



DEBATES OF THE SENATE

1st SESSION



44th PARLIAMENT



VOLUME 153



NUMBER 113

OFFICIAL REPORT
(HANSARD)

Wednesday, April 19, 2023

The Honourable GEORGE J. FUREY,
Speaker

CONTENTS

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

Publications Centre: Publications@sen.parl.gc.ca

Published by the Senate
Available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Wednesday, April 19, 2023

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

[English]

Prayers.

[Translation]

SENATORS' STATEMENTS

THE LATE DR. HERVÉ BLANCHARD

Hon. Marie-Françoise Mégie: Esteemed colleagues, Dr. Hervé Blanchard passed away peacefully at home in Montreal surrounded by his family on Wednesday, March 29. I extend my heartfelt condolences to his family and to all those he mentored over the years.

Who was Dr. Hervé Blanchard? He was born in Port-au-Prince, Haiti, on August 15, 1932. He graduated from the Faculty of Medicine of the State University of Haiti in 1957. He specialized in surgery at the Port-au-Prince General Hospital and continued his training in Montreal in 1965.

Dr. Hervé Blanchard worked as a pediatric surgeon at the Sainte-Justine Hospital. He completed his training in clinical and experimental transplantation in Denver, Colorado.

In 1969, he began his career as a pediatric surgeon at the Sainte-Justine Hospital as well as an academic career as a professor at the University of Montreal. The university's department of surgery noted that he was a Quebec pioneer of pediatric liver and kidney transplantation.

Dr. Blanchard also led major advances in the separation of conjoined twins and treatment of other congenital malformations. He shared his expertise with many pediatric surgeons across Canada, as well as in the United States, Latin America, Europe and Africa.

The academic community awarded him the title of Professor Emeritus of the University of Montreal in 2001 and Professor Emeritus of the Canadian Medical Association in 2006.

Between 1982 and 1996 he received numerous awards and tributes from the Haitian community. The City of Montreal and Quebec's department of citizen relations and immigration awarded him a certificate of honour in 1998.

His family, friends and students all appreciated his qualities, especially his intellectual rigour, compassion and modesty. He is one of the many proud immigrants who have helped build Canada.

Esteemed colleagues, we remain deeply grateful for Dr. Hervé Blanchard's undeniable contributions to Canadian society and the world.

May he rest in peace. Thank you.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Alan Kruzell, Board Member of the Soil Conservation Council of Canada. He is the guest of the Honourable Senator Black.

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

Hon. Senators: Hear, hear!

NATIONAL SOIL CONSERVATION WEEK

Hon. Robert Black: Honourable senators, this week is National Soil Conservation Week, spearheaded by the Soil Conservation Council of Canada. Each year, during the third week of April, this week-long event highlights the importance of soil health and soil science to Canada's economy, environment and future.

Soil health has continued to be an increasing concern amongst agricultural and environmental communities for years. Innovative and progressive research has continued to show growth in understanding the extent to which soil health affects our arable land. Continued support from all levels of the government, as well as Canadians from coast to coast to coast, remains essential in our work toward healthy soil.

Did you know, honourable senators, that the smell of fresh, healthy soil can reduce depression? According to a study by the University of Colorado Boulder, *Mycobacterium vaccae* — antidepressant microbes found in soil — is also being investigated for improving cognitive function, Crohn's disease and even rheumatoid arthritis.

Studies like this show how important soil is not just for our farmers, but also for the health of all Canadians. It cleans our water, filters our air and helps sequester and use carbon to produce the high-quality foods that we, as Canadians, enjoy.

According to the Soil Conservation Council of Canada, soil erosion costs Canadians \$3 billion each year. This is why it is important that we find common ground — or soil — across the provinces in order to approach this challenge and find collective solutions. I applaud the thousands of soil advocates throughout the country who dedicate so much time to bringing awareness to this important cause and issue. Soil is a finite resource, and we, as Canadians, must continue to care about it in order to grow our food.

Therefore, honourable senators, during this National Soil Conservation Week, I encourage you, my colleagues, and Canadians throughout the country to learn more about how each of us can support soil health. It is no longer a secret about the great effects that the quality of soil has on our nation. By

working together, Canada can continue to succeed in feeding the nation and the world. The future of this country, and inevitably of the world, is intrinsically linked to the health of our ecosystem which, in itself, hinges on soil health. Thank you. *Meegwetsh.*

[*Translation*]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Stacia Keen, Darren Schemmer, Wendy Harris, Gale Lee and Apollinaire Ihaza. They are the guests of the Honourable Senator Gerba.

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

Hon. Senators: Hear, hear!

[*English*]

THE HONOURABLE GEORGE J. FUREY, K.C.

Hon. Fabian Manning: Honourable senators, today I am pleased to present Chapter 75 of “Telling Our Story.”

As you are all aware, 75 is a very significant number in this place, and selecting that number for this particular chapter is not a coincidence.

In the past, I have spoken in this chamber about the productive and successful lives of many of my fellow Newfoundlanders and Labradorians — those who have chosen to live and work in the province, and those who have journeyed beyond the rock to make their mark in the world. Today, I am adding another person to that list.

George J. Furey was born on May 12, 1948.

Hon. Senators: Hear, hear!

Senator Manning: I hope you are not eating up my time. I will start again.

George J. Furey was born on May 12, 1948, in the beautiful town of Avondale, Newfoundland and Labrador. That was less than a year before Canada joined Newfoundland.

George was one of eight children, with four brothers and three sisters. In the words of George’s son, Andrew, in his book entitled *Hope in the Balance*, George’s mom, Mary, had a will that was bigger than the judgment of those around her. Her family was her greatest passion.

When George was just six years old, his three sisters went to the Belvedere orphanage in St. John’s, which was, at the time, run by the Sisters of Mercy. George and his brothers went to the Mount Cashel orphanage where his mom got a job working as a cook for the Christian Brothers’ private residence next door to the orphanage. Mary Furey’s family would survive and prosper.

[Senator Black]

George later attended Memorial University of Newfoundland and Labrador where he received a Bachelor of Arts degree, along with a Bachelor of Education degree, in 1970. These were followed by a Master of Education degree from Memorial University in 1976. During his career as an educator, George was a teacher with the Roman Catholic school board in St. John’s, a supervising vice-principal of the Port-au-Port Roman Catholic School Board and a supervising principal in the town of Dunville with the Placentia-St. Mary’s Roman Catholic School Board.

• (1410)

After a successful career in education, George attended Dalhousie Law School and completed a Bachelor of Laws degree in 1983. He was called to the Bar of the Law Society of Newfoundland & Labrador in 1984 and subsequently named a partner in the St. John’s law firm of O’Brien, Furey & Hurley. While in his second year of practising law, he successfully challenged the Criminal Code language on sexual assault and proved that, with the advent of the Canadian Charter of Rights and Freedoms, certain Criminal Code provisions were unconstitutional. In 1989, he was named senior partner at the firm O’Brien, Furey & Smith and in 1993 was appointed to the Provincial Police Complaints Commission and subsequently appointed as Queen’s Counsel in 1996.

On the advice of then-prime minister Jean Chrétien, George was appointed to the Senate of Canada on August 11, 1999. He served on many of the standing committees in the Senate, such as Legal and Constitutional Affairs, and as Chair of the Standing Committee on Internal Economy, Budgets and Administration.

On December 3, 2015, Prime Minister Justin Trudeau appointed Senator Furey to the position of the forty-fifth Speaker of the Senate of Canada, the very first person from Newfoundland and Labrador to hold this position. For 24 more days, he will also hold the title of the longest-serving member of the Senate.

I, like many of you, have witnessed our Speaker perform his duties here in Ottawa, in the chamber, throughout our great country of Canada and around the world. He has done so with a high degree of humility, dignity and professionalism, along with a great sense of humour. A few weeks ago, here in Ottawa, during the visit of U.S. President Biden, our Speaker was nothing short of a class act. I feel confident in saying that I believe the words and the eloquent delivery of his speech on the floor of the House of Commons made us all feel very proud to have him represent us during this special event.

Hon. Senators: Hear, hear.

Senator Manning: Just last week, during a state visit to the Kingdom of Morocco, which I had the pleasure to participate in along with Senator Ravalia, Senator Coyle, the Usher of the Black Rod and others, our Speaker once again represented our great country with the highest degree of competence and class. His work ethic, communication skills and strong adherence to moral and ethical principles were easily recognized by all the people we encountered during our visit.

I would like to take a moment to add a few personal comments. I knew of Senator Furey a long time before I arrived here in the Senate. The St. John's law firm that he was part of was also my father's law firm for many years. I had met the Speaker occasionally throughout that time period, but it was not until I arrived in Ottawa in 2006 as a member of the House of Commons that I had the opportunity to spend time in his company and learn some very valuable lessons along the way.

Now, some of you may be asking how a hardcore Liberal and a diehard Tory get along so well. Well, believe it or not, we have never allowed our political colours or our differences of opinions on certain government policies to come between our friendship: 99% of our chats are about our families, the history of our province and the hopes and dreams we both share for the place we are so fortunate to call our home.

Though there was one such morning when I thought that George was going to come over and join our blue team, but then I woke up from my sleep and realized that it was just a dream.

Mr. Speaker, I realize that the clock is ticking on your time with us. I wish I could move an amendment this afternoon to extend the age requirement that is causing you to leave us in a few weeks when you celebrate your seventy-fifth birthday, but that I cannot do.

What I can do, though, is to sincerely thank you for your steadfast representation and loyal service to the people of our home province of Newfoundland and Labrador and to the people of Canada, including all of us here who have had the privilege and honour to serve with you in the Senate of Canada. In your absence, the Senate will indeed be a different place, but I believe I speak for all of my Senate colleagues when I say you will definitely be missed.

On behalf of all my colleagues, I wish you and your lovely wife, Karen, a future full of great health and happiness as you enjoy the years ahead surrounded by your loving family.

On behalf of my wife, Sandra, and our family, thank you from the bottom of our hearts for a friendship we will cherish for as long as we live. Someone once said that a good friend knows all your stories while a best friend helps you create them. Thank you, Mr. Speaker, for helping me create some great ones along the way.

Hon. Senators: Hear, hear.

Senator Manning: I'm not finished yet.

An Hon. Senator: More!

Senator Manning: I'm not finished yet. I have one more line.

I will conclude with an old Irish blessing that we are very familiar with back home in Newfoundland and Labrador: Your Honour, may you be in heaven a full half hour before the devil knows you're dead.

Hon. Senators: Hear, hear!

