues, I hope you look at that part of the question seriously because it is a negative impact for those who have struggled to get through COVID and are trying to rebuild on the other side of it. Thank you very much, colleagues.

Some Hon. Senators: Hear, hear.

[*Translation*]

Senator Bellemare: Would the senator take a question?

Senator C. Deacon: Yes.

Senator Bellemare: I used to work at the Economic Council of Canada, in the late 1980s and early 1990s. We once did a major study, and I'm wondering whether you are aware of the results.

The study clearly showed that, because of the significant shortage of jobs and the way the EI program worked, in many regions, in both Quebec and the Maritimes, companies, not workers, were integrating the notion of job sharing into their human resource management practices. It wasn't so much individuals, but rather businesses, that were really integrating job sharing into their own practices.

In other words, one aspect that needs to change is business practices, in order to provide greater job stability and improve workforce retention.

Were you aware of that study?

[*English*]

Senator C. Deacon: Of course, you were involved in something that innovative that long ago. Thank you for the question, Senator Bellemare. It goes to the core of what Senator Pate has been proposing. Let's look at other ways of addressing the ability to provide everyone with more opportunities, be that through a guaranteed livable income pilot program, job sharing. There are many ways we can look at this issue, but the reality is we have to find a way to keep our businesses thriving in our communities, and that's a really innovative idea that in this situation is not supported by having the second zone that is incentivizing people to stay home and claim EI or get only a full-time job. Thank you.

Hon. Pierrette Ringuette: Senator, would you take another question?

Senator C. Deacon: Absolutely.

Senator Ringuette: Senator Deacon, I'm from a rural area with very harsh winters. I would say that anything between 30% and 35% of our businesses are seasonal businesses — and maybe Senator Mockler can corroborate this — therefore, these seasonal businesses need seasonal employees. I would like for you to tell this chamber what it is that you understand to qualify four times in your short speech that seasonal workers, by getting EI benefits, are being incentivized to stay home. In my long years of

being a parliamentarian and talking to the people from my rural area, I have never met anyone who enjoys staying home and having to survive on Employment Insurance, or EI, benefits. Could you please qualify how you see this bill creating an incentive for people to stay home?

• (1720)

Senator C. Deacon: Thank you very much, Senator Ringuette. If you have to work 100 fewer hours to qualify for EI, and someone across the street has to work 100 more hours, one has a strong incentive to make sure they work the required number of hours. That's what I am referencing. If we have a situation where you have folks who are around places where there are lots of jobs, and lots of jobs that are unfilled, we should be making sure that changing the system in some way, shape or form ensures that they have a reason to keep on looking for the next position versus perhaps going on earlier in the season.

Hon. Hassan Yussuff: Would the senator take a question?

Senator C. Deacon: Absolutely.

Senator Yussuff: Senator Deacon, I very much appreciate the issue that you spoke about, in terms of not having enough people to fill jobs in this country. But I think it's a stretch, because you do not have one shred of evidence to suggest that the workers in this particular zone that we are speaking about are incentivized to stay home. There is lots of data, and certainly the system exists, that if a worker fails to take a job that's available, they will be cut off from EI.

I understand there are not enough people to fill jobs that exist in certain regions of the country, but we also have to appreciate that we have regional economies in certain sectors of this country. It's not just in P.E.I. — it's throughout many parts of the country — and the EI system has had to adjust to deal with this reality. In certain parts of Quebec, there is a regional economy. They have an EI zone that takes in that particular region and recognizes a regional economy.

I want to be honest because I don't think this is what you intended to say. Workers, for the most part, struggle with life, and it's not fair to suggest that somehow they're lazy or they don't want to go to work. I know many of them. I have represented them my whole life. I understand that we need to make sure workers have the skills and the ability to take jobs, when jobs are available, so they can continue to work, but I don't think it's fair to suggest that this particular region, in the province of P.E.I., is being incentivized to stay home. Senator Deacon, maybe you can clarify this through some data or statistics to help me feel more comfortable with regard to your statement.

Senator C. Deacon: Thank you, Senator Yussuff. That is the primary reason I recommend that it be studied by the Agriculture Committee. I am disappointed that I am no longer a member of the Agriculture Committee. I would like to be engaged on this topic because it's crucial. When there are two zones, and there are jobs available in one zone but not in the zone you are in — in a place as small as Prince Edward Island — we're not creating

the circumstances, in my mind, where we are managing a system to ensure that all jobs are filled in order to make sure the economy is as strong as it can be.

