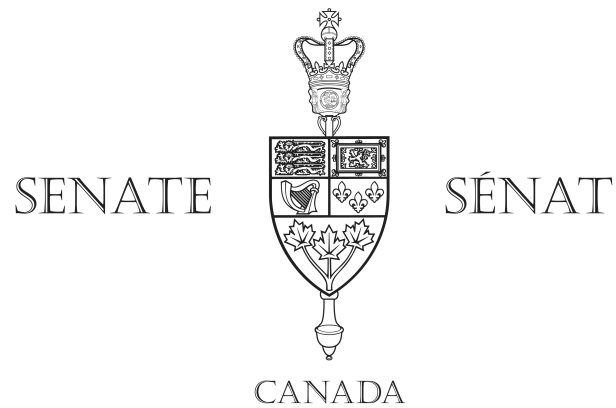




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(HANSARD)

Tuesday, December 12, 2023

The Honourable RAYMONDE GAGNÉ,
Speaker

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THE SENATE

Tuesday, December 12, 2023

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

Prayers.

[Translation]

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, I received a notice from the Facilitator of the Independent Senators Group, who requests, pursuant to rule 4-3(1), that the time provided for the consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable Renée Dupuis, who will retire from the Senate on January 17, 2024.

I remind senators that, pursuant to our rules, each senator will be allowed only three minutes and they may speak only once.

Is it agreed that we continue our tributes to our colleague the Honourable Senator Dupuis under Senators' Statements and add three minutes to the total time available? This way, Senator Dupuis' response will follow the tributes, and any time remaining will be available for Senators' Statements.

Hon. Senators: Agreed.

SENATORS' STATEMENTS

TRIBUTES

THE HONOURABLE RENÉE DUPUIS, C.M.

Hon. Raymonde Saint-Germain: Honourable senators, Renée Dupuis arrived in this chamber in November 2016.

Her career up to that point earned her that appointment. She had a brilliant career as a lawyer and served as a member and chair of commissions of inquiry and as the vice-president of the Commission des droits de la personne et des droits de la jeunesse du Québec. She also worked as a professor. She is an author and has received many prestigious awards, medals and decorations.

Seven years later, I have the privilege of telling you about Renée Dupuis's excellent work as a senator. While in office, she understood perfectly the role and powers of the Senate, and she fulfilled her mandate with an unwavering commitment to the values and principles that guided her throughout her career: the respect and promotion of rights in their broadest sense.

She has made a significant contribution by providing effective sober second thought to the legislation before us, both government bills and private members' bills from both chambers.

Studious and competent, Senator Dupuis never sought to be in the limelight or always take up all the time. She spoke when and if she was well prepared and when and if she thought that she had something valuable to add. That is no doubt why her speeches garnered so much attention and helped to advance the debates.

Her independence of thought and remarkable ability to listen are inspiring. In her most recent book, *Ce chemin sous mes pas*, she recounts some of the highlights of her life. In her book, Renée also explains why listening is so important to her. She says, and I quote:

The work of a lawyer is focused on making arguments, which can lead one to overestimate the value of one's own arguments We often forget that listening to others, to The Other, the opposing party, is just as important, if only to properly assess what they are saying so as to better measure the scope of their arguments. Otherwise, we run the risk of concentrating solely on what appears to be the right arguments and neglecting the opposing ones, thus underestimating their strength.

When the Honourable Renée Dupuis leaves this chamber for the last time in a few days, she can do so with pride and a sense of accomplishment.

Renée, as a legislator, you can be proud of your persistence in ensuring that the laws you passed led to fairness, equality and justice, which were recurring themes throughout your entire career.

On a more personal note, I had the privilege of chatting with Renée on numerous trips back and forth from Quebec City to Ottawa. No conversation with her is banal. Her cultural acumen, subtle sense of humour and insatiable intellectual curiosity always made those long journeys seem shorter.

[English]

Above and beyond her stellar career, Renée Dupuis is a family woman, proud, attentive and inspiring for her two daughters and four grandchildren. I salute her partner, Pierre, and their siblings; she has written down life lessons for them already. Now that she will regain control of her daily schedule, perhaps she will find the time to publish — for all of us, and for those who will follow us — the path she has taken in the Senate.

Renée, we will miss you. On behalf of all your colleagues in the Independent Senators Group, I express our esteem, gratitude and friendship.

Hon. Senators: Hear, hear.

[Translation]

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, today I rise to pay tribute to our colleague, Senator Renée Dupuis. Her contributions to this chamber will be sorely missed.

As a lawyer specializing in human rights, law in regard to Indigenous peoples and administrative law, Senator Dupuis has spent her entire career fighting for social justice. She is known for her commitment to promoting Indigenous self-government in Canada, and for her advocacy on behalf of women's rights.

Before her appointment to the Senate in 2016, she served as chief commissioner of the Indian Claims Commission, or ICC, and lectured at the École nationale d'administration publique, where she designed training programs on human rights and the development of democratic institutions. She served as vice-president of the Commission des droits de la personne et des droits de la jeunesse du Québec from 2011 to 2016 and was named an honorary witness of the Truth and Reconciliation Commission of Canada. She has also been a strong advocate of feminist issues and part of the group that created the Centre de Santé des femmes du Québec.

Senator Dupuis always spoke in a calm, sensible and focused way to the issues brought before the Senate. Her arguments were always thoroughly documented and fact-based, delivered in a calm but firm tone, worthy of the lawyer emeritus we know her to be. Her colleagues knew that, when she spoke, we'd better listen. The Standing Senate Committee on Legal and Constitutional Affairs in particular benefited from her experience in legal matters and her dedication to justice. She will be missed both here and in committee.

• (1410)

On behalf of my colleagues in the office of the Government Representative in the Senate, I wish you every success in the next chapter of your life. I'm sure your husband, Pierre, and your daughters, Catherine and Clara, will be delighted to have more time with you. Nevertheless, I'm convinced you'll never stop speaking on behalf of the people whose rights you've stood up for your whole life.

Thank you, Renée.

Hon. Senators: Hear, hear!

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I rise today on behalf of the opposition Conservative caucus to pay tribute to our colleague, Senator Renée Dupuis, who will be retiring from the Senate of Canada on January 17, 2024.

[English]

Senator Dupuis dedicated much of her life to serving and helping others. She was a lawyer, the vice-president of the Commission des droits de la personne et des droits de la jeunesse, a member of the Canadian Human Rights Act Review Panel and a commissioner with the Canadian Human Rights Commission, to name a few. She has volunteered with many organizations and has been a champion for women's rights and support groups.

Her passion and tireless work in the community transpired into her work on Parliament Hill. In 2016, Senator Dupuis was appointed to the Senate to represent Quebec — the Laurentides. During her time as a senator, she served on the Legal and

Constitutional Affairs Committee and the Audit and Oversight Committee. Her experience as a lawyer, her attention to detail and her ability to remain calm and poised was often observed in committee meetings and in the chamber. Senator Dupuis advocated in the chamber for her constituents, and often entered debate on important legislation to add thoughtful interventions.

I would like to commend you, Senator Dupuis, on your years of service to the people of Quebec and to all Canadians. I also wish to acknowledge your family for their unwavering support, which allowed you to serve in this esteemed chamber as a senator. As you take your official retirement in January, know that your contributions to the Senate of Canada will not be forgotten and that you will always remain a part of our extended Senate family.

[Translation]

Honourable senators, I know you'll join me in congratulating the Honourable Renée Dupuis on her retirement and wishing her every success as she embarks on the next chapter of her life.

Thank you.

Hon. Senators: Hear, hear!

[English]

Hon. Scott Tannas: Honourable senators, we mark the departure of one of our colleagues — a great colleague — Senator Renée Dupuis.

Senator Dupuis arrived in this place in November 2016. She was appointed for her leadership and notable achievements in the field of law and Indigenous rights. According to Senator Harder — the Government Representative in the Senate at the time — her accomplishments were "... repeatedly recognized by her peers and by Canadian society as a whole. ..."

I had the privilege of working with Senator Dupuis on the Legal and Constitutional Affairs Committee and, occasionally, on the Indigenous Peoples Committee. As one of her peers here in the Senate, I can attest to the strength of her commitment to the thorough examination of issues and her knowledge of these subjects. When she spoke, people actively listened.

Senator Dupuis, during her legal career, was fascinated by the need for innovation in the field of law and the need for reforms. The Barreau du Québec described her qualities as tirelessly committed, engaged and working with integrity. These qualities were also on display at all times during her time here.

Senator Dupuis's journey to the Senate started very early in her life. At a young age, she was intrigued by the notions of justice. We can all see a young Senator Dupuis in elementary school, standing up for those who were marginalized. She was a social-legal activist in the schoolyard and on the playground, according to some reports.

This zest for social justice was truly evident throughout her career as a lawyer, as a commissioner with the Canadian Human Rights Commission and as a senator. This brought her to intervene in many cases and causes ranging from constitutional

rights for Indigenous peoples and reconciliation to women's health to the right to die with dignity. Just in this current Parliament, Senator Dupuis intervened over 150 times in the Senate Chamber.

Prior to being summoned to the Senate, Senator Dupuis was a prolific and award-winning author on Indigenous issues. If any of you are interested, six of her books are still available and are very reasonably priced, especially in paperback edition. With your retirement, Renée, we anticipate seeing more publications soon.

Senator Dupuis, on behalf of the Canadian Senators Group, my colleagues and I wish you a well-deserved retirement from this place, and we sincerely thank you for your substantial contribution to our work in the service of Canadians here in the Senate of Canada.

Hon. Senators: Hear, hear.

[Translation]

Hon. Pierre J. Dalphond: Honourable senators, today, I am pleased to pay tribute to our colleague in the language of Gabrielle Roy and Gaston Miron, who she knew well.

When she agreed to participate in the modernization of the Senate in November 2016, it was just one more challenge for Renée Dupuis, lawyer emeritus, who dedicated 40 years of her life to the advancement of social justice.

Since the beginning of her career, she has defended the most vulnerable members of society, such as roomers in Quebec, when their rights were being violated. In the late 1970s, she participated in the creation of the Centre de Santé des femmes de Québec, which supports women's freedom of choice during pregnancy. She was then hired by the Atikamekw of Quebec, who were joined a few years later by the Innu.

As she explained in her most recent book, *Ce chemin sous mes pas*, which I happily read cover-to-cover, she doesn't speak for them. Instead, she strongly supports them in their claim for self-government.

In 1989, she became a member of the Canadian Human Rights Commission, where she participated in the fight against workplace discrimination and harassment, particularly the sexual harassment of women. In 2001, she was appointed to what was then called the Indian Specific Claims Commission, and later became the last chair of that commission in 2003.

So it's not surprising that, in 2011, she became the vice-president of the Commission des droits de la personne et des droits de la jeunesse du Québec.

What's fascinating about her is that she realized very early on that misunderstanding is often a source of dispute, prejudice and stereotypes that lead to discrimination, both individual and

systemic. That's why she has always been so eager to share her knowledge, whether teaching at the École nationale d'administration publique, giving conferences around the world, presenting in elementary and secondary schools, giving media interviews or publishing books and many articles, as cited in previous speeches. In 1979, she even created and hosted a radio series introducing Innu women to Radio-Canada listeners.

I was finally able to work alongside this wonderful person in the Senate, where she was both a seatmate and an influential member of the Legal and Constitutional Affairs Committee. I was delighted to work with this independent-minded colleague, who listens attentively and always takes notes before offering pertinent, sometimes even incisive comments that reflect her great legal talents and vast life experiences, both professional and personal.

My dear friend Renée, all the best to you and Pierre when you're back home in Île d'Orléans. You will be missed.

Hon. Senators: Hear, hear!

[English]

Hon. Bernadette Clement: Honourable senators, one of the hardest parts of this job is saying goodbye to retiring colleagues. Senator Dupuis, I only had two years with you, and I would have loved to have had more. You are one of those colleagues who has left a lasting impression. You made me better, taught me much and, whether you realized it or not, nudged me through difficult times.

• (1420)

[Translation]

As some of you know, I had a bit of trouble finding my place in the Senate, especially on the Legal and Constitutional Affairs Committee. Senator Dupuis, you noticed my discomfort and wasted no time in reassuring me. You reminded me that I was ready to sit in this place, and that I had contributions and new perspectives to offer to this committee.

I watched Senator Dupuis closely in committee, knowing she was a leader and a lawyer of the highest calibre with long years of experience in human rights and in the fight against discrimination. I also knew that she had always supported a feminist perspective. When Senator Dupuis asks a question or speaks, we listen and learn. If the question is meant for you, you better watch out and be prepared. She demands clarity and adequate references to the acts or procedural rules in question. She is rigorous and diligent, and has always been an independent thinker who reaches her own conclusions and is guided by her own experiences and values.

Senator Dupuis takes her work ethic and her responsibilities very seriously. She embodies everything we look for in a role model: intelligence, intensity, confidence and courage. Her approach is inclusive and I've experienced that myself. Be careful, however, because her seriousness may surprise you. Senator Dupuis has a keen sense of humour, a sense of humour that makes you think. It is so spontaneous and so smart that it can be easily missed.

Her determination, her professionalism and her convictions reveal another remarkable side of Senator Dupuis. She's fuelled by her commitment to create a better world. During a recent speech, she said:

Well, there are women here now, and they are not going anywhere. They are going to stay right here and keep fighting, including for their granddaughters, like my own.

When you delivered your speech, Senator Dupuis, your grace, your cool head and the love you exude brought tears to my eyes. Your voice, your presence, your impact and your work will live on in your grandchildren, in us, in me and in all those you defend, support, encourage and help.

Thank you to you and your family, Renée.

[English]

Hon. David M. Wells: Honourable senators, I rise today to show my gratitude and pay tribute to the Honourable Senator Dupuis. For the past seven years, Senator Dupuis has faithfully served the Senate. Specifically, she has done this through her legal knowledge, Indigenous representation and her work with me in establishing the Standing Senate Committee on Audit and Oversight, in particular on many weekends and evenings during phone calls when she shared her knowledge and wisdom.

I have seen this in her principled stances, hard work and dedication to Indigenous issues, including through her published works and one in particular, entitled *Justice for Canada's Aboriginal Peoples*. As a legal scholar, Senator Dupuis showed her steady hand in law and process, which she brought to the Senate and the Audit and Oversight Committee, especially in its early days. I am thankful for your service to the Senate and to Canada, and I wish the best for you, Pierre and your family in the years ahead.

Hon. Marty Klyne: Honourable senators, I rise today to pay tribute to Senator Renée Dupuis. In the Senate, on our political stage, she has followed an important principle of theatre: to leave us wanting more.

One of Senator Dupuis's many great moments came a few weeks ago. On debate, she reminded our chamber that at one time, there were no women in the Senate. She said:

Well, there are women here now, and they are not going anywhere. They are going to stay right here and keep fighting, including for their granddaughters, like my own.

Honourable colleagues, in our chamber, Senator Dupuis's words are a fitting addition to the legacy of the Famous Five monument commemorated outside our front door. Let us take her words to heart.

Today, let us also pay tribute to her incredible legislative work. Many of you know how thoughtful, precise and diligent Senator Dupuis is in her duties, especially at committee. We need to pay extra close attention when she raises her hand to speak or ask a question, or we are bound to miss an important detail or original point.

Senator Dupuis is also humble. It may be underappreciated that Senator Dupuis was a champion for reconciliation long before Canadians heard the Truth and Reconciliation Commission Calls to Action. Prior to arriving in this chamber, for decades, Senator Dupuis was a legal adviser and consultant for First Nations organizations in negotiating tripartite comprehensive claims and constitutional matters. From 2003 to 2009, she was the chief commissioner of the Indian Claims Commission, where she heard and endeavoured to resolve numerous cases. More recently, she was an Honorary Witness of the Truth and Reconciliation Commission national event in Montreal in April 2013, retaining and sharing that important knowledge.

In addition, Senator Dupuis authored several books, including *Justice for Canada's Aboriginal Peoples*, which won the 2001 Governor General's Literary Award for French-language non-fiction. In 2005, she received the Order of Canada.

Senator Dupuis has served as the Deputy Chair of the Audit and Oversight Committee, and her keen eye and succinct commentary will be greatly missed once she retires. As chair, I am honoured to have served together on a body that is an important achievement of Senate reform.

Senator Dupuis, you are a firecracker, and I quite like your approach and your dry-wit humour. I always look around the room to see who is smiling. That's an indication of the other smart ones. Look who all wants to be smart here.

Senator Dupuis, you have been a very good adviser and friend. You have always been approachable and accessible. For these things, I am grateful — very grateful — to you. Thank you. Honourable colleagues, please wish Senator Dupuis all the best in her retirement.

Hon. Senators: Hear, hear!

[Translation]

Hon. Mary Coyle: Honourable senators, today I'm honoured to sing the praises of our beloved colleague, a hard worker, a brilliant legal expert, a deeply committed and ever-ready parliamentarian, our always helpful, supportive and charming friend and colleague, Senator Renée Dupuis.

I feel very fortunate to have known and learned from her in the Senate. Her impressive legal career, focused on human rights, Indigenous rights and administrative law, laid a solid foundation for her time here. In 2000, Senator Dupuis was a member of the Canadian Human Rights Act review panel. She was appointed an honorary witness of the Truth and Reconciliation Commission. She was vice-president of the Commission des droits de la personne et des droits de la jeunesse du Québec before joining the Senate of Canada.

Senator Dupuis made valuable contributions to many committees and debates here. She is always well prepared and so familiar with the rules and procedures of the Senate.

I appreciated her insights, which drew on her extensive experience with Indigenous peoples and women and her work with the joint working group of the Barreau du Québec and the Collège des médecins du Québec, which studied the right to die with dignity.

Colleagues, I'd like to share the words of Dominique Charland, my intern, who is studying law. She received guidance and advice from Senator Dupuis, and she has this to say:

Despite her busy schedule, Senator Dupuis welcomed me on several occasions to discuss my work for Senator Coyle and with Senators for Climate Solutions. Senator Dupuis is attentive and focuses exclusively on the task at hand, never letting you doubt that you are her priority in that moment. I couldn't have asked for a better person to mentor me throughout my internship.

Honourable senators, I'm very pleased to have personally witnessed these great attributes of generosity, a sense of duty and intelligence, which are central to our colleague's identity.

• (1430)

Honourable senators, please join me in thanking, applauding and saying brava to our colleague, the Honourable Renée Dupuis.

Renée, enjoy your next chapter. You will be truly missed.

Hon. Senators: Hear, hear!

Hon. Lucie Moncion: Colleagues, dear friend, how can we celebrate our distinguished colleague, the Honourable Renée Dupuis, an unassuming woman with such an impressive track record?

Dear Senator Dupuis, what an honour and a privilege it has been to work alongside you for the past seven years. Senator Dupuis and I were sworn in on the same day, November 16, 2016. We met and had an opportunity to talk a bit before we even walked through these doors.

We were complete strangers to one another at the time. I didn't know her name or her reputation. I had no idea about her academic and professional background. Over time, I got to know this upright, rigorous and surprising woman who carved her own path by fighting for women's rights, human rights and Indigenous rights.

Like every woman who built a remarkable professional career, Senator Dupuis's journey was marked by significant challenges. Making a name for herself in well-guarded and protected sectors required strength of character and a great deal of boldness. She managed to make her way and find her place on her own terms.

Respectful in every way, Senator Dupuis made a name for herself as a woman in politics. Here in the chamber, she is a delight to watch and listen to. Calm and poised when she rises to speak, she weighs her words carefully and gets her message across, always in French. All of her speeches are thought-provoking. It is such a pleasure to listen to her. She is never one to waste words or make disparaging remarks. She provides only relevant information.

I've also had the privilege of spending many long hours with her as a seatmate in the Senate, and I must admit that every day is a pleasure. We confide in each other, comment on what we see or hear in this chamber, and sometimes refer to the *Rules of the Senate* when we witness behaviour, comments or interpretations of the rules that don't seem right.

Renée, you're a brilliant, cultured and caring woman, who has remained strong and free and who managed to successfully balance a career as a lawyer, jurist, lecturer, teacher, administrator, senator, wife, mother and grandmother. I commend you for that, dear colleague.

We've reached a point in our lives where we must part ways. We're back to where we started, where our paths crossed over seven years ago. What a pleasure, and above all, what an honour it has been to get to know you and to come to appreciate and value you.

You still have great things to do, to write and to accomplish. The path under your feet continues, and you still have a long road to travel.

I look forward to seeing you again, Renée.

Hon. Senators: Hear, hear!

Hon. René Cormier: Honourable colleagues, senator, my dear Renée Dupuis, having learned about your career from reading your latest work, *Ce chemin sous mes pas*, recently published by Éditions du Boréal, and having heard the glowing tributes others have paid you over so many years, I must nevertheless fondly find fault with you, senator.

You've made all your expertise, your knowledge and your experience available to the Senate of Canada since November 2016. As a member of the Independent Senators Group, you've championed Senate modernization with strength and conviction. The problem is, you're leaving us too soon, senator, depriving us of your presence. The truth is, dear Renée, you're humble and perhaps too self-effacing sometimes, and I believe many of us won't have had enough time to appreciate you as much as you deserve.

Still, I've learned so much from watching and listening to you. You've awakened me to our constitutional responsibility to speak French, the language of Gabrielle Roy, in this place, a language that you cherish and speak so eloquently, perhaps a result of your close association with a poet whose inspiring words are admired both here and elsewhere.

You've taught me how to listen and how to articulate rigorous arguments based on law and facts. Throughout your career, you've worked to defend the rights and interests of Indigenous peoples with passion, clarity and compassion. As you once said very wisely:

I am a long-distance walker. I carved a path in the hope that it would one day lead us to a meeting place with Indigenous peoples, halfway between what makes us, us and what makes them, them . . .

I echo that sentiment, because the remarkable work that you have done in that regard, senator, should be an inspiration to every one of us.

There's so much to say to show our gratitude and appreciation, senator, but it is time to say goodbye. And so, honourable senator, in the words of poet Pierre Morency, whom you know well and who will forgive me for borrowing his words, I wish you:

A room under the Milky Way.
A house perched on a boat at the mouth of a river.
A select wood at the centre of the island.
A place devoid of partitions.
A lamp with a mane of night and light.
A bed just before I fall.
Cafés in Paris, in Quebec City, in Provence.
A city in the highlands headed for Lavandou citrus.
A small round tent clinging to the Bylot ice floe.
Cuba's downy cayos.
The dark sands of Baie du Renard.
The whistling pines of Allouagana.
That tiny blue desk facing the mighty river.
Birch trees with bear-scratched bark.
The foot of Cape Maillard in Charlevoix.

Enjoy your retirement, my dear Renée.

Hon. Senators: Hear, hear!

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Pierre Morency, spouse of the Honourable Senator Dupuis; their daughters, Catherine and Clara; and other family members, friends and staff members of the honourable senator.

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

Hon. Senators: Hear, hear!

THE HONOURABLE RENÉE DUPUIS, C.M.

EXPRESSION OF THANKS

Hon. Renée Dupuis: Colleagues, I spared you a little performance I was planning. I was going to bring in a little piece of furniture and a copy of the annotated Civil Code to really give you a fright, thinking I was about to go through it, but I changed my mind.

Seriously, colleagues, I learned in my college philosophy classes that beliefs that women are not truly rational beings and that some human beings are naturally suited to slavery are the foundation of our societies.

In law school, I realized that our rules of law are direct offshoots of these beliefs. These kinds of beliefs underlie the systemic discrimination deeply embedded in too many of our

laws, practices and prejudices. That was when I sensed that the law would get me working to change the rules that govern us faster than philosophy could. As of this year, this work has occupied my time and professional activity as a lawyer for 50 years.

When I first appeared as a witness before the House of Commons Standing Committee on Indian Affairs and Northern Development on March 1, 1977, pregnant with our eldest daughter, I couldn't have imagined that I would one day become a senator. At the time, I was accompanying a delegation of Innu and Atikamekw chiefs and hunter elders who had come to testify in their respective languages, with their interpreters, against Bill C-9 that would not only bring the James Bay and Northern Quebec Agreement into force, but also extinguish, without compensation, the rights of First Nations who were not signatories to this agreement. This issue remains unresolved to this day.

Throughout my tenure as a senator representing Les Laurentides senatorial division in Quebec, a tenure that began just over seven years ago on November 10, 2016, I have kept in mind the small group of five Canadian women from Alberta, Judge Emily Murphy, Henrietta Muir Edwards, Nellie McClung, Louise McKinney and Irene Parlby, whose determination was able to overcome the discrimination against women enshrined in the law, that is, the inability of women to become senators.

• (1440)

I don't know if these five women were familiar with the works of Marie de Gournay, famous for her relationship with Montaigne, and above all the author of *The Equality of Men and Women*, first published in 1622, over 400 years ago, and whose unpublished contribution has been lost over the centuries, while the French language obscured the word "matrimoine," then used to describe in law the property inherited from the maternal line. In Marie de Gournay's view, nothing justifies the "advantages and privileges" that men have insisted on reserving for themselves. It could be said that the Senate of Canada, a parliamentary institution established in the 19th century, was a faithful reflection of the societies of that century. I'm not forgetting that 100 years ago, I couldn't have been appointed senator. I recall that the Prime Minister of the time spoke of the impossibility of appointing women to the Senate, citing the common law rule that —

[English]

. . . Women are persons in matters of pains and penalties, but are not persons in matters of rights and privileges.

[Translation]

Let me repeat, "Women are persons in matters of pains and penalties, but are not persons in matters of rights and privileges." The year 1929 was a decisive one, which saw the recognition that the word "person" included women and not just men. That meant that women, like men, could be appointed to the Senate of Canada. It took a British court to make that happen.

In the judgment of the Judicial Committee of the Privy Council of Great Britain, Lord Chancellor Viscount Sankey found that the exclusion of women from public office was a relic of days that he referred to as “more barbarous” than those of the early 20th century. When asked why the word “person” should include women, he said that the obvious answer is, “Why should it not?”

I’m part of this long historical line that seeks to bring about a world where women, both here and elsewhere, actually experience equality.

When it comes to human rights, nothing is ever guaranteed. Everything can be called into question when it comes to the substantive equality of the rights of women and other groups protected by charters of fundamental rights. Vigilance is required in every era, including our own.

In 2017, the Senate of Canada celebrated its 150th anniversary. The world has changed since 1867 and the Senate must become a 21st-century institution. We have a much higher level of education than people had when the Parliament of Canada was created. We’re a lot more demanding about the way that federal legislators, MPs and senators decide which rules will govern us. We feel entitled to be consulted and involved at all stages of public policy decision-making.

The political decision to change the Senate nomination process in 2015 expanded the senator recruitment pool to include members of the public who are active in their communities and who, like me, chose not to join a political party.

The educational aspect of our work must be given greater prominence in the Senate, as our debates on complex contemporary issues play a decisive role in disseminating the most accurate information possible. We have a personal and collective responsibility to engage in vigorous debates that often reflect contrary and irreconcilable opinions, a distinctive hallmark of democratic societies. Our responsibility also includes the obligation to avoid propagating disinformation campaigns or engaging in personal attacks. We must treat our colleagues with civility, which precludes harassment against women and abuses of power.

During my mandate as an independent senator, I’ve chosen to speak in French in Senate debates and in committee meetings in which I’ve participated for two main reasons. First, as you know, I’m exercising my constitutional right to speak in French or English in the Parliament of Canada. Second, I’ve not forgotten that many Quebec First Nations with whom I’ve worked for decades have French as a second or third language, in addition to their mother tongue.

Whenever I speak in the Senate, I’m particularly mindful of the French-speaking residents of Yellowknife. As they watch the proceedings of the Senate and its committees, they may legitimately wonder what a Quebec senator has to say on matters of public policy. I dare say that they will at least have been able to see that I’m aware of the honour that has been bestowed upon me to sit in the Senate, and that I took the great responsibility inherent to the position very seriously.

Administrative law, which defined new relations between the state and its citizens in the 1970s, has developed exponentially in its function of social regulation. A plethora of new legal standards — laws, regulations, directives — and new public decision-making structures — administrative tribunals, councils, commissions — have been put in place. The accountability of the state and its agents have replaced the historical immunity that the state had long enjoyed. It is worth recalling that the authority of the state is no longer based on the transmission of divine power, which would shield it from being accountable to its citizens.

Public debate has become more complex with the adoption of federal and provincial charters and laws on rights and freedoms, such as the Quebec charter in 1975, the federal law in 1978, and the Charter of Rights and Freedoms in 1982. The adoption of these legal standards calls for a new space for deliberation and citizen participation, especially as the link between the legality and legitimacy of standards has never been so tenuous. By adopting these texts in the last quarter of the 20th century, political powers accepted to limit their authority in order to preserve the human dignity of all, including the most vulnerable individuals and groups among us.

Moreover, the significant rise in the level of schooling in our society, fostered by widespread access to free public education, has resulted in a community of citizens who possess a high degree of knowledge and expertise in all areas of human experience. As a result, there is as much expertise outside public governance bodies as within them, except perhaps in certain areas of national defence.

What’s more, undeclared conflicts of interest on the part of authorities, experts and lobbies have generated a great deal of suspicion. Not to mention the explosion in the dissemination of knowledge via the internet and social networks, which has undermined the credibility of authorities and experts by creating loudspeakers, many of whom pour out opinions, dictates, sexist and racist prejudices, hate attacks and intimidation that flourish in the face of our inability to control them.

The legitimacy of the authorities is no longer self-evident, and their commitment to protecting the common good is no longer taken for granted by part of the population. The public expects to participate in defining the issues that concern them, in discussing the methods of intervention and the standards to be applied, and in all stages of public policy decision-making. We continue to be governed in the 21st century as the population was in the 19th. The evolution of scientific and technological knowledge cannot replace these debates on the underlying values that determine these decisions. The structures put in place over the last 50 years to govern the state’s relations with its citizens must be reviewed in light of this new reality.

The traditional institutions of the state, the legislative chambers — that is, the other place and the Senate — the executive, public administration, the courts, political parties and interest groups are the subject of mistrust, if not disaffection, which undermines the trust on which the state as we know it is based. The trust placed in it by citizens is the founding principle of the state’s authority to regulate community life. The current malaise calls for the creation of a new space for deliberation and participation to make up for the current deficit in public debate.

As a chamber of sober second thought, the Senate should be at the heart of this revision. This sober second thought should not be limited to bills advocated by the government of the day. It must hold the government to account, specifically by rigorously monitoring the review of all existing legislation, and ensuring that Senate review is included in all legislation and not left to the whim of the government of the day. It must also do so by examining very carefully the instruments of delegated legislation represented by regulations adopted by cabinet, given the increasing use made of them by governments. It should also insist that ministers systematically table in the Senate the documents needed to judge bills, such as gender-based analysis plus. It must also do so by initiating, on its own authority, the revision of public policies, in particular the principles of criminal law, as expressed in the Criminal Code, conceived at the beginning of the 20th century and whose piecemeal modifications according to the political considerations of the day have made it a fragmented tool.

This is especially true given that victims, especially women who are victims of various forms of violence in all contexts of their lives, and the overrepresentation of Indigenous peoples, particularly Indigenous women and people of colour, in federal and provincial penitentiaries, call for an in-depth review of the values underpinning criminal law in Canada, as the Legal Affairs Committee has often expressed in various reports.

• (1450)

The Criminal Code, designed for the reality of the 1920s, is outdated and must be the subject of an in-depth review initiated, if not led, by the Senate, bringing together all the players in society, including victims, who are grappling with crime in the 21st century.

We have to find other methods of deliberation and participation that would enable more direct involvement of citizens in the revision of existing instruments, but also in the development of institutional systemic policies of the Senate in response to public inquiries, notably the work of truth and reconciliation necessary to put an end to the systemic discrimination inscribed in the current system, to which institutions like the Senate must commit themselves.

As an honorary witness for the Truth and Reconciliation Commission, I'd like to draw your attention to an element pertaining to Indigenous peoples that has yet to be recognized: The particular suffering and sacrifice that the forced removal of Indigenous children from their mothers entailed for these mothers. The suffering of each of these children, their families and their communities is immeasurable. However the impact on the mothers who bore these children, brought them into the world, and introduced them into the life of their communities has not yet been documented to its full extent. The residential school system that was imposed on them had the effect of severing their privileged relationship as mothers to their children, and it must be denounced for the pain it caused and the systemic discrimination it represents. The Senate, which has helped to legislate on these issues, is directly challenged and must find a way not only to recognize this truth, but also to contribute to the reparation it calls for, and to work as an institution on this aspect

of the necessary reconciliation with Indigenous peoples. Individual commitment must be transposed to the institutional level.

The Senate must also contribute to the greater legitimacy of public institutions by initiating the movement to revise modes of citizen participation, such as replacing exclusive access to modes of social regulation reserved for social actors whose social position is dominant, with the establishment of a mode of deliberation based on organized citizen participation. In this sense, the political decision to appoint independent senators from diverse backgrounds, who have not been involved in partisan politics, should commit them to fostering the establishment of this new space, particularly with regard to environmental issues in their interaction with justice and equality of individuals and states, in Canada and around the world, issues that challenge all groups in our society.

