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(HANSARD)

Tuesday, October 24, 2023

The Honourable PIERRETTE RINGUETTE,  
Speaker pro tempore

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## THE SENATE

Tuesday, October 24, 2023

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

Prayers.

[*Translation*]

### SENATORS' STATEMENTS

#### CO-OP WEEK

**Hon. Lucie Moncion:** Honourable senators, I rise today to mark Co-op Week, which was from October 15 to 21, 2023, with the theme “All for one.”

Co-op Week is an opportunity to celebrate the cooperative model and raise awareness of its virtues among the business community, Canadians and governments. Unlike capitalist businesses, which are primarily profit-driven, the cooperative model is rooted in a perspective of sustainable, responsible socio-economic development that puts people, communities and their needs first.

The cooperative model has proven itself over the years, both nationally and worldwide, through innovation, goodwill and a surprising ability to adapt.

To illustrate my point, I'd like to highlight a few success stories from across Canada and around the world. They include Agropur, Federated Co-operatives Limited, Co-operators, Sollyo Cooperative Group, Gay Lea, Arctic Co-operatives Limited, Fogo Island Co-Operative Society Ltd. and many others. They also include the Green Bay Packers, Ocean Spray, Crédit Mutuel and Mondragon.

Although the cooperative business model doesn't always lead the way in terms of rapid return on investment, the fact remains that it meets the needs of those who choose to work together.

I've spoken to you before about the Coopérative régionale de Moonbeam Ltée. Senators will recall that, in 2012, the local grocery store was about to close its doors because it couldn't find a buyer to take over.

The people of Moonbeam took action to form a cooperative, raise funds and elect a board of administrators. Eleven years later, the co-op is still in operation and has been so successful that it is now expanding. A new, bigger and more modern store will be built in the coming year, so that the co-op can do an even better job of serving its customers.

Co-op Week is an opportunity to promote the co-op model and business success stories like that of the Coopérative régionale de Moonbeam Ltée.

I'd like to take this opportunity today to thank the representatives and organizations in this sector, who work hard and promote the interests of co-ops to local, provincial and

federal governments. Your contributions are essential in developing inclusive laws and policies that make the co-op model a solution of choice.

Thank you for your attention.

[*English*]

#### FROM SCRAP TO ART

**Hon. Dennis Glen Patterson:** Honourable senators, in 2018, the Municipality of Cambridge Bay created the From Scrap to Art welding program. Through conversations and planning between the municipality, the RCMP, the Department of Justice and the Kitikmeot Inuit Association, the program was developed as a means of addressing the needs of the at-risk youth in the community.

The majority of youth are brought into the program as a last-chance opportunity before being sent to jail. This program focuses on welding taught by a Red Seal certified journeyman welder, but it also touches on job readiness and life skills required to help participants succeed beyond the classroom. Teaching touches on literacy, numeracy, problem solving and so much more.

To date, the program enjoys the highest attendance rate of any educational program in Nunavut, according to the Nunavut Department of Family Services, and every single participant has remained out of jail and incident-free. In fact, I was delighted to learn that every single one of the participants is either gainfully employed — including three working at the new Goose Lake mine with B2Gold and one participant working for the program itself as the welding assistant — or working on furthering their education.

The program has had positive effects on the environment, having transformed over 700 barrels previously cluttering up the community landfill into art since the program's inception. Last week, the Redfish Arts Society Inc. was formed as Nunavut's newest non-profit organization, founded on the idea that youth can achieve great things and be inspired if they are given the opportunity and provided guidance and a safe space to express themselves. Their goal is to build upon and grow this program by securing long-term, stable funding and eventually offering the model in Nunavut communities beyond just Cambridge Bay.

I would like to congratulate the inaugural board: Chairperson Attima Hadlari, Vice-chair Dr. David Hik, and board members Dmitri Malakhov, Melissa Lawson and Dr. Rebecca Jaremko Bromwich. I also want to voice my sincere appreciation for Mr. Mark Slatter, the Executive Director of Red Fish Arts Studio and program instructor.

Thank you to all of you for your dedication to improving the lives of youth in your community and beyond.

*Qujannamiik. Koana. Taima.*

## VISITOR IN THE GALLERY

**The Hon. the Speaker pro tempore:** Honourable senators, I wish to draw your attention to the presence in the gallery of Carolyn Winter. She is the guest of the Honourable Senator Dean.

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

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

## ROLE OF INDEPENDENT SENATORS

**Hon. Andrew Cardozo:** Honourable senators, I want to say a few words about what it means to be an independent senator. I find a lot of Canadians are very interested in this important new reform of the Senate, which began in 2015, and I am often asked about what it means to be an independent senator. This is how I respond:

First, here are some interesting results: 83% of senators are now independent. Prior to this reform, the Senate amended, on average, one or two bills a year. Today, we amend some 40% to 50% of the bills, and, importantly, more than two thirds of those are accepted by the elected House of Commons. I am proud to be a part of a modern, less partisan Senate that is moving away from the old style of partisan blood sport and is really focused on the original intent of the Senate, namely, to provide sober second thought on legislation. Today, more than ever, Canadians want less partisanship and more cooperation.

How do I conduct myself as an independent? The most important thing is that I decide how to vote on each issue on my own in the best interests of Canadians, as I see it, given what I hear and read, my values and my general view of the world. I dedicate my time and resources to the work of the Senate. I make a point of engaging with all levels of government, business, labour, academia, not-for-profit organizations, experts and interested Canadians.

Now, here are some rules I follow: I am not a member of a political party. I do not caucus with any political party in the House of Commons, although I work with members of all parties, as needed. I do not raise funds for any party. I do not use clips from the Senate or otherwise for the purpose of fundraising for any political party. I do not help raise funds off what I do in the Senate.

• (1410)

I remind people that I do not participate in developing strategy for any party or election or leadership campaigns of any party or in political parties at the riding level. I do not engage in outreach for any political party. I also point out that I do not speed up or delay bills or otherwise take advantage of house rules for political partisan advantage. No party hands me speeches to deliver, and no party tells me what to say or not to say. In short, Your Honour, I tell Canadians that I am an independent senator.

## TAIWAN

**Hon. Michael L. MacDonald:** Honourable senators, during the break week I had the distinct pleasure to lead a Senate delegation to the Republic of China, or Taiwan, as it is now more often called. Known in the West as Formosa since the 16th century, Taiwan today is a remarkable example of social, economic and political evolution that has few parallels in the modern world.

When I was born in 1955, Taiwan was still a relatively poor and mostly agrarian society governed under martial law with a third-world economy. Legally Japanese territory since 1895, it was occupied in late 1945 by the then Chinese government in the aftermath of World War II, with Japan renouncing its claim to the island in 1952.

For the first three decades under the new Chinese administration, Taiwan had a difficult existence; life was tough. But the 1960s began a period of rapid economic growth, and, by the early 1990s, it had evolved from a one-party state under martial law into a multi-party democracy.

Today, Taiwan is a prosperous, first-world country with the most literate population on the globe. A leader in the production of semiconductors, its medical, transportation, educational and scientific institutions are second to none in their strength and vitality. It has also evolved over the past 75 years into one of the great democracies in Asia, in spite of the obstacles and the uncertainties that challenge its freedoms, independence and survival.

Although it was not my first visit to the Republic of China, it was for my Senate colleagues and they were unquestionably both moved and impressed by what they witnessed and experienced. On Monday, October 9, we met and were briefed by the Canadian Trade Office in Taipei and later visited Taipei 101. On Tuesday, October 10, we celebrated, along with our hosts, Taiwan's National Day. Over the next two days, we met and interacted with the heads of many important offices such as the Secretary-General of the National Security Council, the Taiwan Office for Gender Equality, the Council of Indigenous Peoples, the Institute for National Defense and Security Research, the Ministry of Health and Welfare and the Minister of the Mainland Affairs Council.

Our visit with an institute fighting cyberattacks from the Mainland was particularly interesting. There are a lot of bright, young people in Taiwan. On Thursday evening, we had a great working dinner and discussion with Minister of Foreign Affairs Joseph Wu, who was a gracious and knowledgeable host.

Our official business ended with the highlight of our visit: an hour-long audience with Madam President Tsai Ing-wen at the Office of the President on Friday morning. I know all of my colleagues who attended would agree that it was a wonderful exchange we had with the President, and she wants to express to all Canadians how much our friendship is valued by the people in the Republic of China.

Honourable senators, in the near future, I will be speaking to Bill S-277, An Act respecting a framework to strengthen Canada-Taiwan relations. I urge you to give it serious attention. It is not a radical document by any means, but I believe it represents a good first step in establishing an updated version of our present relations with Taiwan — a version that better reflects our working relationship in the third decade of the 21st century. The people of Taiwan have built a great country, and they deserve our full support.

#### THE LATE HONOURABLE MONIQUE BÉGIN, C.C.

**Hon. Marilou McPhedran:** With appreciation to the Independent Senators Group, or ISG, and Senator Gold for allowing me time today, I rise as a feminist activist senator to pay tribute to the pioneering Québécois feminist the Honourable Monique Bégin, who passed away some six weeks ago.

In the words of Prime Minister Justin Trudeau:

[Translation]

In 1972, Ms. Bégin was elected as the Member of Parliament for the Montréal riding of Saint-Michel, making her one of the first three women from Québec to serve in the House of Commons. . . .

Ms. Bégin was a passionate advocate, who left a lasting mark on Canada.

Before she even took her seat in the Commons, Ms. Bégin rose to prominence as a pioneer of the feminist movement in Quebec.

In 1966, she was a signatory of the Fédération des femmes du Québec's founding charter and became the organization's first vice-president. The following year, she was appointed to the role of executive secretary of the Royal Commission on the Status of Women in Canada, whose 1970 report remains important to this day.

[English]

The Honourable Monique Bégin went on to have a distinguished career as Minister of National Revenue, then Minister of National Health and Welfare, bringing in both the child tax credit and then the Canadian Health Act. As one of only two women in cabinet during the 1980-82 era of constitutional renewal, Monique and her colleague the Honourable Judy Erola were protective of women's equality rights in the draft Charter of Rights.

From personal experience, I can assure you that Monique quietly and effectively supported our activist efforts that protected the sex-equality guarantee in section 28 from the section 33 "notwithstanding" clause.

After her political career, Monique became a distinguished scholar, first as the Joint Chair of Women's Studies at the University of Ottawa and Carleton University, followed by years

as dean of Health Sciences. I reached out to her 20 years ago to ask if she would write the foreword to a book I co-authored about an unpopular subject, entitled *Preventing Sexual Abuse of Patients: A Legal Guide for Health Care Professionals*. Her endorsement helped to situate the book on curricula across Canada.

Her honorary degrees and awards are numerous: the Governor General's Award in Commemoration of the Persons Case in 2017 and elevation to Companion of the Order of Canada last year. Her friend Deborah Davis wrote to me this morning to remind me that Monique was much more than her awards: she was a role model and an inspiration. She was generous in nurturing new generations. As I conclude, one of the first and most memorable dinner invitations I received as a senator was from Monique, who prepared a delicious repast shared with Senators Pamela Wallin and Nancy Ruth — it was quite the conversation.

[Translation]

You are a great woman, Monique, and we'll meet again.

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## ROUTINE PROCEEDINGS

### AUDITOR GENERAL

#### SPECIAL REPORT TABLED

**The Hon. the Speaker pro tempore:** Honourable senators, I have the honour to table, in both official languages, the Special Report of the Auditor General of Canada, pursuant to the *Auditor General Act*, R.S.C. 1985, c. A-17, sbs. 8(2).