The Hon. the Speaker: Well, this is very extraordinary for me to stand now and say anything, but I just want to say thank you very much. I feel like I should now leave.

JOSEPH WHITESIDE BOYLE

Hon. Pat Duncan: Honourable senators, I have the difficult task of following Senator Manning.

April 14, 2023, marked the one hundredth anniversary of the passing of Colonel "Klondike Joe" Boyle.

In 1867, Joseph Whiteside Boyle was born in Toronto, the son of Irish immigrants, and grew up in Woodstock, Ontario. In 1897, among the first to reach the goldfields in the Yukon, he mined gold in the traditional manner. By 1900, having the hydraulic mining rights to eight miles in the Klondike Valley, Joe's Canadian Klondike Mining Company brought in giant dredges to mine gold from the creeks. One of the dredges is a restored national historic site on Bonanza Creek near Dawson City.

An incredibly wealthy miner, in 1905 Joe sponsored a hockey team, the Dawson City Nuggets, who travelled from the Yukon to challenge the Ottawa Silver Seven for the Stanley Cup.

When war broke out in 1914, the "King of the Klondike" was too old to enlist. Instead, he established and financed 50 recruits, the Yukon Motor Machine Gun Battery. The unit saw varied action throughout the war, including fighting at Vimy Ridge. In 1916, Boyle was appointed an honorary Lieutenant-General in the Canadian Militia, entitling him to wear a military uniform, which he decorated with maple leaf-shaped buttons made of gold from the Klondike mines. Taking himself to England, he looked for more opportunities to serve the war effort.

In 1917, he was sent to Russia to help reorganize the railway system. His adventures across Eastern Europe earned Boyle medals from Romania, Russia, France and Britain. After a daring rescue of Romanian officials, Colonel Boyle became known as the "Saviour of Romania."

Boyle became a spy for the British Secret Service, running a network of 500 agents across Russia, Ukraine and Romania.

He romanced the Queen of Romania — the British royal Marie of Edinburgh — and negotiated the first peace treaty of World War I. He was a friend of King George V and earned the admiration of Vladimir Lenin.

He attended the Paris Peace Conference in 1919. Advocating for Romania, he secured \$25 million in aid for the country from Canada.

In 1923, he was buried in England. In 1983, thanks to the efforts of his daughter Flora and citizens of Woodstock, Ontario, his remains were repatriated to Canada and reburied in the Woodstock Presbyterian Cemetery with full military honours.

A large monument marks his grave. The original, a gift from Queen Marie, can be seen today in the Woodstock Museum. The original bears the words, from Robert Service, “Man with the heart of a Viking and the simple faith of a child.”

In 1984, Boyle was recognized by Canada as a person of national historic significance. In the Yukon, the Department of National Defence cadet camp is named Boyle Barracks.

Max Fraser, a Yukon filmmaker, is planning a documentary about the “King of the Klondike,” Colonel Joe Boyle, so Canadians can learn more of the story of this Yukoner, Canadian and international hero.

Māhsi'cho, Gùnálchìsh. Thank you, senators.

Hon. Senators: Hear, hear.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Kirsten Marcia, founder, President and Chief Executive Officer of DEEP Earth Energy Production Corporation. She is the guest of the Honourable Senator Wallin.

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

Hon. Senators: Hear, hear!

NORTHERN IRELAND PEACE AGREEMENT

Hon. Gwen Boniface: Honourable senators, I rise today to commemorate and celebrate the twenty-fifth anniversary of the Good Friday Agreement. It was signed on April 10, 1998, in Belfast and ended three decades of violence and unrest in Northern Ireland, a period known as the Troubles.

During the Troubles, the Northern Irish people suffered through car bombings, riots and revenge killings that caused 3,600 deaths and over 30,000 injuries.

The Good Friday Agreement underpins Northern Ireland's peace, its constitutional settlement and its institutions. It created a framework for political power sharing and an end to decades of violence with the help of other countries, including Canada, and represented a new beginning for the people of Northern Ireland.

Amongst other things, it established the birthright of the people of Northern Ireland to identify and be accepted as British or Irish, or both.

It ended direct U.K. rule and set up a Northern Ireland legislature and government with power shared between unionist and nationalist parties.

There are close ties between Canada and Ireland with more than 4.5 million Canadians having Irish heritage. We share democratic traditions and strong economic ties.

Many Canadians represented us well as the implementation of the agreement became a beacon for other nations.

• (1420)

Retired General John de Chastelain played prominent roles, including being one of three people invited to chair the peace talks amongst the parties.

Other important roles were filled by Justice William Hoyt, a former Chief Justice of New Brunswick; Justice Peter Cory, formerly of Canada's Supreme Court; University of Toronto Professor Clifford Shearing; and many RCMP members who served in the multinational police oversight commission.

Having served in Ireland from 2006 to 2009, I saw first-hand the attention paid to the Good Friday Agreement in every aspect of governance, and particularly policing.

The Patten report directed the transition of the Royal Ulster Constabulary to the Police Service of Northern Ireland, marking the most significant policing reform likely anywhere in the world. It created a modern and sophisticated police service that served all citizens of Northern Ireland.

British Prime Minister Sunak recently said:

As we look forward, we will celebrate those who took difficult decisions, accepted compromise, and showed leadership – showing bravery, perseverance, and political imagination.

Northern Ireland remains a work in progress, but the steps along the road to fully realize the Good Friday Agreement lie ahead.

Thank you.

[*Editor's Note: Senator Boniface spoke in Irish.*]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Nicholas Clark and Jenny Bégin. They are the guests of the Honourable Senator Patterson (*Nunavut*).

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

Hon. Senators: Hear, hear!

[Translation]

ROUTINE PROCEEDINGS

ADJOURNMENT

NOTICE OF MOTION

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

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, April 25, 2023, at 2 p.m.

[English]

ROMAN CATHOLIC EPISCOPAL CORPORATION OF OTTAWA ROMAN CATHOLIC EPISCOPAL CORPORATION FOR THE DIOCESE OF ALEXANDRIA-CORNWALL

PRIVATE BILL TO REPLACE AN ACT OF INCORPORATION— FIRST READING

Hon. Bernadette Clement introduced Bill S-1001, An Act to amalgamate The Roman Catholic Episcopal Corporation of Ottawa and The Roman Catholic Episcopal Corporation for the Diocese of Alexandria-Cornwall, in Ontario, Canada.

(Bill read first time.)

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

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

QUESTION PERIOD

FINANCE

FEDERAL FISCAL DEFICIT—ECONOMY

Hon. Donald Neil Plett (Leader of the Opposition): As usual, my question is for the Leader of the Government in the Senate, who accused me yesterday of having an obsession with the debt. Someone needs to be concerned and have an obsession about the debt because the Trudeau government could care less.

This fiscal year, the cost to service Canada's debt, or the interest charged on the Trudeau government's national credit card, is projected to be \$43.9 billion. Leader, this is more than the entire annual budget of the Department of National Defence.

The Prime Minister thinks it is perfectly okay, so he told Canadians — who are already struggling to get by — to take on more credit card debt, just as his government has done. Clearly, government leader, you don't seem to have a problem with that either.

Leader, why should anyone listen to the Trudeau government's irresponsible financial advice?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. I think actions speak louder than words, colleagues.

The fact is, as the government announced, its plans were designed in this budget to strike the appropriate balance between responsible fiscal management and an investment in our future.

At the same time, the government predicted that inflation — far too high and far too difficult for too many Canadians — would be brought under control, and, indeed, it is being brought under control.

At the same time, the government's fiscal approach has supported the creation of over 830,000 new jobs, more jobs than existed before the pandemic.

Inflation continues to fall; it has been flat or falling for eight months in a row.

Our unemployment rate is at a record low. Our credit rating is high. Although you do not like to hear me quote the debt-to-GDP ratio, it is an important indicator of the overall vitality of our economy and our capacity to move forward.

Senator Plett: This is ironic. This is two days in a row, leader, that we have agreed on an issue: Yesterday it was about the propaganda arm of the government called the CBC; today, it is about "actions speak louder than words." We certainly agree with that, leader. Actions do speak louder than words.

The Trudeau government has piled on action, piled on so much spending that last month's budget shows that the public debt charges will continue to rise despite the promise to somehow find billions in savings.

When Senator Marshall asked the Parliamentary Budget Officer about these savings yesterday at the Standing Senate Committee on National Finance, Mr. Giroux said he had a hard time keeping a straight face.

The Trudeau government's out-of-control spending creates more debt and more inflation. Canadians are at the breaking point.

Yesterday, *The Globe and Mail* had an article about people Dumpster diving for food in Vancouver because they can't afford groceries. This is what their inflationary spending and deficits are doing to Canadians. Action, again, leader.

Leader, does anyone in your government understand this economic mismanagement, including not caring about the debt, has real-life consequences for Canadian families?

Senator Gold: What the government cares about is assisting Canadians who are going through very challenging times, as are citizens around the world. In fact, that's what the government has done.

The government cares about Canadians; that's why it is supporting Canadians, and that's why it is investing in Canadians. This government cares about prudent fiscal management of the country, and I repeat, because the evidence demonstrates that: Of all the G7 countries, we are doing better than all by many indicators. In that regard, this government will continue to stay the course.

Yes, the government has invested in our future. Yes, that is necessary for our children and grandchildren to have careers and jobs in a sustainable economy and on a livable planet.

PRIME MINISTER'S OFFICE

ETHICS AND TRANSPARENCY

Hon. Denise Batters: Senator Gold, in April 2019 I asked then-government leader Harder a question about Martine Richard, the sister-in-law of senior Trudeau government minister Dominic LeBlanc, as she was being named the director of investigations in the Ethics Commissioner's office in the middle of the SNC-Lavalin scandal.

Four years later, yet another Trudeau scandal, and guess who is being promoted? Amid the Beijing interference and Trudeau Foundation scandals, the Trudeau cabinet has appointed Minister LeBlanc's sister-in-law, this time, as the Interim Ethics Commissioner. Since it's an interim position, the appointment does not require House of Commons approval.

• (1430)

Yet Ms. Richard could hold this role for many months or even years. Dominic LeBlanc is a senior Trudeau government minister. He is a long-time close Trudeau family friend. My goodness, he used to babysit the Prime Minister. Senator Gold, the entire cabinet is in conflict from this association. Why is the sister-in-law of this senior Trudeau cabinet minister now in charge of investigating any Trudeau government minister or Prime Minister Justin Trudeau?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. The Interim Ethics Commissioner is a career public servant, served in a senior role in the Ethics Commissioner's office for over 10 years, predating this government. Indeed, to disregard her personal achievements and her competence only serves to undermine the important role that the Ethics Commissioner plays in our system.