Honourable senators, I'd like to express my appreciation to a number of people I've met in the Senate during my seven-year term.

I salute Senator Peter Harder, Senator Diane Bellemare, who acted as my sponsor when I was sworn in, and Senator Grant Mitchell, who was the first person I interacted with after my appointment.

I'd like to thank Senator Raymonde Saint-Germain for the diplomacy and tenacity she has shown as facilitator of the Independent Senators Group since 2021, after having served as deputy facilitator.

Special greetings to the past and present members of the leadership team and to the other members of our parliamentary group, with whom I've had fruitful exchanges.

I would also like to thank the staff of the Independent Senators Group, or ISG, for their support. I would like to remember Senator Elaine McCoy, who passed away in December 2020. She welcomed me when I arrived in the Senate and was instrumental in the creation of the ISG.

To my colleagues on the steering committee of various committees, I salute you and consider our exchanges to have been productive.

To my colleagues on the various committees on which I've sat, I've appreciated our exchanges, which have been lively at times. They have helped to enrich my own thinking.

Colleagues, I'll have fond memories of our lively discussions, our conversations and even our jokes and laughter outside this chamber.

[English]

Dear English-speaking colleagues, I want to let you know that I have not missed an opportunity to reach out and share views, discuss, argue, chat and sometimes laugh with you outside this chamber or a committee room. I am going back home with those very good memories.

[Translation]

I wish to express my gratitude to the countless people who've supported my work as senator, and to the people who've ensured my safety in the performance of my duties, from the time I get to the Senate building in the morning to the end of the day when I leave my office. I can't name them all, but they know who they are.

I'd like to emphasize that I've been able to count on the collaboration of a number of officers of Parliament, in particular the Speaker of the Senate at the time of my appointment, Senator George Furey, the current Speaker, Senator Raymonde Gagné, and the Speaker pro tempore, Senator Pierrette Ringuette. I appreciate their constant efforts to maintain decorum in this chamber, which is always a challenge.

The support of the Usher of the Black Rod and his team of Senate pages, the various clerks of the Senate and Senate committees I was a member of, as well as the team at the Chamber Operations and Procedure Office made my work easier, and I'm grateful to them.

The Parliamentary Budget Officer helped broaden my research on the lack of drinking water for First Nations people on reserves.

The Parliamentary Librarian and the analysts supported my research throughout my term.

I want to express my gratitude to all of the people employed by the Senate who have facilitated my work as a senator, whether in our work in the chamber, on the various committees on which I've served or in my office as a senator, first in the Centre Block before it closed and now in the Chambers Building. I have appreciated their civility, their cooperation and their flexibility in supporting my work in the hectic, face-paced Senate environment.

I also want to mention the Parliamentary Protective Service, which has ensured my personal safety in a world where foreign states, lobbyists and citizens have become much more aggressive toward parliamentarians, not only in Ottawa but also where we live.

I'd ask all of the directors of the Senate Administration and other institutions that assist us in our duties to pass on to their staff my appreciation for their efforts to facilitate my work and that of my office staff, even when the vagaries of technology and new equipment challenged our efficiency, both during the period of accelerated adaptation caused by the COVID-19 public health crisis and at other times as well. I want to commend all those who have contributed to this. I will remember the help that they gave me.

I also want to thank the interpreters who helped me to exercise my constitutional right to express myself in French during the Senate sittings and committee meetings that I participated in. They made it possible for us to continue our work as parliamentarians when we held hybrid sittings during the COVID-19 outbreak, despite the additional difficulties that this way of working created for them.

[Senator Dupuis]

Before concluding, honourable senators, I want to acknowledge the collaboration of those who worked tirelessly with me during my term.

Brigitte Poulet, with whom I reunited in Ottawa for the third time, arrived at the Senate at the same time as I did to help me open my office in the historic Centre Block, an office that looked out onto the front lawn, lit by the glow of the rising sun. Together, we learned what this centuries-old institution is all about. The complexity of the task and the sheer volume of work we've had to deal with over the past seven years have made her the most efficient issues manager I've ever met. As she often reminded me, she was my "eyes and ears" in Ottawa. I'm grateful to her for her support, her integrity, her honesty, her diplomacy, her ability to laugh at the ups and downs of this unprecedented and stressful job, and for the fact that she readily agreed to guide the staff of new senators to whom I had praised her professional and personal qualities and offered our collaboration. My time as a senator would not have been as enjoyable for me were it not for her presence. Our weekly work planning meetings will remain among my fondest memories of my time in the Senate. I'd also like to underline her commitment to the Senate, notably through the recommendations she made to the administration to improve administrative processes, which have been integrated into the administrative procedures.

I would like to thank Sheila Purdy. We met in Ottawa. Her diligence and her political and legal expertise made her my special go-to person for legal questions during most of my term, especially when I was preparing questions for witnesses who appeared before the Standing Senate Committee on Legal and Constitutional Affairs when it was studying bills.

I thank Thérèse Gauthier, who assisted my office staff at various times during my tenure.

• (1500)

In closing, colleagues, I would like to express special thanks to the people who come first in my thoughts and in my heart: my long-time companion, writer Pierre Morency; our writer daughters, Catherine and Clara; and our grandchildren Simone, Lucille, Lia and Grégoire. If I may borrow the titles of a few of our books, just as "the day survives the night," being a "mother of invention," I will be picking up my "personal effects" and taking them home to Quebec City, where I will go back to pushing little Grégoire in his stroller on "this path beneath my feet." The books I was referring to are *Le jour survit à sa chute* by Catherine Morency, *Mère d'invention* by Clara Dupuis-Morency, *Effets personnels* by Pierre Morency, and *Ce chemin sous mes pas*, the book that I just dedicated to my granddaughters Simone, Lucille and Lia.

Colleagues, senators, in closing, as I confronted the magnitude of the task before me on the day after my swearing-in, I made it my priority for the first year of my term to remember one thing: keep breathing. I hope that you, senators, will remember to keep breathing so that life can carry on.

Thank you very much.

THE LATE HONOURABLE GERALD J. COMEAU, P.C.

Hon. Jean-Guy Dagenais: Honourable senators, today I want to pay special tribute to my friend, the Honourable Gerald Comeau, who died last week.

An accountant by trade, Gerald was elected to represent the Nova Scotia riding of South West Nova in 1984 and served as an MP for four years. In 1990, Prime Minister Brian Mulroney appointed him to the Senate. He spent a total of 10,000 days in both houses.

I became friends with Gerald when I was appointed to the Senate in 2012 because we had a lot in common. Gerald was born on February 1; I was born on February 2. Also, he was a Comeau, and I am of course married to a Comeau, so two authentic Acadians.

Gerald and his wife, Aurore, were snowbirds, wintering in Bradenton on Florida's west coast. As snowbirds ourselves, Danielle and I spend the winters on Florida's west coast 30 minutes away from Gerald and Aurore. As you might imagine, we shared restaurant meals and even dinners at home.

Danielle and I were privileged to spend a weekend at their amazing home in Baie Sainte-Marie, Nova Scotia, where Gerald showed us how to eat a lobster. He believed the best lobster came from Nova Scotia. I can see that some senators are skeptical, but still.

My friend knew that I like luxury cars and he took the opportunity to show me his gorgeous 1970s Chevrolet Corvette Stingray, lovingly stored in his garage.

I could see how much people from his region loved Gerald and Aurore. Gerald was involved in his community. He listened to people. He knew how to help them.

Today, I have lost a friend and I will miss him. However, the sky is blue and I know that Gerald was a proud Conservative. From his blue sky, he can watch over the Senate and maybe even influence some of its decisions.

In closing, I will make a brief comment. In the Senate, there is some political, at times even partisan, sparring. However, I know that friendships are formed in the Senate, friendships that can last for years.

Gerald, thank you for all the wonderful memories you left us, especially my wife, or "the little Comeau" as you called her, and me.

To Aurore, I offer my deepest condolences.

ROUTINE PROCEEDINGS

STATUTES AND REGULATIONS

STUDY ON PROPOSALS TO REVISE ANOMALIES AND REPEAL CERTAIN PROVISIONS—TWENTY-FIRST REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE TABLED

Hon. Brent Cotter: Honourable senators, I have the honour to table, in both official languages, the twenty-first report of the Standing Senate Committee on Legal and Constitutional Affairs regarding the document entitled *Proposals to correct certain anomalies, inconsistencies, out-dated terminology and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes and Regulations of Canada and to repeal certain provisions that have expired, lapsed or otherwise ceased to have effect*.

INCREASING THE IDENTIFICATION OF CRIMINALS THROUGH THE USE OF DNA BILL

BILL TO AMEND—TWENTY-SECOND 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, December 12, 2023

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

TWENTY-SECOND REPORT

Your committee, to which was referred Bill S-231, An Act to amend the Criminal Code, the Criminal Records Act, the National Defence Act and the DNA Identification Act, has, in obedience to the order of reference of November 3, 2022, examined the said bill and now reports the same with the following amendments:

1. *Delete clause 3, page 3.*
2. *Delete clause 4, pages 3 and 4.*
3. *Delete clause 16, page 6.*
4. *Delete clause 18, pages 7 and 8.*
5. *Clause 20, page 8: Replace lines 39 to 41 with the following:*

“(b) the person has no other findings of guilt or discharges for a designated offence or”.
6. *Clause 24, page 9: Replace line 19 with the following:*

“Act, with specific analysis of the inculpatory and exculpatory effects that DNA sampling have had on Indigenous, Black and racialized populations.”.

Respectfully submitted,

BRENT COTTER

Chair

The Hon. the Speaker: 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.)

PROTECTING CANADA'S NATURAL WONDERS BILL

BILL TO AMEND—SIXTH REPORT OF ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE PRESENTED

Hon. Rosa Galvez: Honourable senators, I have the honour to present, in both official languages, the sixth report of the Standing Senate Committee on Energy, the Environment and Natural Resources, which deals with 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.

(For text of report, see today's Journals of the Senate, p. 2348.)

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

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

• (1510)

[English]

AFFORDABLE HOUSING AND GROCERIES BILL

BILL TO AMEND—NATIONAL FINANCE COMMITTEE AUTHORIZED TO STUDY SUBJECT MATTER

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(d), I move:

That, notwithstanding any provision of the Rules, previous order or usual practice, and without affecting progress in relation to Bill C-56, An Act to amend the Excise Tax Act and the Competition Act:

1. the Standing Senate Committee on National Finance be authorized to examine the subject matter of Bill C-56;

2. the committee submit its final report to the Senate no later than Routine Proceedings on Thursday, December 14, 2023, and be authorized to deposit its report with the Clerk of the Senate if the Senate is not then sitting; and
3. for the purposes of this study, the committee be authorized to meet even though the Senate may then be sitting or adjourned, with the application of rules 12-18(1) and 12-18(2) being suspended in relation thereto.

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

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[Translation]

L'ASSEMBLÉE PARLEMENTAIRE DE LA FRANCOPHONIE

MEETINGS OF PARLIAMENTARY AFFAIRS COMMITTEE AND NETWORK OF WOMEN PARLIAMENTARIANS, MARCH 1-3, 2023—REPORT TABLED

Hon. Jean-Guy Dagenais: Honourable senators, I have the honour to table, in both official languages, the report of the Assemblée parlementaire de la Francophonie (APF) concerning the Meetings of Parliamentary Affairs Committee and Network of Women Parliamentarians of the APF, held in Rabat, Morocco, from March 1 to 3, 2023.

ASSEMBLY OF THE AFRICA REGION, MAY 16-18, 2023—REPORT TABLED

Hon. Jean-Guy Dagenais: Honourable senators, I have the honour to table, in both official languages, the report of the Assemblée parlementaire de la Francophonie (APF) concerning the Twenty-ninth Assembly of the Africa Region of the APF, held in Niamey, Niger, from May 16 to 18, 2023.

PARLIAMENTARY MISSION TO THE UNITED NATIONS, JUNE 9, 2023—REPORT TABLED

Hon. Jean-Guy Dagenais: Honourable senators, I have the honour to table, in both official languages, the report of the Assemblée parlementaire de la Francophonie concerning the Parliamentary Mission to the United Nations, held in New York, New York, on June 9, 2023.

JEUX DE LA FRANCOPHONIE, AUGUST 3-7, 2023—REPORT TABLED

Hon. Jean-Guy Dagenais: Honourable senators, I have the honour to table, in both official languages, the report of the Assemblée parlementaire de la Francophonie concerning the *IX^e Jeux de La Francophonie*, held in Kinshasa, Democratic Republic of the Congo, from August 3 to 7, 2023.

CANADA-FRANCE INTER-PARLIAMENTARY ASSOCIATION

ANNUAL MEETING, APRIL 1-8, 2023—REPORT TABLED

Hon. René Cormier: Honourable senators, I have the honour to table, in both official languages, the report of the Canada-France Inter-Parliamentary Association concerning the Forty-ninth Annual Meeting, held in Île de France and Normandy, France, from April 1 to 8, 2023.

[English]

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

SECOND PART, 2023 ORDINARY SESSION OF THE PARLIAMENTARY
ASSEMBLY OF THE COUNCIL OF EUROPE, APRIL 24 TO 28, 2023—
REPORT TABLED

Hon. David M. Wells: Honourable senators, I have the honour to table, in both official languages, the report of the Canada-Europe Parliamentary Association concerning the Second Part of the 2023 Ordinary Session of the Parliamentary Assembly of the Council of Europe, held in Strasbourg, France, from April 24 to 28, 2023.

MEETING OF THE STANDING COMMITTEE OF PARLIAMENTARIANS
OF THE ARCTIC REGION, APRIL 25-26, 2023—REPORT TABLED

Hon. David M. Wells: Honourable senators, I have the honour to table, in both official languages, the report of the Canada-Europe Parliamentary Association concerning the Meeting of the Standing Committee of Parliamentarians of the Arctic Region, held in Washington, D.C., United States of America, from April 25 to 26, 2023.

MEETING OF THE STANDING COMMITTEE OF THE
PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE,
MAY 15, 2023—REPORT TABLED

Hon. David M. Wells: Honourable senators, I have the honour to table, in both official languages, the report of the Canada-Europe Parliamentary Association concerning the Meeting of the Standing Committee of the Parliamentary Assembly of the Council of Europe, held in Reykjavik, Iceland, on May 15, 2023.

THIRD PART, 2023 ORDINARY SESSION OF THE PARLIAMENTARY
ASSEMBLY OF THE COUNCIL OF EUROPE, JUNE 19-23, 2023—
REPORT TABLED

Hon. David M. Wells: Honourable senators, I have the honour to table, in both official languages, the report of the Canada-Europe Parliamentary Association concerning the Third Part of the 2023 Ordinary Session of the Parliamentary Assembly of the Council of Europe, held in Strasbourg, France, from June 19 to 23, 2023.

THE SENATE

NOTICE OF MOTION CONCERNING POSSIBLE EXIT OF ALBERTA
FROM THE CANADA PENSION PLAN

Hon. Paula Simons: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Senate of Canada:

1. call on the Chief Actuary within the Office of the Superintendent of Financial Institutions to publish an actuarial study that reports on:
 - (a) a possible exit of Alberta from the Canada Pension Plan (CPP), including an analysis of the viability of the CPP after such an exit by Alberta;
 - (b) a reasonable estimate of an exit cost of Alberta's share of the Canada Pension Plan fund; and
 - (c) any other information that the Chief Actuary deems to be relevant in the study of this issue; and
2. call on the Office of the Parliamentary Budget Officer to study a possible exit of Alberta from the CPP, including any fiscal and/or economic impacts of such an exit from the CPP on Canadians.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, before I call Question Period, I want to remind senators that at 3:30 p.m., I'll have to interrupt Question Period to prepare for the Committee of the Whole.

QUESTION PERIOD

INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT

MINISTERIAL ACCOUNTABILITY

Hon. Donald Neil Plett (Leader of the Opposition): Government leader, last night, a whistle-blower told a House committee about widespread corruption and misconduct at Sustainable Development Technology Canada. At the start of this year, whistle-blowers submitted a 345-page presentation to the Privy Council. It outlined gross mismanagement across every aspect of this green slush fund's operations and governance, non-compliance with the legislation and contribution agreement across every single funding stream and serious conflict of interest breaches by management.

Leader, the whistle-blower claimed taxpayers' money was misappropriated to the tune of \$150 million, just in the past few years. Why, leader, hasn't the Trudeau government referred this matter to the RCMP?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. It's a serious one. It's a serious matter. As I said before, there is an independent review by a third party law firm that will be reporting its findings to the minister.

Sustainability Development Technology Canada will allow current and former employees to speak freely to the law firm without violating any applicable settlement agreements or non-disclosure agreements.

Earlier this year, colleagues, Innovation, Science and Economic Development Canada was made aware of these allegations of mismanagement and immediately took a fact-finding exercise through an impartial third party. My understanding is they have now received the report.

The government takes these findings seriously. Immediate corrective actions are ongoing, including implementation of an action plan by this month. I understand that as this process continues, the government will monitor the situation because the government holds all organizations that receive federal funding to the highest of standards.

Senator Plett: Isn't the real reason it hasn't referred it to the RCMP is because your government gave this slush fund an embarrassing lack of oversight in the first place, as the whistle-blower said? Or is it because your government covered up the truth, as the whistle-blower said? Or is it because Minister Champagne and the Prime Minister's department, the Privy Council Office, have been aware of these issues for longer than they are admitting to Canadians, as the whistle-blower said? Or is it all of the above, leader?

Senator Gold: Thank you for your question and for giving me this menu of options. I can only repeat that the government takes these matters seriously. An independent review by a third party is ongoing. A report has been provided to the minister, and corrective action is being taken.

Hon. Yonah Martin (Deputy Leader of the Opposition): My question for the government leader in the Senate also concerns Sustainable Development Technology Canada. Canadians have learned in recent weeks that three individuals involved in this organization approved funding for companies they had a stake in or owned. However, the whistle-blower who appeared before a committee of the other place last night stated at least half of the board members and executives at this organization were funding companies in which they had a direct financial interest.

• (1520)

Leader, if accountability and the proper management of taxpayers' dollars meant anything to the Trudeau government, wouldn't you have referred this to the RCMP by now? What is stopping you from doing so today?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. Again, I will repeat, these allegations are serious. The highest standards must be followed by all those who receive government funds. These matters are being dealt with responsibly and seriously through a fact-finding investigation by an impartial third-party firm. All whistle-blowers must have the ability to not only speak to the press, but to the firm without fear of breaching any non-disclosure or other agreements that would otherwise preclude them from speaking freely. Corrective actions are being taken and the government will monitor this very carefully.

Senator Martin: But the whistle-blower also claimed that in 2021, the former chair of this organization applied for \$2.2 million from the green slush fund for a centre named after herself but was ultimately denied. Leader, the Trudeau government must have known about this incident, so why was the chair allowed to step down on December 1 instead of being fired?

Senator Gold: I'm not in possession of the information leading up to these matters, which typically are dealt with as human resources matters. In that regard, I can only repeat that the government is taking the appropriate action to make sure that government funds are spent responsibly and honourably.

FUNDING FOR GRADUATE STUDENTS AND POST-DOCTORAL SCHOLARS

Hon. Stan Kutcher: Senator Gold, Canada has historically seen that every \$1 spent on research and development generates over \$4 in GDP growth. The workforce driving much of this growth is the 300,000 graduate students and post-docs working in academic institutions, yet Canada has not increased funding to these people since 2003. Why has the government not invested in graduate students and post-docs when doing so offers a clear return on investment for Canada?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, senator, and for your continuing advocacy on this important issue. Indeed, the government has invested considerably. It has invested more than \$16 billion which has been committed to support research and science across Canada and, as I mentioned on other occasions, that includes 600 new Canada Graduate Scholarships. Last year, the government also announced more than \$275 million for 5,700 promising students and emerging researchers across Canada in many disciplines through the granting agency scholarships and fellowships program, including the Canada Graduate Scholarships program, as well as agency-specific doctoral and post-doctoral awards. The government understands very well that when it invests in Canada's research community, it is investing in the discoveries of tomorrow. That leads to a better quality of life for all Canadians.

Senator Kutcher: Thank you very much, Senator Gold. However, the reality remains that our post-docs and graduate students are struggling because they have had no substantive increase in their awards and stipends and basic salaries for over 15 to 20 years, and that's just not right.

How will the government ensure that Canada continues to benefit from the economic productivity of these individuals if they don't increase the funding across the board?

Senator Gold: Well, the government is working with its funding agencies to explore ways in which they can better support the next generation of researchers and top talent. I should add that the research community is also benefitting from the support of the universities and research institutions themselves thanks to the generous philanthropy that is increasingly flowing into the research sector from the private sector.

FINANCE

CANADIAN MORTGAGE CHARTER

Hon. Tony Loffreda: Senator Gold, in her Fall Economic Statement, Minister Freeland announced a new Canadian Mortgage Charter, which she describes as helping to protect Canadians who are struggling with their mortgage payments at a time of higher interest rates. This charter details the tailored mortgage relief that Canadians can expect from their banks if they are in financial difficulty. However, the CBC reported that the charter is not a law but rather a list of rules and expectations.

The Financial Consumer Agency of Canada already developed guidelines for those struggling with mortgage payments due to exceptional circumstances.

How will the government implement or enforce this charter? How will it impact the work financial institutions are already doing to help mortgage holders?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, senator. Let me begin by underlining that it's actually a very serious step for the finance minister to publish clearly — in black and white and both official languages — the government's expectations for how banks should be and will be supporting their customers.

Having said that, it is my understanding that the Canadian Mortgage Charter was discussed extensively with the banks beforehand. It is the belief and indeed the expectation of the Minister of Finance that the banks are going to work with the government and work with Canadians to act on the commitments set out in the charter.

As I believe the minister has stated, this is a shared national interest, both for the banking sector and its customers.

Senator Loffreda: Thank you for the response. Although our banks are already actively engaged with borrowers, I appreciate the charter may offer some additional guidance for mortgage holders who may be facing financial hardships. What role, if any, will the government have in determining who is considered a vulnerable borrower or mortgage holder at risk? How does the federal government expect to monitor the banks' implementation of and compliance with mortgage relief measures?

Senator Gold: Again, it's the expectation of the Minister of Finance that the banks will work closely with the government to ensure that the support that they offer to their clients through the temporary financial stress that is caused by the elevated rates of interest will be targeted to those in need and will help Canadians stay in their homes.

I have been assured that the finance minister and her office will monitor this very carefully.

HEALTH

HEALTH CARE PROVIDERS

Hon. F. Gigi Osler: December 12 is International Universal Health Coverage Day, and the 2023 theme is "Health for All: Time for Action." On this day, health advocates call for strong, equitable health systems that leave no one behind. A foundational element of universal health care and a high-performing health care system is accessible primary care; however, in April 2023, a national survey found that more than one in five Canadians — an estimated 6.5 million people — do not have a primary care provider, neither a family doctor nor nurse practitioner, that they see regularly.

Senator Gold, apart from the financial contributions to the provincial and territorial jurisdictions, how is the federal government contributing to advancing primary care in Canada to ensure that no one is left behind?

Hon. Marc Gold (Government Representative in the Senate): Thank you. Yes, in addition to the financial contributions, which are fundamentally important to our system, the federal government exercises a leadership role — I could almost call it a convenor role in some sense. Let me give you a few examples.

So far, the government has established a Coalition for Action for Health Workers to form immediate and long-term solutions to address the significant challenges that the networks face. It has introduced measures to facilitate the entry of foreign national physicians as permanent residents. It has invested close to \$200 billion under the Working Together Plan with provinces and territories, through which the government has asked provinces and territories to streamline foreign credential recognition for internationally educated health professionals. It will continue to work with its partners in the provinces and the territories in that leadership convening role, backed up by the ongoing federal financial support that the system so desperately needs.

Senator Osler: Thank you, Senator Gold. How else is the government collaborating with health care professionals and stakeholders to identify the root causes of Canada's systemic health care problems?

Senator Gold: In this regard, as you know, colleagues, the Minister of Health is in regular contact with his counterparts across the country to explore all the different areas, both needs at the provincial level and the issues that have risen to national concern. In that regard, those discussions are the primary vehicle through which new ideas can be generated and new partnerships can be forged.

[Translation]

ORDERS OF THE DAY

BUSINESS OF THE SENATE

The Hon. the Speaker: Pursuant to the order of December 7, 2023, I leave the chair for the Senate to resolve into a Committee of the Whole to receive Marie-Chantal Girard respecting her appointment as President of the Public Service Commission of Canada. The Honourable Senator Ringuette will chair the committee.

[Senator Osler]

• (1530)

[English]

PRESIDENT OF THE PUBLIC SERVICE COMMISSION

MARIE-CHANTAL GIRARD RECEIVED IN COMMITTEE
OF THE WHOLE

On the Order:

The Senate in Committee of the Whole in order to receive Marie-Chantal Girard respecting her appointment as President of the Public Service Commission of Canada.

(The sitting of the Senate was suspended and put into Committee of the Whole, the Honourable Pierrette Ringuette in the chair.)

The Chair: Honourable senators, in a Committee of the Whole senators shall address the chair but need not stand. Under the Rules, the speaking time is ten minutes, including questions and answers, but, as ordered, if a senator does not use all of his or her time, the balance can be yielded to another senator. The committee will receive Marie-Chantal Girard, nominee for the position of President of the Public Service Commission, and I would now invite her to join us.

(Pursuant to the Order of the Senate, Marie-Chantal Girard was escorted to a seat in the Senate chamber.)

[Translation]

The Chair: Ms. Girard, welcome to the Senate. I would ask you to make your opening remarks of at most five minutes.

[English]

Marie-Chantal Girard, nominee for the position of President of the Public Service Commission of Canada: Thank you, chair and honourable senators, for your time. I'm honoured to be considered for the role of President of the Public Service Commission of Canada. I would like to begin by recognizing that we are gathered on the traditional and unceded territory of the Algonquin Anishinaabe people.

Canada has a world-class public service, but we cannot be complacent. It plays an important role in upholding democratic values and preserving trust in our institutions. I believe that the Public Service Commission must — more than ever — work to safeguard a merit-based, non-partisan and representative public service in collaboration with partners and stakeholders.

[Translation]

When I began my career, I was a young, unilingual graduate. Unemployment was high, and precarious employment was all but guaranteed.

For seven years, I worked in the community to improve women's access to the job market. At the same time, I was pursuing my doctoral studies, which involved analyzing the obstacles that young people were facing when entering the workforce and developing better strategies to help them.

I then joined the federal public service to work from within, mainly on issues related to income security and socio-economic development.

For the past five years, at the Treasury Board Secretariat, I have led the creation and implementation of a total compensation approach aimed at attracting and retaining the most diverse talent. This approach is built on pillars such as the modernization of working conditions, the viability of pension and benefits plans, and the implementation of the Pay Equity Act.

[English]

As president, I would take the time to listen and seek advice, of course. Having said that, my priorities would include the full implementation of the 2021 amendments to the Public Service Employment Act, which strengthen diversity and inclusion. It now requires departments and agencies to evaluate methods of assessment used in staffing processes, looking for biases and barriers that disadvantage people belonging to equity-seeking groups — and removing them. They also expand the authority of the commission and deputy heads to investigate errors, omissions or improper conduct in that regard.

When I look at the data and the feedback received, we see that some continue to face systemic discrimination, such as persons with disabilities, Indigenous peoples and Black people. This is important not just for recruitment but also for retention. Every effort counts. For example, in partnership with bargaining agents, we were able to introduce a new type of leave for Indigenous traditional practices in the most recent collective agreements, which supports wellness and retention in the workplace. Every small piece of work counts.

[Translation]

This brings me to my second priority: consolidating our regional presence and improving service delivery in both official languages.

With over 10 years of experience in the regions, I believe that the federal public service can raise its profile through new alliances with industry clusters, community organizations, colleges and universities.

We also need to tap into the new pool of permanent residents. With more communities across Canada designated as bilingual, now more than ever, official languages are an indispensable qualification.

More innovation in staffing will therefore be required, with simplified hiring strategies, judicious use of technology and streamlined processes to fill positions more quickly. The commission's new candidate evaluation platform for online second language testing is a good example.

[English]

I would finally mention that, if appointed, I see a clear responsibility — with the support of the two other commissioners and the management team — to carefully examine how taxpayer dollars are working to deliver better results for Canadians, but also with a view to avoid negative impacts on the recent gains in representation.

[Translation]

In closing, I want to thank the interim president, Stan Lee, and the former president, Patrick Borbey. They leave behind a solid foundation that I want to build upon.

Thank you. *Meegwetch*.

The Chair: Thank you, Ms. Girard.

[English]

We will now proceed to four periods of 10 minutes for questions.

Senator Plett: Welcome, Ms. Girard, and congratulations on your nomination. You, of course, are no stranger to the Senate, having appeared as a witness before our committees.

I would like you to briefly summarize for us the process by which you came to be before us today. Specifically, did you apply for this position, or were you asked to put your name forward? Why did you decide to seek this appointment? Whom did you interview with, and what testing did you undergo?

Ms. Girard: Thank you for your question, honourable senator. I did apply for this position. It was a competition under the supervision of the Privy Council Office. I brought forward my candidacy, and, after the first initial process of evaluation on file, I was asked to present myself for an interview, where there were two deputy ministers and administrative supports who conducted the interview.

Why was I interested in this position? I see it as a possibility for me to bring together my background, my education and my experience both outside and inside the government, as well as the networks that I have developed and built over the years with bargaining agents, with equity-seeking diversity networks and with deputies in the deputy minister community, and put it to the public service writ large.

Right now, I'm the Senior Assistant Deputy Minister of Employee Relations and Total Compensation. What I do right now is support and act in alliance with the mandate of the Public Service Commission. I think I could be independent and able to exercise my role without influence, but, at the same time, understand the challenges of the public service very well and work for its development in the future.

Senator Plett: Thank you for that, Ms. Girard. You are taking on this new position, and you've already talked a little bit about what you plan on doing and how to ensure that everybody spends tax dollars wisely.

• (1540)

Just a few weeks after, Minister Freeland brought forward her Fall Economic Statement, which announced further spending cuts to the public service beyond what was promised in the federal budget in March. Just to refresh everyone's memory, the Trudeau government promised in the spring to find \$15 billion in public sector spending cuts. Last month, they said they would find another \$345 million in cuts, and by 2025-26, almost \$700 million per year onward.

As they say, I'm from Missouri on this, Ms. Girard. I have my doubts about how or if they will achieve this, but that question is possibly better posed to Senator Gold than you.

Ms. Girard, how do you intend to guide the commission through these promised cuts to the public service?

Ms. Girard: Thank you, honourable senator, for your question.

It is, of course, for each deputy minister to manage their spending and to make determinations in their respective departments to ensure that they're able to deliver on their mandates. At the same time, I understand that the Public Service Commission has been asked, like other federal institutions, to look at their current expenses, and in this initial endeavour, to look at travel costs and professional spending as well.

As I said, if appointed, I will look carefully at the proposals that have been brought forward. Right now, at the Public Service Commission, I do not have access to them, because they are cabinet confidences and they are being considered at this juncture. But that will be definitely one of my priorities, as well as making sure that we can continue to support the public service with the services and expertise that we have.

Senator Plett: You may have seen a recent video, Ms. Girard, released by the Royal Canadian Navy, which lays out some pretty stark facts about the state of the navy today, particularly on its human resources side. Many occupations are experiencing shortages of 20% or higher.

The navy's commander recently gave an interview to journalist Paul Wells in which he described this as a "generational challenge." Vice-Admiral Topshee also said the most significant challenge the navy faces is that it is losing one marine technician every two days. These positions take 5 to 10 years of training, and we're losing one every two days.

Ms. Girard, how do you think the Public Service Commission can help in significantly streamlining much-needed recruitment and retention, not just for the navy but for the air force and the army as well? How would this fit into your plan for your first 100 days?

Ms. Girard: Thank you again for the question. It is a vast one, and, indeed, it's a reality at the navy.

Being responsible for the renewal of collective agreements throughout the public service and also supporting them separately, I understand that we are facing, like other employers, dire needs in several of our organizations and areas of expertise. It is a very tight labour market that we are operating on, and with

the research team and the policy team at the Public Service Commission, I will continue to equip and support deputies in departments and agencies to widen their understanding of where the pools of recruits can be.

As I mentioned earlier in my presentation, we can widen our networks and partnerships in the labour market with, for example, industrial clusters, community organizations and colleges and technical institutions, which will help us bring in new candidates into the public service.

We also have a challenge in our communication with recruits. We need to modernize to know how they communicate, what they're looking for, and the total compensation approach allows us to present ourselves as a competitive employer. I'm often surprised by how little some of our employees know about the value proposition that the federal government brings and, with all of the compensation levers, how competitive we are in the market versus others, in addition to the mobility that we offer.