[English]

### TREASURY BOARD

#### PUBLIC ACCOUNTS OF CANADA—2022-23 REPORT TABLED

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, I have the honour to table, in both official languages, the Public Accounts of Canada for the fiscal year ended March 31, 2023, entitled (1) Volume I — Summary Report and Consolidated Financial Statements, (2) Volume II — Details of Expenses and Revenues, (3) Volume III — Additional Information and Analyses, pursuant to the *Financial Administration Act*, R.S.C. 1985, c. F-11, sbs. 64(1).

**BILL TO AMEND THE CANADA BUSINESS CORPORATIONS ACT AND TO MAKE CONSEQUENTIAL AND RELATED AMENDMENTS TO OTHER ACTS**

NINTH REPORT OF BANKING, COMMERCE AND THE ECONOMY COMMITTEE PRESENTED

**Hon. Pamela Wallin**, Chair of the Standing Senate Committee on Banking, Commerce and the Economy, presented the following report:

Tuesday, October 24, 2023

The Standing Senate Committee on Banking, Commerce and the Economy has the honour to present its

**NINTH REPORT**

Your committee, to which was referred Bill C-42, An Act to amend the Canada Business Corporations Act and to make consequential and related amendments to other Acts, has, in obedience to the order of reference of September 26, 2023, examined the said bill and now reports the same without amendment.

Respectfully submitted,

PAMELA WALLIN

*Chair*

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

(On motion of Senator Downe, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

• (1420)

[*Translation*]

**CRIMINAL CODE**

BILL TO AMEND—SEVENTEENTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE PRESENTED

**Hon. Brent Cotter**, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Tuesday, October 24, 2023

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

**SEVENTEENTH REPORT**

Your committee, to which was referred Bill C-48, An Act to amend the Criminal Code (bail reform), has, in obedience to the order of reference of September 21, 2023, examined the said bill and now reports the same with the following amendments:

1. *Clause 1, pages 2 and 3:*

(a) On page 2, replace lines 28 and 29 with the following:

**“(4) Subsection 515(6) is amended by adding the following after paragraph (b.1):”;** and

(b) on page 3,

(i) delete lines 1 to 7, and

(ii) add the following after line 24:

**“(13.1) A justice who makes an order under this section shall include in the record of proceedings a statement that sets out both how they determined whether the accused is an accused referred to in section 493.2 and their determination. If the justice determines that the accused is an accused referred to in section 493.2, they shall also include a statement indicating how they considered their particular circumstances, as required under that section.”.**

2. *Clause 2, page 3:* Replace lines 29 and 30 with the following:

**“standing committee of the Senate and the standing committee of the House of Commons that normally consider matters relating to jus-”.**

Respectfully submitted,

BRENT COTTER

*Chair*

(*For text of observations, see today’s Journals of the Senate, p. 2044.*)

**The Hon. the Speaker pro tempore:** Honourable senators, when shall this report be taken into consideration?

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

[*English*]

**NATIONAL SECURITY, DEFENCE AND VETERANS AFFAIRS**

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO DEPOSIT REPORTS ON STUDY OF VETERANS AFFAIRS WITH CLERK DURING ADJOURNMENT OF THE SENATE

**Hon. Tony Dean:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on National Security, Defence and Veterans Affairs be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate

reports related to its study on issues relating to Veterans Affairs, including services and benefits provided, commemorative activities, and the continuing implementation of the *Veteran's Well-being Act*, if the Senate is not then sitting, and that the reports be deemed to have been tabled in the Senate.

## QUESTION PERIOD

### GLOBAL AFFAIRS

#### ISRAEL-HAMAS CONFLICT

**Hon. Donald Neil Plett (Leader of the Opposition):** Senator Gold, just before 10 p.m. last Saturday night, Minister Blair released a statement indicating Canada does not believe Israel struck a hospital in Gaza last Thursday. And today, of course, he said Hamas should be eliminated.

After initial media reports blamed Israel for attacking the hospital, Prime Minister Trudeau made sure his rush to judgment was made in full view of the public. Since Minister Blair's statement, however, the Prime Minister hasn't said or done anything to walk back his comments from a week ago — no retraction, no statement, not even a late-night tweet like his minister, nothing.

Leader, is the Prime Minister unwilling to correct the record because his Liberal caucus is split on supporting Israel in this war against Hamas?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. Minister Blair, as a cabinet minister, speaks for the government when he does speak. It is clear that the Government of Canada deplored the terrorist attack against Hamas and supports the right of Israel to defend itself under the terms of international law.

It is also the position of the Canadian government that those who are trapped in Gaza and are innocent victims — as so many are of this war — deserve access to humanitarian aid, and Canada continues works to that end.

The Prime Minister has been clear about the position of Canada, which has not changed. There is, in this country, a diversity of opinion. Families and friends, indeed, are torn asunder. The government stands by its long-standing policies and will continue to do so.

**Senator Plett:** It would be nice to see where the Prime Minister stands. He's silent.

Leader, last week you accused me of being too partisan. In fact, internal divisions within the Liberal Party are dictating what the Prime Minister says regarding Israel and Hamas, and what he doesn't say. After eight long years, Prime Minister Trudeau still has no moral compass and provides no serious leadership, not even to his own caucus. He's not worth the cost to our country's principal, is he, leader? Don't Canadians deserve better?

**Senator Gold:** Thank you for your question. I commend you for elaborating on the marketing phrase that has been rather current lately.

It is not appropriate in this chamber or anywhere else to use the tragic circumstances of the Middle East as a wedge political issue. This government stands on its record of support for Israel, support for the Palestinian people and support for a just solution.

### AGRICULTURE AND AGRI-FOOD

#### CARBON TAX

**Hon. Denise Batters:** Senator Gold, last week at the Senate Agriculture Committee, Trudeau-appointed senators — including your own government deputy leader — gutted a Conservative's bill to exempt farmers from paying carbon tax on propane and natural gas. One amendment stripped from the bill heating and cooling for barns and farm buildings. The very next day, a news report revealed that the Trudeau government spent \$8 million of taxpayers' money to replace a barn at Rideau Hall with a two-level, zero-carbon, heated car garage they've dubbed "the barn" — talk about not worth the cost.

Senator Gold, is this the Trudeau government's prototype of a brave, new, carbon-neutral future on Canadian farms? Why is the Trudeau government so determined to stick it to the very people who produce Canadians' food?

**Hon. Marc Gold (Government Representative in the Senate):** I think a number of your assertions deserve correction.

The bill was indeed amended. It was not gutted. It was amended by the committee, as is its prerogative to do so. First of all, the record will show who was present and who voted, which is a somewhat different narrative than what has been fed to the media and propagated.

With regard to the barn, it is more than a barn, Senator Batters. It is a two-level, partially heated storage and vehicle garage, which would also include 70 roof-mounted solar panels producing enough energy to completely offset the electrical needs of Stornoway. Those are the facts.

Again, I encourage senators — as I have done on many occasions — to ask me the proper questions that assume the proper facts underlying them.

**Senator Batters:** Senator Gold, I guarantee you that any one of Canada's farmers could build a barn for much less than \$8 million. This bill passed the House of Commons with all-party support. Subjecting barns and farm buildings to the Trudeau government's punitive carbon tax puts our agricultural producers at a global disadvantage. Your government solutions for farmers are not rooted in practicality or common sense. When will this government offer Canadian farmers more than just hot air and axe this punishing carbon tax?



**Senator Gold:** There is no risk of repeating myself when the same question is posed to me on so many different occasions. The price on pollution is an integral part of a suite of measures that Canada is pursuing to guide us forward, as is the support that the government is providing farmers and all others who are bearing the cost, as some are indeed, of this measure.

[Translation]

## GLOBAL AFFAIRS

### CONFLICT IN GAZA STRIP

**Hon. Julie Miville-Dechêne:** Honourable senators, Senator Gold, for the past three days, five UN agencies and 12 humanitarian organizations in Canada, along with Jewish voices, have been calling for a ceasefire in Gaza. France, Ireland and Belgium are also calling for a truce.

Canada doesn't wield much power internationally. Nevertheless, we've always been able to amplify our influence by demonstrating our integrity and our adherence to the principles of international law in both word and deed.

• (1430)

Senator Gold, nobody here is disputing the horror of the October 7 attacks, Israel's right to defend itself or actions necessary to recover more than 200 hostages. That said, I'm concerned that our silence on the subject of a humanitarian truce is eroding our moral authority.

When will the Canadian government demand a humanitarian truce as a tentative step toward a ceasefire in Gaza?

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

The Government of Canada has made its position very clear. Violence must cease, civilians must be protected and hostages must be freed.

I feel that Minister Joly emphasized Canada's grave concern about the deteriorating humanitarian situation in Gaza and the importance of ensuring that aid can reach Palestinian civilians.

In fact, Canada is contributing \$50 million in humanitarian aid to meet the acute needs of Palestinians in the Gaza Strip and neighbouring regions while ensuring that none of that money ends up in the hands of Hamas.

**Senator Miville-Dechêne:** Senator Gold, as Nicholas Kristof wrote in the *New York Times*, states cannot give the impression that there is a hierarchy of human life.

This is a philosophical question, but do you believe that is a risk? If you called for a truce, could balance be restored, diplomatically speaking?

**Senator Gold:** All human life is sacred, created in the image of God. This is part of my tradition and many traditions around the world.

Unfortunately, a truce will not put an end to violence or danger. Furthermore, as the Americans and the minister have pointed out, this is not the right time to consider it.

[English]

## PRIME MINISTER'S OFFICE

### SENATE VACANCIES

**Hon. Bev Busson:** My question is for the Government Representative in the Senate.

Senator Gold, from the study of the Standing Senate Committee on Fisheries and Oceans that is presently under way, we know that both coasts of our great country have an overabundance of seals. We do not, however, have an overabundance of senators from the West Coast. British Columbia has only six seats and is the third most-populated province in Canada, behind Ontario and Quebec, yet we have not had a full complement of senators since I was appointed in 2018.

Senator Gold, will you immediately raise with the Prime Minister the issue of the vacant seat in British Columbia and ask that a new appointment be made, signed, sealed and delivered as soon as possible?

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

This is an issue that I and my colleagues in my office raise regularly with the Prime Minister's Office. We, as much as all of you, would like to see the Senate vacancies fully filled as quickly as possible.

There are many factors that appear to have contributed to the delay in some appointments. I will continue to raise this issue with the government at every opportunity.

## JUSTICE

### PROGRESS OF LEGISLATION

**Hon. Dennis Glen Patterson:** Senator Gold, last session, we hurried to complete the study and third reading of Bill S-12, An Act to amend the Criminal Code, the Sex Offender Information Registration Act and the International Transfer of Offenders Act. We were told that rush was necessary in order to ensure the other place could study the bill and send it back to us with plenty of time to meet the court's deadline of October 28. However, that date is fast approaching, and the Senate will soon find itself in the position, once again, to have to quickly consider the message with its 11 amendments. No one wants to see a gap in registering sex offenders, but your government has delayed sending us the bill.

Will your government seek an extension in court to give the Senate the time required to properly consider the message?

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

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

My expectation is that Parliament, all parliamentarians and senators, will work to ensure that the bill passes before the Supreme Court's October 28 deadline. As you all know by now, we are expecting the message imminently. In that regard, I look forward to our consideration of this important piece of legislation to strengthen the National Sex Offender Registry, to empower victims of crime and to build confidence in the criminal justice system.