Senator Batters: Senator Gold, as Interim Ethics Commissioner, Ms. Richard will be paid \$338,000, a full \$100,000 more than the next Ethics Commissioner. Perhaps that's the Trudeau friends-and-family rate. Minister LeBlanc said

he recused himself from the Trudeau cabinet vote to appoint his sister-in-law on March 28, but the order-in-council appointing Ms. Richard had already been signed the previous day. The government knew this appointment wouldn't pass the smell test. That's why they released news of Ms. Richard's appointment on the afternoon of budget day, when most national reporters were cloistered away inside the budget lock-up without internet access.

Senator Gold, you're ineligible to win the Tim Hortons' Roll Up The Rim contest if you're a family member of an employee. This is Ethics 101. So as I said in 2019, in what world is it appropriate that the sister-in-law of a senior Trudeau minister can snag this plum government appointment to judge the ethical infractions of her brother-in-law's closest circle?

Senator Gold: Thank you for your question, senator, but I repeat: Ms. Richard is a career public servant and served this country honourably and with distinction through the Harper government years and through the current years and is eminently qualified to discharge these roles.

EMPLOYMENT AND SOCIAL DEVELOPMENT

NATIONAL SCHOOL FOOD POLICY

Hon. Marty Deacon: My question is regarding the school food program and is, of course, for the Government Representative, Senator Gold. It concerns the national school food program as we have heard over the last several years. Despite a \$1-billion Liberal campaign commitment for federal funding to implement a national school food program, the budget, yet again, allocated no spending in this area. This has been an ongoing discussion for years, including way back when former Senator Eggleton brought this motion in the chamber, in 2018-19. I appreciate that consultations have been intense and thorough, have been held with stakeholders and they finished in December. A national school food program seems like an easy win for the government at a time when families are struggling with food prices and Canada remains the only G7 country without a school nutrition program.

My question is when the government will deliver on its commitment to fund a national school food program in Canada.

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. It's an important one but a complicated one in our country. The government understands food insecurity is on the rise and it's causing real, serious concerns for families and for their children. And strengthening our food supply and developing a national school food policy remain an important goal of this government. Indeed, this has been highlighted in mandate letters that were given to the Minister of Families, Children and Social Development, as well as the Minister of Agriculture and Agri-Food. What the government is doing and will continue to do is to work with those jurisdictions which have primary responsibility here — the provinces and territories and municipalities and, indeed, Indigenous communities and stakeholders — to develop a national school food policy and to create a nutritious national school food program.

Senator M. Deacon: Thank you. Respectfully, do you see this coming to life in the next 6 to 12 months?

Senator Gold: I'm not in a position to know exactly. I don't know how these discussions are unfolding and therefore I really don't know what the timetable may be. I'll make some efforts to find out where things stand and report back when I get an answer.

FOREIGN AFFAIRS

UNITED STATES—SAFE THIRD COUNTRY AGREEMENT

Hon. Mobina S. B. Jaffer: Honourable senators, my question is to the Government Representative in the Senate. Senator Gold, instead of withdrawing from the Safe Third Country Agreement, Canada and the United States have recently expanded it. The United States is the only country in the world we have a Safe Third Country Agreement with. We've had this agreement before, and when the Trudeau government came to power, they stopped using it. We have again reintroduced it.

Now the agreement applies not only to Canada's land border crossings — not just to official crossings — but also to irregular crossings. However, this agreement is what led to dangerous crossings, such as Roxham Road, in the first place. Expanding it will not prevent irregular migration patterns. It only makes the journey more difficult and perilous.

Like many advocates, I have challenged the most basic assumption of this agreement that the United States is a safe country for refugees seeking protection. It is not. We have seen examples of this on a continual basis. As I earlier said, we had an agreement. Then we stopped using it because we were not happy with the situation in the United States, and now we've signed another agreement. The question of whether the United States is a safe country for refugees is currently under the review of the Supreme Court of Canada. It is beyond comprehension why the Canadian government would take this step while the constitutionality of the Safe Third Country Agreement is being challenged. Why does the government find it prudent to expand this agreement while it's still in the courts? Thank you.

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for underlining the challenge that we face as a country and in order to both deal in a responsible way with those who seek to come here and do so in a responsible way with our important neighbour to the south. I think the government is doing what it can to find the right balance between those two. As you would know senator, as colleagues would know, Canada and the United States entered into discussions about renewing the Safe Third Country Agreement well over a year ago, signed statements of principle, as I described in the chamber before. A lot of work gets done between the statement of principle and the ultimate putting into place of regulations, which were done more or less around the President's visit here.

Canada believes that the United States is a safe country for refugees and is defending that position. And, of course, when the court rules, the government will take account of its rulings and respect its rulings as it always does, but the government remains

of the view that modernizing the Safe Third Country Agreement was the best solution to an intractable problem of providing security for those who arrive and seek asylum, but also being able to manage our border in an effective way for the benefit of Canadians and the communities that are affected.

Senator Jaffer: Leader, there is a real migration crisis on the southern border of the United States, with millions of people fleeing persecution, only to face inhumane treatment and detention at the American border and then be sent back. Many years ago, I myself was involved in it as a refugee lawyer when Canada let people from South America enter our country. I had to help work with the Mennonite community to bring them here to Canada. The Canadian government is promising to create a new refugee program for 15,000 migrants fleeing persecution and violence in South and Central America. It's not enough. More needs to be done. How does the Canadian government plan to respond to this challenge, or will we turn a blind eye to this humanitarian crisis and the violations of human rights associated with it? Thank you.

Senator Gold: Thank you for your question. Canada is not turning a blind eye. Canada is doing its share in a responsible way — and will continue to do its share — to welcome those who seek to come here and those who flee from dangerous circumstances to come here. The world is not one of open borders, and, therefore, there will always be some rules and procedures regarding those who can come. That is the responsible thing to do — something every sovereign nation must do.

• (1440)

All of that being said, Canada continues to do its part, and will continue to be a safe place and a home for those who seek refuge from elsewhere.

AGRICULTURE AND FORESTRY

BUSINESS OF THE COMMITTEE

Hon. Pamela Wallin: As we heard earlier this week, it is National Soil Conservation Week, so I would like to direct my question to the Chair of the Senate Agriculture and Forestry Committee who has been a champion for the agricultural community in Canada — I thank you for that.

You have said, here in the chamber, that the soil health study being undertaken by your committee is long term and all-encompassing because soil health is — as you have suggested — intrinsically connected to the health of Canadians, directly affecting our economy, our food security and our climate.

As always, the doers — those people who do things — lead. Can you tell us what the committee is hearing about soil conservation methods already being used by farmers, processors and producers to support Canada's climate health?

I'll ask my follow-up question as well: If you could share just one thing that we all need to know about soil health in order to highlight National Soil Conservation Week for Canadians, many of whom don't follow our committees online, what would that be? Thank you.

Hon. Robert Black: Thank you, honourable colleague, for your question, and for your interest in the Agriculture and Forestry Committee. Senator Wallin, thank you for your work in advocating for rural Saskatchewan and beyond.

The Agriculture and Forestry Committee has, indeed, embarked upon a study on the health of Canada's soils, as you noted — acknowledging that next year, the last Senate study on soil health entitled *Soil at Risk: Canada's Eroding Future* will be 40 years old. Our committee chose to undertake a new study, and has had the opportunity to hear from 71 witnesses over 17 meetings since the chamber approved the order of reference and our committee meetings started last fall. These witnesses have been from across Canada, each in their varying fields of agriculture, and have contributed integral information that will help to complete our report.

We've heard excellent testimony from farmers who engage in no-till practices; from Indigenous agriculture leaders who are working hard to share data compilation and expand soil health operations across the country; and from many other experts developing beneficial techniques and innovations aimed at preserving the health of Canada's soils. In our time conducting research, one thing has become very clear: Improving soil health is not a one-size-fits-all endeavour across the country.

I hope this study will also assist with food insecurity and help support our agricultural industry, along with other industries that rely on soil health. That's why it's important that the committee continues its work to engage in the soil health study.

I want to thank our witnesses to date for their testimony. The work wouldn't be successful without them.

In regard to your second question, one thing that I think is important for Canadians to hear is that soil is a finite resource. As noted by the Food and Agriculture Organization of the United Nations, the world's topsoil could be gone within 50 years if the current rate of degradation continues. Furthermore, generating three centimetres of topsoil takes a thousand years, so we can't count on that — 50 years is all we've got.

That's why soil conservation and preservation are so important, and that's why we need to continue. We all need to be thinking about soil health, and, as I mentioned, this is one week that we can do that. I would encourage our colleagues — and everyone — to learn more about how they can do so. Thank you again for your question.

[Senator Wallin]

PUBLIC SAFETY

REPORT OF THE MASS CASUALTY COMMISSION

Hon. Wanda Thomas Bernard: My question is for the Government Representative in the Senate.

Senator Gold, as we heard from my Nova Scotian colleague Senator Coyle, yesterday marked three years since the harrowing mass shooting in Nova Scotia. Today, I wish to ask a question about a time-sensitive matter covered in Volume 4 of the Mass Casualty Commission report.

The commission recommends — under Recommendation C.13 entitled *Reversing the Course: Addressing the Public Health Emergency in Colchester, Cumberland, and Hants Counties* — that:

- (a) By May 1, 2023, the Governments of Canada and Nova Scotia should jointly fund a program to address the public health emergency that exists in Colchester, Cumberland, and Hants counties as a result of an unmet need for mental health, grief, and bereavement supports arising from the April 2020 mass casualty.
- (b) This program should be developed and implemented by a local multidisciplinary team of health professionals with the ability to draw on external resources as needed.
- (c) The program should provide concerted supports on an urgent basis and transition to long term care over time.
- (d) Mi'kmaw communities should have the opportunity to participate in the program either on a joint or an independent basis.
- (e) The program should be funded to carry out needs and impact assessments in 2023, 2025, and 2028.

My question, Senator Gold, is as follows: The community members of Colchester, Cumberland and Hants counties are in urgent need of mental health supports right now. Is the government currently on track to follow this urgent recommendation made by the commission to have a program funded in two weeks from now?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, and, as I responded yesterday, our hearts and sympathies go out to the families and communities of Portapique and Truro, as well as all who are suffering and need help.