Right now, there is a massive challenge of labour shortages that is getting worse because there is not enough housing, not enough construction workers and not enough workers to keep these businesses going. I am really hoping that the questions that you and Senator Ringuette have asked are studied and looked at by the Agriculture Committee, because I think it is important.

The Hon. the Speaker: Senator Downe, are you rising to ask a question?

Hon. Percy E. Downe: Yes, I am.

The Hon. the Speaker: Senator Deacon's time has expired.

Senator Deacon, are you asking for five more minutes to answer more questions?

Senator C. Deacon: If it is the will of the chamber.

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

Hon. Senators: Agreed.

Senator Downe: Thank you. Let me join the pile on Senator Deacon because of his earlier comments. I know he's well aware of Prince Edward Island, because he lived there for many years, but he may not be totally up to date. We have the lowest wages in Canada, and the highest inflation in Canada. Those two coming together are an incentive for people not to seek employment — when their incomes are so low because of the wages being the lowest in Canada. We have to be very conscious of what's going on in the overall economic picture.

Senator Deacon, like you, I support the subamendment. I think it expands the range of options we can hear and gives time for more reflection. I was not aware of the Parliamentary Budget Officer's report until Senator Ringuette raised it — and I thank her for raising it, because it's important. The Parliamentary Budget Officer, as we know, does very good work. Senator Deacon, what other witnesses would you suggest, in addition to the Parliamentary Budget Officer, if you were selecting them for this review?

Senator C. Deacon: I would recommend speaking to chambers of commerce, construction associations, tourism associations and restaurant associations to understand what's happening on the front lines of businesses across the Island — to make sure we're understanding what the effects are, right now, of labour shortages on the Island. And we can get to the core of whether this is, in any way, related to it — perhaps it is not, and maybe the issues don't touch on this. I believe there is something to be considered here. Certainly, our witnesses in the Agriculture Committee, when we heard their testimony back in May, said that labour shortage was a big part of their motivation for wanting to see this change. I encourage the committee to consider those sorts of witnesses.

Senator Downe: As Senator Ringuette alluded to earlier, we have a very seasonal economy. A lot of our prosperity comes from that seasonal economy, but no one harvests potatoes in February, no one fishes lobsters in March and no one I know wants to visit me in April — because the weather is always nicer somewhere else. We have industries that are highly dependent on 14 to 16 weeks to contribute to the GDP of P.E.I.'s economy which, as you indicated in your remarks, has had tremendous growth in the last decade — not only in population but in prosperity.

Part of that is because we have EI, which is Employment Insurance. It's an offset for people when they can't work on farms, fisheries or tourism in the winter. I think — in addition to your suggestions of witnesses who should appear — I would add, to give balance, that we need to hear from some of the labour unions, the workers and the seasonal workers who are marginalized in their voices, in civil society, when it comes to employment, wages and so on.

Senator C. Deacon: Thank you. Absolutely, Senator Downe. I don't think what we're debating is whether EI should be available on the Island or not. We're really debating whether the effect of having more hours to qualify is a problem for the Island or not. What you have suggested is important for your seatmate to consider right now, along with the steering committee of Agriculture, as they select witnesses. Those are very important points raised.

(On motion of Senator Cotter, debate adjourned.)

• (1730)

STUDY ON MATTERS RELATING TO BANKING, COMMERCE AND THE ECONOMY COMMITTEE GENERALLY

FOURTH REPORT OF BANKING, COMMERCE AND THE ECONOMY
COMMITTEE ADOPTED

The Senate proceeded to consideration of the fourth report (interim) of the Standing Senate Committee on Banking, Commerce and the Economy, entitled *Business investment in Canada*, tabled in the Senate on June 20, 2022.

Hon. Pamela Wallin moved the adoption of the report.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

INTIMATE PARTNER VIOLENCE

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Boniface, calling the attention of the Senate to intimate partner violence, especially in rural areas across Canada, in response to the coroner's inquest conducted in Renfrew County, Ontario.

Hon. Nancy J. Hartling: Honourable senators, I rise today to speak to Inquiry No. 10 by calling the attention of the Senate to intimate partner violence, or IPV, especially in rural areas across Canada. This inquiry is in response to the coroner's inquest conducted in Renfrew County, Ontario. My sincere gratitude to my friend and colleague Senator Boniface for highlighting this critical issue.