With all of that work, I believe that we can present ourselves in a competitive way in the labour market and renew work on the renewal of our public service.

Senator Plett: Just in the couple of minutes that I have left and in light of the two questions that I raised, which are fairly important to me, what key priorities will you focus on right away should your nomination be approved?

Ms. Girard: First, we need to complete the implementation of the modernization of the Public Service Employment Act, strengthen diversity and inclusion, remove or mitigate biases or barriers to access to the public service and make sure that we are fully representative of the Canadian population and that it has trust in our institutions.

I also believe that work needs to be done in addition to what we're currently doing to support the coming into force of Bill C-13 with regard to official languages. We have more employees who will need to meet those requirements in the future, and that will be a collective effort that the Public Service Commission must contribute to by providing tools, testing and training. I will also look at our recruitment tools to make them faster, more agile, while being mindful not to compromise the integrity and the merit-based principles that we need to respect.

I will stop here for now, but those will be important priorities.

Senator Plett: May I just say in my final comment that I hope you will, with that, also take the two issues that I brought forward, because they would be top priority for me, and I hope and trust that you will give them your every consideration.

Ms. Girard: Thank you, honourable senator. I took good note of them.

Senator Duncan: Thank you, Ms. Girard, for your attendance here today. My question concerns the Phoenix pay system.

Federal employees went unpaid for long periods of time, were paid less than expected or were overpaid, resulting in significant financial stress. The Senate National Finance Committee followed the issue of the Phoenix pay system in a number of reports, and I understand there has been progress. Nonetheless, there are aftershocks that remain when employees are affected in this way. Morale is affected, and highly qualified individuals seek other employment.

In your new capacity as the leader of the public service, do you have a plan to address the outstanding issues of low morale caused by Phoenix and to reinforce with the public service the value that Canadians place on their service?

Ms. Girard: Thank you for the question, honourable senator. You raise an important point that does play a role in our messages and how we can attract new people, but I also understand that sometimes it makes people who are already in the public service hesitant to move from one position to another. It hinders mobility within the public service.

Over the last couple of years, we've tried to improve the communications with employees in that regard. I understand that we're very advanced in providing the compensation that was due to try to make up for the very negative impacts that the system has had. At the same time, we know that the Public Services and Procurement Canada, or PSPC, has introduced a principle in the way they conduct their affairs by not allowing a new case to get old.

As of now, errors — which happened even before Phoenix because we're such a large enterprise — as soon as an employee flags to their manager that there is an error in their pay, it is handled immediately and not put at the end of the queue to be handled later on so that the errors multiply and accumulate with the passage of time.

• (1550)

That has helped reduce errors, but we understand that colleagues are working hard to develop the mitigation plan to deal with the backlog, as well as looking at other solutions to help provide us with a more permanent solution.

As for my responsibilities right now, I can assure you that through the renewal of the collective agreements that we're working on right now, we're putting in great effort to try to standardize and harmonize the terms and conditions of employment found in many collective agreements in order to simplify them and to reduce the burden on the system and any future system.

Senator Duncan: Thank you for that response. I'm sharing my time with Senator Omidvar.

Senator Omidvar: Thank you. Congratulations, Ms. Girard, on your appointment, and thank you for being here with us today.

You made a point in your opening statement about the importance of the Public Service Commission: Its mandate is to safeguard a merit-based, non-partisan and representative public

service. However, Black federal public employees have filed a class-action lawsuit against the Government of Canada for decades of alleged systemic discrimination.

What is your response? If you are appointed to this position, how would you deal with the presence of systemic discrimination — not just against Black employees, but other groups as well?

Ms. Girard: Thank you, honourable senator. It is an absolute priority because I believe it depends on the trust that Canadians put in us. As we've seen in recent years, when complex situations arise, the population turns to us more than ever for guidance and services that will meet their needs. It's essential that we harness and improve on that front.

I will ensure that we implement all of the amendments that have been introduced in the act. We are currently working with the deputy minister communities to identify the biases — conscious or unconscious — and barriers that are in our systems and processes. Once they've been identified, we ensure to remove or mitigate them.

This is done in collaboration with the Privy Council Office, with ourselves and with the Canada School of Public Service that provides training. As the President of the Public Service Commission, I also have the authority to investigate. The new amendments give us the authority to investigate and address omissions, errors or negative conduct during those processes or through management activities, and ensure that we work with the deputy ministers to put in place the corrective measures. They can take different forms. It can be training, but it can also be through discipline.

It's by ensuring that we are a model and that we work together as leaders — throughout the enterprise — that we will be able to actually change the culture. Training will be important as well. Growing the number of employees in the public service who reflect the composition of Canadian society will bring that bottom-up culture change as well.

Senator Omidvar: Ms. Girard, the Senate Human Rights Committee has just published their seventh report entitled *Anti-Black Racism, Sexism and Systemic Discrimination in the Canadian Human Rights Commission*. That is the Canadian Human Rights Commission, and not the Public Service Commission of Canada, but we heard testimony — that crossed over into your mandate — from employees who talked about the discrimination they had experienced. On questioning, we were able to determine that public servants who were discriminating against others were simply shuffled out into other positions in the public service.

I'd like to know what you would have done in that position if there were, let's say, a few bad apples and you addressed their behaviour. Would you move them out, or would you move them sideways or upward? What would you do?

Ms. Girard: Thank you for your question. It is a delicate one because I'm not in that position. I think that anyone you speak to would tell you that I'm a diligent manager — one who listens, but also one who takes measures and makes sure that principles

and rules are applied. It's a question of fairness for these individuals, but also for the rest of the team who observes these behaviours.

Having said that, on a generic level, I'm very grateful to the committee for releasing this report. I will, if appointed, ensure that I sit down with the team and the commissioners to more carefully analyze the various recommendations that I read last night after its release.

I can say that, from the get-go, I fully support the introduction of Black people and the 2SLGBTQI+ community as equity-seeking groups. We need a broad view on things, and it will serve us better. Thank you.

The Chair: We're moving to the next block of 10 minutes.

Senator Downe: Welcome to the Senate. I was pleased to hear your comments about diversity and inclusion because, as you know, medically released members of the Canadian Armed Forces who have been injured in the service of Canada are placed on a priority list for federal government jobs for which they are qualified. They maintain that priority status for five years.

However, between January 1, 2005, and November 30, 2021, 800 medically released Canadian Forces members saw their priority entitlement expire before receiving any job offers. Almost 800 former Canadian Forces members who were injured serving our country — either in conflicts, like the corporal I met who lost limbs in Afghanistan, or on peacekeeping missions, or through accidents while on duty — wanted to work for the Government of Canada, but did not get that opportunity.

As it stands now, some departments and agencies of the government appear to be doing much more to hire medically released veterans and others, but, overall, I think the placement is pathetic.

Of the departments and agencies identified as having made these priority hires between 2005 and 2021, Veterans Affairs Canada hired 68, which was fewer than Employment and Social Development Canada, which hired 126. Correctional Service Canada hired 99; Transport Canada hired 28; and Environment Canada hired 15. For its part, the Public Service Commission only hired a handful: between 5 and 7.

What can you do — as the head of the Public Service Commission — to encourage more departments and agencies to hire medically released veterans so that hundreds more do not fall off the priority list?

Ms. Girard: Thank you. First of all, I would like to say that I fully support your comments regarding the importance of the service that our veterans have given to our country, as well as the skills and the experience that they bring. In most of the positions that I've occupied in the last 15 years, I have benefited from the expertise of veterans, or previous National Defence military and Canadian Armed Forces members. They are helping us right now, for example, in the negotiations of the terms and conditions of employment at the Department of National Defence, and they bring a wealth of knowledge with them.

Having said that, we do need to better promote those candidates with the various deputy ministers because I don't think that the way we present their candidacy highlights — to the employer — what they bring to the table. I'm not sure that the system right now optimizes the matches that are there.

• (1600)

There are two types of priorities, statutory and regulatory, so it is those who have been released through medical service or not through medical service. We have a number of accommodations that we can offer now that in the past were perhaps not as well known by departments and hiring managers.

There is another variable in the equation, which is hybrid work and recruiting in the regions. That's a new variable. Before the pandemic, perhaps those veterans were located in regions or rural areas and were not ready or mobile after their discharge to come to work in the departments across the country. That might not be as much as of a factor as it was.

We know it fluctuates because every year, depending on the demography and where they are, we see that the rate of their entering the public service varies. I definitely believe that with hybrid work, we have an additional value proposition for both managers and veterans.

Senator Downe: Speaking of hybrid work, as you know, traditionally the federal public service had one third of the positions in Ottawa and two thirds across the country. Recently, however, the employment has grown to 47% of all federal government employees in the National Capital Region. In fact, according to the Parliamentary Budget Officer, since 2016, the number of federal employees has increased by over 82,000, an increase of 24%, and most of those are in the national capital. That's less and less people in the regions.

Part of the mandate of your commission is diversity, inclusion and, as they say on your website, "... talented people from coast to coast to coast." What will you do to make sure that employment returns to the regions of Canada? If you need an example of that, you just have to look at the national headquarters of Veterans Affairs — the only national headquarters outside the National Capital Region — which is located in Charlottetown. It has employees of 1,600 and a payroll of \$140 million. That prosperity should be spread across the country to other regions. What will you do to make that happen?

Ms. Girard: Thank you, honourable senator. I spent more than 10 years at Canada Economic Development for Quebec Regions and worked in the regions for a number of years myself. I can certainly relate to that.

You are right. Not only does it offer possibilities for our veterans, but also earlier, we were talking about the navy and the critical need to renew our public service with specialized employees or skills. I think the skills strategy that we're working on together with the Treasury Board Secretariat will need to factor in this new reality. It will be part of the value proposition that the federal government can bring as the largest employer in the country.

Senator Osler: Thank you, Ms. Girard. I noted that your opening remarks spoke of equity-seeking groups. The language of “equity seeking” suggests that historically marginalized groups of people must be the ones to actively seek equity. Other language such as “equity deserving” shifts the focus to the fact that historically marginalized groups are, in fact, deserving of equity.

Intentional leadership is essential for culture change. It has been said that diversity is being invited to the party; inclusion is being asked to dance.

Should you become president of the Public Service Commission of Canada, can you please share your thoughts with us on how to achieve culture change and inclusion?

Ms. Girard: First of all, thank you for that remark. I fully appreciate the nuance, which is not a nuance in day-to-day life, about seeking and deserving.

Of course, the goal here is that there is no need for those measures, but we know that culture change takes time. It is an industrial sociologist who says it, but we know it doesn’t happen on its own either. Without the leadership and the measures, we cannot rely on just day-to-day activities, pressures and all of that. It is important that we are deliberate in our work to do it, removing the biases that I talked about, removing the barriers, introducing new approaches to staff to manage that will abolish and hopefully one day won’t be necessary.

That’s why we also investigate. I was happy to hear that the Public Service Commission — although not in the organization at this point — has started two audits already to make sure that we have a continuous learning cycle and that we don’t keep doing the same kind of work over and over again.

I will want to see progress and that we don’t have the same conversations for seven years, that our conversations evolve and narrow down and we can take the progress that has been made, share it with others and tackle new or more complex issues as we go — but not repeat the same discussion for seven years. We need to measure and, hopefully, I will be very glad in my capacity in reporting to Parliament to provide you with a picture of that progress.

[Translation]

The Chair: Ms. Girard, we’ll start the last 10-minute block of questions.

[English]

Senator Bernard: Thank you, Ms. Girard. Coming last, I know some of my questions have already been asked. I want to take some of those further. I noticed in your opening remarks you referenced the Pay Equity Act and the Public Service Employment Act, but you did not mention the Employment Equity Act. I was surprised by that, especially given the report of the task force that was released yesterday that speaks to the title, *A Transformative Framework to Achieve and Sustain Employment Equity*.

Some research has highlighted the fact that, up to now, the Employment Equity Act has helped White women shatter the glass ceiling. Black people, other racialized people, Indigenous people and persons with disabilities have faced concrete ceilings.

Ms. Girard, in your first 90 days in the role, what specific actions do you envision that you would take to remove biases and barriers that are rooted in systemic racism and discrimination?

Ms. Girard: Thank you for your question, honourable senator. I did look at those numbers, and I extracted the delta between the difference for men and women, visible minorities, non-visible, Indigenous people and so forth to see what the difference is.

The report of the task force was just released, and I will look more closely at each of the recommendations but will take on to implement those that fall under the purview of the Public Service Commission.

Immediately, by widening the equity-deserving group, it means that the measures we have started to implement with regard to removing biases and barriers, we will also apply to the two new communities that they have identified, that they suggest we have. Then it means that the surveillance — the reporting and the research that we do — is also inclusive and builds on the recommendations of the report.

• (1610)

At this point, the report was just released and I am not at the commission yet. I would like to consult and look at the data. Certainly, what falls under the mandate of the commission will be taken extremely seriously and approached diligently.

Senator Bernard: We know that leadership and language matter. I’m sure there are several equity-deserving group members that are anxiously waiting to hear what new ideas you will bring to the Public Service Commission to make a difference, because people have been waiting a long time for things to change.

Ms. Girard: We now have a number of initiatives that have collectively been put in place and are aimed at shattering the ceiling you’re talking about. We have the Mosaic program. From last year’s cohort, 50% of the participants are now in new positions in the public service.

We have the Mentorship Plus program. I have been a mentor and participated in Mosaic myself. Through the work of the commission, we have made and improved the tools to assess and make official languages more accessible. It’s through those efforts that we’re seeing, for example, more executives — people at the working level who are now achieving their goals to occupy executive positions and are moving into all sectors and areas of the public service.

More efforts will need to be made. Looking at the data and feedback from the diversity networks that we work closely with, persons with disabilities, Indigenous peoples and Black people are not achieving the same results with what we have done so far, so we need to work harder at it and find different, adapted ways to go about it.

[Translation]

The Chair: Thank you, Ms. Girard.

Senator Cardozo: Ms. Girard, building on Senator Bernard's theme, I have a question about adopting a broader vision to prepare the public service for the future.

[English]

Perhaps this is a good closing question regarding creating a public service for the future. We talked about diversity. You talked about culture change. I will remind you that the Employment Equity Act is almost 40 years old; that culture is not yet changing very quickly. We need a public service that is more bilingual and technologically able to better use IT to serve Canadians, and all of this in a scarce new world where it's hard to find people in the public and private sectors — and you have a shrinking budget. How do you get all of this in, work some magic out of this and make it a better public service to serve Canadians?

Ms. Girard: Thank you for your question, honourable senator.

It is a big mandate, but it is one that we will tackle and succeed at by working together. It's a collective effort. It requires the work of colleagues who are deputies in the system, but also the School of Public Service and the Privy Council Office, or PCO. We have the Treasury Board of Canada Secretariat as the employer. By each doing our part in this, we will make a difference.

There are several challenges but, at the same time, opportunities to attract talent. Yes, there is a competitive labour market, but it is one that is better trained, brings new skills and is more diversified than ever. It is our job to reach out and be more attractive in our value proposition and adapt ourselves to the realities of today.

At the same time, when we hire, we have — I would say this is not new, but we can see that it's more real than ever — an obligation to remind those who join the public service of the merit-based, non-partisan aspect of working here, and make sure we communicate those values in a clear fashion and give meaning to the work that we do; that is different from what other employers out there offer.

The public service needs to deliver services at a speed and of a complexity that is unheard of. We have seen in recent years how service delivery has become more complex. We need to work — again, all together — to find the right technology and bring in people who have the digital skills and operational knowledge of the needs of Canadians in order to achieve that mission.

By making the tools simpler and ensuring we share more data within the group of organizations that are responsible for each of those levers — being more efficient at doing it and mindful of the taxpayers' dollars — that's how we will remain credible, attractive and deliver the services we need to deliver to Canadians.

Senator Cardozo: Thank you. I will say, when we see many public servants who come before us as witnesses, I am struck by the lack of diversity. There are an increasing number of women

but few visible minorities and I don't recall having seen an Indigenous person outside an Indigenous Affairs portfolio. I encourage you to make sure that diversity rises through the service.

Also, I find there are not many people who speak both official languages. Not enough people speak French in the senior public service. I encourage you to meet all those challenges that are on your plate and wish you the best of luck in this position.

Ms. Girard: Thank you.

The Chair: Honourable senators, the committee has been sitting for 45 minutes. In conformity with the order of the Senate, I am obliged to interrupt proceedings so that the committee can report to the Senate.

Ms. Girard, on behalf of all senators, thank you for joining us today.

Hon. Senators: Hear, hear!

The Chair: Honourable senators, is it agreed that the committee rise and I report to the Senate that the witness has been heard?

Hon. Senators: Agreed.

The Hon. the Speaker: Honourable senators, the sitting of the Senate is resumed.

[Translation]

REPORT OF THE COMMITTEE OF THE WHOLE

Hon. Pierrette Ringuette: Honourable senators, the Committee of the Whole, authorized by the Senate to receive Marie-Chantal Girard respecting her appointment as President of the Public Service Commission, reports that it has heard from the said witness.

The Hon. the Speaker: The Senate will now resume Question Period.

QUESTION PERIOD

INFRASTRUCTURE AND COMMUNITIES

AFFORDABLE HOUSING

Hon. Claude Carignan: My question is for the Leader of the Government. Leader, Canada has a housing problem. According to the Canada Mortgage and Housing Corporation, we will be 3.5 million housing units short by 2030. Your government's solution to the funding problem is to create 37,000 units, which is a drop in the bucket.

• (1620)

Today we learned that the government plans to relaunch Sears catalogues with pre-approved plans to facilitate construction. At first, I thought that was a joke, but apparently it's not. Is the government running out of ideas? Isn't it time for you to consider letting someone else take over?

Hon. Marc Gold (Government Representative in the Senate): The challenge in tackling the housing problem is for each level of government to do its part with the private sector. With changes to legislation and measures announced in the budget, the Government of Canada is doing its part to create opportunities and initiatives to ensure that the private sector can contribute to creating and building more affordable housing for Canadians. This approach respects not only provincial and territorial jurisdictions, but also the role of the private sector.

Senator Carignan: This in no way respects provincial jurisdictions. Are you aware that it's the municipalities that grant building permits, with plans that are submitted, files that are reviewed by urban planning committees, and site planning and architectural integration plans, to ensure that each property integrates into a residential neighbourhood? You want to offer a Sears catalogue of pre-approved plans. Are you seriously saying that this respects provincial jurisdictions?

Senator Gold: That is exactly what I said. The Government of Canada is working with the provinces and municipalities to meet their needs and lend a hand, in circumstances that are relevant and specific to their needs.

[English]

INDIGENOUS SERVICES

HURRICANE FIONA

Hon. Brian Francis: Senator Gold, given that Atlantic Canada is especially vulnerable to climate change and First Nations are disproportionately affected, it is deeply troubling that communities in the region are having to absorb the significant financial costs of responding to and recovering from Fiona, which can significantly impact their ability to provide essential services and other support.

Would you please confirm how many claims for reimbursement related to damage caused by Fiona have been processed by Indigenous Services Canada, including through the Emergency Management Assistance Program and other sources?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for reminding us that the damage caused by these natural events continues to affect the country and impose costs, both financial and human, on communities — Indigenous and others.

In that regard, I do not have those numbers at hand, senator. I will certainly make every effort to determine where possible the extent of the support that has been granted and that might still be forthcoming.

Senator Francis: Thank you, Senator Gold.

As you may remember, last year, the Auditor General found that Indigenous Services Canada did not meet First Nations' needs in preparing for and mitigating emergencies, and issued several recommendations.

Could you please update us on what related priorities and outcomes the department has met to date to ensure that First Nations in Mi'kma'ki and beyond can adequately prepare for and mitigate climate-related emergencies?

Senator Gold: Again, thank you. Though I can't speak to the particulars of your question, I think it is important. I appreciate the question in that it underlines that given the reality of climate change, our focus has to increasingly include mitigation. It's inescapable that the damage and the changes are upon us, and, increasingly, all communities — your communities and neighbouring communities across the country — need to take seriously the mitigation of the impact of climate change.

FINANCE

ASIAN INFRASTRUCTURE INVESTMENT BANK

Hon. Leo Housakos: Senator Gold, yesterday, a former senior executive at the Asian Infrastructure Investment Bank, Bob Pickard, testified before the Canada-China Committee. Mr. Pickard, who blew the whistle on Beijing's influence on the Canadian taxpayer-funded Asian Infrastructure Investment Bank, provided jarring testimony, stating that the president of the bank "... articulates Chinese government policy as if it were his own." He said that the Chinese Communist Party exerts undue influence in everyday operations of the bank.

That is just part of the really alarming element. Mr. Pickard stated that Canada has not received a single thing of tangible value by giving a quarter of a billion dollars of taxpayer money to the Asian Infrastructure Investment Bank and that he is unaware of the Liberal government demanding a return of that money.

Senator Gold, is that true? Has Justin Trudeau even bothered to ask for the money back? Why is it that this Trudeau government is always serving the dictatorship in Beijing over the interests of Canadian taxpayers?

Hon. Marc Gold (Government Representative in the Senate): Your last statement is simply untrue. As has been stated by the minister and by me in this chamber, the government has taken seriously the allegations with regard to the Asian Infrastructure Investment Bank. Our participation has been suspended. Measures are being taken to determine, in a proper and responsible way, how we move forward.

Again, I remind colleagues that the government is responding properly and appropriately to the changing relationship that we have and that we now understand with China.

Senator Housakos: Turning over hundreds of millions of dollars to the dictatorship in Beijing is not responsible. Senator Gold, after eight years, Trudeau's wasteful spending has added more to the national debt than all previous governments and prime ministers combined. Trudeau's inflationary spending has driven up interest rates, doubled the price of rent and mortgages and added \$700 to the grocery bills of Canadians in this coming year.

Don't you think the quarter of a billion dollars of taxpayers' money that the Prime Minister spent on the Asian Infrastructure Investment Bank is contributing to the cost of living increasing in this country? It is just one of many incompetent actions of this government —

The Hon. the Speaker: Thank you, Senator Housakos. Senator Gold.

Senator Gold: The government intends to investigate fully the Asian Infrastructure Investment Bank, and I would just remind colleagues that the claims being made about what does and does not contribute to the rising costs of living — which do affect all Canadians — have to be looked at, at least when they come from the opposition, with a certain degree of skepticism given all of the misinformation, especially with regard to the carbon tax and others.

CANADIAN HERITAGE

CBC/RADIO-CANADA

Hon. Donna Dasko: My question is for Senator Gold. This question was originally prepared for Minister St-Onge, but she ran out of time when she was here last week.

In the Canadian Heritage Committee in the House of Commons on November 30 and in an interview on December 4 with the media, Minister St-Onge stated that she intended to revisit and undertake a review of the mandate and mission of the CBC/Radio-Canada. Part of this was that she wanted to have a discussion with Canadians about this review.

So my questions are as follows: Can you elaborate on anything with respect to this review? What might this review involve? Will it be a fulsome review? Will all of the options for the CBC be examined as part of this review? Will our committee be involved?

Hon. Marc Gold (Government Representative in the Senate): Thank you. I regret that you weren't able to ask the minister more directly. She is my member of Parliament.

I have every reason to be confident that the review will be a fulsome one. We all know the challenges that the media are facing. We also know — at least some of us believe — that the CBC continues to perform an important function across the country, especially in certain regions and certainly in the province of Quebec.

Notwithstanding the challenges the CBC is facing and the economic challenges all media are facing, the government intends to take the review seriously so as to better equip our public broadcaster to navigate the changing environment to continue to serve Canadians.

• (1630)

Senator Dasko: Thank you, senator.

When might we learn about the details of this review? Thank you.

Senator Gold: I don't have a specific answer for you, senator. A review of this kind on a matter this important deserves to be properly constructed, organized and implemented. I'm sure the minister will keep Canadians up to date as the process evolves.

INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT

SUSTAINABLE DEVELOPMENT TECHNOLOGY CANADA

Hon. Donald Neil Plett (Leader of the Opposition): Leader, we cannot take the Trudeau government's word for it that Minister Champagne is addressing misconduct at the green slush fund. Last night, the whistle-blower said the minister "... has lied at the ethics committee. . . ." That is a very serious allegation. I know you're taking it seriously; you've told us that.

The whistle-blower went on to say:

... there was a definitive consensus across the bureaucracy at both ISD and PCO, and the full board and executive team at SDTC needed to be terminated. This was described to us in detail and on multiple occasions in late August and September.

The outcome of this situation only changed when the minister's office became involved. He is ultimately responsible for SDTC, and he is the one who needs to tell the truth about what the real situation is.

Minister, what is the minister hiding about the green slush fund?

Hon. Marc Gold (Government Representative in the Senate): Senator, the fact that the whistle-blower, protected as whistle-blowers should be in order to be able to speak their mind free from fear of reprisal or the constraints of nondisclosure agreements, does not necessarily impress upon their allegations the truth. It is an allegation. It is therefore inappropriate to take an allegation and simply convert that into an allegation that the minister is hiding something.

This is, in fact, a process that the government has undertaken to get to the bottom of this. It takes it seriously and will continue to take it seriously. It's a serious question, however much I might object to the way in which you have framed it.

Senator Plett: The whistle-blower had this to say about the protection of employees at the slush fund:

. . . no one feels safe, even to this day, because the bureaucracy and the minister are unwilling to let them have that safety.

The government is the ultimate power in this situation. SDTC's funded by taxpayer dollars, 100% from ISSED. How can they say that they had no control over HR? How can they say that they don't have the ability to protect employees? This is insanity.

Leader, do you give Canadians your assurance that the Trudeau government will not take reprisals or retaliation against these whistle-blowers?

Senator Gold: It's the government's position that those who disclose serious wrongdoing must be protected. The laws provide for a secure and confidential process for disclosing serious wrongdoings in the workplace and also provides protection from acts of reprisal. That's the law, and I have every confidence the government will follow it.

FINANCE

COST OF LIVING

Hon. Yonah Martin (Deputy Leader of the Opposition): Government leader, on Monday, a national report on rent showed that even renting with a roommate is unaffordable in Canada. In British Columbia, Alberta, Ontario and Quebec, the average cost of renting with a roommate has gone up over 16% in just one year, to a record high of \$960. With respect to my province, the report stated:

Average asking rents for shared accommodations increased 13.0% annually and remained highest in B.C. at \$1,121, including an average rent of \$1,442 for shared units in Vancouver. . . .

Leader, that's almost \$400 more than it cost to rent a one-bedroom apartment in Vancouver in 2015, before the Trudeau government was elected.

Does your government take any responsibility for making rent unaffordable for Canadians?

Hon. Marc Gold (Government Representative in the Senate): What the government takes responsibility for is helping Canadians as they navigate the rising costs of living, including housing. In that regard, the government is taking unprecedented action to drive down the cost of rent by getting more apartments built faster and unlocking investment properties for Canadians to live in.

This fall alone, the government has delivered measures that will unlock well over 600,000 new rental homes, including tens of thousands of affordable homes across the country. As I've said before on many occasions — and this should, I would have thought, appeal to a party that values, as one should, the contributions the private sector can make — we are working in partnership with the private sector and with governments at all levels in order to all do our part within our jurisdictions to help Canadians weather this housing crisis.

Senator Martin: That's exactly the problem, leader. I've raised with you the issue of the massive debt between the number of houses your government says it will provide and the amount CMHC says we need in order to restore affordability. Last week, the President of CMHC told the Senate's National Finance Committee that there was still no overall plan to overcome this gap. It's still in development.

Leader, why does your government continue to be so slow in dealing with the housing crisis?

Senator Gold: The government is taking measures in an appropriate and responsible way. It is not the position of this government that it is simply going to take a top-down-status approach, taking over jurisdiction from both the private sector and the provinces. It is working in partnership. It is doing its part and will continue to do so.

STATE OF THE ECONOMY

Hon. Donald Neil Plett (Leader of the Opposition): Leader, the Trudeau government's massive inflationary spending makes life more unaffordable for families by driving up interest rates. In turn, this drives up the cost of servicing your government's enormous debt.

According to the Fall Economic Statement, the cost to service the debt just this fiscal year alone is a staggering \$46.5 billion. Next year, the Trudeau government will spend more paying the interest on the debt than it will on health care, Senator Gold. Think about that for a moment, leader — more than on health care. This is gross incompetence. This is the very definition of the Prime Minister not being worth the cost, isn't it, leader?

Hon. Marc Gold (Government Representative in the Senate): No, it is not. This is an example of a recycled question that was posed to me some months ago, and my answer will be the same.

The government is managing the economy in a prudent, responsible way. It invested significantly in Canada and in Canadians during the pandemic, allowing Canada to weather the storm and emerge in a strong position for recovery. Inflation is coming down and business confidence will continue to grow as Canadians settle into this phase of our economic cycle.

Senator Plett: If it's a recycled question, maybe you should learn the answer.

The NDP-Liberal government projects that, next year, the public debt charges will cross the \$50 billion threshold to \$52.4 billion. That's not getting into "getting used to it;" that's roughly double the amount spent on the Canadian Armed Forces this year.

Leader, how do you justify spending twice as much money to the bond holders and banks than to our Armed Forces? Does that make any sense, leader?

Senator Gold: The Government of Canada continues to support our Armed Forces and our health network in an appropriate and generous fashion. Indeed, it will continue to do so.

The debt service that is assumed is a natural consequence and result of rising interest rates. Those rising interest rates are coming down, and the government continues to believe that it is on a fit and responsible path forward.

The Hon. the Speaker: Honourable senators, the time for Question Period has expired.

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, pursuant to rule 4-13(3), I would like to inform the Senate that as we proceed with Government Business, the Senate will address the items in the following order: Motion No. 148, followed by all remaining items in the order that they appear on the Order Paper.

THE SENATE

BILL TO AMEND—MOTION TO RESOLVE INTO COMMITTEE OF THE WHOLE TO CONSIDER SUBJECT MATTER OF BILL C-56 ADOPTED

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of December 11, 2023, moved:

That, notwithstanding any provision of the Rules, previous order or usual practice:

1. the Senate resolve itself into a Committee of the Whole at 2 p.m. on Wednesday, December 13, 2023, to consider the subject matter of Bill C-56, An Act to amend the Excise Tax Act and the Competition Act;
2. the Committee of the Whole on the subject matter of Bill C-56 receive the Honourable Chrystia Freeland, P.C., M.P., Deputy Prime Minister and Minister of Finance, and the Honourable François-Philippe Champagne, P.C., M.P., Minister of

Innovation, Science and Industry, each accompanied by one official, for a period of no more than 65 minutes, after which the committee rise;

3. the witnesses' introductory remarks last a maximum total of five minutes; and
4. if a senator does not use the entire period of 10 minutes for debate provided under rule 12-32(3)(d), including the responses of the witnesses, that senator may yield the balance of time to another senator.

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

Hon. Senators: Agreed.

(Motion agreed to.)

• (1640)

INVESTMENT CANADA ACT

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Gignac, seconded by the Honourable Senator Klyne, for the second reading of Bill C-34, An Act to amend the Investment Canada Act.

Hon. Yuen Pau Woo: Honourable senators, I'm pleased to speak at second reading on Bill C-34, An Act to amend the Investment Canada Act.

Let me start by thanking Senator Gignac for his speech in his capacity as sponsor of the bill and Senator Gold for his contribution to the debate.

This bill passed the House of Commons unanimously, which is both a signal of its importance to our colleagues in the other place as well as a red flag on the possibility of groupthink due to the emotive content of the bill. By this, I am referring to the fundamental purpose of the bill, which is to modernize the Investment Canada Act in terms of its national security provisions. The alternative title of the bill, after all, is the "National Security Review of Investments Modernization Act."

In a world that is riven with deadly conflict and where geostrategic rivalry has seeped into all corners of society, the need for national security vigilance is great. It is fit and proper that we look afresh at sources of threats to the lives and livelihoods of Canadians, to our social fabric and to our standing in the world.

We should do so not for the sake of satisfying the primal instinct of magnifying external threats for political and other less edifying purposes, but to, in fact, improve our sense of security in all domains of our lives — that is to say, in the spaces around us as well as the spaces within us.

We should not be naive about security threats to Canada — threats that come from both the oversecuritization of Canadian society as well as inadequate protections against external threats. This is also true of the Investment Canada Act and this bill to modernize it. I support the national security provisions of the act and agree that we need to continually update our understanding of how to apply them for the protection of Canada and Canadians.

I published a paper a decade ago arguing that the best way to deal with the review of state-owned enterprise, or SOE, investment was not to single it out for special review but to subject it to national security scrutiny when needed. I also said in that paper that I was not arguing:

... for a more liberal use of the national security provision, which in some jurisdictions has been applied as a pretext for protectionism or as an excuse for jingoism. ...

Herein lies my concern with Bill C-34. An appeal to national security is the last refuge of harmful economic nationalism and protectionism. We already see this kind of appeal in both like-minded and non-like-minded jurisdictions around the world. Indeed, we were on the receiving end of an American national security challenge to our steel and aluminum exports during the Trump administration.