Senator, I simply don't know the status of the discussions between the federal government and the Nova Scotia government, and, therefore, I'm not in a position to provide an answer regarding the timeline or the progress that's being made on this initiative. I will make inquiries and try to provide an answer as quickly as I can.

Senator Bernard: I'll just say, Senator Gold, that we would appreciate if you would make inquiries and report back to the chamber. Thank you.

[*Translation*]

PORTAPIQUE SHOOTING—SUPPORT FOR VICTIMS' FAMILIES

Hon. Pierre-Hugues Boisvenu: Senator Gold, yesterday and today we are marking the terrible tragedy in Portapique, Nova Scotia. It was a tragic event that cost the lives of 22 people and one unborn child. It left dozens of families in mourning. This is the worst massacre in modern Canadian history and the victims' families have had to cope with immeasurable pain while being left in dark about government support.

While Justin Trudeau made a \$300-million fund available to victims of Hurricane Fiona, the families in Portapique have been ignored and have had to use their own financial resources to cover the costs of losing their loved ones and rebuilding their own mental health.

Why didn't the Prime Minister take the time to meet the families who were present during the tabling of the Mass Casualty Commission's report on March 30, in Nova Scotia, to express his sympathy? It was the deadliest mass shooting Canada has ever known.

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. As I just mentioned to our colleague, Senator Bernard, I will have to find out more about the progress made and the status of the discussions between the two governments to provide help to the communities involved. I will do my best to get an answer soon.

Senator Boisvenu: What I asked, Senator Gold, was why the Prime Minister, who was in the room, did not meet with the families of the victims of this terrible tragedy. When will he help those families, given that three years ago he said that he would be there for them?

Senator Gold: I am not in a position to tell you why the events unfolded as you have described, but I can assure you that the federal government will do what it can, in conjunction with the Government of Nova Scotia, to assist those in the communities affected by the tragedy.

• (1450)

[*English*]

FOREIGN AFFAIRS

CANADA-CHINA RELATIONS

Hon. Leo Housakos: My question is for the government leader in the Senate. Senator Gold, I want to take you back to a dinner I asked your predecessor about in November of 2016. None other than Prime Minister Justin Trudeau was the headliner, shall we say, at this intimate, cash-for-access dinner at the private Toronto residence of an individual with close ties to the communist regime in Beijing. Someone else with close ties to

that regime was also in attendance — Mr. Zhang Bin. He's important because he's the one under whose name — or so we were told — a sizeable donation was made to the Trudeau Foundation just weeks following that infamous dinner.

As a foreign citizen, neither Mr. Zhang nor Beijing's communist regime — or any other foreign entity — can make political donations in Canada. However, they seem to have found a way around those pesky Canadian electoral laws by essentially laundering such a donation through the foundation bearing the Prime Minister's name. The Prime Minister claims he's not involved in the foundation, but a lot of suspicions have arisen. It was actually the Prime Minister's brother who signed and issued the receipt for what we now know was an illegal donation.

My question for you, Senator Gold, is this: Will the Prime Minister do the right thing and formally cease all involvement with the foundation, or will he continue to use it as a scheme to leverage for his government and for the electoral benefit of the Liberal Party of Canada?

Hon. Marc Gold (Government Representative in the Senate): Honourable colleagues, I've said on many occasions — and here I'm repeating what he has said on many occasions — that the Prime Minister has no active involvement with the foundation. Once again, I think that to imply — as you did, Senator Housakos — that it is a scheme to bypass electoral laws countenanced by the Prime Minister does not do justice to the discourse that we should be having in this place.

The Prime Minister has been clear that he has no involvement with the foundation. The foundation, upon discovering the issue, has done the right thing. The foundation has also asked for itself to be audited by the Auditor General, who has an independence of government, and that is sufficient.

Senator Housakos: The fact seems to contradict what the government is trying to articulate. At the end of the day, we're talking about how the board of directors of the foundation resigned in unison. Clearly, there's something there that draws suspicion. Furthermore, we have sources from the intelligence community that have actually gone public right now through the media and have said on many occasions they tried to inform the Prime Minister of egregious behaviour and direct threats to our democracy. There are reasons why we're asking all these questions, Senator Gold.

Speaking of foreign money laundering, also at the same cash-for-access dinner with the Prime Minister was the founder of WealthONE Bank of Canada, which at the time was awaiting approval for federal regulators to begin operating in Canada as a domestic bank rather than as a foreign bank. Wouldn't you know it, similar to the donation of the Trudeau Foundation, WealthONE magically received their long-awaited approval just a few short weeks after this particular dinner.

Senator Gold, fast forward to just a couple of months ago, and WealthONE Bank of Canada was slapped with almost \$700,000 in fines by Canada's anti-money-laundering watchdog, FINTRAC, or the Financial Transactions and Reports Analysis Centre of Canada. FINTRAC cited numerous failures to comply

with federal law designed to guard against terrorist financing. In response to questions about this, your government simply said that the matter was closed.

My question to you is this: What did the founder of WealthONE promise Justin Trudeau at this dinner that resulted not only in favourable regulation very quickly but, furthermore, the government turning a blind eye when it came to money laundering and simply saying the case was closed and not giving detailed answers? Is there another donation to the Trudeau Foundation that we should perhaps be investigating deeper?

Senator Gold: Senator Housakos, the issue of foreign interference is a serious one, and I only wish at least that both sides — both questioner and answerer — would be able to discuss it in a way that is absent the insinuations and smears that are implicit in your question.

The fact is that the world has changed, and our understanding of China has changed since 2015-16 and at present — and properly and understandably so. When banks engage in irregular behaviour, thank goodness we have institutions that call them out. In that regard, the system worked.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, I have the honour to table the answers to the following oral questions:

Response to the oral question asked in the Senate on February 8, 2023, by the Honourable Senator Francis, concerning health care transfers.

Response to the oral question asked in the Senate on February 15, 2023, by the Honourable Senator Martin, concerning the fertilizer tariff.

Response to the oral question asked in the Senate on March 9, 2023, by the Honourable Senator Dalphond, concerning live horse exports.

HEALTH

HEALTH CARE TRANSFERS

(Response to question raised by the Honourable Brian Francis on February 8, 2023)

Indigenous Peoples have the right to fair and equal access to quality and culturally safe health services free from racism and discrimination. That is why, on February 7, 2023, the Government of Canada announced \$2 billion over 10 years to address the unique challenges Indigenous Peoples face when it comes to fair and equitable access to culturally safe health services.

This new Indigenous health equity fund is intended to be distributed on a distinctions basis. While it is still early days, the government will work with national and regional Indigenous partners to prioritize investments and define the

implementation plan. The government will be able to provide further details on the list of Indigenous partners as the engagement takes shape.

Additional information on when and how the funding will be distributed will be shared as soon as these details have been finalized.

AGRICULTURE AND AGRI-FOOD

FERTILIZER TARIFF

(Response to question raised by the Honourable Yonah Martin on February 15, 2023)

Agriculture and Agri-Food Canada (including the Canadian Pari-Mutuel Agency)

The Government of Canada's response to the illegal invasion was to revoke the Most-Favoured-Nation status for imports from Russia and Belarus, resulting in tariffs of 35 per cent on all goods entering Canada from these two countries. Approximately \$34.1 million represents the value of duties collected on Russian fertilizer, historically a key source for imports of fertilizer in Eastern Canada.

Since 2020, fertilizer and lime expenses almost doubled, and the Russian invasion of Ukraine further impacted the global fertilizer market.

Canada recognizes the effect of increased prices of fertilizer on farmers. To help farmers manage cash flow challenges, the Government amended the Advance Payments Program in 2022 to increase the interest-free portion of cash advances from \$100,000 to \$250,000. Through Budget 2023, this limit was further increased to \$350,000 for the 2023 growing season.

Furthermore, Budget 2023 allocated \$34.1 million to the On-Farm Climate Action Fund to support adoption of nitrogen management practices by Eastern Canadian farmers, to optimize the use of fertilizer.

LIVE HORSE EXPORTS

(Response to question raised by the Honourable Pierre J. Dalphond on March 9, 2023)

Agriculture and Agri-Food Canada (including the Canadian Pari-Mutuel Agency)

The Government takes animal welfare seriously and is working to advance the mandate letter commitment to ban the live export of horses for slaughter. Under the *Health of Animals Regulations*, strengthened requirements on the humane transport of animals came into effect in February 2020. In Canada, humane treatment of livestock is protected by provincial and federal laws and regulations. Horses exported must meet all Canadian and international standards.

The Government is exploring legal and policy frameworks for a ban, including legal obligations, international trade commitments and relations, acts and regulations involving animals, and mechanisms for implementation and enforcement. The Government is performing its due diligence to minimize potential unintended consequences, taking into account international trade commitments, impacts on producers' livelihoods, and interaction with existing laws or regulations.

The Government is consulting with relevant stakeholders. Stakeholder engagements include, but are not limited to, animal rights advocacy groups, provincial governments, industry representatives, and Indigenous business owners and organizations.

[Translation]

ANSWERS TO ORDER PAPER QUESTIONS TABLED

TREASURY BOARD—TREASURY BOARD SECRETARIAT

Hon. Marc Gold (Government Representative in the Senate) tabled the reply to Question No. 187, dated January 31, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Treasury Board Secretariat.

TREASURY BOARD—PUBLIC SERVICES AND PROCUREMENT

Hon. Marc Gold (Government Representative in the Senate) tabled the reply to Question No. 187, dated January 31, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Treasury Board Secretariat — Public Services and Procurement Canada.

ENVIRONMENT AND CLIMATE CHANGE—ENVIRONMENT

Hon. Marc Gold (Government Representative in the Senate) tabled the reply to Question No. 190, dated January 31, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Environment Canada.

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate): Honourable senators, pursuant to the order adopted December 7, 2021, I would like to inform the Senate that Question Period with the Honourable Dominic LeBlanc, P.C., M.P., Minister of Intergovernmental Affairs, Infrastructure and Communities, will take place on Tuesday, April 25, 2023, at 2:15 p.m.

[English]

POINT OF ORDER—DEBATE

SPEAKER'S RULING RESERVED

Hon. Donald Neil Plett (Leader of the Opposition): Your Honour, I'm asking your indulgence today for me to make a few remarks to a point of order that Senator Downe raised on March 30. He raised a point of order about some inflammatory language being used in the Senate. The reason I'm doing this today is that it referenced — or he at least suggested later that it referenced — comments that Senator Housakos and I had made during Question Period. We were, of course, the first two up in Question Period, and by the time Question Period was done and Senator Downe made the motion, we did not get up to debate this.