I speak in solidarity with others, especially women, because gender-based violence is, in my view, an epidemic that permeates the lives of our sisters, mothers, daughters, aunts, friends and co-workers from all walks of life across our country.

Today, I want to highlight the dangers women face in rural areas. For most of my adult life, I have worked in the not-for-profit sector helping women and their children leaving violent relationships, while working to change social programs and pushing for funding of programs and services. For decades, I've witnessed their suffering, and I've mourned lives lost by IPV.

This inquiry is partly a response to the Ontario coroner's inquest into the deaths of three Ontario women: Carol Cullerton, 66, Anastasia Kuzyk, 36, and Nathalie Warmerdam, 48, on one horrifying day at the hands of a known, violent abuser. A good friend of mine who has worked with women in shelters and who lived in the county told me the whole community was devastated. Carol, Anastasia and Nathalie died because the man who had been deemed a high risk to reoffend was able to gain access to them unhindered.

Throughout the coroner's inquest, the jury heard about the many opportunities missed to protect all three women. This included the lack of enforcement of release conditions, the lack of supervision of the perpetrator and the lack of communication between the victims and probation officers in the months leading up to the murders. Dr. Peter Jaffe, former director of the Centre for Research & Education on Violence Against Women & Children, testified there were 100 opportunities to intervene in the case. One hundred interventions that might have saved their lives. The jury's final verdict included 86 recommendations for systemic changes to the way the province deals with intimate partner violence. Each recommendation is a response to the accumulation of failures that provided the opportunity to commit these terrible crimes.

These recommendations echo many of the same recommendations made by the Ontario Domestic Violence Death Review Committee set up by the coroner's office over 20 years

ago to systematically track such cases and provide meaningful recommendations on how to prevent them. For a variety of reasons, including the fact they're not legally binding, the committee's recommendations have been left largely unimplemented. It's little wonder the deaths have not stopped.

We're not lacking in knowledge. We're lacking in political will.

Although some of the recommendations are specific to Ontario, there are so many parallels between the provinces and territories that are equally applicable in every jurisdiction, including in my home province of New Brunswick.

With regard to research and policy development on the subject, I would like to highlight the work of the Muriel McQueen Fergusson Centre for Family Violence Research, named for our former New Brunswick senator and speaker of the Senate who was an activist dedicated to ending violence against women. The Centre's work, which is focused on gender-based violence, has assisted our province in making a difference.

Nevertheless, violence against women and girls continues in Canada. Between 2014 and 2020, there were 576 victims of intimate partner homicide in Canada, and 80% of the victims were women. Sadly, one woman is murdered by her intimate partner every six days in Canada. That number is staggering, and isn't going down. IPV comes in many forms: psychological, physical, sexual and financial abuse.

One of the most insidious and difficult to detect types of violence that women experience is called coercive control, where an intimate partner engages in a pattern of behaviour intended to isolate, humiliate, exploit or dominate the victim, thereby stripping away their freedom and their sense of self. This type of behaviour, although not captured in police-reported final statistics — as it's not currently illegal in Canada — is a significant predictor of violence and murder. It is worth noting that two thirds of women killed by their partners suffered years of being abused, which underscores the importance of intervention. There is a cycle of violence where women in abusive relationships go through a honeymoon phase where the partner tries to make amends and asks for forgiveness. These women may be less likely to realize they are at risk, and are less likely to report incidents.

• (1740)

If we compare urban versus rural communities, the rate of police-reported intimate partner violence against women in Canada was 461 per 100,000 people in urban areas, and 985 per 100,000 people in rural areas. In New Brunswick, the rate is 722 per 100,000 people in urban environments, and 823 per 100,000 in rural areas — the highest rate in Atlantic Canada. It's critical to note that women in rural areas experienced violence at almost twice the rate of women in urban areas. In New Brunswick, 70% of IPV deaths took place in rural areas in small towns, and many died by firearms.

Of course, the lack of services, interventions, internet and transportation in rural areas is a factor. Living in rural areas, as many of us know, is different, because there are often tight-knit bonds between people, which many of us enjoy. However, the downside is if you're living in a violent situation, it may be hard to call on your neighbours. Survivors report difficulty in being believed, especially when the person committing the abuse is well respected. Often, seeking help means disclosing information to someone who may have a close connection to the person committing the abuse. This makes seeking help more difficult and increases the risk of retribution because the chances are high that the abuser will discover that the victim is looking for a way out. To make matters worse, women looking to leave an abusive situation fear that they may have to leave their community altogether, for example, leaving a family farm or another small business into which the victim has poured a tremendous amount of resources. The most dangerous time for a woman to be killed is when she's about to leave, if it's known.