I would point out that the Biden administration has not only continued with this kind of national security action against certain countries but also rejected four World Trade Organization, or WTO, dispute settlement panels that clearly ruled against the United States. The same is happening in the People's Republic of China and other big powers that are using their economic and political clout to do so.

We are not one of those big powers. Hence, it is both unrealistic and unwise for us to use national security as a way of gaining economic advantage. I am not saying that this bill tries to do that, but I worry that our new-found enthusiasm for national security in the screening of foreign investment could, in fact, disadvantage our economic prospects.

The context for my concern is that Canada is not universally seen as an attractive investment destination, and the Investment Canada Act, or ICA, is one of the reasons why we are lagging some of our peer group. The FDI Regulatory Restrictiveness Index of the Organisation for Economic Co-operation and Development, or OECD, in 2020 put Canada at the bottom of our G7 cohort. Based on an index of zero to one — with one being the most restrictive — Canada came in at the highest compared with Germany, the United Kingdom, France, Italy, Japan and the United States.

Looking more broadly across the OECD, Canada is fourth from the bottom in terms of investment regulatory restrictiveness out of 30 countries. This data, of course, does not capture the impact of changes proposed under Bill C-34, but I would be surprised if our ranking improves as a result of this bill.

It might help at this point to provide a brief review of investment screening in Canada, which started with the Foreign Investment Review Act of 1974. FIRA, as it was called, was enacted in response to nationalist sentiment amongst Canadians along with fears about the long-term negative repercussions of foreign ownership of Canadian industry. FIRA was in force between 1974 and 1985, and it reflected a skeptical — if not hostile — attitude toward foreign investment.

Under prime minister Brian Mulroney, FIRA was repealed and replaced by the Investment Canada Act. The ICA was also a mechanism to assess the merits of foreign investment for Canada. Unlike its predecessor, it was premised on foreign investment as a desirable policy objective. In keeping with this new emphasis, the overarching criterion for approval was changed from the concept of “significant benefit” to “net benefit” for Canada.

For its first 22 years, the ICA did not distinguish between state-owned and private enterprises. In 2007, however, a set of special guidelines was issued, focusing on the governance of state-owned enterprises and the extent to which they operate as commercial entities. These guidelines were not significantly tested until 2012, when two state-owned enterprises sought to make major acquisitions in the Canadian oil and gas sector. PETRONAS of Malaysia sought to acquire Progress Energy Resources Corp., and CNOOC Ltd. of China wanted to buy Nexen Inc.

Both deals were eventually approved, but not without controversy, and the go-ahead came with a set of new guidelines on the review of state-owned enterprises in general and state-owned enterprise investment in the oil sands more specifically. In fact, the government of the day issued a declaration following the PETRONAS and CNOOC deals that there would be no further SOE investment in the oil sands.

The 2012 decision was an inflection point in the way the Investment Canada Act is applied to state-owned enterprises. Since that time, restrictions on SOEs have increased, even as the role of state-owned enterprises, broadly defined, in industrialized and emerging economies has grown. Bill C-34 marks a further ratcheting up of restrictions on inbound investment from state-owned enterprises, based, to my mind, on very little empirical evidence to support this bias.

Economists in general advocate for regulations that target undesirable behaviour rather than ownership, but the ICA seems to be going in the opposite direction. I would encourage the committee to which this bill is going for further study to take a close look at the case for singling out SOEs for special review beyond what is already an exhaustive net-benefit test.

Even if we are convinced of the need for tighter national security regulations for inbound investment, we should be conscious of the impact — that tighter rules in other countries could have on beneficial Canadian outward foreign direct investment, or FDI.

Canada, after all, is a net outward direct investor, which is reflective of our world-class companies growing up in a relatively small domestic market. The stock of Canadian direct investment abroad in 2022 was nearly \$2 trillion, compared with a stock of inbound foreign direct investment in Canada of only \$1.3 trillion. I hope the committee reviewing this bill will reflect on FDI as a matter of two-way flows rather than just thinking about the Investment Canada Act as a screening process for inbound investments.

There are a few other aspects of the bill that I hope the committee will probe. The first is the amendment that will allow for improved information sharing with international counterparts, especially to “address common national security threats.”

• (1650)

On the face of it, this amendment is sensible, but I would be more comfortable if the principle behind this amendment is to share information with international counterparts who exhibit best practices in their investment screening procedures rather than, for example, sharing information with counterparts in an echo chamber.

We should not be naive about the interests and motivations of some international counterparts who may not be aligned with Canada’s own interests. For example, a so-called like-minded country that is unable to accept a beneficial foreign investment in its jurisdiction for political reasons may be disinclined to provide information to Canada that will be favourable for the foreign entity.

On national security more specifically, the risk of taking our cues from other countries, including so-called like-minded partners, can be inimical to Canadian interests. Our neighbour to the south, for example, is taking an increasingly extreme view of what it considers to be a national security threat — the most recent example being the suggestion from a U.S. senator who believes that the import of garlic from China falls into that category.

Finally, I’ll share a word on the so-called transparency provisions of Bill C-34: Proposed section 25.7 will be added to introduce new provisions on closed material proceedings, which will allow the use of sensitive information in the judicial review of decisions. That is sensible, but it is a stretch to call this a transparency measure insofar as the public is concerned. I’m not actually calling for the public release of sensitive or confidential information, but there are, in fact, a number of genuine transparency measures that can be taken with respect to publishing the reasons for denying an investment application under all of the Investment Canada Act review categories.

The problem with the net benefit test is that it is so all-encompassing that an investor cannot know how the individual items in that test will be weighted in the review of their application. A clear explanation by the Minister of Innovation, Science and Industry to explain the reasons for denying an investment will go a long way in improving the transparency of the Investment Canada Act, enhancing confidence in the regime and, I believe, making Canada a more attractive destination for foreign direct investment.

[Senator Woo]

I have given a number of the questions that I hope will be addressed in committee. I support sending this bill to committee. I look forward to a detailed study of its provisions, and I will welcome it back at third reading for further debate. Thank you, colleagues.

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I move the adjournment of the debate.

The Hon. the Speaker: It is moved by the Honourable Senator Martin, seconded by the Honourable Senator Seidman, that further debate be adjourned until the next sitting of the Senate.

Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(On motion of Senator Martin, debate adjourned.)

APPROPRIATION BILL NO. 4, 2023-24

SECOND READING

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) moved second reading of Bill C-60, An Act for granting to His Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2024.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

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

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

PRESIDENT OF THE PUBLIC SERVICE COMMISSION

MOTION TO APPROVE APPOINTMENT ADOPTED

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of November 30, 2023, moved:

That, in accordance with subsection 4(5) of the *Public Service Employment Act*, S.C. 2003, c. 22, ss. 12 and 13, the Senate approve the appointment of Marie-Chantal Girard as President of the Public Service Commission, for a term of seven years.

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

Hon. Senators: Agreed.

(Motion agreed to.)

JUSTICE

STATUTES REPEAL ACT—MOTION TO RESOLVE THAT THE ACT AND THE PROVISIONS OF OTHER ACTS NOT BE REPEALED ADOPTED

On the Order:

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

That, pursuant to section 3 of the *Statutes Repeal Act*, S.C. 2008, c. 20, the Senate resolve that the Act and the provisions of the other Acts listed below, which have not come into force in the period since their adoption, not be repealed:

1. *Parliamentary Employment and Staff Relations Act*, R.S., c. 33 (2nd Supp.):
-Part II;
2. *Contraventions Act*, S.C. 1992, c. 47:
-paragraph 8(1)(d), sections 9, 10 and 12 to 16, subsections 17(1) to (3), sections 18 and 19, subsection 21(1) and sections 22, 23, 25, 26, 28 to 38, 40, 41, 44 to 47, 50 to 53, 56, 57, 60 to 62, 84 (in respect of the following sections of the schedule: 2.1, 2.2, 3, 4, 5, 7, 7.1, 9, 10, 11, 12, 14 and 16) and 85;
3. *Comprehensive Nuclear Test-Ban Treaty Implementation Act*, S.C. 1998, c. 32;
4. *Public Sector Pension Investment Board Act*, S.C. 1999, c. 34:
-sections 155, 157, 158 and 160, subsections 161(1) and (4) and section 168;
5. *Modernization of Benefits and Obligations Act*, S.C. 2000, c. 12:
-subsections 107(1) and (3) and section 109;
6. *Yukon Act*, S.C. 2002, c. 7:
-sections 70 to 75 and 77, subsection 117(2) and sections 167, 168, 210, 211, 221, 227, 233 and 283;
7. *An Act to amend the Canadian Forces Superannuation Act and to make consequential amendments to other Acts*, S.C. 2003, c. 26:
-sections 4 and 5, subsection 13(3), section 21, subsections 26(1) to (3) and sections 30, 32, 34, 36 (with respect to section 81 of the *Canadian Forces Superannuation Act*), 42 and 43;

8. *Budget Implementation Act, 2005*, S.C. 2005, c. 30:
-Part 18 other than section 125;
9. *An Act to amend certain Acts in relation to financial institutions*, S.C. 2005, c. 54:
-subsection 27(2), section 102, subsections 239(2), 322(2) and 392(2);
10. *Budget Implementation Act, 2009*, S.C. 2009, c. 2:
-sections 394, 399 and 401 to 404;
11. *Payment Card Networks Act*, S.C. 2010, c. 12, s. 1834:
-sections 6 and 7;
12. *An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act*, S.C. 2010, c. 23:
-sections 47 to 51, 55 and 68, subsection 89(2) and section 90;
13. *Financial System Review Act*, S.C. 2012, c. 5:
-sections 54 and 56 to 59;
14. *An Act to amend the Railway Safety Act and to make consequential amendments to the Canada Transportation Act*, S.C. 2012, c. 7:
-subsections 7(2) and 14(2) to (5);
15. *Protecting Canada's Immigration System Act*, S.C. 2012, c. 17:
-sections 70 to 77;
16. *Jobs, Growth and Long-term Prosperity Act*, S.C. 2012, c. 19:
-sections 459, 460, 462 and 463;
17. *Jobs and Growth Act, 2012*, S.C. 2012, c. 31:
-sections 361 to 364;
18. *Strengthening Military Justice in the Defence of Canada Act*, S.C. 2013, c. 24:
-sections 12, 13 and 46;

19. *Yale First Nation Final Agreement Act*, S.C. 2013, c. 25:

-sections 1 to 17, 19, 20, 21, 22, 23 and 24;

20. *Economic Action Plan 2013 Act, No. 1*, S.C. 2013, c. 33:

-subsection 228(2); and

21. *Economic Action Plan 2013 Act, No. 2*, S.C. 2013, c. 40:

-sections 263, 266 and 267.

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

Hon. Senators: Agreed.

(Motion agreed to.)

GREENHOUSE GAS POLLUTION PRICING ACT

BILL TO AMEND—THIRD READING—DEBATE

On the Order:

Resuming debate on the motion of the Honourable Senator Wells, seconded by the Honourable Senator Batters, for the third reading of Bill C-234, An Act to amend the Greenhouse Gas Pollution Pricing Act, as amended.

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, I rise today to speak to Bill C-234.

This is, in fact, the second speech that I have prepared for third reading. The first one was prepared right after the chamber rightly rejected the report of the Agriculture and Forestry Committee. At that point, I thought — for a moment — that sanity and soundness of mind might triumph over tribalism and pettiness in this chamber. I was genuinely encouraged to see that the majority of senators were prepared to consider this bill on its merits rather than through the narrow lens of unwavering loyalty to the Prime Minister.

I am disappointed that I was wrong. After being lobbied by both the Minister of Environment and Climate Change and the Prime Minister, 40 senators abandoned the facade of independence and returned to the Liberal fold.

An Hon. Senator: Hear, hear.

Senator Plett: If you object to this observation, colleagues, I would draw your attention to the fact that as this bill arrived in this chamber, Bill C-234 was contentious for only one reason: The Liberal Party opposed it. Their opposition was not because the bill contradicted their policies. They had already provided multiple exemptions to the carbon tax. Their opposition was not because the bill would impact the fight against climate change, because it will have no impact on emissions. Their opposition was not because there was uncertainty about the science behind the decision because the science is solid. Their opposition was

strictly political. It was a political calculation in an attempt to shore up their dwindling support base by acting tough on climate change when they were really just getting tough on farmers.

• (1700)

This is what 40 senators voted in favour of when they supported Senator Dalphond's amendment a few days ago. They voted in favour of the Liberal Party's political calculations rather than a clear case of common sense.

Let's review the facts on why this bill was and is necessary in its unamended form. The carbon tax is designed as an incentive to shift consumption towards cleaner energy sources and more efficient energy use in order to mitigate climate change. This fact is not disputed.

However, in order for the carbon tax to be successful, in the shifting behaviour of consumers, those consumers must have other options available. This fact also is not disputed. However, in agriculture, those options simply do not exist. This fact was confirmed by expert witnesses at committee and is not disputed by the Conservatives, the NDP, the Bloc Québécois, the Green Party, the Liberal chair of the House of Commons Agriculture Committee or farmers from every corner of the agricultural industry.

New Democratic Party Member of Parliament Alistair MacGregor put it this way:

... We realize that a price on carbon is there to incentivize a change in behaviour, but it doesn't work very well if there aren't commercially viable alternatives available. ...

This is "Economics 101." A functioning market needs both supply and demand. The carbon tax on propane and natural gas for agricultural purposes attempts to create a demand for alternative energy sources for which there is no supply. This public policy, which is disconnected from reality, is rooted in distorted ideology and political desperation, not science or concern for the climate. It will not achieve its stated purpose, and yet 40 senators are blindly clinging to the Liberal talking points instead of considering the facts.

Colleagues, I would not call that "sober second thought." This means that imposing the carbon tax on farmers does only one thing: It drives up the costs. Where farmers are unable to pass on the carbon tax, such as in grain production, they must absorb these costs themselves. It comes directly out of their bottom line. The Bloc Québécois were able to see the accuracy of this fact. Bloc Québécois Member of Parliament Yves Perron said:

Without an alternative, if we impose a tax on these processes at this time, it would simply increase production costs and reduce farmers' profit margins since they have no other options.

Where farmers find themselves in a position to pass on the increased costs, the higher price is simply passed on to consumers in the form of higher food prices.

Because of this, the government acknowledged that farmers should be given relief from the carbon tax on diesel and gasoline, which included an exemption for these fuels. Later, the government also introduced a rebate for the carbon tax on — wait for it — propane and natural gas. Colleagues, let's be clear; Bill C-234 does not create a new exception to the carbon tax. It takes an existing one created by the Liberal government and makes it more equitable and efficient. All this bill does is transition the government's existing rebate for propane and natural gas into an exemption. I find it dumbfounding that critics of this bill have tried to make it sound like this bill punches a hole in the dyke holding back climate change.

Senator Miville-Dechêne said on Tuesday night that if we start making exceptions to the carbon tax, it will never stop. Colleagues, I don't know if it was the lateness of the hour when the senator spoke, but she should have been aware that this bill does not start to make exceptions to the carbon tax. As I just said, exceptions already exist as part of the existing policy of this government, including an exception for propane and natural gas used for agricultural purposes.

Here is what the government said when they announced the rebate on propane and natural gas in the Economic and Fiscal Update 2021:

Recognizing that many farmers use natural gas and propane in their operations, and consistent with the Budget 2021 commitment, the government proposes to return fuel charge proceeds directly to farming businesses in backstop jurisdictions via a refundable tax credit, starting for the 2021-22 fuel charge year.

Colleagues, the Liberal government does not oppose this bill for policy reasons. It opposes it for political reasons. They want to appear to be climate change champions when they have failed to meet every climate change target that they have set. Then, after their disastrous mishandling of the carbon tax on home heating oil, they have now become desperate. They are champions only of the political fortunes of the Liberal Party, not good public policy, and they are prepared to achieve this on the backs of farmers. This is what 40 senators voted for when they voted in favour of Senator Dalphond's amendment against Bill C-234.

They voted for the Liberal Party's phony talking points rather than for farmers.

Colleagues, I sometimes feel I've been living through the Senate version of the movie "50 First Dates." I don't know if you have seen the movie. In case you haven't, let me explain. Adam Sandler plays Henry Roth who falls in love with Lucy Whitmore, played by Drew Barrymore. Henry and Lucy hit it off, and Henry thinks he has finally found the girl of his dreams until he discovers that Lucy has short-term memory loss and forgets him the very next day and every day after that. As a result, Henry has to win Lucy's heart and trust over and over and over again because she doesn't remember him or a thing about their relationship the following day.

This is what it must be like for farmers trying to get this bill through Parliament. They are forced to explain the same things over and over again because some senators seem to forget what they learned every time the sun goes down. I'll remind you that Senator Dalphond's amendment, which was adopted by this chamber, was first introduced at committee. There, it was deemed out of order by the chair because it contradicted the spirit of the bill. Undaunted by this ruling, the champions of procedure and fairness trampled all over the chair's ruling with the help of the government itself through the office of Senator Gold when Senator LaBoucane-Benson joined the effort and voted against the chair. The amendment carried.

Then when it came to this chamber, at the report stage, Senator Woo and Senator Dalphond mounted a vigorous defence of the indefensible and lost. The report was rejected and the amendment defeated. For a moment, I was hopeful.

But by that time, when Senator Dalphond stood to introduce the amendment in this chamber, the sun had set and risen again, and 40 senators seemed to have forgotten everything that had just happened. In the earlier vote on the report, Senators Kutcher, Miville-Dechêne and Simons all abstained. But when we voted on the amendment, they decided to defeat the bill by supporting the amendment. Senators White, MacAdam and Boehm voted against the committee report and helped to defeat it in order to save the bill. Then they flip-flopped and voted in favour of the amendment. It must have been quite a conversation with the Prime Minister.

This amendment was clearly out of order, and I noted the fact in this chamber. So much for "sober second thought." Colleagues, this bill is no ordinary piece of legislation. It has brought together the agricultural sector in a way that I have never seen. You may not be aware of this, but the agricultural sector is not some homogenous industry that sees things the same way and sticks together through thick and thin. It is incredibly diverse, not just in activity and focus, but in beliefs, values and convictions.

You see this constantly in debates over agricultural issues, and perhaps none more so than the decades-long debate over the monopoly of the Canadian Wheat Board.

It is not unusual in the agricultural community to be of different mindsets. It is a very diverse community where some farmers believe they need protection from big corporations. Some believe they need protection from big governments. They have rarely agreed on anything politically until Bill C-234. Multiple farm leaders told me that they have never seen the agricultural community come together over an issue like they have united around Bill C-234.

Two years ago, 10 farm organizations agreed they had to work together for all farmers to advocate for the constructive and evidence-based policies regarding carbon pricing offsets, retrofit funding and related environmental policies.

• (1710)

The funding groups included the Canadian Canola Growers Association, Canadian Federation of Agriculture, Canadian Cattle Association, Grain Growers of Canada, Canadian Pork Council, Egg Farmers of Canada, Chicken Farmers of Canada, Turkey Farmers of Canada, and Canadian Hatching Egg Producers. They called themselves the Agricultural Carbon Alliance, and within a few months, the coalition had grown to include the Food and Vegetable Growers of Canada, formerly the former Canadian Horticultural Council; the Canadian Forage and Grassland Association; National Sheep Network; National Cattle Feeders' Association; Dairy Farmers of Canada; Canadian Seed Growers' Association; and Mushrooms Canada.

Overall, the combined membership encompasses all major agricultural commodities and represents 190,000 farm businesses that steward 65 million hectares and are speaking with one voice on this important issue. Although the alliance is not the only ag voice speaking on this, it illustrates the incredible unity in the agricultural industry over this bill.

These are the people against whom 40 senators voted when they chose knowingly to defeat this legislation by amending it.

Senators Simons and LaBoucane-Benson chose to vote against Alberta farmers and ranchers.

Ontario Senators Boehm, Cardozo, Clement, Dasko, Dean, Harder, Lankin, Moncion, Moodie, Omidvar, Pate and Yussuff all voted against the 39,000 farm families who belong to the Ontario Federation of Agriculture.

Senator Yussuff argued last week that if an amendment were considered and rejected at committee, that is a reason not to pass it at third reading. Yet he did not hesitate to support an amendment that had already been rejected at the report stage.

Quebec Senators Audette, Bellemare, Dalphond, Dupuis, Forest, Gerba, Gold, Loffreda, Massicotte, Mégie, Miville-Dechéne, Petitclerc and Saint-Germain all stood against the clear wishes of the Quebec supply management sector to not amend this bill, including the Dairy Farmers of Canada, Chicken Farmers of Canada, Turkey Farmers of Canada, Egg Farmers of Canada and the Canadian Hatching Egg Producers.

Senators Petten and White voted against all the farmers of Newfoundland and Labrador, including dairy, chicken, eggs, greenhouse, nursery and vegetable producers.

Senators Aucoin, Cordy, Coyle, Cuzner and Kutcher voted against the farmers of Nova Scotia, which includes horticulture, dairy, poultry, eggs, livestock and more.

Senator MacAdam stood to vote against the agricultural industry of Prince Edward Island that, despite being called the rock, is over 42% farmland, including potatoes, grains, oilseeds, vegetable, fruit production, beef, dairy, hog, poultry and more.

According to Senator Ringuette, 99% of farming production in New Brunswick is potato, but in reality, Senator Ringuette and her colleagues Senators Cormier, Hartling, Kingston and McNair voted not only against the province's 111 potato farms; they voted against 344 beef cattle farms, 319 fruit and berry farms,

232 hay farms, 162 dairy farms, 53 poultry and egg farms, 43 oilseed and grain farms, 33 sheep and goat farms, 5 mushroom farms and more, according to the *New Brunswick Census of Agriculture Report 2021*.

Furthermore, while Senator Ringuette correctly pointed out that New Brunswick farmers do not use natural gas, she neglected to note that they do use propane and will now be paying the carbon tax on that fuel thanks to their support of the amendment.

I am proud to note that every senator who voted from the Yukon, Nunavut, British Columbia, Saskatchewan and Manitoba all voted in support of Canadian farmers.

Colleagues, farmers, growers and ranchers contribute \$135 billion to our gross domestic product every year and provide one in nine Canadian jobs. While producing the food that feeds Canada and the world, they are also providing meaningful climate change solutions as stewards of 154 million acres of land across Canada.

Their climate change efforts have resulted in a 50% decrease in greenhouse gas emissions intensity from 1987 to 2017. Farmers are committed to feeding Canadians and to fighting climate change. Bill C-234 would have helped them do so. Regrettably, the likelihood of this bill passing is now very low.

I close by thanking everyone who supported this bill in its original form. It took courage for many of you to take a different position than that of your colleagues and that of your Prime Minister. I know that producers of every major agricultural commodity across the country appreciate your efforts.

To the farmers of Canada, please, don't lose hope. Although this bill is now on a trajectory to possibly languish in the other place, as soon as Canadians elect a common-sense Conservative government under the great leadership of our leader, Pierre Poilievre, we will affirm your significant contributions to fighting climate change, and we will pass policies that will strengthen your hands and your industry, instead of weakening them the way this incompetent Liberal government has done and continues to do.

Thank you, colleagues.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, it being 5:15 p.m., I must interrupt the proceeding. Pursuant to rule 9-6, the bells will ring to call in the senators for the taking of a deferred vote at 5:30 p.m., on the motion in amendment of the Honourable Senator Carignan, P.C., seconded by the Honourable Senator Poirier.

Call in the senators.

• (1730)

**BILL TO AMEND CERTAIN ACTS AND TO MAKE CERTAIN
CONSEQUENTIAL AMENDMENTS (FIREARMS)**

THIRD READING—MOTION IN AMENDMENT NEGATIVED

On the Order:

Resuming debate on the motion of the Honourable Senator Yussuff, seconded by the Honourable Senator Duncan, for the third reading of Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms).

And on the motion in amendment of the Honourable Senator Carignan, P.C., seconded by the Honourable Senator Poirier:

That Bill C-21 be not now read a third time, but that it be amended on page 28 by adding the following after line 20:

“13.01 Section 231 of the Act is amended by adding the following after subsection (6.2):

(6.3) Irrespective of whether a murder is planned and deliberate on the part of a person, murder is first degree murder when the death is caused by that person’s discharge of a firearm at or into a *public place* as defined in section 150.”.

The Hon. the Speaker: Honourable senators, the question is as follows: It was moved by the Honourable Senator Carignan, P.C., seconded by the Honourable Senator Poirier:

That Bill C-21 be not now read a third time, but that it be amended on page 28 —

Shall I dispense, honourable senators?

Hon. Senators: Agreed.

Motion in amendment of the Honourable Senator Carignan negatived on the following division:

YEAS
THE HONOURABLE SENATORS

Ataullahjan	Martin
Batters	Mockler
Boisvenu	Oh
Carignan	Plett
Dagenais	Poirier
Housakos	Seidman
MacDonald	Wells—15
Marshall	

NAYS
THE HONOURABLE SENATORS

Anderson	Harder
Arnot	Hartling
Aucoin	Jaffer
Bellemare	Kingston
Bernard	Klyne
Black	Kutcher
Boehm	LaBoucane-Benson
Boniface	Lankin
Boyer	Loffreda
Burey	Massicotte
Busson	McNair
Cardozo	Mégie
Clement	Miville-Dechêne
Cordy	Moncion
Cormier	Moodie
Cotter	Omidvar
Coyle	Osler
Cuzner	Pate
Dalphond	Patterson (<i>Ontario</i>)
Dasko	Petitclerc
Deacon (<i>Nova Scotia</i>)	Petten
Deacon (<i>Ontario</i>)	Prosper
Dean	Quinn
Downe	Ravalia
Duncan	Ringuette
Dupuis	Ross
Forest	Saint-Germain
Francis	Simons
Galvez	Sorensen
Gerba	Verner
Gignac	White
Gold	Woo
Greenwood	Yussuff—66

ABSTENTIONS
THE HONOURABLE SENATORS

Richards	Wallin—3
Smith	

THIRD READING—DEBATE

On the Order:

Resuming debate on the motion of the Honourable Senator Yussuff, seconded by the Honourable Senator Duncan, for the third reading of Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms).

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, I don't think I'll be able to speak fast enough to beat the bell on this one, so we may have to do this in two shifts. I rise today to speak on Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms).

Honourable senators, we have seen many bills pass through this chamber in the past eight years. If I am being charitable, I think it is fair to say that a significant number of these bills have been beset by challenges. Some reflect a tendency that we have seen in the current government to not think things through. Too often, such bills have not put the interests of all Canadians first. These bills have been highly political.

In this regard, we are all familiar with bills like Bill C-18, the Online News Act, which will come into force in just a few days. This bill is living up to all the shortcomings that witnesses who appeared before our committees warned us about. Of course, we have then had the range of criminal justice bills that the government has enacted, all of which were driven by an ideological, soft-on-crime approach. Bills like Bill C-5, Bill C-75 and Bill C-83 have contributed to the significant spike in crime, including violent crime, that we are seeing across Canada. These bills have not only failed to achieve their declared objective of enhancing public safety, but have also actually undermined the ability of our police forces and corrections officers to combat and control rising violent crime.

Now we have Bill C-21. This bill is certainly one of the most divisive that the current government has ever imposed on Canadians. Like the other bills I've mentioned, the former minister claimed that Bill C-21 would contribute to the eradication of gun crime in Canada.

• (1740)

To be sure, this is a bold claim, senators, but it is a claim that the majority of witnesses who appeared before the Senate National Security and Defence Committee have already rejected. That is because this bill actually doesn't deal with gun crime at all; in fact, it completely ignores most gun crime. Instead, the bill targets legal firearms owners, individuals who, in fact, have always abided by the law. In my remarks today, I want to discuss several issues related to this bill.

First, I will discuss the total lack of consultation that the government has engaged in on this bill. This is a factor that I believe has contributed significantly to making this such a bad bill.

Second, I will discuss what is a major focus in the bill — the purposed ban on the purchase and sale of legal handguns. I think it is clear that this measure will do nothing to reduce gun crime. Instead, it will only succeed in destroying competitive shooting sports in Canada for absolutely no benefit.

Third, I want to discuss the expanded definition of "prohibited firearms" that is found in this bill. This is a measure that accomplishes nothing in the short term, but I think it reflects the government's long-term intention to do through regulation what it could not accomplish through legislation.

These three issues lie at the heart of why this is an inherently bad and divisive bill for Canada. But if we are going to be honest, colleagues, I think we need to accept that this government actually intended this bill to be divisive. That is because they view this bill as a wedge for the Liberal Party in the next election. What they plan to do is use superficial messaging to sell this bill to people in urban Canada who will not fully understand what the legislation actually does and who, the government hopes, will buy the simplistic message that they are eradicating gun crime. But I do not believe they will be successful in this regard. They will not be successful because it will be readily transparent that there is no reduction in gun crime and that Bill C-21 has done nothing to move the needle. But that is what they will try to do.

What the government is attempting to do with Bill C-21 is something similar to what another Liberal government tried to do three decades ago with a bill called Bill C-68. In the mid-1990s, Bill C-68 established the infamous long-gun registry. It was sold as a panacea that would solve many of Canada's problems with gun crime.

Like all gun-control bills before it, Bill C-68 was supposed to lessen gun crime by imposing yet more controls on lawful firearms owners. The problem was that Bill C-68's objectives proved to be completely unrealistic and unworkable. The long-gun registry had been projected to cost just \$2 million, but it actually ended up costing taxpayers \$2 billion instead. As Senator Gold always says, the government was serious about fixing this. The registry itself had absolutely no impact on firearms crime. Because the legislation could not accomplish what the government claimed that it would do, public support for the bill evaporated. I believe the same will happen with Bill C-21.

There is simply no chance that Bill C-21 can work as advertised, because while the government claims it is addressing handgun crime, the bill actually contains no measures that will reduce the supply of illegal handguns that are being accessed by criminal gangs in Canada. Bill C-21 not only does nothing on illegal guns but does not even reduce the number of legal firearms in circulation in Canada. Instead, the bill merely prohibits the approximately 650,000 Canadians who are legal handgun owners in Canada from selling their guns or buying new ones. This will have no impact on gun crime, but it gratuitously targets those 650,000 Canadians, making them the de facto scapegoats for a bigger societal problem.

The government probably believes that those 650,000 Canadians will be more manageable a number than the 2 million-plus Canadians who were targeted by Bill C-68 in the 1990s. In the end, Bill C-21 will be just as ineffective and just as divisive as Bill C-68 was. In the end, Bill C-21 will meet exactly the same fate.

I want to focus the first part of my remarks on explaining the major factor that has contributed to making Bill C-21 as bad as it is. The root of this lies in the total lack of consultation that the government engaged in on this bill. When the current minister appeared before our committee on October 23, he claimed the following with respect to consultations. He said:

We engaged with First Nations, Inuit and Métis organizations, rural and northern communities, victims' groups, and with the firearms community and sportspersons and sports shooters across Canada to hear their perspectives and to ensure that we respect their traditions and way of life. These consultations have informed our path forward.

Yet soon after the minister made that claim, our committee began to hear from its first witnesses. Our very first witnesses were Chief Firearms Officers for Alberta and Saskatchewan. One would think that if the government was drafting serious firearms legislation, the chief firearms officers in the provinces as a group would be ones with whom the government would consult. However, Dr. Teri Bryant, Chief Firearms Officer for Alberta, responded in this way when asked whether they had been consulted. Dr. Bryant said, "I can answer that very quickly and save us time. No consultation whatsoever."

Robert Freberg, the Chief Firearms Officer for Saskatchewan, said the consultation ". . . was zero." Not a little bit — zero.

The blunt nature of these answers led me to ask many of the other witnesses who appeared before the committee what consultations the government had with them before the bill was introduced.

Gilbert White, Chairperson of the Recreational Firearm Community for Saskatchewan Wildlife Federation told us this: "The Saskatchewan Wildlife Federation was not consulted."

Eric Schroff, Executive Director of the Yukon Fish and Game Association, stated that his organization received a visit only after the government tabled amendments to the bill late last year. They were not consulted before that. When he appeared, the minister had claimed to us, ". . . I don't think hunters or sports groups oppose this legislation." That's a quote from the minister.

I asked Mr. Schroff about that specific claim, and he responded that, on the contrary, "I do not know of any sporting organizations that support this legislation." Gilbert White said the same thing: "From my perspective, we don't know of any hunters or organizations that are in support of Bill C-21." Where does the minister get off saying these things?

Marc Renaud, President of Fédération québécoise des chasseurs et pêcheurs, the federation of Quebec anglers and hunters, said:

In Quebec, our federation is not aware of any organization that supports this restrictive bill, from our sport shooters to our shooting clubs, our members or our hunters. . . .

I asked Marcell Wilson, founder of The One By One Movement in Toronto, "Are you aware of anyone within your community with which the government consulted before they introduced this bill?" He responded, "I would have to say no, not one."