So I am asking today for your indulgence for me and possibly other senators who would like to make a few comments in relation to this charge.

The Hon. the Speaker: Thank you for your comments, Senator Plett. It's unusual that once we have had a point of order raised and I've asked others if they want to comment to open it up again. However, it's not something that I haven't done in the past, and I am prepared to do it again. However, I would remind anybody who wants to participate that we're referring to rule 6-13(1), which pertains to "personal, sharp or taxing" unparliamentary language, and I would ask you to confine your comments to that particular section. Also, please be as brief as you possibly can.

Senator Plett: Thank you, Your Honour. I like the words "brief as you possibly can," and I will try to do that. However, in speaking to this particular issue and in reference to comments we made that were pertaining to the Prime Minister, in order for me to do justice, I at least need to list a number of illustrations to defend my position. But I will try to move along, Your Honour.

• (1500)

The comments that we did, in fact, make and that you have been asked to review questioned the language used when referring to Justin Trudeau and him having lied to Canadians. I must point out that when the Prime Minister is engaging in unparliamentary behaviour, it is impossible to address this behaviour accurately without using what is perceived as unparliamentary language in other contexts. I would argue that, in this context, the language is not unparliamentary. It was neither inflammatory, nor did it attribute motives. It simply stated facts. It was not an accusation, it was an observation, and this is the crux of the matter.

When the emperor parades around the country and clearly has no clothes on, it is not unparliamentary to say so. I would argue that it is unparliamentary not to say so or to try to prevent a parliamentarian from speaking the plain truth. If other senators and I are compelled to describe the unparliamentary behaviour of our Prime Minister in a manner that does not accurately reflect his behaviour, then, in fact, we are being asked to lie. We are

being prevented from holding this government to account as the official opposition. I don't think that is the intention of this chamber, but this is the practical outcome.

The question before us today is whether the language used accurately depicts the actions of the Prime Minister. I believe it does. The Prime Minister has demonstrated a repeated, habitual pattern of saying things that are proven to not be true, and I would like to take a few moments to provide clear evidence that supports this position.

Allow me to begin with the definition of the word "lie" by Merriam-Webster Dictionary: "to make an untrue statement with intent to deceive" or "to create a false or misleading impression." For further clarity, let me use the definition of Dictionary.com: "to speak falsely or utter untruth knowingly, as with intent to deceive" or "to express what is false; convey a false impression."

When Senator Housakos said that the Prime Minister lied, he was clearly making reference to the commitment that the Prime Minister himself made to Canadians. Allow me to refresh all of our memories of exactly what Senator Housakos said:

In 2015, this Prime Minister made a commitment to the Canadian people that he would not have a debt run longer than two fiscal years, and he promised that he would balance the deficit by 2019. That's what he promised.

The question is a simple one: Why did he lie to the Canadian people?

Later, my colleague said:

And yes, the Prime Minister lied; he misled Canadians when he made a commitment to balance the budget by 2019. In this town, we have to start coming up to speed with the fact that when we mislead taxpayers, we have to account for it somehow and not double down.

My colleague Senator Housakos' comments speak directly to a promise by the Prime Minister and, regrettably, a promise not kept.

When a Prime Minister, a cabinet minister and a member of the government make a promise to Canadians, I believe that Canadians have the right to expect that the commitment is fulfilled. If it hasn't been fulfilled, I further believe that Canadians have the right to expect that a serious opposition in the House of Commons and in the Senate has a responsibility to challenge the governing party on its inaction and failures.

The unfilled promise that Senator Housakos mentioned is just one example of many. I don't think we need to list them all, but I certainly encourage in anyone interested in tracking the Prime Minister's commitments to look up the numbers on Polimeter. In his tenure of more than 2,500 days in office, Prime Minister Trudeau's government has a mediocre rate of 37% of promises kept and fulfilled.

Back to my comments on March 30. Although my comments were made in a similar fashion to my colleague, my intent was to address another angle altogether. What I referenced in my

questions and comments was the ongoing and never-ending pattern of the Trudeau government deliberately not expressing or representing something accurately.

Last fall, many other members of the Conservative opposition and I repeatedly asked questions on who stayed at the outrageous \$6,000-a-night hotel suite in London paid for by taxpayers. At the time, the Prime Minister refused to tell the truth to Canadians about this expense. No straight answers were given. He avoided the question. His carefully scripted response was vague in an attempt to avoid all scrutiny.

Prime Minister Trudeau originally campaigned on the promise of sunny ways and more openness and accountability. Unfortunately, we soon learned that the Prime Minister's promises were only words left out in the open for him to lead Canadians on. Once in office, Prime Minister Trudeau's priority quickly switched to working really hard at preventing Canadians from learning the truth, especially on decisions that could be damaging to his own public image.

Back to the question I posed on March 30, that you, Your Honour, have been asked to review: Who stayed at the luxurious \$6,000-a-night hotel suite for a five-night stay at a cost of \$30,000 to Canadian taxpayers? The Prime Minister's Office was eventually obliged to fess up, and to no one's surprise, it was Prime Minister Justin Trudeau who disregarded the high cost of the luxury suite in London. This \$6,000-a-night suite scandal is a slap in the face of hard-working Canadians who face the worst affordability crisis in a generation.

How did we learn that it was the Prime Minister who enjoyed this luxury? There were no apologies to taxpayers for this outrageous expense. There was no come-clean moment and realization of the mistake. The Prime Minister's Office sheepishly provided information to a House of Commons committee in the shadow of U.S. President Biden's visit to Parliament Hill. This was clearly a planned attempt to get away from any public scrutiny on this outrageous expense by the Prime Minister.

In hindsight, there was more truth to what Prime Minister Trudeau said all along during his stay in London, when he sang:

Caught in a landslide
No escape from reality
Open your eyes
Look up to the skies and see
I'm just a poor boy, I need no sympathy
Because I'm easy come, easy go
A little high, little low
Anyway the wind blows, doesn't really matter to me, to me
Nothing really matters
Anyone can see
Nothing really matters nothing really matters to me

It seems that Prime Minister Trudeau needs to be reminded and needs to remember that it does matter. It matters because he is the current leader of our country, and that his words and actions impact Canadians. It matters because the price tag of this luxurious suite in London is on the back of hard-working Canadians. It matters because, in the face of economic

uncertainty, Canadians want to see a Prime Minister lead by example, and this is a far cry from what Canadians expect and deserve.

The reporter who broke the \$6,000 hotel suite story is Brian Lilley from the *Toronto Sun*. Allow me to quote from his March 30 article:

The Trudeau government really didn't want this information out there and they worked hard to stop it from being released. It was only released last week and U.S. President Joe Biden was landing in Canada because a Commons committee had demanded the information and the PMO had run out of legal ways to keep the information secret.

Now, they want to blame the RCMP, claim that they needed the expensive room for Mounties providing security to Trudeau.

Brian Lilley concluded the article by saying:

Either the Liberals are really slipping and have been off their game for months on this high profile story, or they are lying to us now to cover this up.

• (1510)

The Hon. the Speaker: Senator Plett, your historical background and comments on news stories are things that I am very much aware of and have at my disposal in terms of my research.

I really want you to stay to the point of the rule, which concerns "personal, sharp or taxing" comments made here in the chamber. I think what you are talking about now is not relevant to an interpretation of that rule. I allow some leeway in terms of commentaries, but if you could get back to how the rule is or is not offended, it would be more helpful to me in that regard.

Senator Plett: Your Honour, I will attempt to do that. However, if I could at least suggest this: I made comments that were said to be unparliamentary and that I should not have made. I didn't make them out of anger or malice; I made them out of an observation that we have a Prime Minister who has a hard time telling the truth. To me, when somebody does not tell the truth, that person is lying.

In order for me to make my case, Your Honour, I need to at least lay out some of the untruths — lies, in my opinion — that the Prime Minister has said.

I will try to go through this very rapidly, Your Honour, and try to draw this to a conclusion in the next minute or two.

Let me go back to what I said on March 30, when I said:

How can that explanation be trusted when the Prime Minister has lied on numerous occasions? How can that explanation be trusted when the Prime Minister could have said from the start but chose not to do so? Isn't that misinformation?

Lastly, leader, as I said yesterday, when will Justin Trudeau realize he has lost the confidence of Canadians . . . ?

Your Honour, it is important that I share the context of that with everyone in this chamber.

Let me briefly point out what former justice minister and attorney general Jody Wilson-Raybould said — and I am skipping through a lot here; I will wrap up. In her book entitled "*Indian in the Cabinet*", she said she was mad at herself for once having thought that Prime Minister Trudeau:

. . . was an honest and good person . . . when, in truth, he would so casually lie to the public and then think he could get away with it.

Last week, Prime Minister Trudeau was again caught in a lie regarding the Trudeau Foundation when he said:

It's a foundation in my father's name that I have no direct or indirect connection with.

We heard yesterday how the family appoints two people to the foundation, how his siblings are part of the foundation and how, for a year and a half, they used marketing materials under Justin Trudeau's name.

Your Honour, there are so many examples of falsehoods. I could go on. I will not.

I will just simply close, Your Honour, with this: Even the NDP has called out Prime Minister Trudeau's lies, and yet they continue to put their support behind him and his government. Here is what the NDP promoted on their website:

Sign if you're tired of Trudeau's lies about pharmacare

Add your name to tell Justin Trudeau you're sick of his lies.

Your Honour, I have made my case, but allow me to conclude with this comment: If it looks like a duck, swims like a duck and quacks like a duck, it is probably a duck. Senator Housakos and I are only guilty of speaking the truth by making comments, as I mentioned in my remarks, that are factual and not unparliamentary in my humble opinion.

Thank you, Your Honour.

The Hon. the Speaker: Senator Downe, I will recognize you next, but, again, colleagues, if you want to be of some help to me in making a decision, please stick to the interpretation of rule 6-13. I don't need a history lesson regarding what has gone on in the media over the last year, 5 years or 10 years; I want to hear whether you think certain language is unparliamentary or not and why you think that, without assigning intention to people.

Hon. Percy E. Downe: Thank you for the clarification, Your Honour. When I came into the Senate today, I thought we were conducting a fictional essay-writing contest when I heard Senator Plett's speech because there was an absence of serious facts on the point of order.

When I raised the point of order originally, I did it in an intentionally vague way so as not to offend the Conservative members of the Senate. Obviously, that didn't work, so let me be more direct today.