Women in rural communities may be older, too. This is especially true in New Brunswick where the average age is 45, second only to Newfoundland. Sometimes religious values and beliefs may mean they're more likely to self-blame and keep any abuse secret because they believe in being married for life or "until death do us part." Gender stereotypes make leaving the relationship difficult.

Another characteristic that puts rural women at greater risk is the prevalence and normalization of firearms ownership. The presence of firearms in the home increases the chances that they will be used to commit murder or provide the means for the abuser to use them as a threat and a form of coercive control.

Despite the close-knit bonds, rural living can also mean isolation. This was especially true during COVID-19, where the ability to travel anywhere was severely diminished by lockdowns, and increased unemployment left many women vulnerable to social isolation. Everyone being at home created tension. This is compounded by a lack of access to alternative transportation, to high-speed internet or to cellphone coverage. In a study conducted by our office, law student Alexandra George described how deeply New Brunswick women were impacted by this reality. In New Brunswick, the shelters were caught off guard by a double pandemic. They were left scrambling, trying to piece together emergency plans that would allow them to operate safely during COVID-19 while facing a jump in demand for services.

I would like to highlight the impacts pertaining to rural, remote and northern communities, for many of the women who live in these communities are Indigenous. They may also be dealing with intergenerational trauma, lower income, poor funding of services and infrastructure, higher rates of substance abuse and a deep distrust in police and government due to colonial violence, which may act as a deterrent to reporting and using victim services. All these factors put Indigenous women at a substantially higher risk of experiencing intimate partner violence. About 61% of Indigenous women have experienced it

in some form in the course of their lives. *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* has a great deal to say about this and about how our collective indifference can result in the murder and disappearance of hundreds of women.

Friends, I think you're getting the picture that this is a very serious situation. We've looked at the stats on intimate partner violence, we've touched on some kinds of violence that they experience and we've explored a bit about why women in rural and remote areas are at higher risk. I'm asking you, seriously: What is going to keep our women and girls safe in Canada? Over 40 years have gone by, and this has not been solved. It's getting worse. Why? Don't we care? We have the resources. We have a justice system. We have the means. I just don't get it.

Recently, I obtained a book from British author Joan Smith called *Home Grown: How Domestic Violence Turns Men into Terrorists*. The author's research draws parallels between some world situations where domestic violence was a key factor and then a terrorist situation later took place. She says dealing with domestic violence in a comprehensive way may cost us up front, but over the long term the damages to women and children, prison sentences and horrific acts of public violence cost a lot more. Sadly, we don't have to look beyond Portapique, Nova Scotia, where the perpetrator — who came from an abusive home — murdered 22 innocent victims. His spouse was a victim of IPV, and he victimized other women too. There are links between abusive behaviour at home and his decision to carry out one of the worst mass murders in living memory. It was heartbreaking, and continues to be devastating, for these families and communities. I grew up only 15 minutes from there, so I think about this a lot.

All the recommendations at the coroner's inquest are important and not necessarily new, but I will highlight three areas of most concern to me. First, the criminal justice system needs major adjustments. This was made very clear by what happened in Renfrew County; more effective supervision is necessary during probation. Despite multiple warnings from the victims that they were concerned about their safety, supervision of the perpetrator was such that he was allowed to move closer to the victims, continuously breaching his conditions and even openly expressing his contempt and denial of the responsibility for his previous actions. Had the victims' concerns been taken seriously by the criminal justice system, had he been reprimanded for not adhering to the conditions of his probation and had the accumulated evidence that he was a risk to women been taken seriously, he may not have been able to commit these crimes. Of course, this requires a serious rethink of how we as a society and the criminal justice system perceive the severity of IPV. Perhaps it's time to enshrine concepts such as femicide into the *Criminal Code* so it stands as a separate offence and a reminder how IPV works.

I believe we should give consideration to creating a specific offence for coercive control in the *Criminal Code*. This would reflect just how dangerous coercive control is and would provide a pathway for victims to exit dangerous relationships through the

cover of law. As we discussed previously, coercive control is a prime indicator for future violence and murder, so this could be an effective preventative measure.