• (1750)

On November 6, Senator Deacon asked Sandra Honour, the Chair of the board of directors of the Shooting Federation of Canada, "Were you and your group consulted? Did you have an opportunity for input?" She responded:

The Shooting Federation of Canada was not asked to participate in the committee that discussed Bill C-21, nor did we have letters answered to us after we wrote to the minister several times to request. . . .

We then turned our questions to witnesses who appeared from various Indigenous organizations — remember that the minister had specifically told us the following: "We engaged with First Nations, Inuit and Métis organizations . . ." and ". . . I don't think Indigenous peoples writ large oppose this bill. . . ." But Regional Chief Terry Teegee of the Assembly of First Nations told our committee on November 6 that consultation with them was:

Minimal or none at best. I would say not enough, certainly. This is why we passed a resolution last December.

Chief Jessica Lazare of the Mohawk Council of Kahnawà:ke was asked whether the government consulted her First Nation before the bill was introduced. She responded, "No. We . . . had one meeting and that wasn't necessarily an adequate consultation, so I wouldn't consider it consultation whatsoever."

Paul Inngaut, Vice-President of Nunavut Tunngavik Inc., told us on November 8 that ". . . neither ITK nor NTI has been fully consulted on the language and impacts of the bill."

Will David, Director of Legal Affairs at Inuit Tapiriit Kanatami, told us:

Put simply, there was none. The minister had reached out and offered, and we had reached out and requested, but that consultation never occurred. We're still waiting.

Not a single representative of the Indigenous organizations who appeared before us told us that they had been consulted before Bill C-21 was introduced, despite what the minister clearly claimed. Remember, this is the government that pushed for the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, or UNDRIP. The minister told us, at the time, that adopting UNDRIP meant that — going forward — the government would honour the principle of "nothing about us without us."

I asked Regional Chief Terry Teegee of the Assembly of First Nations what that pledge actually means if — on a bill like this — there is no consultation before the bill is introduced. The chief responded as follows:

Well, clearly that doesn't meet the standard that we want to adopt, especially with legislation that may have very adverse effects on our Indigenous peoples. . . . free, prior and informed consent means that there would be proper consultation with First Nations, and I would say even deeper consultation if it has any adverse effects on Indigenous peoples, especially with regard to our inherent rights. . . .

Colleagues, I do not see how one can come to any other conclusion than this: What the minister told us in committee was a complete and total falsehood. I remind senators, again, of what he actually said:

We engaged with First Nations, Inuit and Métis organizations, rural and northern communities, victims' groups, and with the firearms community and sportspersons and sports shooters across Canada to hear their perspectives and to ensure that we respect their traditions and way of life. These consultations have informed our path forward.

I would submit that — on this basis alone — Bill C-21 should be rejected by this chamber.

What the minister told us is not true. We need to ask whether there are any consequences when the government lies so blatantly. I certainly believe there should be consequences, but, at a minimum, even if some believe that the bill should not be rejected for that reason alone, then, at least, the bill should have been amended to require consultations before it actually comes into force. Consultations are important on any bill dealing with a complex subject matter, because it is always outside the experts and stakeholders who know more than the government.

We proposed such a mandatory consultation amendment at committee, but, of course, that proposal was rejected by the majority of the government-appointed senators.

We then proposed another amendment: The government should, at least, be required to consult with Indigenous peoples before enacting any regulations that flow from this bill. Such consultations would be required if regulations impacted the section 35 rights of Indigenous peoples, but that amendment, too, was rejected by the majority of the government-appointed senators — not only at committee, but also here in the chamber in response to the amendment that Senator Boisvenu proposed.

The only conclusion that one can draw from this is that not only do the principles of UNDRIP mean nothing to this government — that much is obvious — but, in practical terms, they also mean very little to the majority of the government-appointed senators.

Senator LaBoucane-Benson, who repeatedly reminds us that she is from Treaty 6 territory, tried to tell us this at committee:

. . . I believe very strongly in meaningful consultation —

— so do I —

— with Indigenous organizations. I sponsored the UNDRIP bill that was passed in 2021.

She continued, "Obviously, I fully support the idea of consultation, and the government is getting better at it. . . ."

I would ask Senator LaBoucane-Benson the following: At what point will reality ever catch up with rhetoric, or is the rhetoric all that really matters?

I do want to acknowledge that, at least, three government-appointed senators did take their role at our committee seriously. They were Senator Deacon, Senator Anderson and, of course, Senator Richards. They disagreed with some of the amendments proposed, but I believe that they did, at least, consider all the amendments seriously.

On this issue of consultation, Senator Anderson, in particular, made an impassioned plea that future reviews should not take place behind closed doors. She was honest about what such cosmetic reviews had meant in the North in the past. She said:

In regard to the review, I'm not confident of a review. We have reviews constantly in the North. Half the time, maybe more than half, we never hear back about those reviews. People don't even know there are reviews going on. That's problematic. . . . We already know it's an issue. We have a responsibility as legislators to address that issue. We have the authority to do that. To fail to do that is to fail in the aspects of reconciliation and section 35 Charter rights. It's unconscionable.

I do not think an observation is sufficient. I think it's insufficient. I've been here for five years. There have been a lot of observations in regard to Indigenous issues. I can't honestly tell you one that I've seen acted upon.

That, I think, is what also concerns the many stakeholders who appeared before our committee.

For all the Indigenous, hunting and sporting organizations that appeared before our committee, it is the government's track record on consultations which suggests that they will also not be listened to in the regulatory process. The government has been very clear in stating that there will be a regulatory process arriving from this bill — that much we know.

In the House of Commons late last year, the government was prevented from pursuing a broader firearms prohibition that would have specifically targeted hunters, including Indigenous hunters. This means that there is a serious potential for regulations that will be drafted behind closed doors that will target hunters. A number of witnesses expressed their concerns about this.

Natan Obed, the President of Inuit Tapiriit Kanatami, told our committee:

... we have seen no government-wide implementation of the structures that we have tried to build with the Government of Canada on systematically upholding our rights and allowing for our participation in things such as legislative processes like regulations. Therefore, we have very little confidence that we would participate and be able to co-develop those regulations.

• (1800)

Similarly, Paul Irngaut, Vice-President of Nunavut Tunngavik told us, “I really don’t have a lot of confidence if it’s passed very quickly, as we’ve seen in the past.” He continued, saying, “We need to be consulted on this firearms bill so that people are aware and can voice their concerns. . . .”

The Hon. the Speaker: I’m sorry to interrupt you, Senator Plett. Honourable senators, it is now six o’clock, and pursuant to rule 3-3(1), I am obliged to leave the chair until eight o’clock when we resume, unless it is your wish, honourable senators, not to see the clock. Is it agreed to not see the clock?

An Hon. Senator: No.

The Hon. the Speaker: Honourable senators, leave is not granted. The sitting is therefore suspended, and I will leave the chair until 8 p.m.

(The sitting of the Senate was suspended.)

(The sitting of the Senate was resumed.)

• (2000)

THIRD READING—DEBATE

On the Order:

Resuming debate on the motion of the Honourable Senator Yussuff, seconded by the Honourable Senator Duncan, for the third reading of Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms).

Hon. Donald Neil Plett (Leader of the Opposition): Colleagues, Natan Obed, the President of Inuit Tapiriit Kanatami told our committee:

... we have seen no government-wide implementation of the structures that we have tried to build with the Government of Canada on systematically upholding our rights and allowing for our participation in things such as legislative processes like regulations. Therefore, we have very little confidence that we would participate and be able to co-develop those regulations.

Similarly, Paul Irngaut, Vice President of Nunavut Tunngavik told us:

I really don’t have a lot of confidence if it’s passed very quickly, as we’ve seen in the past.

We need to be consulted on this firearms bill so that people are aware and can voice their concerns.

Chief Jessica Lazare of the Mohawk Council of Kahnawake said:

We also have concerns about meaningful consultation for regulations, because it will deeply affect how our people can carry themselves and carry their firearms, so we would like to have a closer look at what that looks like.

When this was discussed in committee, some senators said they wanted to get a better idea of what future consultations should look like. For instance, Senator Cardozo asked Chief Lazare:

... the way I understand it is that if this bill passes, the department in charge . . . would then be in charge of developing the regulations. What we could consider doing is to be fairly specific in terms of what we suggest to them about how to go about those consultations, recognizing that they didn’t take place earlier on when the government was developing the bill.

Would that be the way to go?

Chief Lazare responded:

Yes, the way to go would be to set up an initial meeting that would have to consist of a plan. For meaningful engagement, you need to have a plan to ensure that you cover all sectors and all the needs of both parties. In order to do that, we need to have that initial meeting.

Responding to all this witness testimony, an amendment was then proposed at our committee to ensure that the regulatory process on firearms be informed by consultations with Indigenous peoples. But that amendment was defeated by the majority of the government senators, including, of course, by Senator Cardozo as well. So the regulatory process remains entirely in the hands of the government to do with it what it wants. It has failed to engage in any consultations to date, and unfortunately, that is what we can also expect going forward.

I now want to turn my remarks to addressing what some of the outcomes are when a government does not consult. The main outcome is it will likely produce a very bad bill. In Bill C-21, we can see this outcome in two areas in particular, namely in the proposed ban on the purchase and sale of legal handguns and in the expanded definition of what constitutes a prohibited firearm.

Turning first to the ban on the purchase and sale of legal guns, this component of the bill is the most gratuitous element in the bill because it targets about 650,000 law-abiding Canadians for essentially no supportable reason. The firearms that have been used by licensed sport shooters and collectors for many decades are held under very strict conditions in Canada.

We need to remind ourselves, colleagues, about the very specific restrictions that already apply to all restricted firearms owners in Canada. They must all pass the restricted firearms training course, go through and remain subject to continuous police background checks; only, and before the current freeze, acquire handguns for either sport shooting or collecting; only transport them to an approved shooting range; always store and transport their handguns double-locked, and only transport them as approved by the CFO of their province; and individually register all their restricted firearms.

I do not believe that most Canadians, or even senators, are actually aware of all the restrictions that already apply to restricted licence-holders. But by framing the issue as simply as possible, and by presenting the ban on the purchase and sale of legal handguns as a simple option, the government hopes its simplistic messaging will sell to what they hope is an uninformed public.

If we are going to be frank, Senator Dasko adopted a similar approach in a poll she commissioned a few weeks ago. Her poll asked whether respondents supported freezing the sale, transport and importation of handguns. Senator Dasko proclaimed that 73% of Canadians either supported or somewhat supported this government objective. But what context was provided in that poll about Canada's already-existing handgun laws?

Were respondents told that it is only licensed sport shooters and collectors who can legally own handguns in Canada? Were all the existing legal restrictions clearly explained to respondents? When a poll asks a general question but provides no context, the result is predetermined. What Canadians will find out in the years ahead is that Bill C-21's ban on the purchase and sale of legal, already tightly controlled handguns will not make Canadians any safer.

As nearly every witness who appeared before our committee pointed out, the vast majority of handguns being used in crime in Canada are being smuggled into the country. Professor Noah Schwartz testified before the committee and pointed out that:

In Montreal, 95% of handguns used were illegal, and 79% of traced handguns in Ontario were foreign-sourced, largely coming from the United States.

Professor Christian Leuprecht of the Royal Military College of Canada told our committee:

The data is unequivocal: Well over 90% of firearms seized in the commission of a crime or that are possessed unlawfully in Canada have been smuggled by organized crime from the United States. . . .

Show me the data that supports this bill. There is none.

Marcell Wilson, who was formerly involved in criminal activity in the city of Toronto at a senior level, confirmed to our committee that gang members are only interested in illegal, untraceable firearms and that the primary source for such firearms is the United States.

In essence, the reality is this: Banning the sale and purchase of legal handguns will not reduce firearms in circulation because the bill provides that such firearms will only be taken from the estates of such individuals, without any compensation, after their death. This measure will, for instance, have no impact on suicides because you are not actually reducing legal handguns in circulation.

Furthermore, a fact that government senators often miss is that every holder of a restricted firearms licence already also automatically holds a non-restricted firearms licence for long guns. That means they can possess long guns in addition to their handguns.

• (2010)

How does limiting what restricted licence holders can do with only one class of firearm impact any of the other firearms that these individuals already legally possess? The truth, of course, is that it doesn't. Therefore, there can be no impact on the problem of suicides by firearm, nor will there be any material impact on the larger problem of stolen firearms.

A number of police officers, both serving and retired, testified before our committee on this very specific point. The officers who testified were unanimous that Bill C-21 would not impact the problem of handgun crime in Canada.

Mr. André Gélinas, formerly a detective sergeant with the Montreal police, stated that there is no link between the gang violence in Montreal and firearms legally held by sport shooters. His colleague Stéphane Wall, also formerly of the Montreal police, made exactly the same point. Even those senior police officers who gave the government the benefit of the doubt on Bill C-21 were nevertheless quite clear in noting their skepticism about the bill's effectiveness.

Bill Fordy of the Canadian Association of Chiefs of Police told our committee:

Regarding the issue of smuggling and trafficking, the CACP continues to maintain that restricting lawful firearm ownership will not meaningfully address the issue of illegal firearms obtained from the United States. . . .

Similarly, Deputy Chief Constable Fiona Wilson of the Vancouver Police Department told the committee that:

To date in Vancouver, we have had 22 shots-fired incidents in 2023 resulting in three homicides and 16 people wounded. Fifteen of the 21 incidents have confirmed or suspected links to gangs.

She also said that without exception, firearms crime does not emanate from licensed gun owners.

And what of the government's current efforts to tackle the real problem of firearms smuggling? Mark Weber, the National President of the Customs and Immigration Union, told our committee that much of what the government does at our border is actually only "security theatre" — those were his words. Aaron McCrorie, Vice President of the Intelligence and Enforcement Branch of the Canada Border Services Agency, or CBSA, told our committee that the results that CBSA have achieved at the border in stopping firearms smuggling are "... a great success and we're very proud of it." Mark Weber strongly rejected this claim when he testified. Mr. Weber told our committee that "The agency's ability to stem the flow of illegal firearms has not improved a bit ..." over the past two years.

He went on to say that:

... Border officers still lack the ability to act between ports of entry, making it harder to address problematic situations in a timely fashion. Tools such as mobile X-rays that could help in intercepting illegal contraband, including dangerous firearms, frequently break down. There is still an almost 0% chance that any illegal weapon entering the country through rail would ever be found. ...

Any thinking person would be legitimately concerned about this imbalance in the current bill. We were told by a number of witnesses that the government's measure to increase the maximum penalty for firearms trafficking from 10 to 14 years will have no impact on trafficking because the current maximum of 10 years is never imposed by our courts. I noted this fact during my second reading remarks and, unfortunately, that conclusion was confirmed by witness testimony. Senator Yussuff asked officials from the Department of Justice what the average sentence for firearms trafficking was. Mr. Matthew Taylor, General Counsel and Director of the Criminal Law Policy Section of Justice Canada responded by noting that:

... In 2019-20, there was one conviction resulting in imprisonment of more than two years. In 2018, sentencing was from as low as three to six months to more than two years. So the sentences are what they are.

The government is evidently fine with that result since government senators rejected all amendments that were proposed to restore some minimum sentencing for firearms offences that were repealed under Bill C-5. Senators should understand what that means. It means that people in our most vulnerable communities will continue to suffer the most from gun crime.

This is what Mr. Marcell Wilson told our committee related to the claim that Bill C-21 will tackle gun crime. He said:

... Please stop exploiting people who have already been through enough for a political agenda. We know better, we want better and we deserve better. ...

I can assure senators opposite of this: Canadians either know or will soon find out that Bill C-21 is a smokescreen. It is a smokescreen that makes legal gun owners scapegoats. It will do nothing to reduce real gun crime. In particular, it does nothing to help people in our most vulnerable communities. That will become very evident as gun and gang crimes continue to rise.

The final element in this bill that I wish to address is the expanded definition of a "prohibited firearm" that the bill contains. Before I discuss this specific provision, I think we need to remember that certain firearms have been prohibited for civilian use in Canada for a very long time. These include fully automatic firearms. They include semi-automatic centrefire firearms that shoot more than five rounds. They include sawed-off shotguns. They include short-barrel pistols. They include various other firearms that have, from time-to-time, been selected for prohibition for one reason or another. But now, in Bill C-21 — and building on the order-in-council that the government enacted in 2020 — the definition of "prohibited firearm" is to be further expanded in a largely meaningless manner.

In the bill, the government expands the definition of a prohibited firearm to include a firearm that incorporates all of the following criteria: It is not a handgun; it discharges centrefire ammunition in a semi-automatic manner; it was originally designed with a detachable cartridge magazine with a capacity of six cartridges or more; and it is designed or manufactured on or after the day on which this paragraph comes into force. All of these criteria must apply for the firearm in question to be prohibited under the new definition.

When Senator Yussuff spoke to the bill at third reading, he claimed that this bill has nothing to do with long guns. Well, I am sorry, but this clause in the bill, which amends subsection 84(1) of the act, is only about long guns. In fact, the clause specifically excludes handguns. As we heard from witnesses, there are numerous problems with this proposed definition.

What the government is attempting to define is an assault-style firearm for which there actually is no definition. I am sure that if many Canadians were asked what that term meant, they would say it means a firearm capable of being fired in a fully automatic manner. Indeed, if we think of any military rifle in service today, that is what such a rifle would be capable of. However, as I said, such rifles have been legally prohibited for civilian use in Canada for many decades. Instead, the government now proposes to expand the prospective definition to also prohibit firearms simply because they happen to discharge ammunition in a semi-automatic manner. But it will only define such firearms as prohibited if they are manufactured after the date on which the act comes into force. This means that exactly the same firearm will either be prohibited or legal simply based on its date of manufacture. This is akin to saying that the same make of car manufactured is either prohibited or legal based on the date that it was manufactured. Colleagues, it literally makes no sense.

• (2020)

Theoretically, this provision could impact well over a million hunting firearms in Canada, firearms that are actually classified as non-restricted under current Canadian law and which have been assessed as being entirely appropriate for hunting purposes. It will not apply in that manner because all of the semi-automatic firearms already in Canada are exempt from the provision. So, too, is any semi-automatic rifle that might be imported, as long as it was manufactured before the date on which the provision comes into force.

Senators should understand what this means. This means that literally tens of millions of semi-automatic firearms are eligible for import into Canada, simply based on the date they were made. I really need to ask: How does this enhance public safety? Of course, the answer is that it has absolutely no impact on public safety.

In his third-reading remarks, Senator Yussuff claimed that the fact that the measure is ineffective means that long guns are not impacted by the bill. If that is the case, then why have the provision in the bill at all? In fact, an amendment was proposed at committee for the section concerned to be deleted from the bill. But, again, government senators, including Senator Yussuff, voted against that amendment.

Senator Yussuff cannot have it both ways. He cannot say that nothing in the bill impacts long-gun owners, and then vote against the amendment deleting the clause which references long guns. In this regard, we have to be aware of what the government is signalling about what it intends to do. It may be signalling that it will try to do, through regulation, what it failed to do through legislation last year.

Because so many semi-automatic firearms are non-restricted and used for hunting, when the government attempted to enact a wide prohibition last year, hunters across the country — including, of course, Indigenous hunters — understandably reacted very negatively. They did so because the broad prohibition that was being proposed had no credible justification. I do think that stakeholders are right to be very concerned about the government's future intent. It seems highly probable that the government still has the aspiration to do through the back door what it tried and failed to do through the front door.

Many witnesses, particularly Indigenous hunters, share that concern. They are rightly worried about the government's long-term intent. They are particularly concerned about the arbitrary decisions which will take some semi-automatic firearms away from hunters but leave others in their possession. As Paul Irngaut, Vice President of Nunavut Tunngavik Inc., told our committee, in his view the proposed definition of assault-style firearm is problematic. He said:

The definition is overly broad and covers many semi-automatic rifles used for hunting or defence against predators in Nunavut.

Inuit have treaty rights to hunt under the Nunavut Agreement. Hunting is a necessity for survival for a lot of Inuit in Nunavut. . . .

. . . Semi-automatic rifles are effective and necessary as a humane method to quickly dispatch animals and as defence against polar bears, grizzly bears and wolves. Inuit hunters are taught to prevent dangerous encounters and to scare away these predators, but that is not enough. It could mean life or death when one or more aggressive bears are breaking into your cabin or tent. You would need to be able to scare them away quickly, and you might not have the time to reload. If this bill is passed with the ban on semi-automatic firearms, we will have to shoot to kill, resulting in increased fatalities of wildlife.

He went on to say:

There are some provisions in the act that we are not opposed to, but the broad definition of "assault rifles" is quite concerning to us. . . .

Colleagues, take note. This is a life-and-death situation for people up north. They are protecting their lives, their families' lives and wildlife. For those hunters who depend on their firearms for subsistence, this is understandably very worrying.

In response to this, an amendment was proposed at committee to ensure transparency in the envisaged future regulatory process. Hunters deserve that sort of transparency and, in particular, Indigenous peoples who depend on subsistence hunting, whose rights are impacted and who should be consulted. That is what the amendment proposed, colleagues, but, unfortunately — as with all the other amendments — the amendment was rejected by the government majority.

Now, what Indigenous and other hunters fear is that the government will do what it has already done in the 2020 order-in-council to arbitrarily select certain semi-automatic firearms for prohibition.

We need to be clear: The measure that the government enacted in 2020 had absolutely no public safety benefit. In fact, it is one of the dumbest measures ever enacted by a Canadian government. This measure selected some semi-automatic long guns for prohibition, largely for their look, while leaving all others in legal circulation. In other words, one semi-automatic long gun is prohibited, but another semi-automatic long gun that may shoot precisely the same ammunition remains legal.

Moreover, since the government says it will pay compensation to those firearms owners whose firearms have been arbitrarily prohibited, nothing prevents these firearms owners from simply using that money to purchase another semi-automatic firearm that may shoot precisely the same ammunition as the firearm that has been prohibited. This is Liberal thinking to the nth degree.

The Parliamentary Budget Officer has estimated that this idiotic compensation program will cost taxpayers at least \$750 million. What is a few dollars among friends is what the Liberals say. In essence, taxpayers will be paying firearms owners to hand in certain of their semi-automatic long guns so that they can use that money to go out and buy another semi-automatic long gun. Only this Liberal-NDP government could come up with a program that is so utterly pointless but still ends up costing taxpayers at least \$750 million, as Senator Boisvenu said, and probably more.

Dr. Caillin Langmann, Assistant Clinical Professor at McMaster University, testified before our committee and he pointedly stated:

The likely billions of dollars spent to confiscate firearms from legal firearms owners would probably be better spent on youth diversion and gang reduction programs, as well as programs in terms of suicide reduction and women's programs for leaving homes at risk. . . .

He further said:

I see people coming in with suicidal ideation from issues they have in terms of depression, and it's extremely difficult to get them help. We look at wait times of over six months for some people. We have a shortage of physicians who are working in this area. . . .

Not only will these confiscation measures have no public safety benefit, but they will literally rob front-line police and other workers of very scarce resources. How is this sort of public policy-making acceptable?

How can the Senate, which is supposed to exercise sober second thought, possibly sign off on a bill that confirms an order-in-council that is so stupid?

• (2030)

Just to be clear, I am not against paying compensation given the circumstances. Firearms owners acquired their firearms legally and in good faith, and they should be compensated when the government arbitrarily decides to prohibit their property and steal their property from them.

But the policy itself makes no sense from a public policy perspective. In fact, what is being done is so wasteful and so pointless that it almost staggers the imagination — all of this simply to provide the illusion that the government is “doing something.” They are “taking everything seriously.” That's the answer that will be given at Question Period tomorrow: “We take it seriously.”

In my remarks up to this point, I have discussed what the bill fails to do despite the government's claims.

I now wish to focus on just one of the bill's most negative impacts, that being its impact on licensed sport shooters and collectors. These law-abiding Canadians may be modestly impacted, or they may be badly impacted.

Let me begin with the collectors of handguns, including many who collect antique firearms.

Tony Bernardo, Executive Director of the Canadian Shooting Sports Association, told our committee this:

. . . there are a number of large collections. There are a number of small collections. Some of the collections might be only two or three handguns, and those collections would

be worth, for example, \$2,000 or \$3,000. The larger collections . . . could be worth well into the hundreds of thousands of dollars. . . . I would guesstimate that the overall value of handguns would be into the hundreds of millions of dollars across the entire country.

There is no question that collectors, many of whom are historical collectors, are very impacted. They can no longer sell or buy legal handguns, and their collections are forfeited to the state when they die.

Contrast this obvious impact with what the minister told us:

. . . the premise that this affects law-abiding gun owners who pursue sports activities, such as hunting or sports shooting, is a phrase that is often used. We have been explicit and careful to ensure that these measures do not target those people. . . .

. . . they are not targeted or affected or included in these measures . . .

That's the minister. With a straight face he told us that.

Once again, the minister's statement simply has no connection to reality, none.

Some senators are cavalier about this outcome. Senator Kutcher shrugged his shoulders in committee and simply said that “. . . Canadians do not have a constitutional right to own firearms” He offered no criticism of the fact that governments in this country have for decades asked sport shooters to play by the rules and to abide by very strict conditions related to the ownership of handguns.

Those legal firearms owners have always abided by the rules, but now the government has arbitrarily decided to change those rules, and it offers absolutely nothing in terms of an apology or compensation.

At least our Prime Minister, who is so good at apologizing for everything everybody in this country has done, should apologize for this.

Senator Kutcher can be cavalier about that sort of betrayal, but in my view, it is completely unacceptable.

Ironically, it will also ensure that no restricted gun owner will hand over their firearms. Those guns will remain in private hands, something which the government purports to be so worried about.

How exactly does that enhance public safety? The truth is, of course, that it doesn't. Freezing someone's collection of antique or other historic pistols is a ridiculous measure. Even for senators on the government side that should be more than obvious.

Let me now turn to the impact that this bill will have on specific shooting sports. The truth is that shooting sports in Canada will be destroyed by this bill. They will be eliminated.

The government has claimed that it is protecting Olympic and Paralympic level competition in all of this. When the minister appeared before our committee, he said:

. . . we're not affecting the ability of these elite athletes to access the firearms they need for their sporting competitions. It's not only the persons who go to these international competitions representing Canada; it's those who are training and getting ready to, one day, hopefully, have the opportunity to do that.

But none of that is accurate. It isn't even accurate today, and the bill is not in force yet.

In this regard, Senator Marty Deacon asked the Chief Firearms Officer of Alberta, who appeared before our committee, how they have navigated the prohibition on the purchase of handguns by Olympic athletes since the government imposed its order-in-council last year. Dr. Teri Bryant told us of efforts to secure an exemption for Olympic-level shooters, ". . . we have not been successful in accomplishing it even once. I am unaware of anyone, anywhere, who has."

Again, remember that the minister told us that Olympic-level competitors are specifically exempted and that there is no intent to impact them. That, colleagues, obviously, is completely false.

We were told by a previous speaker not to call a duck a duck at times — and I'm paraphrasing — but I am not allowed to call the minister what he did here. This is false, colleagues. He is not telling us the truth.

Now the minister is again promising that, going forward, he will consult because he's serious about it. He will consult about how to exempt Olympic and Paralympic shooters from the effects of this bill.

He wrote a letter to this effect, which Senator Yussuff has proudly quoted. The minister says:

I want to assure the committee that consultations will take place to clearly establish the process for the elite sport shooter exemption.

How do you square "will take place"? Earlier he said they have taken place. With all due respect, given the minister's track record, this statement means absolutely nothing and has zero credibility.

It particularly means nothing because below the Olympic level, the government makes no pretense — all of these other shooting sports are to be annihilated. Since nobody starts competition at the Olympic level, this means that Olympic-quality competitors as well will soon not be fielded by Canada at all. Because nobody begins at that level.

Colleagues, it may come as a surprise to you, but Wayne Gretzky didn't start playing hockey in the NHL. He actually started on an ice rink in his backyard when he was 3 years old. He practised. He bought hockey sticks. They weren't disallowed. They weren't illegal. But here our sport shooters are supposed to start in the Olympics.

Robert Freberg is the Chief Firearms Officer for Saskatchewan, and he was once an Olympic-level competitor. This is what he told our committee:

I was an Olympic target shooter, but I didn't start there —

— surprise, surprise —

— I started in another sport, shooting, and then I developed some skills, and they said, "Hey, you've got an ability to do this," and I slowly started to move up into shooting in Olympic sports, and eventually — even though as I aged, my eyes went — I went off to shoot in other sports. I wasn't able to compete in the Olympic realm anymore, but at least I had another place to go and enjoy my sport. That's gone away. There is no way to feed into the Olympic system, and there is no way for us right now, currently, with these regulations — they are just refusing to pass the application.

So this will not only kill all the shooting sports; it will also leave former Olympic athletes with an unclear path of even recouping their investments in their sport. These athletes will also have no ability to mentor new athletes because there won't be any.

• (2040)

Lynda Kiejko, a civil engineer and Olympian, testified before our committee. She was very clear on that point. She said:

. . . target shooting is one of the most inclusive, lifelong sports in the world and one Canadians should consider valuable. Target shooting sports provides a level playing field that no other sport really provides. All people, all body shapes, all genders, able-bodied, otherwise, it doesn't matter. We can all compete shoulder to shoulder against each other on a level playing field.

That, colleagues, is completely gone — out of the window.

Colleagues, I have been here since 2009. I have seen many bills go through this chamber. I have seen bad bills before, but frankly, there is no bill that is as absurd as this one.

In this regard, I want to quote from what Professor Christian Leuprecht told our committee based on his analysis:

Instead of being honest with Canadians and devising constructive policies that will actually curb the northbound torrent of crime guns from the United States, this bill constructs a false narrative against 4 million lawful, licensed and background-checked firearms owners. . . .

This legislation is a cynical ploy to polarize Canadian society by leveraging firearms as a wedge issue ahead of the next federal election. . . .

It is not Pierre Poilievre who said that, colleagues. The professor continues:

In over 20 years of studying public safety and national security across democratic countries, I have never seen a bill with this great a disconnect between its supposed means and ends. Any parliamentarian who votes in favour of this bill is going on record as disdaining evidence, supporting derision, fanning polarization, encouraging disinformation —

— “disinformation,” Senator Gold; you’re so quick to use that word every time we say something —

— and wasting scarce public resources on policy measures that missed their intended target. . . .

I do not think there could be a more succinct or accurate summary of the bill that we have before us.

I just want to add an additional comment in relation to this.

I understand the sentiments that underscore this bill. I understand the sentiments of those who are victims of crime, particularly those who are victims of gun violence. I can assure you that there was no senator on the committee who did not have the most profound sympathy for Samantha Price and all the other victims of senseless gun violence who appeared before that committee. But we need solutions that will actually work.

As I have said before: Conservatives support reasonable gun control. We support licensing. We support safe storage laws. We support mandatory firearms training. We support thorough police background checks. But, colleagues, we are doing a disservice to Canadians if we just give in and pretend that a bill like this will seriously address the problem of gun violence in any real way.

We are also doing an extreme disservice to the victims of gun violence, who will be the first to realize that, as it turns out, Bill C-21 means nothing in terms of addressing such violence. I am thinking now of the appearance of Mr. Boufeldja Benabdallah, co-founder and spokesperson for the Islamic Cultural Centre of Quebec City.

We all know about the terrible massacre that occurred there. Six people were murdered and others seriously injured at a place of worship. I cannot imagine the horror suffered by the families that faced an unspeakable crime of this nature.

If we are considering root causes, what we are dealing with in an event like that is an almost unimaginable amount of hate. Hate of that nature is part and parcel of most of the mass shootings that we see. But how does one realistically ensure that such events can never happen?

I believe it is virtually impossible to ensure such an outcome, given what history teaches us about what human beings are capable of at our very worst.

A simplistic solution is to say that more gun control is the answer. The government chose that approach when it randomly prohibited certain semi-automatic firearms, but not others.

As Senator Yussuff himself has noted, there are at least 12 million guns in Canada. Even after Bill C-21 is enacted, there will still be at least 12 million guns in Canada. We have witnessed other mass killings, where the weapon used was an automobile. In Toronto, in 2018, a van was used to kill 11 people and injure many more.

Honourable senators, without transforming the human soul, we will not stop these sorts of events.

What also concerns me in relation to the Quebec tragedy is the message we sent as a society in how we responded to this attack. Initially, the perpetrator of this crime was sentenced to life in prison with no chance of parole for 40 years. To be frank, in my opinion, that sentence was too light given the terrible crime that this individual committed. Yet for our Supreme Court justices, this sentence was too harsh. They reduced that sentence to ensure that the perpetrator would be eligible for parole one day, so he could commit this crime again.

Quite frankly, this was an outrageous decision, which the Government of Canada simply accepted, even though it had the legislative options to say to the court, “No — we do not agree with your decision and will reverse it.”

As a society, we cannot roll over and accept decisions that fail to hold perpetrators of the worst crimes morally responsible. But that is what this government does time and time again.

It is simply wrong to instead enact gun control laws that we know will not work. It is particularly wrong for the government to target 650,000 Canadians and make them scapegoats for what is wrong with society. That is simply wrong. But that is what we have in Bill C-21.