To your point, Your Honour, the issue is not what the Prime Minister said or did not say. The issue is the inappropriate language used in the Senate of Canada. That's my point of order: The language of our colleagues was inappropriate.

As an aside, I understand the frustration. I have sat in this chamber in opposition to the government. Many days, I would get up and wonder why Prime Minister Harper was doing what he was doing. I don't recall anyone at the time calling him a "liar." In fact, I recall the Conservative government of the day in the Senate objecting to some senators calling him "Harper" as opposed to Prime Minister Harper. That's how outrageous we were at the time. We are in a different place today. I don't think it is helpful.

It is not imported from the United States. We have had a long history of this behaviour in Canada, but we have always been able to check it, and it is important that this institution rise to the occasion.

Directly to the point of order, I will say this: As Your Honour has indicated, rule 6-13(1) reads:

All personal, sharp or taxing speeches are unparliamentary and are out of order.

Rule 6-13(2) reads:

When a Senator is called to order for unparliamentary language, any Senator may demand that the words be taken down in writing by the Clerk.

And rule 6-13(3) is as follows:

A Senator who has used unparliamentary words and who does not explain or retract them or offer an apology acceptable to the Senate shall be disciplined as the Senate may determine.

I will get to that last point at the conclusion of my remarks.

The purpose of these Rules is ". . . for the preservation of decorum and order in the Debates and proceedings of the Senate." That is really the question before us: How do we want to keep decorum in debate in the Senate appropriate?

In *Beauchesne's Parliamentary Rules and Forms*, the largest number of rulings by the Speaker of the House of Commons deals with the term "lying," "lies" or a similar expression. It is generally accepted that the term "lying" is considered unparliamentary behaviour as it can only serve to question the motives of any members regarding their actions. In 2000, the

then-Speaker of the Senate made the following statement regarding the use of unparliamentary language about members of the House of Commons:

I return to my comment that it is important in this house that we treat each other with respect. It is equally important when we speak to persons outside this house, particularly those who cannot respond, that we treat them with respect.

In other words, if the person who is accused is not in the Senate to defend themselves.

Colleagues, as we all know, contrary to the House of Commons, the role of the Speaker of the Senate is very limited. It is up to the Senate itself to regulate its affairs. The Speaker cannot name a senator, like the House, and he cannot require an apology. In the same ruling mentioned above, the Speaker commented on his authority. This is again from 2000:

I remind honourable senators that the position of the Speaker in this place is very different from that of the Speaker in the other place. The practice and long-established custom is that senators regulate themselves, and that the Speaker has a limited responsibility insofar as interfering. I will admit the rule does provide, in case of serious conditions, that the Speaker can interfere, but normally that rule is not followed.

Having said that, honourable senators, the rules indicate that as Speaker I have no authority in this matter. I do not have, as the House of Commons has, the authority to name a senator. If I did take that authority, I would have no means of enforcing it. It is up to the chamber.

That raises the question of what we do. What we've done in the past is that the largest group in the Senate — and this time it would be the Independent Senators Group — decides what action should be taken. It is not my place as an individual, but, traditionally, the largest group in the Senate has worked on the conduct of the Senate. They have options for motions or calling a senator to the bar. That should be considered if they think this language is demeaning to the Senate of Canada. It is not the type of parliamentary language we should be using to try to get our points across, and it doesn't serve the politics of Canada in any measure at all.

• (1520)

My final comment is that I can't understand, quite frankly, why the Conservatives are doing it. Their base believes these comments anyway. And the swing voters, who may vote for them because of their opinion on justice or economic issues, are turned off by this behaviour. I don't see the political upside, but that's an aside.

Thank you, colleagues.

Hon. Leo Housakos: Thank you, Senator Downe, for your intervention. When Conservatives get to their feet in this chamber, it is not because of political expediency, and the language we use is not to appeal to our base or moderate voters. Our objective is to speak on behalf of Canadians on issues and express our feelings on the issues of the day, and that's what we have done.

Your Honour, I spent some time this morning — not a considerable amount of time because I was informed shortly before that we would have this opportunity — and looked back at previous rulings. This chamber operates on the premise of procedural rules, our existing Rules that are in writing, and, of course, in large part, based on precedent. I tried to look up cases in the history of this august chamber when parliamentary language was called into question. I have to say that there haven't been that many instances. There have been rulings by Speaker Molgat, Speaker Kinsella and Speaker Furey.

I will go back to March 1, 2000, and read a couple of excerpts, obviously consistent with what Senator Downe was speaking to. Speaker Molgat said:

I remind honourable senators that the position of the Speaker in this place is very different from that of the Speaker in the other place. The practice and long-established custom is that senators regulate themselves, and that the Speaker has a limited responsibility insofar as interfering.

Also, toward the end of the ruling:

Having said that, honourable senators, the rules indicate that as Speaker I have no authority in this matter. I do not have, as the House of Commons has, the authority to name a senator. If I did take that authority, I would have no means of enforcing it. It is up to the chamber.

That is as Senator Downe pointed out.

Honourable senators, when it comes to language that is not parliamentary, there is no rule in our chamber that lists unparliamentary language. They do have that list in the House of Commons and in various other chambers. Of course, the beauty of this chamber is that it has ultimate leeway and the Speaker is not an arbitrator, like in the House of Commons, but more a barometer.

More importantly, I also want to point out, colleagues, that if we get into this habit of calling a point of order on every single word that we personally find offensive or not acceptable, depending on which side of the political issue we fall on, we will have points of order coming out of our ears, and the Speaker will be busier ruling on points of order than he will be calling votes on government legislation.

I was offended during Question Period today. And I think the government leader was offended when he heard the word "scheme" in my question. I saw his comportment: he took offence. I felt, based on the issue I was asking about at the time, that a scheme is in place, and he clearly doesn't believe that is the case.

He then got up, and in his response he accused me of a "smear." To "smear," if you look up the definition, is pretty offensive. He might have actually offended my sensibilities, and I could have jumped up on a point of order — not during Question Period, because, if you know procedure, colleagues, you are not allowed to stand up on a point of order during Question Period and routine business. That is the tradition in this place.

There are two issues just on the Rules: number one, there is no prescriptive language in this chamber that is not parliamentary; and number two, there is no history of the Speaker having the authority to exercise and remediate what the chair might deem to be unacceptable. Having said that, because I have had the privilege to serve in that chair, the chair has the leeway to make sure there is order and decorum in the chamber and, of course, our Speaker has done an excellent job of that.

The language that is being called to question on this point of order is language that I've been using consistently during Question Period for a number of months, to be honest with you. I think it is consistent and applies to this government and this Prime Minister. I think it is grossly unfair, given the leeway and benevolence that the Speaker has shown in allowing me to use that language for such a short period of time, if, suddenly, he would find it offensive because someone's sensibilities were tested more than usual. Those are some of the points that I wanted to share with the chamber.

Again, I call upon all of us to understand that this is a house of parliament, and we sometimes engage on very controversial and contentious issues. In the heat of debate, on legislation or in Question Period or at committee — even sometimes with our best friends — we will sometimes feel that somebody crossed the line when it came to addressing us or the issues that we believe in.

I'm sure His Honour will take this under advisement and come back with a sage ruling, and I will, of course, acquiesce to that final ruling. Thank you.

The Hon. the Speaker: Colleagues, I will hear from one more senator. Senator Moncion was standing earlier. I will have heard enough by then, but, if not, I will call upon you, Senator Carignan.

Again, I will ask you to keep your comments, Senator Moncion, to the interpretation of rule 6-13.

Hon. Lucie Moncion: Thank you, Senator Downe, for raising the point of order on that day, because we had an issue with some of the comments made that afternoon. I would refer to the comment that, if Senator Downe had not raised that point of order, I would have. I will quote exactly what was said, Your Honour, so that we are not misled by another conversation and end up with two points of order on the same day. I understand the Rules that when there is a point of order you cannot make another, but I will provide the information.

Senator Plett said:

Leader, the Trudeau government has sold themselves to the NDP and stopped even pretending to care about fiscal restraint. There are names for people who sell themselves. I'm not sure whether it's parliamentary language or not, so I will refrain from using it.

Leader, there are no lines that the NDP-Trudeau government won't cross, no fiscal guardrails and no anchors. What's left?

This was the offending comment that, in my view, was disturbing.

Now, there are two things that have been said so far. We have to understand that we have to be careful around sensibilities, because our sensibilities are our own. When we don't like comments we usually keep it to ourselves, but the other one is respect. I think here there is a lack of respect for people who work for this country, and I think it is important at some point to be respectful of the work that people do — whether we agree with them or not.

We have a minimum of decorum to keep here, and I think that's important. As to my point of order, I would refer you to the exact information that is in Hansard. Thank you, Your Honour, for allowing me the time to speak.

The Hon. the Speaker: Senator Carignan, I know you are anxious to make a comment, but we have spent a considerable amount of the chamber's time on this issue. I will allow you a couple of minutes to make further comments, but please keep it to a couple of minutes.

[Translation]

Hon. Claude Carignan: I would like to clarify something. Senator Moncion just raised another point. My understanding is that the point of order raised by Senator Downe was really about Prime Minister Justin Trudeau's comments more directly. There seems to be some confusion. That said, obviously —

[English]

The Hon. the Speaker: To clarify, Senator Moncion was speaking about what would have been her point of order, but we are only dealing with the point of order raised by Senator Downe.

[Translation]

Senator Carignan: As an aside, when I was told that the leader had called the Prime Minister a "liar," I heard the word "lawyer." I was a little surprised, knowing that he is a drama teacher.

That said, as you know, Your Honour, there is no list of unparliamentary language in the Senate. There is no list of unparliamentary language in our procedural literature, and the word "lie" does not appear on any such list, because there is none.

I would like to quote a decision by Speaker Kinsella on December 16, 2011, as recorded in the *Journals of the Senate* on pages 798 and 799, which reads as follows:

More generally, rule 51 prohibits all "personal, sharp or taxing" language as unparliamentary. There is no definitive list of such words or expressions in the Senate.

[Senator Moncion]

Determination of what constitutes unparliamentary language is left primarily to the judgment of the Speaker and the sense of the Senate.

• (1530)

I draw your attention to the following words: "[t]he circumstances and tone of the debate in question play important roles in this determination".

I'm drawing your attention to those words because that is what Senator Plett wanted to underscore by putting into context the words he used.