The government has not delayed sending it. It was a bill that originated here. It was sent to committee in the other place, and that committee considered the bill and the Senate amendments and made some suggestions to improve the bill. It has been in the other place for less time than it was here.

**Senator D. Patterson:** Senator Gold, we're willing to work hard but not on unscheduled days at the last minute.

Your government sought three court extensions to Bill S-3, which dealt with ending gender-based discrimination in Indian Act registrations. That enabled us to do our proper work. Those extensions were granted because the courts had proof, like in this case, that there was substantial progress being made. Respect for the Senate should be equally valid as respecting the courts.

Senator Gold, I ask you again: Will you convey to the government the imperative to seek an extension from the court on an urgent basis so that the Senate can do its work in a timely manner?

**Senator Gold:** Thank you. I will certainly be happy to raise this with the government.

To be clear, there is every expectation that we will be able to deal with this issue on Thursday, which is a sitting day when we can devote fulsome debate to the message from the other place. I fully hope that we can dispose of it before we rise on Thursday. Friday is also a day on which, if we have to, we can sit as well to ensure that we respect the deadline.

[*Translation*]

## INDUSTRY

### SUPPORT FOR SMALL BUSINESSES

**Hon. Amina Gerba:** My question is for the Government Representative in the Senate.

The Business Development Bank of Canada recently published a study that makes a very worrisome observation.

Canada has 100,000 fewer entrepreneurs than it did 20 years ago.

Two decades ago, nearly three out of every 1,000 Canadians were becoming entrepreneurs. Now, we are down to one out of every 1,000 Canadians.

In 2021, small businesses employed 8 million people in Canada, accounting for two thirds of private sector jobs.

Senator Gold, obviously, there are not enough initiatives in place for entrepreneurs. What does the government intend to do to better support them?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question. The government is well aware that small businesses are the lifeblood of our communities and play a critical role in Canada's economy. They employ over 10 million hard-working people in all regions of the country.

Small Business Week just ended, and at that time, Minister Valdez announced new funding to support entrepreneurs and small businesses, including funds to help 2,000 women entrepreneurs across Canada to start a business and put their plans for growth into action. Funding for the Canadian Council for Aboriginal Business will help to increase the tools and resources that small business owners and Indigenous entrepreneurs need to prosper.

The government will continue to support small businesses across the country, whether they are just getting started, growing or trying to expand into new markets.

**Senator Gerba:** Senator Gold, thank you for your response.

The Canada Emergency Business Account allowed small businesses to receive a loan that has to be repaid by January 18, 2024. The provincial and territorial premiers recently called for this deadline to be pushed back.

Does the government plan to grant their request?

**Senator Gold:** In terms of continued support for small business owners and their employees, as you point out, the government is already providing some flexibility. The deadline of January 18, 2024, to which you referred is already a one-year extension from the previous deadline. Businesses will also benefit from a partial rebate. In short, they will also be able to benefit from other measures, but I don't have enough time to elaborate.

• (1440)

[*English*]

## PUBLIC SAFETY

### ARRIVECAN APPLICATION

**Hon. Leo Housakos:** Senator Gold, last week, I asked Minister Duclos who is responsible at the Canada Border Services Agency, or CBSA, and Public Services and Procurement Canada, or PSPC, for verifying outside consultants and subcontractors. We saw disturbing information this morning in *The Globe and Mail* about how \$54 million of taxpayers'

money has been spent on ArriveCAN — on consultants who not only fudged their CVs but fabricated expertise for companies that, it seems, do not even exist. Given that information — and the fact that your government, since 2015, has increased spending on outside subcontractors and consultants by 74% — how can you possibly justify all this?

Can you tell this floor who in the Trudeau government is responsible for vetting these contracts? At the end of the day, ArriveCAN has become a fraud, a fiasco and an “ArriveScam.” Who is accountable for this?

**Hon. Marc Gold (Government Representative in the Senate):** Well, vis-à-vis the troubling allegations surrounding ArriveCAN, as senators know, the matter is not only under investigation by the RCMP, but there is also an internal investigation going on under the auspices of the CBSA.

It is also the case, colleagues, as you know, that Minister Anand has recently announced new public service guidelines for outsourcing and procurement, on when they are required and what tools to use to mitigate risk and ensure processes are transparent and appropriate.

There is nothing more on which I can comment in terms of the investigations except to say that they are ongoing both at the RCMP level and within the CBSA, which are the appropriate ways for those investigations to take place.

**Senator Housakos:** No one is being held accountable, but we know there are all kinds of investigations because this whole thing stinks. Senator Gold, while we still have a lot to learn about the rot that is “ArriveScam,” one thing is abundantly clear: Hard-working, law-abiding everyday Canadians are facing exorbitant fines associated with this get-rich scheme for Liberal insiders — Canadians like Mr. Milad, a local tailor here in Ottawa, who was returning home from visiting his family in the Middle East and will now have to close his shop to travel to Montreal for a court date, costing him tons of money, Senator Gold.

When will your government do the right thing — while these investigations continue — and at least cancel the outstanding ArriveCAN fines that Canadians are being saddled with?

**Senator Gold:** I will certainly take your suggestion to the attention of the appropriate minister. I would not assume one way or the other that every violation for which someone was fined was necessarily inappropriate, but I will transmit your suggestion as quickly as I can.

[Translation]

## ENVIRONMENT AND CLIMATE CHANGE

### IMPACT ASSESSMENT ACT

**Hon. Claude Carignan:** Leader, on October 13, the government suffered a crushing defeat before the Supreme Court, which ruled that a significant portion of Bill C-69 on environmental assessment was unconstitutional and infringed on the provinces’ jurisdictions.

We warned you, leader. Premier Kenney, of Alberta, warned you. Quebec’s Minister of the Environment, Benoit Charette, warned you. All the opposition members warned you on a number of occasions. Minister McKenna and I myself warned you that Bill C-69 was unconstitutional.

Why is your government ignoring the calls from the provinces when they are being voiced, as well as the advice of its loyal opposition?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question. Once again, we need to be clear about the facts. The Supreme Court has affirmed the jurisdiction of the legislature of the Parliament of Canada with respect to the environment. This remains an important aspect of the law and of the jurisdiction of the Parliament of Canada.

Yes, some aspects of the bill were ruled unconstitutional by the court. The government has already responded. The Government of Canada will read the ruling and learn from the ruling with respect to the Supreme Court’s motives for its decision. The federal government will work with the provinces and Indigenous groups to ensure that the process serves Canadians, and will work quickly to correct the problems and ensure that the legislation serves Canadians.

**Senator Carignan:** When will the government eliminate the remnants of Bill C-69 to make way for a bill that can authorize projects in 12 months instead of 12 years?

**Senator Gold:** I’m not exactly sure about the timeline for sending revisions and amendments of the bill back to Parliament. As soon as it is publicly announced, the Senate will be notified.

[English]

## INFRASTRUCTURE AND COMMUNITIES

### HOUSING ACCELERATOR FUND

**Hon. Leo Housakos:** I want to shift now from one fiasco to another. It’s now been a year and a half since Trudeau’s Housing Accelerator Fund for building new homes in Canada was announced. We look to Toronto, Montreal and Vancouver and find record lows in building homes. When will your government realize that its home-building plan is a failure and go back to the drawing board or, better yet, just resign for the betterment of future generations of Canadians?

**Hon. Marc Gold (Government Representative in the Senate):** Well, coming from someone with a business background, a question that evidences such minimal understanding of the economics of the housing market is really stunning.

The government is delivering on its plan to double housing construction to make housing more affordable. Since announcing the new measures of the Tax-Free Savings Account, or TFSA, in April, over 150,000 Canadians have opened a First Home Savings Account, or FHSA.

The actions taken by this government to remove federal GST on the construction of new rental apartment buildings, while urging all provinces to follow suit, has unlocked entrepreneurial willingness across the country. Indeed, it has also unlocked \$20 billion in new financing to build 30,000 more apartments per year. In addition, the government announced Housing Accelerator Fund agreements with the cities of Hamilton, London and Vaughan, and it continues to have discussions with other communities.

This is real leadership. This is practical, on-the-ground leadership to address a problem that affects all Canadians and demands proper solutions — not rhetoric.

**Senator Housakos:** The only people exercising rhetoric are in your government. Senator Gold, your own Minister of Housing has recognized that this government and Canadians need to lower their expectations. It doesn't take a genius to realize this — just go out there and speak to young Canadians who can't rent an apartment, let alone buy a house.

Right now, young Canadians, first-time buyers, need to amortize their mortgage for 200 years to pay for a house in this country. Don't lecture me about business principles in this country because you know damn well, from speaking to young Canadians, that they have never had it harder than today when it comes to buying a home.

**Senator Gold:** It is harder for young Canadians to buy homes. That is certainly something I understand, having been in the real estate business in a previous life, and having children and grandchildren. That does not mean, however, that it is the exclusive responsibility of the federal government to deal with a national —

**The Hon. the Speaker pro tempore:** Senator Gold has the floor.

**Senator Gold:** I stand by my answer. Thank you, Your Honour, for intervening. I do appreciate some attention when I try to answer.

## INDUSTRY

### WORKPLACE HARASSMENT AND VIOLENCE

**Hon. Marilou McPhedran:** This is my lucky day, Your Honour. Thank you. I have a question for Senator Gold.

Sustainable Development Technology Canada is a federally funded agency mandated to find, fund and foster Canadian innovation in the green/clean technology field, providing more than \$1.5 billion to Canadian start-ups to date.

Unfortunately, it has also been rocked by allegations of financial mismanagement, conflicts of interest, workplace harassment and a volatile, toxic work environment. Canada's Ministry of Innovation, Science and Economic Development ordered a review of the agency's practices, which is now done.

[ Senator Gold ]

Senator Gold, I was contacted by some potential whistleblowers with knowledge of this workplace who indicated that some staff were pressured to sign non-disclosure agreements, or NDAs, to conceal information about their negative experiences. Because the review has been described —

**Hon. Marc Gold (Government Representative in the Senate):** I am anticipating the conclusion of your question. We have strict times, as I do in my answer.

• (1450)

My understanding is that a third-party expert was named to investigate once the ministry heard of these general allegations. The government has received their report and is taking it seriously, following immediately with corrective action, including implementation of an action plan by December.

I am not aware, Senator McPhedran, of the issue of non-disclosure agreements. I certainly will inquire into that matter so that the next time you ask me I may have a more fulsome response.

**Senator McPhedran:** Thank you very much. In addition to that, could you please ask the government to report publicly on the review and to specify the use of NDAs by this federally funded agency? Thank you.

**Senator Gold:** I will add that to my inquiries.

## GLOBAL AFFAIRS

### ISLAMIC REVOLUTIONARY GUARD CORPS

**Hon. Donald Neil Plett (Leader of the Opposition):** Senator Gold, for years Iranian Canadians have called on the Trudeau government to list the Islamic Revolutionary Guard Corps, or IRGC, as a terrorist entity. They did so before and after the IRGC shot down Flight PS752, killing Canadian citizens and permanent residents. They did so last year, after a 22-year-old woman, Mahsa Amini, was murdered. They did so again in the wake of the evil attacks on Israel by Hamas, which was surely backed by the Iranian regime.