This is a bill designed in Ottawa by people who are looking for simplistic talking points and who, quite frankly, do not understand other parts of the country. Does it remind you of another bill that we dealt with today?

We heard that complaint from many of our witnesses. We heard it from Indigenous people, including our Inuit witnesses, who spoke about the fact that in the North they don’t even have their own chief firearms officers. Instead, the chief firearms officers for the North reside in Southern Canada.

People in both Toronto and Montreal know what’s best for the farmers in Saskatchewan. That is a large part of the problem with this entire bill; that is, it is a bill designed in Ottawa by a central Canadian elite that simply does not understand — and, quite frankly, does not care to understand — other parts and peoples of Canada.

In that sense, Bill C-21 is just like Bill C-68 three decades ago. It will fail for the same reasons. Make no mistake, colleagues: This bill will be reversed. That is the silver lining here. That is

the inevitable outcome of what we are doing today. But in the years in between, all we will have accomplished is sowing yet more division in our wonderful country.

• (2050)

I have been accused of delaying this bill. The minister has said that, and other government members in the other place have said that as well. It is all part and parcel of this government's wedge politics. I was told that I was delaying this bill before it was ever introduced in this chamber. Before it ever even arrived here, the tweets were out there by the government saying, "Senator Plett is stalling Bill C-21."

But Bill C-21 — even though it is one of the dumbest bills ever put forward by the current government — has progressed through the Senate.

An Hon. Senator: And they have many.

Senator Plett: And they have many. The sad part is that they have some time left to introduce more.

Regardless, the bill has progressed through the Senate in accordance with the schedule negotiated between the Liberal government, the Leader of the Government in the Senate and the Leader of the Opposition from day one to now. All the meetings of the committee were scheduled by consensus among all members of the committee.

I want to thank Senator Tony Dean for the collaborative way he dealt with members of our party in scheduling the meetings and giving us the witnesses whom we asked for. The Conservative opposition agreed to have committee meetings during the regular Monday time slot. We also agreed to meet on the Monday after a break week. We agreed to meet on Wednesdays during the Veterans Affairs Committee time slot, and also on extra days.

The bill's clause-by-clause consideration was completed on December 4, exactly as we had agreed. Yet the political messaging by this government remained the same: The Conservatives are delaying this bill.

For the record, last week, I told Senator Gold that I wanted to speak first today. I'm the critic of this bill. Normally, we have a policy where the critic speaks last. I asked to speak first. Why? Is it because I'm delaying the bill? That doesn't make a lot of sense.

I will admit that the official opposition has been looking for ways to defeat this bill. Short of divine intervention, I don't think that will happen. But most of the witnesses who appeared before our committee either asked us to kill this bill or, at least, make major amendments. Unfortunately, we failed them. We tried, but we had a very strong government contingent who said, "We're putting this through. Whether it's a good bill or not is irrelevant. It sends a good message, and we're going to put it through."

The reason we tried our best to do this is because this bill is not good for Canada, and Conservatives care about Canada. We care about our country. It is not the end of anything; it is merely the beginning of what will be a regrettable requirement now to reverse this extremely bad legislation. We wanted to take every step possible to avoid such an outcome.

However, that is what this current government ultimately wants, and that is the outcome it now has.

In conclusion — and I know you've waited for those words for a long time now; for some people, "in conclusion" only means it's the last 20 minutes — I want to come back and focus on just one of the many problems with this bill: the impact that this bill will have on the entire range of shooting sports in Canada. It will not only kill shooting sports in Canada, but it will also close the civilian ranges that so many of our police services depend upon in order to maintain their skill levels.

Again, Senator Deacon is one of those Trudeau appointees who actually thinks for herself and has some good ideas — this was one of them. She proposed an amendment in committee that was rejected by the government majority, but which, I believe, we must reconsider now; I really think this needs to be reconsidered. I know that Senator Yussuff thinks that once it's dead, it should be dead — unless it's something that he doesn't support, then we make exceptions, of course.

The amendment would ensure that any shooting discipline be recognized as legitimate for the purpose of an individual being able to purchase or sell handguns relevant to that discipline.

Our committee heard considerable testimony on this issue. I have already referenced what Olympic athlete Lynda Kiejko told our committee. I also quoted what Mr. Robert Freberg, the Chief Firearms Officer for Saskatchewan, told our committee on the same issue. I wish to add one more quote now. James Smith, President of the National Range Officers Institute of the International Practical Shooting Confederation of Canada, said the following:

Even though Bill C-21 is not an outright handgun ban, it will result in a slow demise for our sport in Canada. Having no new athletes introduced to replace the existing competitors and being unable to replace equipment as it wears out will result in the end of our sport over time. It will also close the ranges for police officers and other agencies that use our ranges for training and result in no shooting for Olympics.

Nowhere in there, colleagues, did he say "might" — he said it "will."

The amendment originally proposed by Senator Deacon seeks to, at least, partially address a major flaw in this bill in that it will recognize all shooting disciplines. It requires that the handgun in question is appropriate and necessary for participating in that discipline.

Some might argue that this amendment would restore the status quo when it comes to handgun purchases. Unfortunately, that is not the case. All this amendment would do is recognize more shooting disciplines under the auspices of this bill. It will require that in order to be involved in any shooting discipline, the individual will have to be a member of a club that offers such a discipline.

I will repeat what witnesses have said: Unless this bill recognizes and protects the other shooting disciplines that provide the shooters who might be good enough to feed into Olympic-level shooting, there is absolutely no point in the Olympic-level exemption that is already in the bill.

Colleagues, these are the words that you've all been waiting to hear for the last hour. I, therefore, ask you to support what I'm going to propose.

MOTION IN AMENDMENT—VOTE DEFERRED

Hon. Donald Neil Plett (Leader of the Opposition): Therefore, honourable senators, in amendment, I move:

That Bill C-21 be not now read a third time, but that it be amended in clause 43, on page 49, by replacing lines 27 to 34 with the following:

“(i) that they are participating in a handgun shooting discipline,

(ii) the disciplines in which they participate, and

(iii) that the handgun in question is appropriate and necessary for participating in those disciplines.”.

The Hon. the Speaker: Honourable senators, in amendment, it was moved by the Honourable Senator Plett, seconded by the Honourable Senator Martin — may I dispense?

Hon. Senators: Dispense.

• (2100)

Hon. Marty Deacon: Honourable senators, I rise briefly to speak to my colleague Senator Plett's amendment. I tabled a similar or the same amendment at clause-by-clause consideration, and I deeply commend Senator Plett for his genuine concern for athletes. But in the interest of thinking for myself, I have continued to think, think more and act following our final committee meeting a few weeks ago, and act I did.

I obviously shared the concerns of Senator Plett. I have worked first-hand with many high-performance shooters and witnessed the challenges they had in moving their competition gear at the best of times. Moving those guns around the world is a very big challenge.

In committee, we heard — you heard part of it already today — from two chief firearms officers and athletes concerned that handgun shooting in Canadian sports disciplines could completely disappear as a result of this legislation. I, of course, was very sympathetic to this, which is why I tried to amend this at committee. It was defeated. Although it was defeated, I appreciate the degree and due attention this was given at committee.

I have since heard from the minister's office who acknowledged my concerns, which I appreciated. It is not their intention to take away shooting sports in this country for young people, beginners or older people. Our committee also received, as you heard recently, correspondence from Minister Leblanc reasserting this commitment in paragraphs 3 and 4 of his letter, in which he wrote:

They are concerned with finding a balance between allowing legitimate shooting sports and competition while also not opening up the back door to handgun ownership.

I appreciate that as well. It's something that they must fine-tune in the regulations, and I think I at least need to let them keep true to their word.

We have already seen immediate action regarding chief firearms officers in the North, action which came about because of our committee work — not because the bill was passed or approved, but because of the work at committee. So I hope and choose to believe that they will follow through on their commitments as per this letter when it comes to shooting sports as well.

On behalf of Canadians, I have promised sport shooters that I will keep the pedal to the metal on this. So today, I am comfortable with that, leaving the bill as it is in this regard.

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

An Hon. Senator: Question.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion in amendment? Those in favour of the motion will please say “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: Those opposed please say “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: I think the “nays” have it.

And two honourable senators having risen:

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

Some Hon. Senators: Yes.

The Hon. the Speaker: Pursuant to rule 9-10(1) and the order adopted on September 21, 2022, the vote is deferred to 4:15 p.m. tomorrow with the bells to ring at 4 p.m.

TIME ALLOCATION—NOTICE OF MOTION

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, I wish to advise the Senate that I have been unable to reach an agreement with the representatives of the recognized parties to allocate time for the debate at the third reading stage of Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms).

Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, pursuant to rule 7-2, not more than a further six hours of debate be allocated at third reading stage of Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms).

GREENHOUSE GAS POLLUTION PRICING ACT

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Wells, seconded by the Honourable Senator Batters, for the third reading of Bill C-234, An Act to amend the Greenhouse Gas Pollution Pricing Act, as amended.

Hon. Robert Black: Honourable senators, I rise once again, now at third reading, to ask for your support for Bill C-234, an Act to Amend the Greenhouse Gas Pollution Pricing Act, albeit as amended. As you may anticipate, I first want to express my frustration and disappointment that this bill has been amended twice, especially, given that these amendments were previously debated, as has been noted at committee, and voted down in this chamber of sober second thought when my honourable colleagues voted down the Agriculture and Forestry Committee report. The industry was very thankful to those colleagues who did not support that report.

I heard from many agriculture stakeholders who supported this action a few weeks ago. I expect that many of you who voted it down did as well. While at COP 28 in Dubai last week, I was awakened during the night to a number of emails coming in from stakeholders who expressed significant disappointment in the passing of the first of what has now been two amendments passing in this chamber. I too was disappointed to hear that a majority of our colleagues supported an amendment similar to the one in the Agriculture and Forestry Committee report this chamber voted down. Colleagues, while at COP 28 it became evident that the decision made in the chamber last week reverberated beyond our borders and around the world. I heard the disappointment in the amendment from many stakeholders whom I met and ran into at COP 28 in Dubai. For your information, colleagues, to date, since this bill has been in the Senate, I have received over 2,500 letters and 2,000-plus emails from farmers, ranchers and growers, who all shared their support for an unamended Bill C-234.

Since last week, a number have reached out again to express their disappointment about the amended bill. They have used such words and comments like, “The Senate is being

obstructionist,” “The Senate lacks the understanding of our issues,” “Some senators are truly, truly misinformed,” and “The Senate has a disdain for farmers, doesn’t it?” and “It’s time to get rid of the Senate.”

Colleagues, these comments bother me greatly.

I’m not proud of what has transpired here in the Senate Chamber over the past few weeks with respect to Bill C-234. We have failed a very important segment of our Canadian population, and I remain concerned that I have not done my job well enough in the chamber as a senator representing agriculture in Canada because that’s what I was asked to do when I was asked by the Prime Minister to come into the Senate.

While I believe it is now severely flawed, and the industry agrees with this statement, we must pass this bill now so that it can be returned to our elected officials who voted in support of the original bill, as soon as possible so they can decide if they will accept this amended bill or not.

While I can be hopeful that something might come of it and we’ll see it back here in its original form, as my honourable colleague Senator Wells already pointed out, it could be a long and difficult road ahead for this amended bill in the other place.

Canadian farmers, ranchers and growers are the losers in this process. Honourable colleagues, by supporting this amended bill in support of grain drying only being done by farmers across Canada, we are still able to demonstrate our commitment to fostering a nurturing environment for our farmers, ranchers and growers, allowing them to thrive and continue to do the essential work of feeding our great nation.

• (2110)

Although — and I will state this again — it is extremely unfortunate that this bill has been amended, we must continue to show our support for the thousands of farmers who remain included.

Colleagues, farmers are progressive. They are determined, ambitious and interested in engaging innovative new technologies for the advancement of the agricultural industry. Farmers understand the importance of innovation and progressiveness in their fight against climate change, and they will continue to innovate as they go forward. However, this can’t be easily done by limiting their fiscal capacities and forcing them to bear the burden of an unfair tax on their livelihood. It cannot be done by adding burdensome regulations that will continue to be discussed and considered by this government now and into the future.

Honourable colleagues, I respectfully request that you vote in favour of this amended bill for your farmers and local producers. Pass this bill now to show support for farmers, ranchers and growers who provide for us 3 times a day, 7 days a week, 365 days a year. Whatever your reason, all I ask is that you vote in favour of those farmers, ranchers and growers who are still going to benefit from the measures of an amended Bill C-234. They are begging the government for relief from the burden of carbon tax.

Together we can ensure a brighter and more prosperous future for some within this industry and, by extension, support those who continue to provide for us — each and every day.

Thank you, *meegwetch*.

Hon. Tony Dean: Honourable senators, first of all, I would like to say, in response to our friend and colleague Senator Black, that farmers, ranchers and growers could have no better advocate for their interests and the issues faced by that community than you, Senator Black. I think many, if not all, would agree with that.

Some Hon. Senators: Hear, hear.

Senator Dean: I'm going to speak briefly to Bill C-234. First, I want to thank colleagues and everyone who has spoken for their fulsome participation. We have all learned a lot about grain drying and barn heating, haven't we?

I want to pull out some of the key arguments that have been most persuasive to me as I have listened to these debates. As I start, for clarity, colleagues, I have received no phone calls. I watched my phone and waited for it to ring, but it just didn't happen.

Senator Ringuette reminded us that the Parliamentary Budget Officer, or PBO, published a report on June 15, 2023, which indicated that over 90% of gas and diesel fuel usage for farmers is exempted from the carbon tax already. That's a good start. A report from Agriculture and Agri-Food Canada stated that the fuels most commonly used on farms are gasoline and diesel, both of which are exempt. Most grain drying equipment, however, is powered with natural gas or propane, which are both subject to the federal fuel charge in jurisdictions where it applies, and that's what we have been talking about.

The PBO report went on to say that because of this exemption, almost 10% of Canada's carbon emissions are exempt from the tax. When it comes to grain drying, which is subject to the tax, Agriculture and Agri-Food Canada found that based on the information received, the average per-farm cost of pollution pricing associated with grain drying by province ranges from 0.05% to 0.38% of net operating costs for an average farm, which is equivalent to \$210 to \$774. That's grain drying.

Senator Dalphond told us that the share of expenditures devoted to heating fuel for farm buildings represents less than 1% of Canadian farm operating expenses. To be very specific, it represented 0.9% of expenses in 2019, 0.8% of expenses in 2020 — including the carbon tax — and the same in 2021. So for grain drying and heating fuel, less than 1% of a farmer's operating costs comes from carbon pricing.

Senator Woo reminded us that incentives provided by the carbon levy on farmers and, in particular, the economic incentives to switch to more energy-efficient technology can help

offset emissions while, in the long term, reducing costs for farmers as well. Many of these technologies are available; some are not, but providing that incentive is an important first step in motivating carbon-intensive sectors to invest in more efficient technologies. Giving a break to these sectors now will only make the transition more challenging in the future, and that's a transition that is inevitable.

Both Senator Woo's and Senator Dalphond's amendments are responsive to these concerns. Senator Woo's amendment would reduce the bill's eight-year transition to three years, while Senator Dalphond's amendment would narrow the exemption to grain drying only; it would not include barn heating.

I want to talk briefly about the farming landscape in Canada, which is changing dramatically in terms of scale. Many of us know, believe and see that there are still many small farms operating in Canada; however, that landscape is shifting quickly and dramatically, colleagues, in terms of both scale and financial structure. Increasingly, farms are becoming incorporated.

In 2021, about a quarter of farms in Canada were classified as corporations, either family or non-family owned. This was an increase from one fifth of farms in 2015. The number has been steadily increasing in past decades, in part because corporations, obviously, have benefitted more from lower taxes compared to small businesses than in the past.

Statistics Canada reports that in 2020, over half of Canada's total farm operating revenues came from just 4.1% of farms, all of which belonged to the \$2-million-and-over revenue class. That is over 50% of farm revenue, colleagues, up from 41.5% five years earlier.

Furthermore, farms in the top three revenue classes — those being \$500,000 to \$1 million, \$1 million to \$2 million, and \$2 million and over — accounted for 83.2% of total operating revenues in 2020, up from 75% a year earlier.

A data report from Agriculture and Agri-Food Canada indicates that costs are expected to vary by farm size, with larger farms having above-average costs and smaller farms having below-average costs. Although drying costs are not necessarily proportional to farm size, there is expected to be a strong correlation.

While the average Canadian grain and oilseed farm has gross revenues of \$460,000 per year, and there are over 2,000 farms with revenues above \$2 million per year that could see carbon pollution price costs that are significantly higher than provincial averages, if you want to be honest about what this bill is going to do, colleagues, it's likely going to help large industrial farming corporations consume more of the market by giving them a tax break. That is the same sort of support these corporations would have received from Bill C-208, which some of you will remember as the "farms and fishers bill," which whistled through this chamber very quickly several years ago and was specifically

focused on helping farms in the incorporation process. Colleagues, small farms would, of course, benefit from the proposals in Bill C-234, but large, industrial-scale farms will be far and away the largest beneficiaries.

Finally, I want to speak briefly about climate change and carbon neutrality, which seems to have been marginal in this debate. Senator Ringuette asked a very pertinent question: What is the cost of climate change to our economy?

While we are here debating the economic cost to farmers, we have to acknowledge the cost to our children, our grandchildren and their ability to live on this planet comfortably when it's already at significant risk. Every year that passes is hotter than the last. We're breaking records for extreme temperatures and natural disasters around the world. We know that Canada is warming twice as fast as the rest of the world, and the Arctic is warming three times as fast. This situation is unsustainable, and we all have to make sacrifices on the path to carbon neutrality — corporations most of all, given that they are the largest contributors.

If we had passed this bill as it was originally crafted, I believe we would have weakened Canada's strategy for achieving carbon neutrality. Some colleagues have suggested the government has already weakened it with their exemptions for home heating oil, and I think that's a fair argument.

• (2120)

It has certainly opened the door to other groups and provinces coming forward to suggest they should also be exempt from the carbon tax. Colleagues, we should not encourage the path of exemptions. We owe it to future generations. And I believe that Bill C-234, as amended, finds the appropriate balance in all of that nexus. Thank you so much.

Hon. Pat Duncan: Honourable senators, I rise today to say a few words and add some observations at third reading about Bill C-234 as amended.

As I said in my speech during debate at report stage, federalism is hard. Federal-provincial-territorial negotiations and our relationships with Indigenous peoples are different throughout this vast country. Our situation in Canada must be one of the more — if not the most — difficult forms of federalism government serving a population over a vast country.

Nonetheless, in spite of these challenges, governments of all political types, at all levels, embark upon a number of initiatives, including legislation in an effort to meet the needs of citizens, while remembering we are part of a global community.

Sometimes, these efforts are fairly readily achieved, and sometimes, as my Scots aunty used to say, "It's just that the impossible takes a little longer."

Most Canadians — and I'm sure Senator Dasko could tell me how many — recognize that climate change is a global issue, and that Canada must play a part. The impossible part, at least in the public discourse, now seems to be how to best persuade our population to make changes to meet the challenges of climate change.

Duly elected governments — federal, provincial, territorial, municipal, First Nations and Indigenous governments — are pursuing options. Canada, with the support of scientific and economic evidence — as has been discussed by senators with more knowledge than I have — implemented a carbon tax to incentivize a reduction in the use of fossil fuels. Carbon tax has been much discussed in Bill C-234. I wanted to add the Yukon perspective to our deliberations here to show how "one size fits all" does not fit all in this federation.

The Yukon signed on to the federal carbon tax regime because we strongly agree and are making best efforts to reduce emissions. As we debated this bill, the government decided to exempt the carbon tax on home heating oil. Some have called it an unfair break for Canadians in the Atlantic provinces. The exemption applies in the Yukon. It's important to know the background and the situation in the Yukon, and I appreciate the opportunity to represent my region.

It's complicated. In the Yukon, 93.9% of the electricity is provided by hydro. Yukon Energy has recently installed four new wind turbines after decommissioning those installed in 1993 and 2000. It's estimated that the wind turbines will provide power to 650 homes. It's a most welcome addition to the power supply.

Colleagues, you might be aware that Mayor Cabott of the City of Whitehorse recently shared with me that Whitehorse is currently appreciating a 12.5% increase in population. The new homes for this population are, by and large, constructed with electric heat. That varies in cost from \$150 a month to almost \$1,000, depending on the month and how warm you like the temperature.

Most of our power is from hydro. We have augmented that with wind. Self-governing First Nations and some of those without a final agreement are adding solar farms to their communities. Thousands of Yukoners have installed solar panels. There is a hydrogen battery storage facility under construction. These best efforts are partnerships with substantial financial support from the Government of Canada, additionally from the Government of Yukon and Yukon First Nations development corporations.

Despite these efforts, the Yukon is in dire need of more electric power. The hydro facility in Whitehorse is supplemented throughout the winter by sometimes as many as seven diesel generators running day and night. The fuel for these generators comes up the Alaska Highway, hauled by a diesel B-train truck — either from Alberta or at the other end of the highway — or from a port through Skagway in Alaska. Diesel fuel is used, the dirtiest-burning fuel bringing in more dirty fuel, and 49% of

Yukoners heat with diesel fuel. Many Yukoners heat with wood, also a dirty option for the environment; 4% use propane and the balance are electric, some with wood backup.

The cost to fill a fuel-oil tank in September to heat our home in the Yukon — heating oil, Arctic stove — including almost \$200 in carbon tax, was close to \$1,200. To fill up in October was about half that; however, we're also experiencing a warm fall.

Why not natural gas? Well, that's another story. Senators, some of you might recall there was a 1972 treaty between Canada and the U.S. that would have seen Alaskan gas travel down the Alaska Highway, an existing transportation corridor.

Needless to say, you are welcome to come into my office and peruse the bumper sticker on the wall. It says, if you will forgive the unparliamentary language, "Canada . . . , kiss" my posterior — although another noun is used — "it's Alaska's gas." That gas is transported south. Yukoners have no access to natural gas.

As another alternative, heat pumps have been proven to work in the Yukon. Unfortunately, I understand that, at minus 30 degrees, an electric backup is required. I also understand, from recent radio interviews with the heat pump installer, there are supply chain issues. If you can get a heat pump and if the installer is available, it remains an expensive investment. I refer you again to my point about the availability of electricity.

Bill C-234 specifically addresses agriculture. Yukon's agriculture industry is growing and perhaps best described as a sapling in the forest of a Canadian industry. It is no less important.

Mandalay Farm produces 4,400 Little Red Hen Eggs per day or about 1.6 million a year. In a population of 45,000 people and growing, this represents 15% of the eggs consumed in the Yukon. Those other eggs, aside from a few small local producers, all come up the highway via a diesel truck. Mandalay Farm spends about \$35,000 a year on propane to heat their barns for these hens. Their home is heated with diesel fuel and wood backup. A cord of wood, by the way, is anywhere from \$400 to \$500.

Would passage of Bill C-234 lower the price of Little Red Hen Eggs at the grocery store? Probably not, because farmers are price takers, not price makers. Would it help Mandalay with their bottom line if we were to pass Bill C-234 as originally intended? Absolutely, it would.

There are also two grain-drying operations in the Yukon, both of which use propane. They are small operations, so Bill C-234, had it been passed in its original form, would have helped them as well.

I would like to briefly address whether Bill C-234 is a carve-out. I believe it is not. Officials stated at committee that this was not an oversight. I have the greatest of respect for Canada's public servants. I have also been one of, and have the greatest respect for, those members of Parliament and MLAs who have gone door to door to talk to individuals. It's completely understandable because I, too, have heard it from friends who

happen to be farmers in southern Alberta. Formerly, he worked for the Government of Alberta dealing with farm credit and farm financing. He absolutely confirmed to me the necessity of heating for poultry farms, particularly, and for grain dryers, especially in northern Alberta.

While a public servant in Ottawa might not feel that excluding grain dryers, chicken and poultry farms, propane and natural gas as part of the exemption granted to the agricultural industry, when fishers and agriculture were exempted, that public servant might not feel that's an oversight. But the individual who knocks on their door, looking for their vote, will hear, "Why? It's not fair that the diesel folks can get a break in a carbon tax rebate, and I can't."

Colleagues, I supported this bill in its original form for all the reasons I noted. What I cannot support and what angers, saddens and truly disappoints me as a Canadian, and as a voter, is that the politics have polarized this debate so deeply. It has ceased to be about whether this is an appropriate inclusion in an exemption already granted for agriculture and has become one of political slogans and partisan politics.

• (2130)

I find it especially frustrating, colleagues, because I honestly thought that in the Senate we were better than that, and that we could get beyond the talking points, the political campaigning and divisions and figure out a way through this. I'm saddened that we cannot. As I said earlier, I think it's just that the impossible takes a little longer. Thank you.

Hon. Frances Lankin: Honourable senators, I want to thank the people who have contributed to this debate tonight in a thoughtful and respectful way. Senators Black, Dean and Duncan, my good friend — we're on opposite sides of this issue, but we spend a lot of time talking with each other and learning from each other. I appreciate those senators' respectful contributions.

Let me begin this contribution to the debate by saying what I won't do tonight. I will not make ad hominem or those kinds of statements in the Senate or make those kinds of personal attacks. I will not participate in naming and shaming my colleagues who have spent so much time looking at and examining this bill and what, in fact, they have come to determine is the appropriate response from their perspective on this bill.

What I will do is be very respectful of the diversity of opinion in this chamber, whether you're on one side of the debate or on the other side, and I will recognize that many of us have come to our position on this debate for different reasons and through different ways of reasoning. We can talk to each other about that. I hope that, at some point, we'll take the wise words from your granny that we will maybe take a bit longer, but the Senate will get there. That's what we strived for in terms of reform of this institution and in terms of value-added work for Canadians. I think we fail on that measure when we don't behave in the way that I have just outlined.

I want to support those — and Senator Dean just said this — who are skeptical about the government's actions to exempt home heating oil from the carbon tax. I don't support the government in that action, although I hasten to say for my dear colleague from P.E.I. that I do support getting more assistance to those homeowners who are still heating with home heating oil.

I don't believe it should have been an exemption. There are many other ways that the government could have accomplished this. The government could have increased rebates, as they already have in this measure. They could have done that even more. They could have done a different subsidy. They could have gotten that support without undermining their own policy direction on carbon pricing, which for me is one of the most critical steps that we must take at this point with the technologies available to us to take steps forward on this existential challenge to our planet; not just our country, our planet.

However, I do support the measures that they have taken with respect to putting in supports and subsidies for the installation of heat pumps. That's a brilliant additional measure, along with giving more direct support to home heating oil users.

I have told you what I wouldn't do tonight. What I will do, beyond being respectful to the opinions here, is seek to correct the record and to read into the record published facts that go against some of the things that have been said certainly in the other place and in this place as well. It has been a voice that has been multiplied through Twitter or X and some media reporting, which I believe was a purposeful design on the part of some who have engaged in this debate in a less than respectful way, which I have commented on with respect to other contributions tonight.

I know that we sometimes seek the language to describe somebody else's contributions. We are appropriately reminded about the decorum in this place, about the parliamentary respect for the institution and what is non-parliamentary language. Some people have joked over a number of different bills about things like, "you can't call a duck a duck." So we find other words for it. The other words that I have heard used is "falsehoods" or "that's false." When I seek to correct the record, I will seek to correct the falsehoods that we have heard in this chamber.

The first is heat pumps. When I was off sick with the flu recently — and some people are aware that I was away — I watched every debate on this. I watched an amendment debate and a second reading debate where I heard it stated categorically that heat pumps don't work in this country because of the multiple numbers of days per year with minus 40 temperatures. My friends, with climate change, we don't see a lot of those. We do see some. When my husband and I built our home 22 years ago, we wanted to put in a heat pump. I live in northern Ontario, and at that point, the technology for heat pumps was not sufficient, so what we heard in this chamber was perhaps true 22 years ago.

There have been so many reports. I have read reports from heat pump installation businesses in northern Ontario that are just overwhelmed with the demand, the subsidies that have been announced by the government and the green initiatives fund, which I make a pitch for now and is going to run out of money in March, we think. I hope it's replenished in the next budget. I am also aware of companies like Enbridge that have heat pump

subsidies of up to \$10,000 for low-income Canadians. There's support to move on this. I have heard from farmers about the ability to help their bottom line through the installation of heat pumps.

If there are those weeks of 40-below temperature, most have backup heating. I know that in our situation, we switched to propane from home heating oil, and we have the backup of wood. I will move to put in a heat pump now that the technology can support that.

I've heard from farmers who have talked about the vast improvement to their bottom line, farmers who are using propane or natural gas, which is already a quarter of the price of home heating oil, about how much they can save, even if it's just in the shoulder seasons. The technology has changed. We were not informed about that. We were informed of a categorical falsehood, as I will call it.

I have also thought long and hard about the fairness issue. I listened to Senator Black and to others who have made that argument. It was initially a very persuasive argument to me. Part of our job is to look at different regional impacts. When I started to dig into it, I realized that we were told another falsehood. I won't read the quotes, but I have the debates here, and the falsehood was that what the government has done was only for Atlantic Canada and not for the rest of us. I think that's almost verbatim. Not for the rest of us, and not for the rest of Canada. False. It's just false. Look at how the program is designed, look at who it will affect and look at the numbers.

I come from the province of Ontario. Of the total number of homes using heating oil — 266,700 — the vast overwhelming majority are in the province of Ontario. The constituents whom I represent — I represent all Canadians, but I am a senator from Ontario — have the most and highest utilization of this form of heating fuel, which is three or four times the cost of propane and natural gas, and that is what we are talking about in the bill that is before us.

• (2140)

Farmers have also been supported at the federal level through the original carbon pricing bill with exemptions for gas and diesel, with tax credits and with rebates — just like all of us get with respect to the carbon tax that has been imposed. By the way, having been a provincial minister, I hear about a lot of provincial measures that support farmers as well, and I am 100% for that. This is where the production of our food is and these are the most fertile lands in our country, and I wish everyone would fight as hard to protect those lands instead of opening them up for development, like I see in my province of Ontario.

There is the concern that if the exemptions come forward for a group of farmers, they will also lose the rebate. They might be a little further ahead, but let's look at the numbers. We have heard these numbers before, so I'm not going to dwell on them. Senator Ringuette, thank you very much; you brought valuable information to us after doing your research based on the Office of the Parliamentary Budget Officer. When you consider the carbon tax that will be placed on these particular farmers who we're talking about in this bill, and you take off the rebate that they will be receiving — and I know this is a difficult number to deal with

because there are large corporate farms and small family farms — on average, across this country, the additional cost to the farmers will be \$806 this year. We weren't told that either during the debate that we've heard here, other than from my colleague Senator Ringuette.

Let me say that again: It's \$806. Look at the rancour and the polarization that is happening in our country and, unfortunately, as Senator Duncan said, in this chamber.

As the penultimate point here, I want to speak about my concern on how this bill has been positioned. Perhaps some newer senators may not be aware of this. I cannot take a long time to talk about it this evening, but I'd be willing to at any other time. I've listened to our colleagues across the floor talk about the importance of Westminster precedents and policy with respect to what we do in this chamber. One of the things that we need to look at is the Salisbury Convention which, in short, says that if a party who is the elected government has — in a previous campaign — campaigned on a policy, then that policy should be supported when it comes to the Senate. We may make amendments and try to improve it, but it's only in a very rare case where we would try to overturn that bill.

What's happened here, colleagues, is an inverse Salisbury Convention. We have a situation where a bill has come forward that seeks to amend and undermine the intent of the carbon pricing bill that we passed in this chamber, and that the previous government has campaigned on and won an election on, whether it's a minority or a majority.

When you flip that on its head, we are facing the latter bill that is before us — my colleague Senator Plett and I have a lot of hesitation about private members' bills and how they're handled in this place. We usually don't like it when they take precedence above Government Business, because we're called here to do Government Business.

In this situation — and for those of us who have had a difficult time dealing with it as it has come through here — to pass the original bill as it came through would be to reverse the application of the Salisbury Convention in this institution, and that is not our job. We need to pay attention. We are not the accountable elected chamber. We are the chamber of sober second thought. We have a 2014 constitutional reference decision that sets out our job to look at these areas: constitutional, Charter, regional, minority populations, minority-language populations and Indigenous populations. Those are our areas. We have boundaries on what we can do. We're not a place to come in to simply bring a private concern or a private position. We have the ability to do that, but we must remember that Government Business is what we are called to do. When we swear our oath, it's what we are called to commit to.

Lastly, if I may — and it is with the consent and leave of the Senate, and with tolerance — I want to make a couple of personal comments. I'm moving from the bill just to say that, over the last year, I have been absent a lot through the protracted illness of my husband and through his death. So many of you

have supported me through this all the way. You have made a difference — all of you. One of you has changed my life in terms of stepping forward. I want to say a personal thank you to the members of the Conservative caucus — I only found out about this two months ago, and I've been wanting to send a letter — who donated to the project to expand our local Legion, which was my husband's favourite place to be. It says something about him. We spent a lot of time there. The Conservative caucus made a \$200 donation to that. When I saw it — excuse me — I began to cry because my heart was touched. Thank you very much. Thank you for indulging me with that. Thank you for the opportunity to participate in such a respectful debate of the last few speakers on this bill. I appreciate it. Thank you.