Second, funding for infrastructure such as transportation and high-speed internet in rural areas, along with better and more stable funding for women's shelters, second-stage housing and other aid groups, is needed. I often wonder: Why do women and children have to hide out in shelters and leave everything behind? Nonetheless, shelters are desperately needed until things change so that women and children can escape violence. This critical infrastructure saves lives and is needed. Yet, too often these organizations need to expand resources, chasing down grants which put their staff in precarious positions of not knowing where funding will come from, or having to spend time writing grants rather than developing safety plans with their clients. Women and children in New Brunswick can only stay in a shelter for 30 days. Then what? With a housing crisis, high rent and inflation, it's no wonder women feel trapped in a violent relationship. There are few shelters in rural areas, so many have to move to urban areas, and then what? This is highly disruptive to children. And what about their favourite pets? Must they be left at home?

Finally, training awareness and action are so important. Awareness is one of the key issues that come up repeatedly. It's not just for victims, but for all of us, to be aware of IPV in our communities, our workplaces and our professions. I taught a UNB course to nursing students for seven years called Introduction to Family Violence Issues so that as they entered their nursing careers they would be aware of what to look for, whether it was IPV, elder abuse or other types of abuse. Part of my teaching was to engage these students so they could look at their own relationships and at those around them, and think about what that meant. Awareness campaigns can have a tremendous impact on opening up the possibilities of escaping violence. In New Brunswick, we have the Silent Witness Project, a travelling exhibit of life-sized red silhouettes made in the shape of women who died. Often, their families will bring a scarf or jewelry to put on the silhouette. Awareness emboldens bystanders to say something, opens up the possibility of leaving for victims and erodes the ability of abusers to control information. Campaigns such as the Silent Witness Project are excellent. New Brunswick has had many advertising campaigns over the past 40 years, and they have helped to a degree. But we need zero tolerance. We have a lot of training for first responders, nurses, police, doctors, churches and workplaces. Combined with this, I believe the implementation of stronger legislation to close the gaps is imperative.

• (1750)

In conclusion, colleagues, I'm grateful to be able to speak about this important topic, but I'm very frustrated that we have to keep talking about this year after year. I hope you don't sleep tonight. I hope you don't sleep well. I hope you'll think about this, because this is an issue we need to take seriously. We need to take action so that your grandchildren don't have to keep talking about living with IPV.

[Senator Hartling]

It has been said that until more men speak out against domestic violence and change toxic notions of masculinity that link men with violence, and until the men support us women, things won't change. I've appreciated Senator Manning, Senator Boisvenu and others in our chamber who have an interest in this topic. This isn't something we have to live with. I think it's imperative that we take action as IPV erodes equality and the fabric of our society as women and girls continue to suffer an overwhelming burden. We can't ignore this epidemic. Thank you.

Some Hon. Senators: Hear, hear.

[*Translation*]

Hon. Pierre-Hugues Boisvenu: I would like to ask the senator a question, if I may.

[*English*]

The Hon. the Speaker: Your time has expired, Senator Hartling, and Senator Boisvenu wishes to ask a question. Would you like to ask for five minutes to answer?

Senator Hartling: Yes, I would.

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

Hon. Senators: Yes.

[*Translation*]

Senator Boisvenu: First of all, thank you for your speech on domestic violence, senator. The latest numbers are quite disturbing. In New Brunswick, over the last 10 years, domestic violence has increased by 38%, while in Quebec, it has increased by 34%.

Do you think it is right that we are talking about domestic violence in this chamber? As we speak, the Standing Senate Committee on Legal and Constitutional Affairs is studying a bill that will virtually decriminalize sexual harassment and home invasion. There are a whole host of crimes that are currently in the Criminal Code for which sentences can be handed down, but they will basically be decriminalized because the offenders will be sent home to serve their sentences.

Do you think it is right that we are talking about domestic violence in this chamber and that, at the same time, a Senate committee is studying a bill that proposes more lenient sentences for people who assault women?

[*English*]

(On motion of Senator Housakos, debate adjourned.)

Senator Hartling: It's a good question, and I appreciate it. I'm not sure that I can answer it at the moment. I think we need to look at all sorts of laws, and I think we need to discuss domestic violence here and bring laws forward to protect women and children.

(At 5:54 p.m., the Senate was continued until tomorrow at 2 p.m.)

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