Minister LeBlanc said he asked his officials to update their advice about listing the IRGC. How much longer, Senator Gold, will it take to criminalize this terrorist group?

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

Canada's response generally to the activities of Iran, including our sanctions and other measures, are some of the toughest in the world, as colleagues know. Canada will continue to put pressure on the regime. All options are on the table.

You know as well as I do that the government has already banned IRGC officials from Canada forever and imposed sanctions on elites in the IRGC and the regime security, as well as intelligence and economic apparatus. It is a whole-of-government effort. Canada will not hesitate to use all of its tools, diplomatic and other, to respond to the Iranian regime's aggressions whether in Iran or abroad.

**Senator Plett:** Senator Gold, last week, when Senator Housakos asked you about listing the IRGC as a terrorist entity, you gave us the same response you have given us for years now. However, when Minister LeBlanc was asked a similar question in the House, he gave a very different response. The minister said he obviously asked security professionals to update their advice. Leader, why was your answer different from the minister's?

**Senator Gold:** It wasn't different, though I didn't repeat the answer that you actually embodied in your question and are now repeating. At such time as that review is completed, the decision will be made public. Until then, it is inappropriate to comment on what advice the security services — or, indeed, anyone — are providing to the minister.

[Translation]

## PRIVY COUNCIL OFFICE

### GENDER-BASED ANALYSIS

**Hon. Renée Dupuis:** My question is for the Government Representative in the Senate.

Senator Gold, are you going to convince the Privy Council to systematically table a gender-based analysis plus for each committee that examines a bill?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you. This analysis is critically important, as I've already mentioned in connection with one committee. The government is aware of committee members' expectations. I'm going to insist on the importance of this aspect of the legislative process with the government.

[English]

## ORDERS OF THE DAY

### PROTECTING CANADA'S NATURAL WONDERS BILL

#### BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

**Hon. Karen Sorensen** moved second reading of Bill S-14, An Act to amend the Canada National Parks Act, the Canada National Marine Conservation Areas Act, the Rouge National Urban Park Act and the National Parks of Canada Fishing Regulations.

She said: Honourable senators, I rise to speak to second reading of Bill S-14, the protecting Canada's natural wonders act. This bill adds to the terrestrial and aquatic areas protected under the Canada National Parks Act and the Canada National Marine Conservation Areas Act and strengthens some of the provisions associated with those acts. These two acts and their associated regulations ensure protection for natural ecosystems, native wildlife and cultural heritage.

In my previous career, I spent years working closely with Parks Canada as a municipal councillor and mayor of the Town of Banff located within Banff National Park. I can attest to the stringent regulations preserving Canada's priceless natural wonders and the diligence of Parks Canada officials in enforcing them. In sponsoring this bill, I'm proud to play a small role in granting even more wild places this protection.

The bill would complete the establishment process for Akami-Uapishk<sup>U</sup>-KakKasuak-Mealy Mountains National Park Reserve in Labrador. This mountainous region, looming over Lake Melville, encompasses a diverse ecosystem of tundra, forest, coast, islands and rivers. Bill S-14 will secure the preservation of this gem while permitting and regulating traditional land use activities in the region.

This bill will also complete the establishment process for Tallurutiup Imanga National Marine Conservation Area.

Located in the Arctic Ocean, this marine conservation area is considered one of the most significant ecological areas in the world and a critical habitat for some of Canada's most iconic species, including polar bears, beluga and bowhead whales, narwhal and others. It covers an area stretching from Resolute Bay in the west to the eastern entrance of the Northwest Passage, close to 110,000 square kilometres altogether.

In addition, Bill S-14 will formally extend the boundaries of seven existing national parks and one national park reserve located in five provinces and two territories.

I would like to use some of my time to take you on a tour of these remarkable places. Nunavut is home to Canada's most northerly national park, Quttinirpaaq National Park on northern Ellesmere Island. This park is home to herds of muskoxen and Peary caribou and a range of ecosystems uniquely adapted to life in this fearsome environment of glaciers, mountains, as well as archaeological sites dating back thousands of years.

This land is critically important to multiple groups, including Inuit from the communities of Resolute Bay and Grise Fiord. It also plays a global role in understanding the impacts of climate change. Bill S-14 would formally add 1,300 hectares to this 3.7-million-hectare park.

Further south is Riding Mountain National Park in southwestern Manitoba, which was established in 1929 to protect the Southern Boreal Plains and Plateaux Natural Region of Canada. Reflecting its distinctive ecology, geography, flora and fauna, Riding Mountain is now part of the global network of biosphere reserves established by UNESCO. Bill S-14 will add 1,100 hectares to Riding Mountain National Park.

Travelling west, you will find Grasslands National Park in southwestern Saskatchewan, which will expand by 29,000 hectares.

Canada's Prairie grasslands are considered one of the most endangered and least protected ecosystems in the country. It is estimated that less than 20% of what was once a veritable ocean of Prairie grasslands remains.

Grasslands is the only national park protecting a representative example of this ecosystem, a place where you really can see the buffalo roam and the deer and the antelope play. This bill will increase its size by almost one third.

On the opposite end of the country, you will find the picturesque Prince Edward Island National Park, home to some of the island's most beautiful beaches, cliffs, sand dunes and woods, a favourite stomping ground for waterfowl, foxes and families from across Canada. Bill S-14 will add 587 hectares to this national park.

This bill also adds land to Point Pelee National Park near Lake Erie, an area long beloved by birdwatchers and wildlife enthusiasts. Due to its ideal location along the migration route, over 390 species of birds have been known to land in the Point Pelee Birding Area. It's also a favourite stop for migrating monarch butterflies.

Quebec's Mingan Archipelago National Park Reserve, home of the largest concentration of some of Canada's most distinctive rock formations, will also grow by 41 hectares.

• (1500)

Bill S-14 would further protect lands in one of Canada's most accessible national parks: Thousand Islands National Park along the St. Lawrence River in Ontario. More than 15 million Canadians live within a three-hour drive of the park.

Tuktut Nogait National Park may be Canada's least accessible park. Located 170 kilometres north of the Arctic Circle, this national park offers an environment that is as unforgiving as it is magnificent. Bill S-14 would officially increase the size of Tuktut Nogait National Park by more than 10% — some 184,000 hectares, an area somewhat larger than Jamaica. The proposed expansion includes measures to protect the rights of participants under the Sahtu final agreement to use this area for harvesting wildlife and plants.

It's important to note that these lands are already owned and controlled by Parks Canada, but do not yet benefit from the standards of protection offered by the aforementioned acts. Specifically, there have been concerns about poaching and, most significantly, illegal dumping. It's imperative that we act quickly to enable Parks Canada to enforce laws to prevent illicit activities from damaging these ecologically rich ecosystems.

Bill S-14 also contains housekeeping amendments to clarify and strengthen the regulatory tools with which Parks Canada protects and conserves the areas under its authority. One of these amendments, for example, would broaden and clarify offences in relation to the discharge or deposit of substances in a national park, national urban park or a national park reserve.

The government is introducing this expansion and these regulatory tools at a time when, in Canada and around the world, terrestrial and marine ecosystems are in urgent need of protection. The ecological health of many natural places is in serious decline. Sensitive landscapes are degraded. Vital ecosystems are disrupted. Habitats are being lost, putting species at risk. Meanwhile, the crisis of climate change accelerates the pace of these changes and increases their impact.

However, nature can be very resilient if given half a chance. When we withdraw lands and water from the stresses of direct human development and protect them under Parks Canada's various forms of legislation and regulation, we take a vital first step away from a vicious cycle of environmental degradation and damage and take a step toward a virtuous cycle of ecological protection and restoration. We apply the regulatory tools to protect biodiversity and improve the health of the ecosystems.

The ultimate benefits accrue not only to the immediate habitat and its inhabitants, it creates a healthier planet, including mitigation of climate change. In the process, there are also benefits that accrue to how we develop as a society, as a culture and as a nation. Conserving and protecting natural areas, whether lands or waters, brings together stakeholders who must partner together to pursue shared goals.

Parks Canada has undergone extensive consultation with Indigenous rights holders to ensure that the traditional territories they've cared for since time immemorial are protected while ensuring their inherent rights to hunting and harvesting are not infringed. For decades, Indigenous voices were frozen out as vast tracts of their traditional territory were incorporated into the national parks system. Today, Parks Canada is engaged with more than 300 First Nations, Inuit and Métis communities across Canada in conserving, restoring and presenting Canada's natural and cultural heritage. Bill S-14 is a prime example of what can be achieved when Indigenous communities are respected, consulted and included.

I'd like to spotlight the parts of the bill that would complete the process to establish Mealy Mountains National Park Reserve and the Tallurutiup Imanga National Marine Conservation Area and enable the expansion of the Tuktut Nogait National Park. Amendments in Bill S-14 ensure that traditional activities, including Inuit harvesting rights, will continue to be guaranteed in these areas in accordance with the federal-provincial land transfer agreement, the Labrador and Inuit Land Claims Agreement, the Nunavut Land Claims Agreement and the Sahtu final agreement. These measures are imperative in order to honour Canada's obligations with our modern treaty and self-government partners, upholding the honour of the Crown.

Additionally, the bill will change the name of Gwaii Haanas National Park Reserve of Canada to Gwaii Haanas National Park Reserve and Haida Heritage Site, better recognizing the history and continued role of the Haida people, who have long called the region home.

Bill S-14 doesn't only enhance the protection of millions of hectares of unique terrestrial and marine ecosystems, it also helps sustain cultures and ways of life that have endured for centuries. These natural wonders are part of our history and identity. Canada is known around the world for our vast array of landscapes that you won't find anywhere else.

These lands are who we are. They're part of us, but they're also much bigger than us. They existed before we were born, and if we work to preserve them, they'll be around long after we've left this place.

I hope you will all join me in helping Canada's foremost conservation experts protect our natural wonders.

Thank you. *Hiy hiy*.

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

**Hon. Mary Jane McCallum:** Thank you for your speech. You said in your speech that those lands are owned and controlled by Parks Canada. Are they not in unceded territories? Otherwise, why are we doing land acknowledgments and quoting number treaty areas in the work that we do?

**Senator Sorensen:** Thank you for your question. Perhaps the wording was not appropriate. What I can say is that all the lands that are being expanded on are currently under the management of Parks Canada, and what is important is that by putting them into these two acts — the Canada National Marine Conservation Areas Act and the Canada National Parks Act — they can do the enforcement they need to on these lands.

**Senator McCallum:** Were any of these lands included in land claims?

**Senator Sorensen:** Thank you. My apologies, but I can't answer that question right now. I will take that for the briefing I'm expecting.

(On motion of Senator Martin, debate adjourned.)

## THE SENATE

### MOTION TO AFFECT THURSDAY SITTINGS FOR REMAINDER OF CURRENT SESSION—QUESTION OF PRIVILEGE— SPEAKER'S RULING

On the Order:

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

That, for the remainder of the current session and notwithstanding any provision of the Rules, when the Senate sits on a Thursday, it stand adjourned at the later of 6 p.m. or the end of Government Business, as if that time were, for all purposes, the ordinary time of adjournment provided for in rule 3-4.

**The Hon. the Speaker pro tempore:** Honourable senators, I am, after consulting the Speaker, ready to rule on the question of privilege raised by Senator McCallum on October 19, concerning government motion 132.

Senator McCallum referred to rule 13-4 in her question of privilege, but I would note that there is a specific provision dealing with notices given during Routine Proceedings. Rule 4-11(2) states that:

A Senator may raise a question of privilege relating to:

- (a) a notice given during Routine Proceedings only at the time the order is first called for consideration.