Hon. Senators: Hear, hear!

Hon. Margo Greenwood: Honourable senators, I'm hoping to offer some diverse thoughts to this debate.

I begin by acknowledging the unceded and ancestral lands of the Anishinaabe Algonquin peoples upon which we stand and upon which we work. Indeed, it is the very concept of land that I will return to throughout my speech. I give heartfelt thanks to the Anishinaabe Algonquin peoples who have always cared for these lands upon which I am now living and working. It is through their lands that I know the Anishinaabe Algonquin peoples. Land connects us all.

Honourable senators, I invite you to take a moment to gaze earthward. We are all anchored to our land. We are — each one of us — connected by the lands upon which we stand. We each have individual stories about these lands, but where our feet are anchored connects us all.

With this in mind, I want to thank Senator Saint-Germain, Senator Clement and Senator Petitclerc for their work in supporting fellow senators and ensuring our voices are heard in this chamber. *Hiy hiy*.

I rise today to speak to Bill C-234, An Act to amend the Greenhouse Gas Pollution Pricing Act. This bill seeks to amend the Greenhouse Gas Pollution Pricing Act. The amendment would exempt certain fuels and farming activities in jurisdictions where there is no provincial or territorial carbon pricing system.

There has been much discussion, debate and even amendments in the chamber. These debates and discussions have been insightful and meaningful. I rise to contribute to these debates and discussions. I hope to offer a perspective that I believe is too often overlooked, both here in the Senate and in so many other places. I rise today to offer you stories about the land. I rise today to speak about the importance of land to the health and well-being of both Indigenous peoples and all Canadians. I offer this perspective for consideration in your deliberation of Bill C-234.

• (2150)

For many Indigenous peoples, land never stands alone. To evoke the concept of land is to simultaneously speak about water and air. To speak of land is to also speak of all that lives within complex webs of life. When I speak of land, I am speaking about water and air and everything alive, past, present and future.

To speak of the land is also to speak of culture, to speak of relationships, of ecosystems, of social systems, of spirituality and of law.

Colleagues, many teachings are embedded in stories. Stories offer us unlimited potential for learning. I offer you one story given to me by Mary Thomas, a Secwépemc Elder from interior British Columbia.

On a warm spring day, I went to the mountain with Mary. Halfway up the mountain, we stopped, and Mary described how the mountain once was with plants, animals and little trails that wound their way up the mountain. Over 80 years earlier, she had walked these trails with her grandmother. Her grandmother had taught her about the land, pointing out different plants and their uses, animals' homes and so much more. Eighty years earlier, Mary had walked along with her grandmother; today, she walked with me.

Mary stopped beside a tall pine tree and pointed to scattered pine cone pieces nearby. She said:

See these? If you look carefully, you will find a pile of pieces, and underneath that pile you will find a cache of pine cones belonging to a squirrel. The little cones will be arranged in rows with the tops pointed downward so that when the winter snows begin to melt, the water drips into the cache and will run off the cones and not wreck the seeds inside. My grandmother taught me this.

Mary had asked her grandmother, "How do the little squirrels know to do that?" Mary's grandmother had replied, "They learn like we do and pass their knowledge on to us."

For many Indigenous peoples around the world, humans do not own the land. Instead, humans are a part of the land, of it and because of it. At the heart of Mary's story is the teaching that even the smallest creatures have truths to offer, as long as humans are willing to listen. If listened to, these stories tell the truth of connectivity to the land. These stories speak of our interconnectedness with the land.

Indigenous ways of knowing and being are as diverse as Indigenous peoples ourselves, but commonalities do exist. One commonality is a deep and abiding understanding that land anchors Indigenous philosophies of knowing and being. This land is where our understandings of the world emerge. Our understandings of the world are characterized by interrelationships between the spirit, the natural world and human beings.

Indigenous scholar Greg Cajete described Indigenous peoples' relationship with the land as "a theology of place." A theology of place captures our sacred orientation to place, to space and to land.

Indigenous peoples come to our spiritual understandings through our intimate relationships with place and the environment — these are what gives us life. These are what gives us meaning as Indigenous peoples. For Cajete:

The land is an extension of Indian thought and being. . . . It is this place that holds our memories and the bones of our people. . . . This is the place that made us!

Look down again at the ground upon which we stand. This ground holds the memories of my people. These grounds are a web of being, holding in place the bones of Indigenous peoples from coast to coast. Your feet are grounded in the bones of Indigenous peoples, the peoples and places and stories of my people.

Indigenous knowledges and cultural teachings are transmitted through stories, ceremonies and experiences. These live in the land. These are the foundations of Indigeneity. Land teaches us the privileging of relationships. Embedded in land is fluidity of knowledge between past, present and future. Land honours language and orality. Land is inextricably linked with Indigenous identity, with the health and well-being of Indigenous and non-Indigenous peoples.

Chief Seattle in a speech given to government officials in the 1800s says, "What we do to the land, we do to ourselves."

We are in a time of ecological crisis. The land and the water and the air are hurting. The land is burning. The sky is choking. The waters are drying and disappearing. Everywhere there is a sickness in water and air and land.

I ask myself: What if the land becomes so sick that there are no more stories to tell other than stories of hardship and heartache? I ask myself: How can I contribute to the long-term health and well-being of all Canadians? What learning can I glean from these stories from the past? What teaching can I draw upon from those who have been here since time immemorial? How will we, in all our actions and care, preserve the land?

We all have a role to play in protecting the land and therefore our very existence. I understand the discussion and debate around Bill C-234. I know that on the face of it, we are discussing the Greenhouse Gas Pollution Pricing Act. More deeply than all of this, we are talking about the health and well-being of the land and all people.

Many authors, when writing of the determinants of health and Indigenous peoples, write about colonization, anti-Indigenous racism, loss of language and dislocation as critical to individual and community well-being. Burdens of ill health are disproportionately experienced by Indigenous peoples in Canada. Our health and well-being are inextricably tied to the land. The health and well-being, indeed the very future of all people's health and well-being, are grounded in the land, in the water and in the air.

We must not only contemplate these realities from a conceptual vantage point; we need to feel these conversations. How do you feel about the health and wellness of your children

and your children's children? How do you feel about the vibrancy of the land, the air and the water? Are we accounting for the life of the land as we contemplate this bill or others?

Honourable senators, I ask everyone here at this moment to ask themselves: Will amending this act protect the land? Will amending the act promote the health and well-being of all Canadians? Will passing this bill further the cause of reconciliation? As I contemplate Bill C-234, these are my thoughts alongside the other discussion points that have been set forth in this chamber.

• (2200)

I end my remarks with Mary's words:

It is not the way we dressed or how we acted or what we are that allowed us to survive. It is the values of our people that have been whispered gently, from generation to generation, like a thread through time, that has ensured our existence. It is to the children that these values and ways of being are passed. They are our future and our survival.

What stories will we tell them?

I thank you, honourable senators. *Hiy hiy.*

Hon. Percy E. Downe: Honourable senators, I'll be very brief.

Not for the first time, I have been inspired by Senator Lankin, my former colleague on the National Security and Intelligence Committee, and her remarks. I want to address a few of the concerns she raised about Bill C-234.

She mentioned Prince Edward Island. There is a real disconnect, colleagues. This is a regional institution. There is a real disconnect between the understanding of some of our colleagues and between the different parts of our country; there is, obviously, a major disconnect between those in urban centres — and I respect their views — and those in rural communities over how we proceed on the fight against climate change.

I don't know anyone in Prince Edward Island who doesn't heat with oil. However, we have no propane, oil or natural gas. Everything we consume is imported to the province. We also have, the last time I checked, some of the highest electricity rates in Canada. As Senator Duncan indicated in her speech, some of the dollar figures she mentioned are very similar to the consumption cost in Prince Edward Island. I know many people who in wintertime pay over \$1,000 a month in heating costs.

For heat pumps, the provincial government has a program, in addition to the federal government's. Any household with an income of \$75,000 or below is entitled to a free heat pump. Many people have heat pumps. I have a heat pump. I can tell you that in cold weather, you need oil. You have no choice. Your house and pipes will freeze. We are locked into what we are locked into.

We have no flexibility until we have further advances in technology. Heat pumps, unfortunately, don't work when it's particularly cold.

Those are my concerns about some of the comments I heard earlier. I'll conclude with the following: The Salisbury convention is a great argument when you're on the government side trying to pass legislation, but I would argue that it's not applicable in the Canadian Senate in 2023, because it was a situation in 1945, in the United Kingdom, when the Labour Party had the majority in the House of Commons and the House of Lords was occupied by Conservatives who inherited their seats. No one here inherited their seats. What you're really telling independent senators who have been appointed — I'll look at the new senators — is that your job is to review and amend government legislation, but at the end of the day, you have no choice but to pass that legislation.

Well, that's not what Prime Minister Trudeau has told us in his appointment process, which I think is quite wonderful. You are independent senators. You use your judgment. You're here because of your previous experience and careers. You are not confined to the Salisbury convention at all. I'll go on sometime later in a much more detailed speech about that.

I'm disappointed that Bill C-234 was amended, as I indicated before. Two Liberal MPs, and I noticed Senator Plett skipped over this part, in Prince Edward Island — Robert Morrissey in Egmont and Heath MacDonald in Malpeque — voted for it. I was guided by their wisdom, because they are on doorsteps talking to farmers involved in this much more than I am. They supported it; I supported them.

I'm disappointed it was amended. We can only hope the House of Commons can bring it back to us.

Thank you, colleagues.

Some Hon. Senators: Hear, hear.

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

Hon. Senators: Question.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

(Motion agreed to and bill, as amended, read third time and passed, on division.)

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

PRIVATE BILL TO REPLACE AN ACT OF INCORPORATION—
THIRD READING—DEBATE ADJOURNED

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

She said: Honourable colleagues, and now for something completely different.

I rise today to give you an update on Bill S-1001, and to urge you to pass this bill before we rise for the Christmas break.

You last heard me speak about this bill all the way back in May. I told you about the history of the Archdiocese of Ottawa and the Diocese of Alexandria-Cornwall. You heard about consultations, reconciliation and canonical amalgamation.

Today, I'll speak about the importance of clause 4, about committee study and amendments and about next steps.

Bill S-1001 is An Act to amalgamate The Roman Catholic Episcopal Corporation of Ottawa and The Roman Catholic Episcopal Corporation for the Diocese of Alexandria-Cornwall, in Ontario, Canada. Simply put, the bill amalgamates a provincially incorporated diocese and a federally incorporated archdiocese.

While the Pope has already canonically amalgamated the two regions, a private bill is necessary to complete the process in Canadian law. We're in the final step of a process that has lasted nearly a decade and included extensive consultations with affected communities in Eastern Ontario — consultations that I participated in as a parishioner and city councillor without knowing that one day I would be shepherding the bill through the Senate.

After my second reading speech, Senator Dupuis asked whether it's possible to guarantee that requirements to comply with provincial legislation are being met. I'd like to give you a bit more context around that.

Honourable colleagues, you know I've done my best to keep my interventions on this topic light and interesting — and sometimes even funny. However, we're about to wade into a bit of legalese, so please brace yourselves. You know what? I'm going to do it in French, because I have a right to.

[Translation]

Clause 10 of Bill S-1001 deals with articles of continuance. Once the bill is passed, the Diocese of Alexandria-Cornwall will be deemed to have obtained an article of continuance, which means it consents to now being under federal jurisdiction.

Archdiocesan officials will also have to apply to the Government of Ontario's Ministry of Government and Consumer Services. This will take the Diocese of Alexandria-Cornwall out of Ontario's jurisdiction. This filing will take place once the bill is a little closer to receiving Royal Assent.

The application for transfer to another jurisdiction will require the applicant to confirm that it is not in default of its filings under the Corporations Information Act and that the property, liabilities and legal claims of and against the corporation will not be affected by the transfer to another jurisdiction. The Roman Catholic Episcopal Corporation for the Diocese of Alexandria-Cornwall in Ontario, Canada, can indeed confirm that it is current in its filings with the law and that the property, liabilities and legal claims of and against the corporation will not be affected by the transfer to federal jurisdiction.

[English]

That brings us to one of the most important parts of Bill S-1001: It ensures that claims against either corporation may continue.

• (2210)

Clause 4(b) states, “the Corporation becomes liable for the obligations of each of the amalgamating corporations.”

Clause 4(f) states, “the claims, rights and privileges of the amalgamating corporations become the claims, rights and privileges of the Corporation”

Colleagues, clause 4 protects the rights of any individual or entity that may bring a claim or action against the corporation. The amalgamation should not hinder or limit their right to do so.

During our study at the Standing Committee on Banking, Commerce and the Economy, we heard from two witnesses representing the corporation: Richard Pommainville, Chief Administrative Officer of the Archdiocese of Ottawa-Cornwall, and Ryan Kilger, Partner at Vincent Dagenais Gibson LLP. I'm grateful to Senator Miville-Dechéne for her questions about the impact of this amalgamation on any future claims by people who have experienced abuse by the Catholic Church.

Mr. Kilger explained:

We had multiple options presented to the archdiocese, and they chose this one specifically for that purpose, to ensure that any debts — and any bequests as well, any positive liabilities — are followed to the new corporation. More importantly, they wanted to be upfront with the residents of the diocese, as well as any potential claimants, and say that they're not trying to hide anything. It's there. Any potential claim is still available to anybody moving on into the future.

Senator Miville-Dechéne also asked about consultations and why there wasn't a specific consultation held for Indigenous members of the parish, specifically in Akwesasne. Mr. Pommainville explained that the one parish in the region that specifically serves Indigenous people, the St. Regis Mission Catholic Church, is on the Quebec side of Akwesasne's territory.

He spoke about the activities the Catholic Church is doing to contribute to the work of reconciliation, and I'm sure we are all eager to see that work continue.

Senator Marshall asked about opposition to this bill. The committee heard that there has been none. I can confirm that among the hundreds of emails my office gets every day, not one has been in opposition to Bill S-1001 — not a single phone call.

Senator Cardozo inquired about whether this is a common occurrence. Is it common for a diocese to be incorporated at the federal level with its own act? Why not use the Canada Corporations Act instead? There have been many special acts of Parliament like this one, and specific acts like the one we are considering here are tailored to the activities of this particular organization. We heard about the history behind acts like these and the stability they provide.

I'm grateful for the conversations we had at the Banking Committee. We passed technical amendments that corrected the name of the archdiocese — we removed “for the diocese” so that the name reads “Roman Catholic Episcopal Corporation of Ottawa-Cornwall.” We're now at the final step. Consultations, committee study and amendments are done.

Let me say a final word about private bills before we move on to public matters. I'll be honest here. It has been quite awkward for me, advocating for my bill among other bills of the Independent Senators Group and advocating for a private bill among public bills. Senate public bills and Senate private bills are different entities. Public bills set public policy — in theory, policy that could or will impact every single Canadian. Private bills confer powers or exemptions to individuals or corporations. They do not set public policy. They are limited in scope and quite rare.

We passed one private bill in each of the years 2021, 2019, 2016, 2014, 2012 and 2007 — one per year. The year 2011 was exceptional with two private bills. These private bills dealt with insurance companies, Girl Guides, Scouts, the Lutheran church and the United Church. These groups are relying on us to move their requests through the Senate as part of a process that respects the unique nature of these bills.

Honourable colleagues, I'm grateful to Senator Martin for her respectful work as critic, to Senator Dean for his supportive speech this spring and to Senator Wallin for her leadership and for quickly getting it through the Banking Committee. I'm grateful to my colleagues at scroll, who often heard me raise this question of Bill S-1001.

Colleagues, I'm a parishioner of this archdiocese, and I'm a member of this community. I've been tasked with helping these corporations complete the process they started many years ago. I'm hoping to report back very soon that we've done just that.

Thank you, *nia:wen*.

Hon. Andrew Cardozo: I have a quick question, senator. Thank you very much for that very quick synopsis. I just found it an interesting quirk of history, given the long history of rivalry between the Church of England and the Roman Catholic Church, that His Holiness Pope Francis had indeed created this new corporation, but it won't go into effect until His Majesty's government gives approval to it. I wonder if you have any thoughts on that. It's a rhetorical point.

Senator Clement: Thank you, Senator Cardozo, for that question/comment. That is an interesting piece.

The only thing I would say about this amalgamation is that the most significant part is that it's between a large entity and a smaller one. I live in the smaller one. We were concerned in the smaller one about being lost in this larger diocese. I can say that in these years since the amalgamation in practice, it has gone relatively well. The people in Cornwall-Alexandria and area feel properly heard and respected. I would say that is the most important piece, but thank you for your comment.

Hon. Yonah Martin (Deputy Leader of the Opposition): First of all, I wanted to thank Senator Clement for your leadership on this important bill. I know we heard some good testimony at committee. I just wanted to assure you that, as critic, I am working on my speech for the bill, so with that, I would like to take the adjournment for the balance of my time.

(On motion of Senator Martin, debate adjourned.)

DEPARTMENT OF EMPLOYMENT AND SOCIAL DEVELOPMENT ACT EMPLOYMENT INSURANCE ACT

BILL TO AMEND—EIGHTEENTH REPORT OF SOCIAL AFFAIRS,
SCIENCE AND TECHNOLOGY COMMITTEE—
DEBATE ADJOURNED

The Senate proceeded to consideration of the eighteenth report of the Standing Senate Committee on Social Affairs, Science and Technology (*Bill S-244, An Act to amend the Department of Employment and Social Development Act and the Employment Insurance Act (Employment Insurance Council), with an amendment*), presented in the Senate on December 11, 2023.

Hon. Ratna Omidvar moved the adoption of the report.

She said: Honourable senators, I rise today very briefly to speak to the Social Affairs, Science and Technology Committee's report on Bill S-244, An Act to amend the Department of Employment and Social Development Act and the Employment Insurance Act. We met three times over this bill. We heard from 11 witnesses — a broad range of stakeholders, including unions, employers and the two current Employment Insurance, or EI, commissioners.

All stakeholders we heard from agreed that the creation of the EI council would be beneficial in promoting social dialogue on Employment Insurance. We also heard from officials in the Department of Employment and Social Development Canada, or ESDC.

The EI Commissioner for Employers, Nancy Healey, said:

Bill S-244 would provide a forum for both employer groups and labour groups to discuss issues of mutual concern around employment, workforce development, jobs and skills.

Pierre Laliberté, the Commissioner for Workers, expressed his support for the bill. He stated it would increase accountability and efficiency.

Further, the committee heard from the sponsor of the bill — Senator Diane Bellemare — that both workers' and employers' representatives have identified a need for an Employment Insurance council to meet regularly. This would build trust between participants and establish the best ways to implement skills programs. The committee, therefore, adopted an amendment to clause 4 of Bill S-244, creating a new section 29.1(6.1) in the Department of Employment and Social Development Act, which would require that the council meet at least three times every year.

With that, I would like to say thank you to the Library of Parliament analysts, the clerk and all the committee staff for helping us get to this point.

• (2220)

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

(On motion of Senator Martin, debate adjourned.)

[Translation]

FEDERAL OMBUDSPERSON FOR VICTIMS OF CRIME BILL

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Boisvenu, seconded by the Honourable Senator Martin, for the second reading of Bill S-265, An Act to enact the Federal Ombudsperson for Victims of Crime Act, to amend the Canadian Victims Bill of Rights and to establish a framework for implementing the rights of victims of crime.

Hon. Lucie Moncion: Honourable senators, I rise today as the critic for Bill S-265, An Act to enact the Federal Ombudsperson for Victims of Crime Act, to amend the Canadian Victims Bill of Rights and to establish a framework for implementing the rights of victims of crime.

[English]

From the outset, I must be transparent and express that I will be a friendly critic because, upon initial review of the legislation, I believe this bill has a real chance of improving the life of victims in Canada and should, therefore, be thoroughly studied in committee.

I would also like to thank my dear colleague and sponsor of this bill, Senator Boisvenu, for his hard work and dedication to finding solutions to improve the situations of victims of crimes in Canada.

In this speech I will first summarize the four main parts of the bill. Second, I will propose an analysis highlighting certain elements that will require further study by the Standing Senate Committee on Legal and Constitutional Affairs.

I think we can all support the objectives behind Senator Boisvenu's bill, which is to take steps to improve the lives of victims of crimes in Canada. This is a laudable and timely objective, almost 10 years after the Canadian Victims Bill of Rights came into force.

[Translation]

Although victims are directly affected by crime, our justice system often confines them to the role of observer. The Minister of Justice recognizes that victims often feel revictimized and supports the need for major changes to better defend their rights.

[English]

Individuals who have fallen victim to criminal acts have historically been marginalized and overlooked within our criminal justice system.

However, criminal acts impose a significant toll on both victims and society at large. Governments must provide customized solutions and extend personalized supports to victims, treating them with compassion, respect and dignity.

Governments occasionally exhibit a lax approach when jurisdiction is shared. It could be presumed that this has impeded advancements in the realm of victims' rights throughout the history of criminal law in Canada.

Undoubtedly, criminal justice is a shared responsibility among the federal, provincial and territorial governments. As a result, within defined limits, the federal government possesses the authority to implement measures aimed at safeguarding and assisting victims of criminal acts.

The committee's study would assess the constitutionality of the bill, ensuring alignment with the areas of jurisdiction outlined in the Constitution Act, 1867 and pertinent jurisprudence.

In practical terms, what is the purpose of Bill S-265? It aims to enhance the rights and support for victims of criminal acts in Canada by establishing an independent body, the ombudsman, and expanding and strengthening victims' rights.

[Translation]

More specifically, the first part of the bill enacts the Federal Ombudsperson for Victims of Crime Act. This act creates the Office of the Federal Ombudsperson for Victims of Crime and defines the powers, duties and restrictions of this new entity. It also specifies the ombudsperson's missions, including victim support, complaint assessment and recommendations.

The second part of the bill amends the Canadian Victims Bill of Rights to strengthen the rights of victims of crime, particularly with regard to access to information, investigations and proceedings, and rights to information about the offender or accused. The amendments to the Canadian Victims Bill of Rights also broaden the scope of the right to compensation and support for the enforcement of reparation orders.

Part 3 requires the Minister of Justice to create an implementation framework specifying how the rights of victims of crime guaranteed under the Canadian Victims Bill of Rights will be implemented and respected. The implementation framework covers a variety of aspects, such as the assessment of availability of services, the remedies available when rights are not upheld, the minimum standards for support services, a public awareness campaign and mechanisms to strengthen victims' participation in the criminal justice system. The framework also requires the Minister of Justice to consult with the representatives of the provincial governments who are responsible for the administration of justice in their respective provinces and other relevant stakeholders.

Finally, Part 4 specifies that the coming into force of the act will be done by order-in-council. Sections 1 to 8, which have to do with the creation of the Office of the Federal Ombudsman, depend on a recommendation by the Governor General regarding the appropriation of funds for the implementation of the Federal Ombudsperson for Victims of Crime Act, and on the appropriation of funds by Parliament.

Allow me to make a few observations on the position of Federal Ombudsman for Victims of Crime.

At present, the ombudsman is appointed by the Governor-in-Council for a renewable three-year term. He reports to the Department of Justice. The ombudsman is also required to report on his activities in an annual report tabled in Parliament.

The purpose of Senator Boisvenu's proposal is to confer on the Office of the Federal Ombudsperson for Victims of Crime the status of an independent legal entity, directly accountable to the Canadian Parliament, rather than maintaining it as a departmental program under the authority of the Department of Justice Canada.

As Senator Boisvenu pointed out in his speech, there are several advantages to this approach.

An independent body can play a crucial role in protecting victims' rights by providing an impartial mechanism for dealing with complaints and recommending improvements. As an independent entity, an officer of Parliament enjoys autonomy from government departments and agencies, which reinforces its impartiality and promotes greater transparency.

Equally, the notions of independence and impartiality reinforce his or her legitimacy as an agent of change in the criminal justice system.

The submission of an annual report by this entity could also help to raise awareness among the public and political decision-makers of the specific issues that victims may face in the criminal justice system, and the formulation of recommendations could inform necessary reforms in the criminal justice field.

In the Standing Committee on Justice and Human Rights' 2022 report entitled *Improving Support for Victims of Crime*, the committee highlights the testimony of Heidi Illingworth, former federal ombudsman for victims of crime. Ms. Illingworth points out that the office's limited financial resources and small number of full-time employees significantly hinder its ability to carry out its missions effectively.

[English]

Ms. Illingworth further specified that these constraints primarily manifest in the reduction of the number of systemic investigations the office can undertake and its capacity to address emerging issues. Additionally, multiple witnesses have underscored the imperative of ensuring adequate funding for the ombudsman's office so that it can fully fulfill its mandate.

Will the creation of a distinct and independent office genuinely lead to an improvement in the situation of victims of criminal acts, or are the inefficiencies and shortcomings in implementing the Canadian Victims Bill of Rights solely attributable to a lack of resources and funding?

• (2230)

It will be crucial for the committee's study to delve into this matter, gaining a better understanding of the funding requirements for the proposed entity compared to an internal department within the ministry of justice. This inquiry aims to precisely identify the sources of the issues at hand.

Although the coming-into-force provision requires an appropriation of monies by Parliament for the creation of this entity, the question remains as to whether independence will make a real difference in a context of inadequate resources.

[Translation]

I'd now like to turn to the proposed amendments to the Canadian Victims Bill of Rights.

It's interesting to note that Senator Boisvenu sponsored Bill C-32, which enacted the Canadian Victims Bill of Rights. He therefore has the knowledge and legitimacy to propose improvements to this legal tool. The bill received Royal Assent on April 23, 2015, and at the time represented a significant step forward for victims in Canada.

In terms of amendments to the bill of rights, Bill S-265 proposes to replace the "right to restitution" with the "right to reparation," reinforcing the concept of compensation granted to victims. This proposal seems useful and appropriate, but the impact of this amendment will obviously have to be studied in committee.

The bill also includes a new provision to ensure that victims receive support in the event of non-compliance with a restitution order. It was suggested in the other place's committee study that we should, and I quote:

... examine best practices implemented in other provinces with respect to victim support for restitution, with a view to replicating these initiatives elsewhere.

Heidi Illingworth noted that some provinces, such as Saskatchewan, Nova Scotia and British Columbia, already have successful programs in place to help victims with the enforcement of restitution orders. The committee responsible for studying Bill S-265 should conduct a comparative analysis to identify best practices for enforcing restitution orders in the various provinces and territories. This approach is also consistent with recommendation 13 in the report of the House of Commons Standing Committee on Justice and Human Rights, which calls for the following, and I quote:

That the Department of Justice work with the provinces and territories to agree on effective means to assist victims in the enforcement of restitution orders.

With regard to the framework for implementing the rights of victims of crime, as Senator Boisvenu pointed out in his speech at second reading, echoing the words of Heidi Illingworth, since the Canadian Victims Bill of Rights was passed, its implementation has been sporadic and inconsistent.

In her progress report, published in November 2020, the former ombudsman noted that “the adoption of a law in the books is different from its implementation in action.”

In this report, she highlighted, in particular, the limitations of training for criminal justice system officials and the lack of initiatives to inform citizens of their rights.

The creation of an implementation framework seeks to remedy that problem by giving concrete meaning to the legislation. Again, consultations with the provincial governments and other stakeholders, as proposed in the bill, reinforce the collaborative approach that is needed for significant change.

[English]

I congratulate Senator Boisvenu for his work in developing this bill. As you can attest throughout my speech, his proposals are based on the recommendations made by the Justice Committee of the other place in its report *Improving Support for Victims of Crime*, as well as on the recommendation of Ms. Heidi Illingworth, who has in-depth knowledge of the legal regime governing victims' rights in Canada.

I note, however, that the bill is silent on the question of the evidence required to assess needs. In her 2020 report, Heidi Illingworth explicitly recommended the collection of such data to better understand the needs and gaps in support for victims of crime. In her report, she makes the following recommendation:

Collect *nationally consistent data on the treatment of victims in the criminal justice system and report on it publicly*. Data indicators should align with the rights enumerated in the

Canadian Victims Bill of Rights so that this information can be tracked and measured to evaluate how rights are being upheld across all jurisdictions. The Department of Justice should consider the creation of a *Task Force on Victims' Data* that would bring together representatives of the Department of Justice with provincial and territorial attorneys general, academics and Statistics Canada in a national collaborative effort to achieve this goal.

She also expresses concern with the lack of consistent and usable data on how the criminal justice system treats victims. She wrote:

... While the *Canadian Victims Bill of Rights* clearly delineates victims' legal rights, adequate provisions have not been made to require all officials to measure or record how and when they inform victims of their rights, or which rights victims exercise or when. Without this information, it is difficult to assess the effectiveness of systems. As well, we need data that can inform system improvements—not just administrative or internal data that never gets reviewed. This issue has been a concern of this Office since the Act was introduced.

I hope the committee will thoroughly consider including a provision for data collection in the bill as it is essential to assess the divergent treatment of victims and its broader impact on specific groups and our society. I would like to emphasize the importance of exploring how the bill could more effectively address specific issues, including those related to missing and murdered Indigenous women, as well as other concerns involving structural aspects of systemic discrimination.

I encourage you, colleagues, to promptly refer this bill to the Standing Senate Committee on Legal and Constitutional Affairs. It should be studied diligently with due regard for the compassion, respect and dignity of victims of criminal acts in Canada.

[Translation]

I would like to conclude my speech by acknowledging Senator Boisvenu's outstanding contributions to Canadian legislation and the criminal justice system. Senator Boisvenu has devoted his career in the Senate to being the voice of an under-represented group: victims of crime. He embraced that mission with dedication, passion and compassion. Senator Boisvenu turned a life-changing personal tragedy into a force for good, seizing every opportunity to transform adversity into progress for Canadian society.

Senator Boisvenu's remarkable contributions will continue to guide future reforms towards a fairer, more victim-friendly criminal justice system.

The senator is not here, but I have a message for him nonetheless: Dear colleague, thank you for your endless dedication and congratulations on your impressive career. I wish you the best for the next chapter. Colleagues, thank you for listening.

Hon. Senators: Hear, hear!

The Hon. the Speaker pro tempore: Senator Bellemare, you have a question?

Hon. Diane Bellemare: Would Senator Moncion take a question?

Senator Moncion: With pleasure.

Senator Bellemare: I heard you say that perhaps funds should be appropriated for this bill.

I wonder if you could elaborate a bit on our ability to propose bills that involve appropriation of funds.

Don't they require a Royal Recommendation or something like that?

Senator Moncion: Thank you for your question. You're absolutely right. That's why we should look into that aspect, because in order for the ombudsperson's office to operate independently, the government has to take measures that will enable the office to exist.

It's also one of the aspects that should be examined by the Standing Senate Committee on Legal and Constitutional Affairs.

(On motion of Senator Clement, debate adjourned.)

• (2240)

NATIONAL FRAMEWORK ON SICKLE CELL DISEASE BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Mégie, seconded by the Honourable Senator Cotter, for the second reading of Bill S-280, An Act respecting a national framework on sickle cell disease.

Hon. Amina Gerba: Honourable senators, one of the Senate's mandates is to defend our country's minorities. In that sense, we have a duty to ensure the well-being of the most vulnerable.

I rise today to firmly support Bill S-280, An Act respecting a national framework on sickle cell disease. I salute and congratulate Senator Mégie for introducing this crucial bill.

I am not a doctor and definitely not an expert on this terrible hereditary genetic disease, which is transmitted through the parents and affects people from birth.

I'm speaking to this bill because I have known and know people, families and friends living with this disease that our colleague so eloquently described in her speech at second reading.

Senator Mégie explained that sickle cell disease is a genetic condition that affects a significant number of Canadians, especially those who come from Africa, the Caribbean, the Middle East, Central and South America, certain areas of India and the Mediterranean Basin.

However, honourable senators, it would be a mistake to think that those with different origins are safe. We live in a world where populations intermingle and unions of persons of different origins are becoming more and more common. The possibility that the gene could be transferred from one group to another does exist. We must therefore act now for the future of all our people.

Let me tell you a personal story. When my husband and I got engaged in Cameroon in 1984, the civil registrar demanded a screening test for sickle cell disease. The hemoglobin electrophoresis test, as it's called, showed — thank God — that our results were both negative. I had never heard of that disease before. By confirming that we were both negative, we were allowed to get married with no risk to our future children. I could say that we were lucky.

Imagine two people in love who learn that one or both of them are carriers of that gene. That terrible news means that they have to make a decision with far-reaching consequences: to form a union in full knowledge of all the risks.

Then comes the dilemma: to form a union knowing that they are likely to have children who will carry the gene and have a high probability of developing the disease, or choose not to have children. At the time, in Cameroon, the life expectancy of people suffering from serious forms of sickle cell disease was barely above 20 years, mostly due to the poor state of the country's health system.