You should also consider rule 6-13(1) in the Speaker's ruling of October 2, 2012, found in the *Senate Journals* on page 1586. A number of senators, including Senators Comeau, Cowan, Downe and Duffy, discussed the comments made by Senator Wallin during a debate on harassment in the RCMP. Speaker Kinsella stated the following:

Freedom of speech is a fundamental right necessary for the performance of our duties as parliamentarians. This right, as described in the second edition of *House of Commons Procedure and Practice*, at pages 89-90, permits members "...to speak in the House without inhibition, to refer to any matter or express any opinion as they see fit, to say what they feel needs to be said in the furtherance of the national interest...". However, this right is not absolute. It is "[s]ubject . . .

However, since there is no set list of expressions and we have the right to freedom of expression as parliamentarians, we should be able to raise these questions using the words that we feel are appropriate.

I will stop there. I could give many more examples, including the 2,568 court rulings in Quebec that used the word "liar," but I don't think that will be necessary.

[English]

The Hon. the Speaker: Thank you, honourable senators. I've heard enough. I would like to give you more time, senator, but everything I'm hearing now is repetitive. I think I've heard enough to make a determination. My apologies, senator, for not allowing you to speak now, but we have chewed up a considerable amount of the chamber's time on this issue. I'm prepared to take it under advisement. Thank you to those who provided their input, and thank you, Senator Downe, for raising the point.

[Translation]

ONLINE STREAMING BILL

BILL TO AMEND—MESSAGE FROM COMMONS—MOTION FOR CONCURRENCE IN COMMONS AMENDMENTS AND NON-INSISTENCE UPON SENATE AMENDMENTS—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Gold, P.C., seconded by the Honourable Senator LaBoucane-Benson:

That, in relation to Bill C-11, An Act to amend the Broadcasting Act and to make related and consequential amendments to other Acts, the Senate:

- (a) agree to the amendments made by the House of Commons to its amendments; and
- (b) do not insist on its amendments to which the House of Commons disagrees;

That the Senate take note of the Government of Canada's stated intent that Bill C-11 will not apply to user-generated digital content and its commitment to issue policy direction to the Canadian Radio-television and Telecommunications Commission accordingly; and

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

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I wanted to rise during this debate to speak briefly to the motion moved by Senator Gold regarding the message about Bill C-11.

[English]

During the debate yesterday, Senator Tannas made a very constructive suggestion which was to bolster some of the language in the motion proposing the Senate's response to the other place — specifically the paragraph of the motion in which the Senate would make it clear to the other place that it has taken note of the government's frequently communicated assurances around user-generated digital content. Following discussions that have taken place, I am proposing to replace the words "stated intent" with "public assurance."

On behalf of the Government Representative Office, or GRO, I would like to thank Senator Tannas for the suggestion and his support. As this is a message to the other place, it is only fitting that the original language proposed by Senator Gold be strengthened in a way that is consistent with the broadly shared perspective of this distinguished chamber. I believe this is a testament to the spirit of collaboration, openness and the solutions-oriented approach that we so often see in this chamber on matters of public interest.

MOTION IN AMENDMENT—DEBATE ADJOURNED

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate): Therefore, honourable senators, in amendment, I move:

That the motion be not now adopted, but that it be amended by replacing, in the second paragraph, the words "stated intent" by the words "public assurance".

Hon. Scott Tannas: Honourable senators, I want to make clear that I'm not speaking in any capacity in my role with the Canadian Senators Group; I'm speaking as a senator from Alberta.

I want to thank the government leader and his colleagues for responding to the concerns that I raised yesterday. It may seem like a minor edit, but I think it does strengthen the observation or the "take note" paragraph that we have.

Much like Senator Simons — and maybe I said this yesterday — I wish that we weren't grasping at something like this. It would be nice if it were in the bill, but I'm also pragmatic enough to know that this paragraph in this motion is truly what we have to work with. With that, I think we have to do our best to get the words right and as clear as possible to reflect what we, at this time, in this moment, understand to be the motivations and the intentions of the government.

Senator Gold likes to say — I've heard it frequently in the last while — that words matter. I believe they do, and I think we have found some better words that make the meaning clearer. Those of us who have been here awhile will remember former Senator Baker. Senator Baker talked about how often courts look back on debates — and on moments like this — to understand the circumstances that led to a bill being passed. I think we're potentially in that moment right now. We have to be very clear, and I'm pleased. Senator Gagné mentioned collaboration and cooperation, and this is a wonderful example of that. In regard to Senator Baker, we should believe that someday someone may be relying on the discussions that we've had here — the articulation of what we understood, and the reiteration of what was said in public that weighed on all of our decisions not to insist, again, for our amendment, but to let it go. It is with that responsibility that I felt it was important to try to find something that I could support in this situation, notwithstanding what I know to be the wishes of a large majority of the citizens of Alberta.

Thank you to the GRO for the opportunity, and I intend to vote for this amendment. Thank you.

The Hon. the Speaker pro tempore: Will you take a question, Senator Tannas?

Senator Tannas: Yes.

Hon. Denise Batters: Senator Tannas, I appreciate the wording and the comments you made about this, but, given the question that I asked Senator Gold yesterday, it appears to me that this is yet another way for the Trudeau government to say they're making a promise that user-generated content would not

be subject to Bill C-11 — without actually putting it in the substance of the bill. This is simply a message. It's not a part of the bill or the provision that would actually govern the bill.

• (1540)

You indicated, senator, the wise words — always — of Senator Baker about how courts look to the Senate and our debates, but what the courts also, of course, look to is the actual provisions of the bill.

Wouldn't you agree that if the government wanted to make it crystal clear, what your constituents in Alberta and, certainly, mine in Saskatchewan want is for user-generated content to actually be out of Bill C-11? Wouldn't that be the way to make it the most crystal clear for the courts, for Canadians and for everyone?

Senator Tannas: I agree it would be. That's not what we're presented with.

We're presented with, in the context of our constitutional responsibilities, how far we go and when we push and when we accept, and I think there are enough bread crumbs here that, if the Canadian Radio-television and Telecommunications Commission, or CRTC, chose at some future point to abuse this, somebody could make the case that it was not to be used, that the governments that passed this bill were adamant that it was not the intention to empower the CRTC to bring users in along with platforms.

I cannot deny that it would be better in the bill. This is what we have. I'm grateful that we have something with which to potentially give somebody a handle somewhere down the road if regulatory overreach occurs.

Hon. Leo Housakos: Will Senator Tannas take another question?

Senator Tannas, I thank you for this. Obviously, I know you're always trying to find a compromise in the spirit of cooperation. You said that in the ideal world, it would be in the bill; it would be in the law. But you said that this is the best we can do and that this is the best we've been presented with.

Presented with by whom?

It's not up to the executive branch of government to be dictating directives to Parliament. It's not. It's the other way around. It's up to Parliament to be dictating to government on behalf of its constituents.

We also have a constitutional obligation. You talked about the Constitution. It's black and white in the Constitution that we have the same rights, privileges and authority as the House of Commons. Yes, we exercise that authority with a great deal of prudence, because, colleagues, we are an unelected body, and we have to be cognizant of that at all times. But we're equally bestowed this great privilege that, when the government or the Crown does something that is so egregious to a large number of Canadians, we're compelled to speak on their behalf.

Even though you're not a full standing member of the committee, you participated in many deliberations, and you know there are a large number of user-generating Canadians — millions — that are concerned by this.

What would be the harm if so many of us feel like that? And the committee was unanimous in its decision after the testimony. It was unanimous in these amendments. Why wouldn't we, one more time, press the government and make them understand that these amendments are coming on behalf of millions and millions of Canadians, and they want it within the body of the law?

Senator Tannas: I think that's still possible. I think we can defeat this amendment, if that's what the Senate wishes to do, and we can defeat the message and start all over. That can be done, if that's what we want to do.

But if that's not the way the cards fall, I'm a pragmatist, and I come from a long line of Alberta pragmatists, and I would rather make sure that what is likely to be the eventuality, that we do our best with it, rather than shout at the rain and not do it.

Thank you.

Hon. Donald Neil Plett (Leader of the Opposition): We heard about this amendment for the first time yesterday when Senator Tannas raised it. The government didn't give us an indication that they were going to bring forward their own amendment today. We did learn about it this morning a few hours before we sat.

I am not at all suggesting at this point that we are opposed or in favour of this amendment, but clearly, in light of the amount of time that we have had to look at it, I think we want to review this a little more.

In light of that, Your Honour, I would like to adjourn the debate for the balance of my time.

(On motion of Senator Plett, debate adjourned.)

FEDERAL-PROVINCIAL FISCAL ARRANGEMENTS ACT INCOME TAX ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker pro tempore informed the Senate that a message had been received from the House of Commons with Bill C-46, An Act to amend the Federal-Provincial Fiscal Arrangements Act and the Income Tax Act.

(Bill read first time.)

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

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

**DEPARTMENT FOR WOMEN AND GENDER
EQUALITY ACT**

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator McCallum, seconded by the Honourable Senator Mégie, for the second reading of Bill S-218, An Act to amend the Department for Women and Gender Equality Act.

(On motion of Senator Martin, debate adjourned.)

**JUSTICE FOR VICTIMS OF CORRUPT FOREIGN
OFFICIALS ACT (SERGEI MAGNITSKY LAW)**

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Hon. Leo Housakos moved second reading of Bill S-247, An Act to amend the Justice for Victims of Corrupt Foreign Officials Act (Sergei Magnitsky Law).

(On motion of Senator Housakos, debate adjourned.)

• (1550)

CRIMINAL CODE

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Batters, seconded by the Honourable Senator Wells, for the second reading of Bill C-291, An Act to amend the Criminal Code and to make consequential amendments to other Acts (child sexual abuse and exploitation material).

Hon. Bev Busson: Honourable senators, I rise today to speak to Bill C-291, An Act to amend the Criminal Code and to make consequential amendments to other Acts (child sexual abuse and exploitation material). As senators, it is our responsibility to look at bills with a critical eye. The only criticism I can share with you is that this bill does not increase the prison sentence for those guilty of these heinous crimes against children. But I digress.

I'm honoured to have the opportunity to speak to this bill and to lend my voice in support of this legislation. First, I would like to recognize the work of MPs Frank Caputo and Mel Arnold, both from my home province of British Columbia, who have taken on the challenge of championing this important legislation as a private member's bill, which recently received unanimous support in the other place.

Of course, I also want to applaud our colleague Senator Denise Batters for carrying this forward to the Senate as sponsor, delivering a compelling and comprehensive speech on March 30

and introducing this legislation to you. I hope we can ensure that it receives the attention it deserves, sending it to committee and shepherding it through third reading in the very near future.