This point only rarely comes up, but it is the provision that must be taken into account when dealing with questions of privilege concerning items on notice. In the particular case we are dealing with, the result is the same, and the issue was raised at the proper time, but this need not always be the case.

In terms of the substance of the issue, we are guided by the four criteria set out in rule 13-2(1) when considering a question of privilege. All the criteria must be met.

The first criterion is that the matter must be raised at the earliest opportunity. Senator McCallum raised her concerns as soon as possible after notice was given, so this requirement has been met.

The second and third criteria require that a question of privilege "directly concern the privileges of the Senate, any of its committees or any Senator", and that it "be raised to correct a grave and serious breach". When considering these criteria, we must consider the fact that privilege exists to allow us to fulfil our duties as senators. This point has been made in various rulings, including those of May 23, 2013; February 24, 2016; March 22, 2018; and October 29, 2020. The Speaker has noted "... that the privileges and rights exercised by the Senate itself take precedence over those of individual senators". The rights and privileges of an individual senator can therefore be restricted by the Senate.

Perhaps the most fundamental right of the Senate is control over its internal affairs, including its Rules and how proceedings are conducted. The Senate itself adopted its Rules, and the Senate can vary from them as it sees fit. This is what we regularly do by deciding to only sit on Mondays or Fridays when necessary, and by adopting sessional orders concerning the 4 p.m. adjournment on Wednesdays.

Senator Gold's motion proposes another such variation. It would change the normal time of adjournment on Thursdays. Adopting this motion would be an exercise by the Senate of its fundamental right to regulate its proceedings.

In terms of the fourth criterion — that there must be no alternate parliamentary process reasonably available to pursuing a question of privilege — the issues raised are most appropriately dealt with in debate on the motion itself. Senators may indeed have concerns, as Senator McCallum expressed, that such a proposal could unduly restrict opportunities to debate non-government business. While this motion was the result of discussions between the leaders and facilitators, every senator can now enter into debate, argue for or against the proposal, and vote for or against it. Amendments can be moved. Only if the motion is accepted by the Senate itself — exercising its fundamental right to govern its proceedings — does the proposal become binding.

There is, therefore, no question of privilege, and debate can continue.

• (1510)

MOTION TO AFFECT THURSDAY SITTINGS FOR REMAINDER OF  
CURRENT SESSION—DEBATE ADJOURNED

On the Order:

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

That, for the remainder of the current session and notwithstanding any provision of the Rules, when the Senate sits on a Thursday, it stand adjourned at the later of 6 p.m. or the end of Government Business, as if that time were, for all purposes, the ordinary time of adjournment provided for in rule 3-4.

**Hon. Mary Jane McCallum:** Honourable senators, I rise today to speak to Government Motion No. 132. I would like to begin by registering concern over the limiting of debate. Any time we move to limit debate in this place, we set a dangerous precedent for ourselves while simultaneously sending a poor message to Canadians.

Colleagues, through Motion No. 132, the Government Representative Office proposes to adjourn the Senate at the later of 6 p.m. or the end of Government Business on every Thursday for the remainder of the current session — further limiting our debate in this place.

In debate on the question of privilege that I initiated on this matter on October 19, it was raised that, perhaps, I did not understand the intent and ramifications of this motion — possibly thinking that it meant non-government bills would no longer be considered on Thursdays. I would like to assure all honourable colleagues that my understanding of the outcome of this motion was clear, and I remain as concerned about it today as I was when I raised my question of privilege.

At the time, we were moving to a vote on this matter with no debate or explanation for its rationale. If I hadn't raised my question of privilege, we would not have received any information from the government on the matter.

Honourable senators, in *Canada (House of Commons) v. Vaid*, the Supreme Court of Canada stated:

Parliamentary privilege in the Canadian context is the sum of the privileges, immunities and powers enjoyed by the Senate, the House of Commons and provincial legislative assemblies, and by each member individually, without which they could not discharge their functions . . .

In the Senate, there has historically been no focus on the absence of Indigenous people's issues, and that is what I am attempting to change through my work, which is being adversely impacted through limiting debate.

Colleagues, in his remarks on October 19, Senator Gold stated that we may continue to do non-government business on many Thursdays — pointing to the possibility that this motion could conceivably see many Thursdays when we do not deal with non-government business at all.

Senator Gold also went on to state — I am paraphrasing — that there will come a time when we will become consumed with Government Business. That will probably take us well into the evenings on Thursdays.

It is a well-established fact that as we get closer to the breaks in December and June, the pace and timing surrounding Government Business picks up rapidly. Many of us would concede that these weeks, or months, necessitate a write-off of Other Business as Government Business takes precedence. When this onslaught of Government Business commences, will we still be excusing senators to travel home on Thursdays, or will we be expected to stay?

Colleagues, in acknowledging that there are already months of the year when we legitimately cannot meaningfully get to non-government business, does that not mean, then, that we should be placing a premium on dealing with such non-government business while we have the opportunity to do so? Instead, Motion No. 132 further sacrifices what time has been set aside to deal with these critical matters.

It should also be stated that the expectation of our reformed Senate is an increased diversity in our representation and, therefore, in the work that we do. In the article, "Birds of a Feather? Loyalty and Partisanship in the Reformed Canadian Senate," the authors state that recent Senate appointments have led to an increase in gender and racial diversity. They go on to state that the two main functions of the Senate are



complementary: the protection of political minorities and the provision of legislative review. In this way, the protection of political minorities is actualized by promoting minority interests in amending, defeating or even creating legislation. However, we are unable to adequately perform these functions if non-government business continues to be seen as non-vital, and, accordingly, the gaps in legislation will continue to grow.

Honourable senators, Senator Gold estimated that there were 75 Senate public bills on the Order Paper, excluding a large number of non-government motions and inquiries, all of which also raise various matters of great importance.

While it is true that the number of items under these various rubrics may be larger than they have traditionally or historically been, that is simply the result and function of the modern Senate that we all pride ourselves in having worked to establish.

Given that we are seeing an uptick in senators bringing forward matters of critical import to those communities and regions they serve, how can we justify meeting this increase in items to be considered with a corresponding decrease in the time we spend considering them?

Colleagues, expectations of a reformed Senate would organically see heightened activity in the legislative process. There is nothing wrong with the number of interventions being made, but there is something wrong when leadership restricts the process of dealing with these interventions by not allowing them to receive a vote, by not assigning a critic, by not allowing committees to sit with regularity while the Senate sits, by refusing the option of hybrid sittings and by limiting the number of hours to debate specific items.

• (1520)

Honourable senators, the ultimate justification for Motion No. 132, as alluded to, was predicated on a discussion at the leadership table of needing to ensure that senators could get home in a timely manner. One of the reasons and benefits of the Senate not sitting on Mondays and Fridays is so that those may serve as travel days, ensuring we can move between our regions and Ottawa in order to be home and in the community — uninterrupted — for the weekends.

The fact of the matter remains that on sitting weeks, we are typically scheduled to sit three days a week. We know that due to various committee and caucus group meetings — that must also be fit into these three days — the Senate typically only begins sitting at 2 p.m. We also know that the Senate adjourns early on Wednesdays to allow for further committee meetings to occur in the evenings. To now propose that we also adjourn early on Thursdays is, frankly, hard to justify when we realistically have such precious little time in the Senate to begin with.

Colleagues, for all intents and purposes, Motion No. 132 indicates that senators are agreeable to the fact that Other Business can be adequately dealt with, reliably, one day a week — on Tuesdays — with the hope and prayer that we may be able to squeeze some of these items in before early adjournment on Wednesdays and Thursdays.

Honourable senators, as it is fundamental to the overall argument that I am hoping to make, I would like to reiterate the ruling of the Supreme Court of Canada in the 2014 Senate reference question. As part of their judgment, and found within paragraphs 15 and 16 of their ruling respectively, the court affirmed the role of the Senate in assuring:

. . . the regions that their voices would continue to be heard in the legislative process even though they might become minorities within the overall population of Canada . . . .

Colleagues, I would also like to specifically read paragraph 16 of this 2014 Supreme Court ruling, as it states:

Over time, the Senate also came to represent various groups that were under-represented in the House of Commons. It served as a forum for ethnic, gender, religious, linguistic, and Aboriginal groups that did not always have a meaningful opportunity to present their views through the popular democratic process . . . .

Taken together, honourable senators, the Supreme Court has struck the heart of the work that we do here, and that we are intended to do here. We serve to fill issues that are not well served in the other place by providing a voice and a platform for those populations who have been — and who remain — underserved in our wider population.

Colleagues, we must always be mindful of the responsibilities that are inherent to the position of senator. These include the following:

The first is expectations of the highest standard of conduct as a role model to maintaining public confidence and trust. How can this be claimed if we are seriously considering cutting off Senate debate on a sitting day to enable senators to travel home on Thursdays when we have the privilege of travel time on Mondays and Fridays? Many senators already leave early on Thursdays.

The second is communicating and engaging in public debates while seeking to genuinely understand and respect the view of other senators who bring voices to the floor — when these voices have never previously been given the opportunity to do so. As senators, we all benefit from the interventions of one another in understanding myriad issues that arise in this chamber. Limiting debate effectively limits us all.

The third is carrying out senatorial duties with diligence and in the public interest. This entails not only making space for regional and under-represented issues, but also making adequate time to hear and debate these issues. Additionally, this entails ensuring legislation is permitted to come to a vote once debate has been exhausted, and transcending the partisan posturing that has led to historical inefficiencies in our operations.

The fourth is promoting constitutional legal requirements, values and goals, including equality and freedom from unlawful discrimination. Many of the non-governmental items on the floor deal with historical and current institutional, geographical and environmental racism — issues never before broached in this place. By limiting debate on these and similar items — items that are underpinned by constitutional legal requirements — we are

forcing certain groups, including First Nations, to be continually reliant on courts and litigation to enforce their constitutional rights.

I thank colleagues for listening, and I appeal to each of you to act so that we collectively do the right thing in ensuring that we do not further restrict and limit debate on non-government business.

Thank you.

(On motion of Senator Clement, debate adjourned.)

### MEDICAL ASSISTANCE IN DYING

REAPPOINTMENT OF SPECIAL JOINT COMMITTEE—  
MESSAGE FROM COMMONS—  
MOTION ADOPTED

The Senate proceeded to consideration of the message from the House of Commons:

Wednesday, October 18, 2023

*EXTRACT, —*

That,

- (a) the Special Joint Committee on Medical Assistance in Dying be re-appointed, in accordance with Recommendation 13 in the second report of the Special Joint Committee on Medical Assistance in Dying;
- (b) five members of the Senate and 10 members of the House of Commons be members of the committee, including five members of the House of Commons from the governing party, three members of the House of Commons from the official opposition, and two members of the House of Commons from the opposition who are not members of the official opposition, with two Chairs of which the House Co-Chair shall be from the governing party and the Senate Co-Chair shall be determined by the Senate;
- (c) in addition to the Co-Chairs, the committee shall elect three vice-chairs from the House, of whom the first vice-chair shall be from the Conservative Party of Canada, the second vice-chair shall be from the Bloc Québécois and the third vice-chair shall be from the New Democratic Party;
- (d) the quorum of the committee be eight members whenever a vote, resolution or other decision is taken, so long as both Houses and one member of the governing party in the House, one from the opposition in the House and one member of the Senate are represented, and that the Joint Chairs be

authorized to hold meetings, to receive evidence and authorize the printing thereof, whenever six members are present, so long as both Houses and one member of the governing party in the House, one member from the opposition in the House and one member of the Senate are represented;

- (e) the House of Commons members be named by their respective whip by depositing with the Clerk of the House the list of their members to serve on the committee no later than five sitting days after the adoption of this motion;
- (f) changes to the membership of the committee, on the part of the House of Commons, be effective immediately after notification by the relevant whip has been filed with the Clerk of the House;
- (g) membership substitutions, on the part of the House of Commons, be permitted, if required, in the manner provided for in Standing Order 114(2);
- (h) where applicable to a special joint committee, the provisions relating to hybrid committee proceedings contained in the Standing Orders of the House of Commons shall also apply to the committee;
- (i) the committee have the power to:
  - (i) sit during sittings and adjournments of the House,
  - (ii) report from time to time, to send for persons, papers and records, and to print such papers and evidence as may be ordered by the committee,
  - (iii) retain the services of expert, professional, technical and clerical staff, including legal counsel,
  - (iv) appoint, from among its members such subcommittees as may be deemed appropriate and to delegate to such subcommittees, all or any of its powers, except the power to report to the Senate and House of Commons,
  - (v) authorize video and audio broadcasting of any or all of its proceedings and that public proceedings be made available to the public via the Parliament of Canada's websites;
- (j) the committee submit a final report of its review, including any recommendations, to Parliament no later than January 31, 2024; and
- (k) following the presentation of the final report in both Houses, the committee shall expire; and

that a message be sent to the Senate requesting that House to unite with this House for the above purpose and to select, if the Senate deems advisable, members to act on the proposed special joint committee.

**Hon. Marc Gold (Government Representative in the Senate)** moved:

That:

- (a) the Special Joint Committee on Medical Assistance in Dying be re-appointed, in accordance with Recommendation 13 in the second report of the Special Joint Committee on Medical Assistance in Dying;
- (b) the committee be composed of five members of the Senate, including one senator from the Opposition, two senators from the Independent Senators Group, one senator from the Canadian Senators Group, and one senator from the Progressive Senate Group, and ten members of the House of Commons, with two chairs, of whom the Senate co-chair shall be from the Opposition and the House co-chair shall be from the governing party;
- (c) in addition to the co-chairs, there be one deputy chair from the Senate, from the Independent Senators Group and three vice-chairs from the House;
- (d) the quorum of the committee be eight members whenever a vote, resolution or other decision is taken, so long as both houses are represented and that one member from the Senate, one member of the governing party in the House, and one member from the opposition in the House are present and that the co-chairs be authorized to hold meetings, to receive evidence and authorize the publication thereof, whenever six members are present, so long as both houses are represented and that one member of the Senate, one member of the governing party in the House and one member from the opposition in the House are present;
- (e) the five senators to be members of the committee be named by means of a notice signed by their respective leader or facilitator, or their respective designates, and filed with the Clerk of the Senate no later than 5:00 p.m. on the day after this motion is adopted, failing which, the leader or facilitator, and, in the case of the Independent Senators Group, the deputy facilitator if appropriate, of any party or group identified in paragraph (b) that has not filed the name of a senator with the Clerk of the Senate, shall be deemed to be named to the committee, with the names of the senators named as members being recorded in the *Journals of the Senate*;
- (f) for greater certainty, changes to the membership of the committee on the part of the Senate be made in accordance with rule 12-5;

- (g) for greater certainty, the provisions of the order adopted by the Senate on October 17, 2023, respecting the participation of senators in hybrid meetings of joint committees until June 30, 2024, apply to senators on this committee;
- (h) the committee have the power to:
  - (i) meet during sittings and adjournments of the Senate;
  - (ii) report from time to time, to send for persons, papers and records, and to publish such papers and evidence as may be ordered by the committee;
  - (iii) retain the services of expert, professional, technical and clerical staff, including legal counsel; and
  - (iv) authorize video and audio broadcasting of any or all of its public proceedings and to make them available to the public via the Parliament of Canada's websites;
- (i) the committee submit a final report of its review, including a statement of any recommended changes, to Parliament no later than January 31, 2024;
- (j) following the tabling of the final report in both houses, the committee expire; and
- (k) a report of the committee may be deposited with the Clerk of the Senate at any time the Senate stands adjourned, and that any report so deposited may be deposited electronically, with the report being deemed to have been presented or tabled in the Senate; and

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

• (1530)

[*Translation*]

**Hon. Pierre J. Dalphond:** Honourable senators, I support this motion. I just want to clarify something. Paragraph (b) of the motion states, and I quote:

... the Senate co-chair shall be from the Opposition and the House co-chair shall be from the governing party;

I'd like to remind senators that this motion is about reconstituting the committee. Under the original motion, the Senate co-chair was chosen by senators on the committee. Following a meeting that Senator Gold had the pleasure of chairing, we agreed to designate Senator Martin as co-chair of the committee. She did an excellent job, and I commend her for that. I support this motion because it refers to the fact that the Senate co-chair must be a member of the opposition, in this case Senator Martin. I also support the motion because it reconstitutes the committee in the way that we had set it up originally, not because I support the principle that a joint committee of the

Senate and the House of Commons that is co-chaired by a member of the government party in the House should automatically be co-chaired by a member of the Conservative Party in the Senate. Thank you.

**Senator Gold:** I thank Senator Dalphond for that clarification and for his support for this motion.

[*English*]

Honourable senators, I rise briefly to speak to the motion in response to the message from the other place concerning the reappointment of the Special Joint Committee on Medical Assistance in Dying.

The objective of reconstituting the committee and the need for adopting this motion in a timely fashion is to fulfill the terms of Recommendation 13 of its second report, which states:

That, five months prior to the coming into force of eligibility for MAID where a mental disorder is the sole underlying medical condition, a Special Joint Committee on Medical Assistance in Dying be re-established by the House of Commons and the Senate in order to verify the degree of preparedness attained for a safe and adequate application of MAID (in MD-SUMC situations). Following this assessment, the Special Joint Committee will make its final recommendation to the House of Commons and the Senate.

In short, the motion that I have moved in response would simply revive the joint committee under the terms that have prevailed for the duration of this Parliament, an approach that enjoys the support of the Senate's leadership. I would also note that the message we received from the other place was adopted unanimously.

The committee requires continuity, honourable senators, and the subject matter, as we all know, is a highly sensitive one.

The issue under discussion is a narrow one, that of mental illness as the sole medical condition when requesting an assessment for medical assistance in dying. As we know, colleagues, the implementation of this specific provision was delayed for one year, until March 2024.

I mention the time frame specifically because it is imperative that the committee begin convening as soon as possible. The reporting date for the committee, as I mentioned in reading the motion, is January 31, 2024.

If the chamber, in its wisdom, adopted this motion today, the Special Joint Committee on Medical Assistance in Dying could begin meeting as expeditiously as possible. Therefore, I would urge you to support this motion so that the joint committee can begin undertaking its important and serious work. Thank you, colleagues.

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

**Some Hon. Senators:** Question.

[ Senator Dalphond ]

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

[*Translation*]

## CUSTOMS TARIFF

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Housakos, seconded by the Honourable Senator Ataullahjan, for the second reading of Bill S-204, An Act to amend the Customs Tariff (goods from Xinjiang).

**Hon. Bernadette Clement:** Honourable senators, I note that this item is at day 15 and I'm not prepared to speak to it. Therefore, with leave of the Senate and notwithstanding rule 4-15(3), I move the adjournment of the debate for the balance of my time.

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

**Hon Senators:** Agreed.

(Debate adjourned.)

[*English*]

## HELLENIC HERITAGE MONTH BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Loffreda, seconded by the Honourable Senator Moncion, for the second reading of Bill S-259, An Act to designate the month of March as Hellenic Heritage Month.

**Hon. Yonah Martin (Deputy Leader of the Opposition):** I move the adjournment of the debate for the balance of my time.

(On motion of Senator Martin, debate adjourned.)

[*Translation*]

**DEPARTMENT OF FOREIGN AFFAIRS, TRADE AND DEVELOPMENT ACT**

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Gerba, seconded by the Honourable Senator Klyne, for the second reading of Bill C-282, An Act to amend the Department of Foreign Affairs, Trade and Development Act (supply management).

**Hon. Diane Bellemare:** Colleagues, I would like to begin by acknowledging that I am delivering my remarks on the unceded territory of the Algonquin Anishinaabe people.

I rise today to speak in support of Bill C-282, An Act to amend the Department of Foreign Affairs, Trade and Development Act (supply management) at second reading.

• (1540)

I don't want to reiterate the arguments put forward by the bill's sponsor, Senator Gerba, or by Senator Forest, because they ably explained why we have supply management and what it's supposed to achieve.

I also know that the topic of dairy, egg and poultry supply management can be polarizing for many Canadians. Why should we pay more for imported cheese and eggs, milk and poultry? That's certainly a legitimate question.

Many economists, including my husband, are against supply management, particularly if they like certain types of French cheese that we can't get here.

I'm an economist too, but I don't feel that economic theory is grounds for me to reject Canada's system out of hand.

I don't think I'm adequately informed to make definitive statements about supply management and the fact that its costs clearly outweigh the associated benefits. I think it's a complex and highly regulated system, and I don't think we should attack it unless we really know what we're talking about.

In my speech, I will try to convince you that we need to vote in favour of Bill C-282 quickly.

Why? Because this bill is not a vote on supply management, but on a matter of principle. The principle is this: Do we want to remove from the free trade negotiations institutional aspects that set us apart as a country, as in the case of Canadian cultural industries and our social programs?

I'm now getting to the substantive part of my speech.

Bill C-282 is just a few lines long. It amends the Department of Foreign Affairs, Trade and Development Act so that the Minister of Foreign Affairs cannot make certain commitments on behalf of the government to increase the import of dairy products, eggs or poultry or reduce the tariffs.

In short, the bill prohibits the minister from negotiating, on behalf of the government, free trade agreements on the back of supply management.

Why is such an effort being made in support of supply management? It is simple: This system, based on controlling production, prices and imports, is complex and worth a lot of money, more than \$36 billion — in fact, nearly \$37 billion. I'll come back to that.

If Canadians want to change this system, they can. I suggest they do so with transparent choices and decisions that are made in the context of a public debate.

At first glance, this supply management system works quite well and has proven effective in ensuring the stability of local supply for essential goods, which was its objective.

Tackling this issue indirectly through free trade negotiations lacks legitimacy because the stakes are high. The public policy choices made in the 1970s can really only be called into question in the context of other, fully informed public policy choices. As others before me have said, the supply management system was put in place in the 1970s in response to issues of overproduction that were driving down the prices of certain essential goods and threatening the viability of Canadian farms.

Before I go on, I'd like to share a little personal anecdote. Senator Cotter often prefaces an argument with a little personal anecdote that always manages to capture my attention. I'm drawing my inspiration from him.

My father was a taxi owner and driver for a long time, until I was 10. He was a professional driver and proud of it. He worked long hours and enjoyed being self-employed. That's why he owned his own cab.

Then, as now, the taxi industry was heavily regulated and adhered to supply management principles. A person could not then, and cannot now, just hang out their shingle as a taxi driver. That was before Uber. Supply was strictly regulated by the availability of a limited number of taxi vehicle permits. My father bought a taxi permit that allowed him to operate a taxi in the city of Montreal. A taxi driver like my dad needed a driver's licence, a vehicle and a taxi permit. The price of a taxi permit varied depending on the economy, but there was always a limited number of permits.