I would also like to recognize the brave men and women at every level of law enforcement who dedicate themselves to protecting children from heinous acts of child abuse and exploitation.

Colleagues, investigating child sexual abuse and exploitation on the internet is not easy work. Involuntarily exposing oneself to unimaginably horrific online sexual abuse material to protect children's safety and innocence is courageous. Investigating these crimes requires confronting some of the ugliest aspects of humanity and necessitates spending time in some of the deepest and darkest corners of the internet. It comes at a tremendous personal cost to health and well-being.

This material has become more and more invasive and now commonly depicts everything from acts of bestiality to penal and digital penetration of children of every age, including toddlers and even infants. One cannot unsee the images or unhear the screaming. We owe a debt of gratitude to the investigators — an incalculable debt, I might say. This is child abuse and exploitation at its very worst, and any suggestion that it might be viewed, characterized or defined as pornography is ridiculous. Even the most depraved and even the most tolerant consumers of porn would find this unimaginable.

Bill C-291 is a simple amendment to the Criminal Code, but it holds significant importance because the language we use when discussing sexual exploitation of any form is important. Suggesting that this material is somehow salacious or anything short of disgusting or disturbing cannot stand. As someone said earlier today and is often said, "Words matter." I would like to quote Sergeant Natalie Davis, who is in charge of the British Columbia Internet Child Exploitation Unit and has dedicated ten years of her life to this important and difficult work:

Each child is a victim, and they deserve the respect and support of the judicial system to call it what it is.

Changing the Criminal Code and other legislation to replace the words "child pornography" with "child abuse and exploitation material" seems like a small thing, but it's an important step in addressing online child sexual abuse. As mentioned, the term "pornography" itself is typically used to describe sexual content between consenting adults. Without any judgmental diatribe about pornography, this disgusting material featuring children doesn't belong in that genre. It can never be consensual, and it is never legal. The issue before us and the issue this bill strives to address is that the term "child pornography" risks implying that we're simply talking about just another category of pornography. To avoid this, this bill proposes a new term that truly reflects the sickening nature of such exploitation.

For precisely this reason, the RCMP's National Child Exploitation Crime Centre and other Canadian agencies do not use the word "child pornography." Rather, they use the term "child sexual exploitation material," a term already used internationally. As a lead agency on the national and international stage, the National Child Exploitation Crime Centre

serves as a central point of contact for investigations related to online sexual exploitation of children when either the victim or the offender is Canadian. It has been very successful at bringing offenders to justice, sometimes even rescuing the most vulnerable victims in real time.

Corporal James Jenkins of the Kelowna, British Columbia, RCMP Internet Child Exploitation, or ICE, Unit explained that the unit's goals are:

. . . to ensure children are not being actively offended against, identify and remove images from the internet, and successfully prosecute those who access, produce, and traffic in this material.

Just next door in Alberta, the ICE team does similar work. It has recently taken to social media to issue a stark warning to all Canadians regarding the dangers of anonymous online chat rooms, an insidious spinoff targeting children made possible by social media. Investigators also raised the alarm that predators are attempting to convince kids of all ages in anonymous chat rooms to send sexually explicit images or perform sexual acts on social media apps such as Instagram and Snapchat. Once they receive the explicit photos, the perpetrator will traffic these images or threaten to expose them to friends and family and demand compensation in exchange for keeping the images secret. This practice disproportionately targets vulnerable children, who are often still developing their sexual identity and a sense of self.

These devastating cases of sextortion can have real consequences. You may remember the tragic death of Amanda Todd, a teenager from Port Coquitlam, who died by suicide in 2012 after posting a heartbreaking video on YouTube using flash cards to detail her years of being sexually extorted online. In the Prairies, just last summer, a Manitoban youth died by suicide three hours after being sexually extorted online.

These shocking incidents of child abuse are not rare. National statistics paint a bleak picture. A Statistics Canada report showed that from 2019 to 2021, the police-reported rate of child sexual abuse and exploitation material increased nationwide by 31%. In B.C. in 2022 alone, there were over 8,000 reported incidents of child exploitation. This year, B.C. has already reported 5,700, and it's only April. This worrying trend highlights the need for action by all levels of government. As the sponsor of Bill C-291, Mel Arnold, noted in his speech in the other place, this bill is a small but important step in the right direction.

I suggest, colleagues, that we are now at a place of opportunity to continue this work together. Passing Bill C-291 is a significant step forward in combatting child sexual abuse and exploitation and bringing the perpetrators of this disgusting crime to justice. I firmly believe that changing the language and thus the mindset we use in discussing this issue will help frame the dialogue needed in combatting child sexual abuse and exploitation. As I mentioned before, words matter.

I hope this important bill will find your support in getting through committee and third reading as quickly as possible so we might use this opportunity to make a significant difference for those most vulnerable and at risk in our society. I want to thank you, honourable senators, for your time. *Meegwetch*.

(On motion of Senator Patterson (*Nunavut*), for Senator Patterson (*Ontario*), debate adjourned.)

(*At 4 p.m., pursuant to the order adopted by the Senate on September 21, 2022, the Senate adjourned until 2 p.m., tomorrow.*)

CONTENTS

Wednesday, April 19, 2023

| | PAGE | PAGE |
|--|------|------|
| SENATORS' STATEMENTS | | |
| The Late Dr. Hervé Blanchard | | |
| Hon. Marie-Françoise Mégie | 3331 | |
| Visitor in the Gallery | | |
| The Hon. the Speaker | 3331 | |
| National Soil Conservation Week | | |
| Hon. Robert Black | 3331 | |
| Visitors in the Gallery | | |
| The Hon. the Speaker | 3332 | |
| The Honourable George J. Furey, K.C. | | |
| Hon. Fabian Manning | 3332 | |
| Joseph Whiteside Boyle | | |
| Hon. Pat Duncan | 3333 | |
| Visitor in the Gallery | | |
| The Hon. the Speaker | 3334 | |
| Northern Ireland Peace Agreement | | |
| Hon. Gwen Boniface | 3334 | |
| Visitors in the Gallery | | |
| The Hon. the Speaker | 3334 | |
| <hr/> | | |
| ROUTINE PROCEEDINGS | | |
| Adjournment | | |
| Notice of Motion | | |
| Hon. Raymonde Gagné | 3335 | |
| Roman Catholic Episcopal Corporation of Ottawa | | |
| Roman Catholic Episcopal Corporation for the Diocese of | | |
| Alexandria-Cornwall (Bill S-1001) | | |
| Private Bill to Replace an Act of Incorporation—First | | |
| Reading | | |
| Hon. Bernadette Clement | 3335 | |
| <hr/> | | |
| QUESTION PERIOD | | |
| Finance | | |
| Federal Fiscal Deficit—Economy | | |
| Hon. Donald Neil Plett | 3335 | |
| Hon. Marc Gold | 3335 | |
| Prime Minister's Office | | |
| Ethics and Transparency | | |
| Hon. Denise Batters | 3336 | |
| Hon. Marc Gold | 3336 | |
| Employment and Social Development | | |
| National School Food Policy | | |
| Hon. Marty Deacon | 3336 | |
| Hon. Marc Gold | 3336 | |
| Foreign Affairs | | |
| United States—Safe Third Country Agreement | | |
| Hon. Mobina S. B. Jaffer | 3337 | |
| Hon. Marc Gold | 3337 | |
| Agriculture and Forestry | | |
| Business of the Committee | | |
| Hon. Pamela Wallin | 3337 | |
| Hon. Robert Black | 3338 | |
| Public Safety | | |
| Report of the Mass Casualty Commission | | |
| Hon. Wanda Thomas Bernard | 3338 | |
| Hon. Marc Gold | 3338 | |
| Portapique Shooting—Support for Victims' Families | | |
| Hon. Pierre-Hugues Boisvenu | 3339 | |
| Hon. Marc Gold | 3339 | |
| Foreign Affairs | | |
| Canada-China Relations | | |
| Hon. Leo Housakos | 3339 | |
| Hon. Marc Gold | 3339 | |
| Delayed Answers to Oral Questions | | |
| Hon. Marc Gold | 3340 | |
| Health | | |
| Health Care Transfers | 3340 | |
| Agriculture and Agri-Food | | |
| Fertilizer Tariff | 3340 | |
| Live Horse Exports | 3340 | |
| Answers to Order Paper Questions Tabled | | |
| Treasury Board—Treasury Board Secretariat | | |
| Hon. Marc Gold | 3341 | |
| Treasury Board—Public Services and Procurement | | |
| Hon. Marc Gold | 3341 | |
| Environment and Climate Change—Environment | | |
| Hon. Marc Gold | 3341 | |
| <hr/> | | |
| ORDERS OF THE DAY | | |
| Business of the Senate | | |
| Hon. Raymonde Gagné | 3341 | |
| Point of Order—Debate | | |
| Speaker's Ruling Reserved | | |
| Hon. Donald Neil Plett | 3341 | |
| Hon. Percy E. Downe | 3343 | |
| Hon. Leo Housakos | 3344 | |
| Hon. Lucie Moncion | 3345 | |
| Hon. Claude Carignan | 3346 | |

CONTENTS

Wednesday, April 19, 2023

| | PAGE | | PAGE |
|--|------|---|------|
| Online Streaming Bill (Bill C-11) | | Department for Women and Gender Equality Act | |
| Bill to Amend—Message from Commons—Motion for | | (Bill S-218) | |
| Concurrence in Commons Amendments and Non- | | Bill to Amend—Second Reading—Debate Continued. | 3349 |
| Insistence Upon Senate Amendments—Debate Continued | | | |
| Hon. Raymonde Gagné | 3347 | | |
| Motion in Amendment—Debate Adjourned | | Justice for Victims of Corrupt Foreign Officials Act | |
| Hon. Raymonde Gagné | 3347 | (Sergei Magnitsky Law) (Bill S-247) | |
| Hon. Scott Tannas | 3347 | Bill to Amend—Second Reading—Debate Adjourned | |
| Hon. Denise Batters | 3347 | Hon. Leo Housakos | 3349 |
| Hon. Leo Housakos | 3348 | | |
| Hon. Donald Neil Plett | 3348 | | |
| Federal-Provincial Fiscal Arrangements Act | | Criminal Code (Bill C-291) | |
| Income Tax Act (Bill C-46) | | Bill to Amend—Second Reading—Debate Continued | |
| Bill to Amend—First Reading | 3348 | Hon. Bev Busson | 3349 |