In the late 1950s and early 1960s, economic activity in Canada had slowed considerably, and my father, who was the breadwinner of the family, was having trouble covering the costs of his taxi and earning enough money to feed his family of four children. The cost of taxi permits was starting to drop. It was normal. There was less activity and things were more difficult. My father got the idea to sell his Montreal taxi permit before the price dropped too much and to buy a less expensive permit from

a small neighbouring town so that he could continue to work long hours driving a cab and keep himself out of debt. I have very strong memories of those conversations because my mother was very concerned about that decision.

In the end, it took a long time for the taxi industry to recover from the recession in the early 1960s, and my father had to sell the second taxi permit and stop driving a taxi. Despite his long hours of work, he was unable to cover the costs of his business.

This period had a profound effect on me and helped me to better understand the workings of the taxi industry and the basis for supply management a little better. In this case, it was about controlling the service offering by issuing a limited number of taxi permits.

When I was doing my master's at the University of Western Ontario, it helped me pass an exam, when most of my peers didn't understand the question. Obviously, supply management is a complex issue.

You're probably wondering what this has to do with Bill C-282. The connection is simple. Farmers in the dairy, egg and poultry sectors also need to buy a permit to produce. These are basically production quotas. These production quotas are limited in number. When the government issued them in 1970 to limit production, they were distributed free of charge. Over time, as farms have changed hands, quotas have become more valuable. Today, quotas are traded monthly based on the price of supply and demand.

As such, farmers can't simply decide to produce milk, eggs or poultry. They must first buy production quotas, much like taxis need a licence. For a medium-sized farm in Quebec, production quotas can be worth around \$1.5 million. If I remember correctly, that's for a farm with 64 cows. This \$1.5-million investment for a production quota doesn't take into account the value of the animals, the farm or the land.

• (1550)

That is why production quotas are considered financial assets. To indirectly undermine the supply management system through free trade agreements that open the market to imports is to gamble with the farming assets and financial arrangements of Canadian farms. It is an important aspect because the farmers go into debt to buy quotas.

Honourable colleagues, as Senator Gerba and Senator Forest explained so well, supply management of dairy products, eggs and poultry rests on three pillars: production quotas, price control and import control. It is clear that market liberalization through free trade agreements will have an impact on the price of products and on the value of the production quotas.

Supply management of the dairy, egg and poultry sectors is a complex system, especially because of the underlying regulation. This sector is very important to Canada.

According to a 2018 Library of Parliament study using 2017 data, the sector represents some 350,000 jobs, \$29.6 billion in production and almost \$7 billion in government revenue. There's

[ Senator Bellemare ]

more, though. In 2017, the value of production quotas was almost \$37 million. That is the total value of supply management, and that amount is spread out across all the provinces in all our senatorial divisions.

For example, in Ontario, quota value is \$14 billion. In Quebec, it's about \$10 billion.

In the West — British Columbia, Alberta, Saskatchewan and Manitoba — it's \$11 billion in financial assets. In the Maritimes, it's \$2 billion. That's nothing to sneeze at.

When we open the Canadian market to foreign producers that are heavily subsidized by their own governments, that disrupts our system. We don't know how serious the unexpected consequences of that can be.

That's why I support this bill, which prevents the Minister of Foreign Affairs from making concessions during free trade negotiations. The supply management system is too complex to be part of the back-and-forth of free trade negotiations. In my opinion, it is far too valuable.

For all these reasons, I will be voting in favour of the bill, and I invite you to do the same, regardless of your position on supply management.

As you know, the vote at second reading of a bill is on the principle of the bill. The question is, do we agree with the principle of this bill? Now, this legislation stems from the general principle that we don't want to transform our institutions, whether cultural, social or economic. In this case, it is within the context of free trade agreements.

By the way, I'd like to remind everyone that this bill passed third reading in the other place and was supported by all four party leaders.

It doesn't seem legitimate to me to vote against this bill at second reading.

Thank you. *Meegwetch.*

[*English*]

**The Hon. the Speaker pro tempore:** Honourable senators, we have 33 seconds left. Senator Bellemare, if you would like to answer questions, you will have to ask for five more minutes.

[*Translation*]

Senator Bellemare, would you like to ask for five more minutes?

**Senator Bellemare:** If there are any questions, I'm ready to answer them.

**Hon. Senators:** No.

[English]

**The Hon. the Speaker pro tempore:** No extension is granted, and your time has expired.

(On motion of Senator Martin, debate adjourned.)

### THE SENATE

#### MOTION TO URGE GOVERNMENT TO ACCELERATE THE IMPLEMENTATION OF DIGITAL SOLUTIONS THAT TRANSFORM THE PUBLIC SERVICE DELIVERY EXPERIENCE OF CANADIANS—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Deacon (*Nova Scotia*), seconded by the Honourable Senator Smith:

That the Senate call on the Government of Canada to replace its outdated program delivery and information technology systems by urgently accelerating the implementation of user-friendly, digital solutions that transform the public service delivery experience of Canadians, and ultimately reduce the cost of program delivery.

**Hon. Tony Dean:** Honourable senators, I rise today to speak to Senator Colin Deacon's motion calling upon the Government of Canada to reform its program delivery and information technology systems by urgently accelerating the implementation of user-friendly digital solutions, to transform the public service delivery experience of Canadians while at the same time reducing costs. I support Senator Colin Deacon's motion, colleagues. I imagine most of you do too.

I would like to speak this afternoon about the context of reforming public services more generally and to share my own experience in leading public service reforms as a former head of Ontario's public service. I'm going to start with a public service delivery reform story and then draw some pointers that I think are important in the context of Senator Deacon's motion.

Shortly after the first election of former premier of Ontario Dalton McGuinty in 2003, he tasked me with addressing some pressing public service delivery issues, including reducing wait times for key health care procedures, such as cardiac and cancer surgeries; improving standardized student test scores and reducing high school dropout rates; and addressing severe backlogs in the issuance of birth certificates. All of these things were subsequently accomplished. Today, I'm going to focus on the issuance of birth certificates because it goes directly to the benefits of digitization.

In 2004, colleagues, wait times for birth certificates in Ontario had reached nine months, causing analogies to be made with the time frame — you know what I'm going to say about the romantic evening. The former premier, though, was understandably not amused. Public service delivery had become

a political issue. The public service team, led by former deputy minister Michelle DiEmanuele, who is the current head of Ontario's public service, mapped the process chain and found that the birth certificate process was entirely paper-based, with applications arriving by mail in Toronto, being shipped by van to Thunder Bay for processing and driven back south to Toronto for final shipping out to applicants. Tougher security protocols, which had been tightened after the 9/11 attacks two years earlier, made things worse.

The team quickly concluded that digitizing the process could reduce processing times from months to days and reduce costs from dollars per transaction to cents per transaction. The cost was initially around \$5 or \$6 per transaction. It also provided the opportunity to redeploy staff to higher value-added work. I said, "Let's do it." I had a chat with the premier, and off we went.

• (1600)

In less than a year, the new system was launched after two or three offline test runs.

Wait times for birth certificates in Ontario were reduced from 9 months to 14 days, with an option for an expedited 7-day service delivery with a money-back guarantee if that was not met. This, understandably, became a popular service — and I'm not exaggerating — with complaint letters quickly being overtaken by thank-you letters, a rare occurrence in public service organizations.

What can we learn from this?

First, it helps if a transformation priority is a premier's priority or a prime minister's priority because that makes it a priority for the head of the public service.

Second, just like in any other organization, one of the key jobs for leaders is to identify big challenges and fix them or positively identify big opportunities and seize them.

Third, human resources leadership capacity is critical. This is a function that was and, I think, still is routinely underappreciated where it should be elevated. It is a key success factor in leading and managing change. The most important HR decision we made at that time was, instead of going out to consulting companies, to recruit a seasoned IT manager from one of Canada's largest phone service providers who had led that company's transition from paper-based to digitized public service delivery.

Fourth, we needed the right people working on these priorities — this was not just another job — so we assigned enthusiastic reformers who see the opportunity to change public services for the better. Believe me, there is no end of public servants with these skills who are waiting to be asked at every level of government, including the federal government. They just need to be asked and they need to be tasked.

If that was possible, what about reforming applications and access to birth registration at the municipal level, which is a precondition for birth certificates, driver's licences, health card renewals and social insurance numbers at the federal level, which are, in turn, a precondition for passport applications, obviously, and other federal government services?

Colleagues, many of these services are now available online or in joined-up service centres such as Service New Brunswick, Service BC, Service Alberta and ServiceOntario. Other provinces and territories have similar service centres.

Colleagues, bringing Canada to this table joined up service delivery through digital means and through joined-up one-door, one-window service centres and was the last hurdle in making this multi-jurisdictional.

Following a frank meeting between Ontario's then-head of public service and a senior minister representing the federal government of the day, the key logjam to bringing the federal government together with the province and the municipalities was solved. Everyone's flag would be on the rooftop, and everybody's name plate would be on the front door. That's what it took eventually because it was about visibility, an understandable concern.

What did we learn from these reform initiatives? Just like everywhere else, leadership and expectation-setting from political leaders are important drivers of change initiatives. Virtuous reform initiatives focused on improving public services attract supporters and activists in the public service organizations, and breakthroughs happen. The tumbler locks, the combination falls into place, the lock opens, and change happens.

As we have heard, digitization reduces cost from dollars to cents per transaction.

Most importantly, improving public service delivery — and this has been proven — increases citizens' confidence in government. Numbers don't matter as much as consumers', customers' and citizens' expectations and experiences at the focal point of delivery. They look at things like this: How long do I have to wait on the phone or in line for a public service or cancer care? Do I have confidence in my teachers? Is my kid's school clean? How long do I have to wait for other medical services? I've mentioned cardiac, but what about hips, knees and eye surgeries?

Colleagues, improving public services is the right thing to do.

Lastly, I want to touch on something that is very important, particularly when we look at federal national organizations. This is true not only of Canada but also of other countries, and it's certainly true of other federations.

Scale, obviously, matters. When we were creating this empowered service delivery organization, ServiceOntario, I wanted to know why New Brunswick was ahead of us. Why did New Brunswick beat us to the punch on this, and a couple of other smaller jurisdictions as well? It took a lot to get answers to this question. They had entrepreneurial leaders, of course, but

part of the answer was that New Brunswick is relatively small, and the smaller the jurisdiction, the faster and easier it is to implement change.

Scale tends to be important internationally, too, with smaller countries and subnational jurisdictions advancing ahead of national governments. For example, Australian states, just like Canadian provinces, have been entrepreneurial in relation to their national counterparts. Those are two countries that public service colleagues and political leaders around the world look to for public service success stories. That includes at the federal level, colleagues.

The same is true in Europe. Smaller and recently modernizing countries are often ahead of their larger counterparts. Lithuania is a prime example of that, as is Albania.

But the U.K. has come a long way also — it is a large country with a large national government — especially with the digitization of passport renewals and, for a lengthy period of time, with automated income tax processing for those in regular employment.

As many of you know, regular workers earning hourly incomes and salaried employees can choose not to file tax returns. They are otherwise automated, and you simply receive a refund or an order for payment of deficits.

So, colleagues, yes, we must expect more from our federal government, and we know it can deliver. We've seen this with the rollout of the Canada Child Benefit, which has lifted almost 400,000 children out of poverty since 2016.

Here is another anecdote. When I was in the public service, we used to call poverty an intractable problem — too thorny to fix, too big to wrap our arms around — until poverty became too expensive. We then started to figure out how to tackle it. The Child Benefit is a terrific example of lifting large numbers of needy people out of poverty. It is the same with the Guaranteed Income Supplement for seniors. There will be myriad other examples.

Finally, it is important to highlight the work of the Institute for Citizen-Centred Service, formed decades ago by a group of federal and Ontario public servants, which still produces periodic benchmarking reports on key aspects of public service delivery. Some of my former federal colleagues around the room will recognize this.

Colleagues, we can be proud of our public servants working at all levels across this country. They are as hard-working and as entrepreneurial as those working in other sectors of the economy, but they — perhaps understandably — work in risk-averse environments. Colleagues, we have to send the right signals. We just have to unleash that entrepreneurial talent, and we can get, in a relatively short space of time, to where Senator Deacon would like us to be.



• (1610)

For every one of the stories of successful public service reform I've mentioned tonight there are countless more, but there is also much more to do. I thank Senator Deacon for opening up this important conversation. Thank you.

**Hon. Colin Deacon:** Senator Dean, thank you for bringing your excellent experience to this debate. I wonder if you could speak briefly about the need to change policies, regulations and practices in order to achieve those efficiencies. You can't digitize the old cow paths; you have to change how you do things. Can you speak to that? Thank you.

**Senator Dean:** Thank you, Senator Deacon. I have seen organizations with exceedingly heavy regulatory and rule-bound systems, and it is remarkable how those can dissolve — maybe temporarily — when a prime minister or a premier and a head of public service task public servants with getting to an end goal quickly. Those barriers can be removed. I wouldn't want to create the impression that we need to go through a long period of changing the myriad rules in public service organizations to get to the goal quickly.

Those things should be done, but my advice would be to not get tangled up with that. Let's clearly identify objectives, put political weight behind them, put public service leadership behind them and get the right people in the right jobs from the right places who have done this before and demonstrated success, and we will move the yardsticks.

(On motion of Senator Martin, debate adjourned.)

## CHALLENGES AND OPPORTUNITIES OF CANADIAN MUNICIPALITIES

### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Simons, calling the attention of the Senate to the challenges and opportunities that Canadian municipalities face, and to the importance of understanding and redefining the relationships between Canada's municipalities and the federal government.

**Hon. David M. Arnot:** Honourable senators, I rise today to speak in support of Senator Simons' inquiry into the challenges and opportunities of Canadian municipalities. I thank Senator Simons for giving this chamber the opportunity to reflect on this timely and critical topic. I add my voice to those of our colleagues, using my home province of Saskatchewan as a lens to frame my observations.

As with other jurisdictions, legislation compels municipalities in Saskatchewan to provide good government, services and facilities, all while fostering economic, social and environmental well-being and ensuring public safety. These purposes seem straightforward and unobjectionable. Why do we need this inquiry?

Over the course of the summer, I reached out, met with and listened to municipal leaders. These leaders are true champions for their communities, they are committed and they are driven to serve the public. They are pursuing large projects like new public libraries, event centres and partnerships to promote post-secondary education.

Like all other municipalities in Canada, Saskatchewan's communities are also facing real, hard truths. In addition to the kinds of projects that could be considered jewels, they are creating — partnering — to offer warming shelters in parks, rapid access programs, overdose outreach teams and counselling for children, youth, and caregivers. They are responding to the significant social, safety and economic challenges related to mental health and addictions; toxic and contaminated drug supplies; domestic violence and sexually transmitted and blood-borne infections.

Municipal governments are increasingly taking on responsibility for long-standing social challenges, many of which are exacerbated by the rising costs of shelter, food and fuel. They are having to replace aging infrastructure that is more costly than ever to repair and replace. Municipalities are responding to these hard realities with and without the support of federal and provincial governments.

His Worship Mayor Charlie Clark, the Mayor of Saskatoon, observed that:

We currently have a patchwork of funding programs that provide very little predictability or ability to plan. Cities are being called more and more to step outside our spheres of control to meet the needs of our communities, as we take on more responsibilities being downloaded onto us.

Federal-provincial and federal-territorial partnerships have been a long-standing pathway to achieve social and infrastructure objectives. For example, the Investing in Canada Plan is a 12-year, \$188-billion investment strategy that started in 2016. However, the Parliamentary Budget Officer reported that this program has likely:

. . . contributed to increase municipal capital spending, but not provincial capital spending. . . . funding from the federal government probably displaced provincial investments . . . .

Municipal leaders are acting within — and sometimes beyond — the constraints of their mandate and resources. They are making hard choices for two reasons. One, they cannot operate with a deficit, and two, their ability to tax residents was not designed for and cannot keep pace with current realities.

Municipalities are at the forefront of service provision and their costs to operate and respond to their residents is increasing. Citizens are dealing with year-over-year cost of living increases and a consumer price index that has seen an almost 4% increase in the last twelve months. Municipalities are responding to these price increases — gas and fuel costs, for instance — and declining housing availability, which in turn amplifies addictions, mental health concerns and homelessness. The Federation of Canadian Municipalities has, for example, long called for federal investment in programs that address both housing and chronic homelessness, particularly for our most vulnerable populations.

In my home community of Saskatoon, 550 people are known to be experiencing homelessness, an increase of 15% since 2018. This is believed to be a very conservative estimate. Of those, 83% identify as Indigenous and 49% said they experience chronic homelessness. Saskatchewan reported a 14.8% increase in housing starts between September 2022 and September 2023, a 1.6% year-over-year comparison.

While this is a welcome shift, the current inventory level of housing in Saskatchewan is exceptionally low. Just weeks ago, the Saskatchewan Realtors Association reported that housing inventory is the lowest it has been since 2009. The Saskatchewan Housing Continuum Network projected a need for more than 100,000 housing units by 2030 based on expected population growth over the next eight years.

To be clear, municipal leaders are builders. They are proud of their people, their community and their province. What they want is better relationships with and between their province and the federal government so that communities and people can succeed.

His Worship Mayor Charlie Clark told me that he supports:

. . . [the] exploration of a new funding and governance model for cities that will reflect the urban reality of Canada, today. [that] so much of what determines the well-being of our country — the health of our citizens, our climate, our economy, our democracy — plays out on the streets of our cities. [because, as he observes, cities] have the least flexibility in terms of revenue and jurisdictional authority to be able to address these challenges and meet the needs of our citizens. [And further,] the urgency of addressing these issues, especially in terms of having tools to address aging infrastructure needs, responding to the climate challenge, building a new era of urban truth and reconciliation, and stopping the growing crisis of homelessness and addictions.

• (1620)

These sentiments were echoed in a letter to me from Her Worship Sandra Masters, Mayor of Regina. She further amplified the relationship between climate change, infrastructure and resources:

Climate adaption continues to be a focus of the City of Regina as we work towards becoming a renewable, net-zero community by 2050. Rebuilding and retrofitting infrastructure to meet net-zero requirements is no small feat and requires substantial funding. Furthermore, infrastructure renewal directly impacts our capacity to address other municipal issues of infrastructure. We value federal programs such as the Canada Community-Building Fund and the Investing in Canada Infrastructure Program and would welcome direct access to alternate flexible funding programs . . . .

[ Senator Arnot ]

— from the federal government.

The need for funding and revenue streams is common to all Canadian municipalities. Cities, towns and villages across Canada are responsible for 60% of the infrastructure in Canada.

In my province, the Saskatchewan Urban Municipalities Association, or SUMA, has stated that projects, including critical infrastructure projects, are going over budget because of the cost of construction and labour shortages. Projects are being cancelled, and there is increased rescoping and phasing in taking place.

For example, bids for road and sidewalk improvements are 30% higher than they were in 2021, just two years ago. There has been at least a 6% increase in construction costs, as well. Urban municipalities are looking for — and use — federal infrastructure grants to meet their obligations.

Ms. Randy Goulden, President of SUMA, told me that her home community, the city of Yorkton, with a population of 25,000 people, is facing significant challenges with its water system. It has been denied funding on several occasions by infrastructure programs. President Goulden believes that longer funding time frames are needed to address the looming infrastructure gaps in urban municipalities. Together, the cities of Saskatoon and Regina represent over 40% of the Saskatchewan population of 1.1 million people.

However, the social and resource-related issues are not unique to urban settings. More than 30% of Saskatchewan's population lives in rural areas. Mr. Ray Orb, President of the Saskatchewan Association of Rural Municipalities, told me that the needs of the people he serves are somewhat different. There is a focus on land, water and transportation, which enable jobs that are connected to Saskatchewan's agricultural economy.

The drought crisis from this past summer, for example, is increasing demands to get water where it is needed. A lack of infrastructure means that that is not happening, and 70% of the available fresh water in Saskatchewan cannot be accessed for agricultural purposes as a result.

Federal programs that offer even two-thirds funding that could help with such challenges are often out of reach for rural municipalities. The one-third financial contribution required of rural municipalities is not fiscally possible because of their limited tax bases. Of all the things that would help rural municipalities, it was not programs or money that Mr. Orb highlighted. He called for better communication and better consultation, as well as direct involvement by municipalities in the federal-provincial discussions that affect them.

Colleagues, I believe our country is ready for direct dialogue. Indeed, Canada needs it. As I was told by municipal leadership:

Canada will only thrive if our cities and communities can thrive. [That it] is time to build a financing and governance model that enables that to happen . . . .

— in a modern era.

What are the solutions? It has been argued, convincingly, that the constitutional doctrine that municipalities are “creatures of the provinces” is a legal fiction. That is, the real and prominent place in the Canadian state that municipalities hold must be recognized. I believe it is our role, as senators, to consider the practicalities as well as the legalities in this inquiry. This inquiry recognizes the real, practical importance of municipalities to the fabric of our country.

Of course, the provinces are rightly protective of their authority. It is also true that the federal government has the ability and the tools — if not the obligation — to work with provinces and municipalities. Relationships are the lifeblood of our municipalities. Good relationships ensure success. Local leaders know this.

In a municipality, no matter if you are the mayor, the reeve or a councillor, you cannot avoid questions about taxes, services or roads in the grocery store checkout line. In other words, accountability between residents and the civic leadership is part of the day-to-day; it is baked in.

Canadians should expect no less of our federal, provincial and municipal relationships. I have said many times that the health and well-being of communities is directly related to the health and well-being of all communities that comprise the whole. Canadians want and deserve healthy communities and healthy municipalities.

These acute issues need identification and solutions. I support the inquiry, and I look forward to its report.

Thank you.

[*Translation*]

**Hon. Éric Forest:** Will the honourable senator take a question?

**Senator Arnot:** Yes.

**Senator Forest:** Congratulations on your speech. It was music to my ears. In Quebec, the municipalities collect approximately 10% of all tax revenue and yet they are responsible for 60% of the infrastructure. That imbalance is unacceptable. Is the situation the same in your province?

[*English*]

**Senator Arnot:** I agree with that observation, Senator Forest, and I think this is the purpose of the inquiry. We need to have a new governance model and a new direct relationship between municipalities and the federal government.

Thank you for that question, and thank you for your support.

**An Hon. Senator:** Hear, hear.

(On motion of Senator Clement, debate adjourned.)

(*At 4:30 p.m., the Senate was continued until tomorrow at 2 p.m.*)

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