Coming back to the people around me in Quebec, where I live, several people who are close to me have the disease. I will give you just a few examples of the people I have personally known.

I have seen Lisa's pain attacks and frequent hospitalizations. Lisa is my hairdresser's daughter. She suffers from the most severe form of the disease and requires frequent medical attention, which affects her and her family's quality of life.

This obviously impacted her studies, which she never finished. At 35 years of age, she has never been in a romantic relationship. Lisa desperately lacks in self-confidence. She struggles with fear, loneliness and anxiety every single day.

I can also tell you the story of my friend Mario, who, unlike Lisa, is an accomplished professional. Mario decided to fight the disease by tackling it head-on. He understood from an early age that he was not gifted with the health of an athlete, so he has always known that he would attain his dreams through education and intellectual work, even with this disease.

He graduated with high honours from some of the most prestigious universities in the world, despite having had to be hospitalized regularly throughout his life. Married, with one child, Mario is diligent in getting his treatments and has found creative arrangements around his professional and personal life to be able to live as well as possible with this disease. This helped him develop a great sense of empathy towards others.

To summarize, colleagues, despite the difficulties they face, people with sickle cell disease accomplish extraordinary things in life and for our society, even if they sometimes have to hide their medical condition in order to advance in demanding professional environments that leave little room for vulnerability.

What most inspired me to give this speech was the story of Mamadou Camara, the director of a docufiction pilot project entitled “Silent Suffering.” We invited Mamadou to the Senate, and Senator Mégie and I organized a screening of his film in the Senate in June. Mamadou suffers in silence. He plunges us into the intimate life of a family to show us the parents’ distress at their powerlessness to relieve their child’s suffering.

It helps us understand the anxiety felt by carriers of the gene and their families. As Mamadou says, he lives with a death sentence, a sword of Damocles dangling over his head.

Colleagues, sickle cell disease has serious implications for family dynamics, affecting the emotional, physical, psychological and financial health of those close to the patient.

This bill is important for several reasons: it will improve awareness among health care professionals, create a national research network, establish a national registry, ensure universal access to neonatal screening, promote public awareness and provide the financial support needed to advance research into this disease.

As Senator Mégie said so well, far too few health care professionals are aware of the disease and its symptoms. As a result, when some sufferers having an attack arrive at emergency rooms, they are often misdiagnosed, which leads to poor management and care, or even an underestimation of the care that is required. In 2023, in Canada, that is not acceptable.

• (2250)

This disease requires a consistent and proactive approach from our government. By establishing a national framework, we can guarantee equitable access to health care and support for patients and their families.

By voting in favour of Bill S-280, we are helping to build an ecosystem that will give every child a fulfilling, stigma-free life and equitable access to health care, regardless of their genetics or background.

Congratulations, Senator Mégie.

Thank you, colleagues.

(On motion of Senator Martin, debate adjourned.)

[English]

TELECOMMUNICATIONS ACT

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Martin, seconded by the Honourable Senator Marshall, for the second reading of Bill C-288, An Act to amend the Telecommunications Act (transparent and accurate broadband services information).

Hon. Dennis Glen Patterson: Honourable senators, I’ve been in politics for a few years now, and there’s a skill that one acquires called “reading the room.” I read this room, and I see that this is not the best time to grab your rapt attention with this speech.

I also want to tell you this, and I can confidently say this: I think I’m the oldest person in this room, so, please, you have to listen to me this one time.

I rise to speak briefly — as a very friendly critic — to Bill C-288, An Act to amend the Telecommunications Act (transparent and accurate broadband services information), which is a private member’s bill brought forward in the other place by the Honourable Member of Parliament for Dauphin—Swan River—Neepawa, Mr. Dan Mazier.

I’d like to thank Mr. Mazier for his work in bringing this bill forward. As many in this chamber will know, I have — dare I say — championed the need for reform of our telecommunications legislation, policy and practices. We all know the statistics. Canada has some of the highest costs for mobile data and internet. Access to reliable broadband is inequitable in this country, with many Indigenous, remote and Northern communities left either unconnected or with subpar service.

I firmly believe that change will not happen unless we base this change on data. That’s why this bill is important. By requiring carriers to disclose the service quality metrics, as well as download and upload speeds during peak periods, we will have the data that we need in order to know what additional steps we can take to meet Canada’s target speeds: 10 megabytes per second when uploading, and 50 megabytes per second when downloading.

This bill also provides for a layer of accountability through the reporting requirements and the public hearing mechanism, which I agree is integral to us achieving these types of speeds.

Colleagues, equitable access means that Canadians can participate fully in our digital world. This isn’t about binge-watching your favourite show on a streaming service or watching videos of viral dance trends. This is about better and equitable access to health care. It means that patients would be able to consult with specialists via telehealth services. This is about better and equitable access to justice. It means that you

could bring in expert witnesses and testify remotely. This is about better education, better job opportunities, economic development and so much more.

I'm happy that the lower chamber decided to send a bill like this to our chamber for consideration because it means that they care somewhat about ensuring that all Canadians can benefit from fast, reliable internet, because — let me tell you — it doesn't always feel like they think this topic is important.

Indeed, on November 8, 2023, our honourable colleagues in the other place felt it prudent to vote against my bill — Bill S-242 — at second reading. Thank you, colleagues, for your support of my bill in this chamber.

As you all know, second reading is on the principle of a bill. As I have debated the merits of Bill C-288 just now, and opined about the merits of such a bill, the lower chamber — in its wisdom — voted against my bill. I suppose that means that, in principle, the honourable members of that house felt that reporting on equitable access is appropriate, but anything that would see strong repercussions for failing to deploy the spectrum to underserved areas was seen as a step too far, but I digress.

Unlike our colleagues across the way in the other place, I believe that bills should receive committee study. And if they fall, they should fall because they are lacking in substance or merit. I also believe that this bill chips away at the mountain that we must overcome in order to have the digital equity that all Canadians deserve.

I would urge you, my honourable colleagues, to support sending this bill to committee. Thank you. *Qujannamiik*.

(On motion of Senator Clement, debate adjourned.)

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

SEVENTH REPORT OF COMMITTEE—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Moncion, seconded by the Honourable Senator Yussuff, for the adoption of the seventh report of the Standing Committee on Internal Economy, Budgets and Administration, entitled *Senate Budget 2023-24*, presented in the Senate on February 7, 2023.

Hon. Yonah Martin (Deputy Leader of the Opposition): With leave of the Senate, I would like to adjourn this motion in the name of Senator Housakos.

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

Hon. Senators: Agreed.

(Debate adjourned.)

• (2300)

THE SENATE

MOTION TO CALL ON THE GOVERNMENT TO DENOUNCE THE ILLEGITIMACY OF THE CUBAN REGIME— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Housakos, seconded by the Honourable Senator Wells:

That the Senate call on the Government of Canada to:

- (a) denounce the illegitimacy of the Cuban regime and recognize the Cuban opposition and civil society as valid interlocutors; and
- (b) call on the Cuban regime to ensure the right of the Cuban people to protest peacefully without fear of reprisal and repudiation.

Hon. Bernadette Clement: Honourable senators, I note that this item is at day 15. 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.)

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. Kim Pate: Honourable senators, perhaps I should take a page from Senator Dennis Patterson's book, but I read a really excited room.

I rise to speak in support of Motion No. 107. Thank you, Senator Colin Deacon, for your calls on the Government of Canada to replace 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 with a view to reducing administrative time and the financial costs of program delivery.

There are many examples across government programs where service delivery is slow, difficult, expensive and a cumbersome burden on individuals. Two systems where this is readily apparent are the current tax-filing and record-suspension systems. The tax-filing system, although the only system that proved capable of rolling out income supports during the pandemic, requires further improvement. It continues to place the onus on individuals to submit an annual tax return for verification by the Canada Revenue Agency, or CRA, whereas many other Organization for Economic Co-operation and Development, or OECD, member countries have moved to forms of automated tax filing. The second is the current record-suspension system, which, in addition to having four different applications streams, each with their own bureaucratic systems, requires individuals to collect relevant documents from other police and court sources, pay fees and submit complex application documents to have their records suspended.

Both systems put the onus on the individual, which means that system inefficiencies particularly disadvantage those who are most marginalized.

In recent years, the government has taken some steps toward modernizing services and increasing accessibility, including the establishment of the Canadian Digital Service and the implementation of Canada's Digital Ambition. However, the report of the Parliamentary Budget Officer, or PBO, published in response to this motion underscored that the government has a long way to go before it meets its digital service delivery goals. Despite the admirable efforts the government has made to improve safety, security, reliability and privacy in its services, the PBO found that there is inconsistency in ease of use and access to services.

The government has not been tracking cost savings associated with the digitization of services, either. Because there is no centralized information on the total amounts the government has spent or saved on these initiatives, the PBO could not analyze the expected cost savings compared to what is actually achieved. The PBO also underscored that it is unclear whether the funding meant for digital services transformation initiatives, a total of \$1 billion to be spent over seven years, will be sufficient to achieve the government's goals.

These findings highlight a lack of transparency and accountability on the part of the government.

We should all be asking these questions: What is the funding being used for, and how effectively is it being used? The purpose of the funding is to upgrade the outdated systems that are

currently failing to meet the needs of the public. Funding must not be used for the maintenance of existing systems.

Canada's current tax-filing system is one such system.

Chapter 9 of Budget 2022 was dedicated to tax fairness and effective government. Tax fairness requires that those who are most marginalized be able to access the benefits designed for them within the tax system. Up to 12% of Canadians do not file their taxes every year. Most of these people have low incomes and, had they filed, could have benefited from government rebates and programs like the Canada Child Benefit and the Guaranteed Income Supplement. For example, working-age individuals who did not file their tax returns lost \$1.7 billion in benefits in 2015 alone.

The high administrative burden of tax filing reduces the efficacy of these tax expenditures, which are specifically designed to alleviate poverty. How much more efficient could it be if the CRA filed taxes for these individuals?

In this year's budget, the government announced it would help millions of low-income Canadians to file their taxes by increasing the number of Canadians eligible to file taxes over the phone through the File my Return phone program to 2 million by 2025. The government also promised to have the CRA pilot a new automatic tax-filing service.

Moving forward with automatic tax filing is a crucial step in promoting tax fairness. Automatic tax filing is a process by which tax authorities complete a tax return for an individual using on-file information, then provide the return to the individuals to update or correct. The government's impact assessment of this measure found that single, childless individuals will particularly benefit. These individuals currently have lower tax-filing rates than those with children, generally have lower incomes and account for the vast majority of those on provincial and territorial income assistance.

Experts in tax fairness have long called for this measure to be implemented. The current system, whereby individuals compile and submit returns for CRA to verify, is outdated and inefficient, forcing marginalized individuals to shoulder a significant administrative burden. Many countries have done away with this system, opting instead for automated forms of tax filing. These include Slovenia, Norway, Denmark, Finland, Chile, Portugal, New Zealand and Australia.

The government's current reliance on the CRA to deliver income-tested benefits to individuals based on tax return information means that a lack of automatic filing prevents people from getting essential benefits to which they are entitled. Moving forward with automatic filing is a crucial step toward modernizing public service delivery and aligns with the goals of Motion No. 107. This step could also enable more streamlined, efficient and effective investment of tax dollars in income supports that will further assist poverty alleviation and income redistribution efforts.

Honourable senators, as you might have noticed, I am keen to see Canada implement a national guaranteed livable basic income program. Motion No. 107 establishes systems that would facilitate the sort of program envisioned by Bill S-233, which would require the government to examine options to develop a framework for the implementation of a guaranteed livable basic income.

So, of course, I like that.

The other system in need of updating that I would like to discuss is the criminal records system. In 2018, the House of Commons Standing Committee on Public Safety and National Security called unanimously across party lines for the examination of an automated expiry system. Today, we are still waiting for one, with Canada's first automated expiry system — restricted to drug possession records only — set to be implemented by November 2024.

The Parole Board of Canada has clearly identified that the obstacle to implementation is a technological one. In 1995, the cost of applying for record relief was \$50. That rose to \$150 in 2010, \$630 in 2012 and up to \$657.77 in 2021. Although this fee was reduced to \$50 as of January 1, 2022, complex application processes, including hidden fees, keep the record-suspension system inaccessible for far too many.

According to consultations conducted by the Parole Board of Canada, 63% of respondents found that the current record-suspension application process hinders accessibility to the program. Many said it represented further punishment for those who have already been held accountable for their actions. Punishment, in this case, takes the form of discrimination in employment, housing, educational and volunteer opportunities. Those who finish serving their time often struggle to rejoin society, much less integrate into it, because of the barriers posed by criminal records and criminal record checks.

• (2310)

The number of criminal record checks that people experience is increasing by approximately 7% per year, exacerbating the negative impacts of living with a criminal record, particularly for racialized individuals. Three in five Toronto employers now require police background checks for all new employees.

In spite of claims that criminal records increase public safety, the data indicates that after a few years crime-free, those with previous criminal records are no more likely than others to be criminalized again.

Homelessness increases the likelihood of future incarceration, and incarceration increases the likelihood of homelessness, in part due to the stigma of criminal records.

Operating outdated record-suspension systems perpetuates harm to individuals and to their communities and does not promote public safety. Administrative inefficiencies are needlessly hindering individuals in their ability to make a better life for themselves. In case you're not aware, of the 3.8 million Canadians with a criminal record, 9 out of 10 do not have a pardon or a record suspension.

What could be done to remedy this administrative burden and promote fairness in the criminal legal system?

The RCMP CPIC database could serve as the centralized record system required to support automated records expiry without the burden of the cost and administrative challenge of the current application process.

Implementation of non-application-based record expiry is within Canada's technological reach. Countries like the U.K., France, Germany and New Zealand have all implemented automatic record expiry.

In addition, Canada already has this type of record expiry as part of our youth criminal records management system.

This is the reason for Bill S-212, which, as you also know, is currently not being permitted to advance since its passage at the Legal Committee. As we await third reading, and, hopefully, passage of the bill, we await a system aimed at reducing racism, inequality and inaccessibility in the current record suspension program by removing unnecessary obstacles to rehabilitation and community integration. The changes made by Bill S-212 would alleviate the burden placed on individuals who currently shoulder the costly and onerous application process. Record relief should not be a matter of privilege accessible only to the most well resourced.

The outdated record suspension process must be overhauled as part of the government's overall mission to modernize service delivery systems and accelerate the implementation of user-friendly digital solutions. These goals are compatible with the goals of Motion No. 107. As Senator Deacon made clear, success depends on prioritizing best practices over past practices and enabling legislative regulatory and policy changes to ensure government services meet people's needs. Replacing outdated program delivery is important not only for increasing efficiency and reducing costs, but also for ensuring people have timely access to much-needed resources.

In terms of service delivery, Canada is a decade behind many other countries. The U.K. introduced its Government Digital Service in 2011, New Zealand established the digital transformation team in 2013 and the United States established the U.S. Digital Service in 2014, all of which seek to improve the efficiency and user-friendly provision of its service delivery.

In the United Nations E-Government Survey 2022, Canada ranked number 32 out of 33 countries on the maturity level of digital government strategies. This ranking was not always so low but has declined dramatically in the last 10 years. Over this last decade, we have seen significant technological advancements, and, as highlighted by Senator Deacon, the Auditor General and the Parliamentary Budget Officer, not to mention the government itself as evidenced by its budgetary aspirations, Canada must act now in order to re-establish its digital credibility.

As Canada falls behind, people will continue to fall through the cracks, particularly those most marginalized. It is about time that Canada joins the global movement toward updating outdated service delivery systems.

I look forward to the undoubted benefits and advantages such efforts will yield, in particular when it comes to tax filing and criminal record reforms.

Thank you for your leadership, Senator Deacon, and thank you, colleagues, for supporting this important initiative. *Meegweitch*. Thank you.

(On motion of Senator Martin, debate adjourned.)

ROLE OF LEADERS' DEBATES IN ENHANCING DEMOCRACY BY ENGAGING AND INFORMING VOTERS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Dasko, calling the attention of the Senate to the role of leaders' debates in enhancing democracy by engaging and informing voters.

(On motion of Senator Clement, debate adjourned.)

BUSINESS AND ECONOMIC CONTRIBUTIONS MADE BY INDIGENOUS BUSINESSES TO CANADA'S ECONOMY

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Klyne, calling the attention of the Senate to the ongoing business and economic contributions made by Indigenous businesses to Canada's economy.

Hon. Karen Sorensen: Honourable senators, I rise to speak to Senator Klyne's inquiry on the subject of Indigenous businesses and the value they bring to Canada. It has been inspiring to learn about different examples of Indigenous entrepreneurship, and I thank Senator Klyne for initiating this inquiry. I am delighted to have the opportunity to speak on a topic I've taken a deep interest in: Indigenous tourism.

Indigenous tourism is as diverse as the First Nations, Métis and Inuit communities that make up this country. It encompasses everything from interpretive centres at historic sites, to major events like powwows, music festivals and athletic competitions, which attract participants from around the world.

Indigenous tourism businesses offer outdoor adventures like hunting, fishing and dogsledding; agritourism experiences like Madahòki Farm here in Ottawa; and incredible performances, food and artworks.

Many Indigenous artists in Canada have received international recognition and acclaim. Audiences come from all around to see concerts by musicians like Tanya Tagaq, the Halluci Nation and William Prince; plays and readings by Cliff Cardinal and Tomson Highway; and the stunning art of Kent Monkman and Jason Carter.

Chefs at Indigenous-owned restaurants like Pei Pei Chei Ow in Edmonton or Feast Café in Winnipeg craft stunning contemporary dishes out of traditional, locally harvested ingredients.

And tourists continue to seek out handmade pieces by Indigenous artisans, including elaborate beaded jewellery; carvings from local materials; dolls, purses and fashion made from fur and sealskin. Indigenous-owned shops like Adaawewigamig in Ottawa's Byward Market, and the Treaty Truckhouse on the Halifax waterfront give Indigenous crafters space to sell their creations, act as vital community hubs and are incredibly popular with visitors from all around the world.

Indigenous tourism, of course, creates jobs and economic opportunity in First Nations, Inuit and Métis communities, advancing the goal of prosperity and self-determination. The visitors these operations attract have a positive spillover effect on surrounding communities.

These regional benefits are particularly significant considering over 60% of Indigenous tourism businesses in Canada operate in rural and remote areas. The presence of these tourism operations promotes economic development and investment where it is most needed, while giving local businesses a boost.

As an example of how this works, this summer's North American Indigenous Games brought athletes, vendors and spectators from across the continent to Halifax. In addition to showcasing the very best in Indigenous athleticism, art and culture, participants in the games stayed at local hotels, patronized local shops and restaurants and experienced the beauty of Canada's East Coast — many for the first time. I'm sure many of those people fell in love with Nova Scotia and will likely go back.

That's why I was delighted to learn that next year's games will be held in Calgary, Alberta, and that the organizers are aiming for a strong focus on artistic and cultural activities in addition to sports. I look forward to seeing what they do and how they showcase the vibrant cultures of the Blackfoot, Tsuut'ina, Stoney Nakoda and Métis peoples of the region.

But the benefits of Indigenous tourism go far beyond the economic.

The Indigenous tourism industry is a vital driver of cultural revitalization for Indigenous peoples, supporting storytellers, artists and knowledge keepers as they pass on their traditions to future generations, including, it must be said, customs that were nearly lost to colonialism and forced assimilation.

Additionally, this sector plays a much-needed role in educating non-Indigenous people about the history of this country and all the people who call it home. Learning about the vibrant heritage of Indigenous peoples — including their spirituality, beautiful arts and storytelling and sustainable way of life — advances mutual respect and understanding. This is the “truth” aspect of Truth and Reconciliation.

• (2320)

Since being appointed to the Senate, I’ve had a chance to visit historical sites across Canada, including Head-Smashed-In Buffalo Jump World Heritage Site and Blackfoot Crossing Historical Park in southern Alberta, Métis Crossing in Smoky Lake, the Indigenous Peoples Experience at Fort Edmonton Park and the Mi’kmaw Interpretive Centre at the Fortress of Louisbourg National Historic Site in Nova Scotia. Many of these centres are operated by Indigenous people. For instance, the superintendent at Fortress of Louisbourg was proud to inform me that every staff member in the interpretive centre was Indigenous. These workers are on the front lines of reconciliation education and are trained to deal with everything from uncomfortable questions to insensitive behaviour and even, unfortunately, outright abuse.

Serving on the Indigenous Peoples Committee, we often talk about the issue of genocide denialism. I find it infuriating, and I can’t imagine how difficult it must be to contend with that every day as part of your job when you have a personal connection to that painful history. I applaud the dedication of these tourism workers, and I can attest that those efforts aren’t in vain. More and more Canadians are opening their eyes to the ongoing impacts of colonialism and discrimination, and these people are seeking out reputable, first-hand sources to help them better understand.

A few years ago, I took my mother, then in her eighties, to visit Head-Smashed-In Buffalo Jump where we learned about the history of the Blackfoot people in Alberta and the hardships they suffered due to colonization. My mother was born in 1930, 10 years after residential school attendance was made mandatory for Indigenous children. She was 21 when Canada lifted its bans on traditional Indigenous ceremonies, and she was 78 when she watched prime minister Stephen Harper deliver Canada’s official apology for the government’s role in residential schools. Her generation was not taught about the harms inflicted by these policies.

I can tell you that my mother was incredibly moved by what she learned while visiting this historical site and speaking to the Indigenous guides, and she spent days after reflecting on Canada’s shameful history. Learning and now knowing the truth had a huge impact on her. That’s what Indigenous tourism does.

Because so much Indigenous tourism is based on storytelling, it’s a perfect medium for telling the truth as we work toward reconciliation. I’m not just talking about the difficult moments — although that’s essential — but also the day-to-day lives of Indigenous peoples before and after European contact. It’s incredibly impactful to hear Indigenous interpreters share their

legends and creation stories, explain the significance of ribbon skirts and other regalia, tell the stories behind traditional songs and dances and recount how their ancestors hunted, fished, farmed, raised their children, built their communities and adapted to times of change.

There is a strong interest in learning about and experiencing Indigenous culture, not just among Canadians, but internationally. A 2021 survey by Destination Canada found that one in three international tourists want to take part in Indigenous experiences while in Canada. The Canadian government’s recently released Federal Tourism Growth Strategy lists “authentic Indigenous tourism experiences” as an integral part of Canada’s international brand alongside natural spaces, environmental stewardship and Canada’s values of safety, inclusivity and human rights.

Promoting and supporting the continued growth of this sector is good strategically, as Canada seeks to attract visitors and grow our tourism industry. Indigenous tourism, like the rest of the sector, took a serious blow during the COVID-19 pandemic. As co-chair of the Parliamentary Tourism Caucus, I can tell you that tourism was the first and hardest hit by travel and gathering restrictions, and the industry still hasn’t recovered to pre-pandemic levels. That’s why we’ve been advocating for strong action to support this sector and help it not just survive, but thrive.

I’ve really appreciated the opportunity to work with the Indigenous Tourism Association of Canada, or ITAC, and other organizations to ensure Canada doesn’t lose out on the limitless opportunities this sector has to offer. ITAC is an incredibly strong voice for this industry, and it’s overwhelming how much they have done to keep Indigenous tourism on the agenda.

The sector also benefits from the work of provincial and territorial organizations like Indigenous Tourism Alberta, Indigenous Destinations Saskatchewan, Indigenous Tourism Manitoba, Indigenous Tourism Ontario, Yukon First Nations Culture & Tourism Association, Indigenous Tourism Quebec, Indigenous Tourism Association PEI, Nova Scotia Indigenous Tourism Enterprise Network, Indigenous Tourism Association of New Brunswick, Newfoundland & Labrador Indigenous Tourism Association and Indigenous Tourism BC.

Government investment in Indigenous tourism must continue, as it helps communities flourish, stimulates economic development and creates jobs and careers for Indigenous people. It also promotes environmental conservation, economic self-determination and cultural revitalization. It helps us learn about our history and allows people from different walks of life to connect and build relationships based on trust and respect.

I’d like to close off today by encouraging everyone to seek out authentic Indigenous experiences in their home provinces and territories. You will not be disappointed.

(On motion of Senator Clement, debate adjourned.)

[Translation]

**ONGOING CONCERNS WITH RESPECT TO CANADIAN
AGRICULTURAL, WETLAND, AND FOREST
LAND REALLOTMENTS**

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Black, calling the attention of the Senate to the ongoing concerns with respect to Canadian agricultural, wetland, and forest land reallootments, as well as potential food, economic, and social insecurities as a result of reduced capacity for farming, pasture, forestry, and food production both domestically and internationally.

Hon. Sharon Burey: Honourable senators, I rise tonight to speak to Inquiry No. 16 initiated by Senator Black regarding the ongoing concerns with respect to agricultural, wetland and forest land reallootments in Canada, as well as potential food, economic, and social insecurities as a result of reduced capacity for farming, pasture, forestry, and food production both domestically and internationally.

[English]

Today, I plan to speak about this issue of land use and food security as it relates to this proposed inquiry from the perspective of a senator who has just had her first anniversary of appointment to this chamber —

Hon. Senators: Hear, hear.

Senator Burey: — and that of a pediatrician, a mother and grandmother concerned about climate change, health and food security.

In speaking about this, my goal is to encourage you, honourable colleagues, after debate to vote for this inquiry to move to committee stage for further investigation.

As a legislator, I'm becoming keenly aware of the divisions of rights and responsibilities and powers or authorities between provinces, territories, First Nations, Innu, Métis and the federal government. Some of you may wonder why a pediatrician was so keenly interested in food security when I came to the Senate.

As with all the insights that I have gained over my career, it came from listening deeply to my patients and their families and learning from their struggles. It came from connecting the dots between poor health and school performance, academic, behavioural and emotional problems that forced me to dig deeper and discover that many of these families were struggling or had struggled with providing enough nutritious and healthy food necessary for a healthy life.

I decided when I came to the Senate — or at least it seemed so at the time — to focus on food security. On reflection, however, all those encounters with my patients had charted a course for my life that would unfold in due course.

During the Standing Senate Committee on Agriculture and Forestry's soil study, we heard from many witnesses about the need for a national strategy on soil health. So although land use, for the most part, falls squarely in provincial and territorial jurisdictions, and we're all becoming keenly aware that a national strategy can foster the development of cohesive policies and support best practices and knowledge exchange across jurisdictions.

It is also very clear that across Canada, to quote Senator Duncan, "One size does not fit all," and that is the beauty of Canada. This diversity across all spheres is what I say and feel is our superpower as a nation.

Agricultural land is a limited resource in Canada. Less than 7% of the country's land mass is suitable for agriculture. The Organisation for Economic Co-operation and Development reports that Canada's agricultural land totalled 68.1 million hectares in 2018, placing the country in the thirteenth position in global rankings. All of this is to say that Canada plays a vital role in global food production and food security.

Across Canada, there are 189,874 farms. Average farm size almost doubled over the last 50 years due to consolidation and technological advances. Although farm market receipts, which represent farmers' revenues from the sale of agricultural commodities, in 2022 reached a record high, with 5.6% average annual growth between 2012 and 2022 — and this is important — the largest 10% of farms generated more than two thirds of all revenues. This needs to be underscored.

• (2330)

Furthermore, a recent Parliamentary Budget Officer's report from June 2023 shows that half of all farms are reported to be losing money or just barely making it. These and other factors make it a national imperative to further understand Canadian agriculture and forest land reallootments.

Following Canada's ratification of the Paris Agreement in October 2016, which I agree with and wholeheartedly support, a comprehensive plan known as the Pan-Canadian Framework on Clean Growth and Climate Change was adopted to reduce emissions across all sectors in Canada, including agriculture. The framework identified four agriculture-related actions: enhancing carbon storage in forests and agriculture lands; supporting the increase of wood for construction; generating fuel from bioenergy and bioproducts; and advancing innovation, including clean technologies, to reduce emissions from agriculture. This underscores why this inquiry into land use reallootments is vitally important.

According to a recent review, “Beyond GDP: Lessons for Redefining Progress in Canadian Food System Policy” by Naomi Robert and Kent Mullinix, agricultural intensification for the purpose of meeting increasing export demands has degraded Canadian prairie ecosystems:

This includes a near elimination of tall grass prairie ecosystems . . . the draining of approximately 70% of historic wetlands . . . and the loss of biodiversity dependent on these ecosystems. . . .

Now let’s move on to Ontario. Less than 5% of Ontario’s land is suitable for growing food or raising livestock, with the best of it often located next to large cities.

According to Census of Agriculture data, Ontario is losing more than 319 acres of arable land each day, which translates to a nearly 1% loss of Ontario’s farm acreage every year. Rigid zoning regulations and car-centric cities are a catalyst for urban centres sprawling into fertile agricultural land. Even as populations grow, urban areas are becoming less dense. This emphasizes the importance of protected agricultural land, like Ontario’s Greenbelt. Greenbelt farms, while covering just 7% of the province’s farmland, grow 42% of its fruits and 7% of its vegetables acres, earning 47% more per acre than the rest of Ontario.

We heard from many witnesses throughout our study on soil health, and some themes are clear. The proper planning of how to utilize our land is one of the most beneficial steps we can take to ensuring healthier soils. Farmers described their struggles in acquiring their own land to cultivate. Cheyenne Sundance from Sundance Commons put forward one land use policy that may be a useful tool to help foster proper land management and soil health. This is the formation of land trusts. Her organization was inspired by other models that offer farmers equity for land-based improvements.

In her submission to the committee, she reported:

A new type of farm is needed — one where supports . . . are married with long-term equitable land access. . . .

In her view, this is paramount to make small-scale agriculture more accessible to young people, many of whom do not have inherited land or parental guidance on the farm business.

Another young farmer, Dean Orr, wrote to the York Regional Council on urban sprawl. He wrote about his grave concern for the current land use and ad hoc plan to promote food security:

My career is one that allows me to have front-line perspective on land-use planning, as well as city and urban planning. . . . Our family farm is in King City where we grow mostly corn, soybeans wheat, organic black and kidney beans for grain and maple syrup. All of our land is rented. As you can imagine, that leaves us extremely vulnerable and acutely aware as to the decisions of land use planning as well as decisions made by those that own the land, which is most often developers and speculators. . . .

He ends with this plea: “We need to preserve our farmland for the food security of our current and future population.” I say that the pandemic magnified all of these issues and should not be lost on us.

A recent CBC report noted that 1 in 10 people in Toronto use food banks, and 1 in 5 children in Ontario experience some form of food insecurity, such as worrying about running out of food. Black and Indigenous populations, as you know, experience disproportionate levels of food insecurity.

One of the recommendations of Toronto Black Food Sovereignty Plan 2021, Recommendation #2, Access to Growing Space, supports reimagining:

. . . public land as an opportunity to advance an inclusive reparative economy approach to build increased community resilience, land-based learning initiatives and healing through identifying, returning and repurposing land —

— to promote Black environmental stewardship and urban agriculture initiatives.

Equitable land, access to land and GBA Plus analysis of our agriculture land reallocation policies and processes need to be examined. The Canadian Land Inventory uses data from the 1960s, 1970s and 1980s. There is urgent need to have up-to-date data using the latest technologies and machine learning and to make this data available to diverse groups of Canadians in an equitable and accessible manner.

Honourable colleagues, Canadian agricultural, wetland and forestland reallocations, as well as potential food, economic and social insecurities as a result of reduced capacity for farming, pasture, forestry and food production, both domestically and internationally, are vitally important to Canada. We need to know more about the best practices in other countries, especially those that may be applicable to Canada in all of its diversity. We should also look to learn from Indigenous scientists, elders and keepers of knowledge. Sustainability and the stewardship of mother earth are at the core of Indigenous farming, land use practices and cultural beliefs.

It is my hope that this inquiry will help engage Canadians of all ages and raise awareness about the important issue of land use, which will deepen our understanding of its impacts on food security, climate change, health and economic stability. This may be the most important issue of our time.

Honourable senators, I urge you after debate to move this inquiry to the committee stage for further investigation, as we hold this land in trust for the next generations, our children and grandchildren. They are depending on us. Thank you.

(On motion of Senator Clement, debate adjourned.)

INDIGENOUS PEOPLES

• (2340)

MOTION TO AUTHORIZE COMMITTEE TO STUDY FEDERAL
SPECIFIC CLAIMS POLICY AND PROCESS—
DEBATE ADJOURNED

Hon. Brian Francis, pursuant to notice of November 9, 2023,
moved:

That the Standing Senate Committee on Indigenous Peoples be authorized to examine and report on the federal specific claims policy and process including, but not limited to:

- (a) the research and development of specific claims;
- (b) the settlement of specific claims including compensation and availability of mediation;

That the committee report to the Senate no later than October 30, 2025;

That the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report; and

That the committee be permitted, notwithstanding usual practices, to deposit reports on this study with the Clerk of the Senate if the Senate is not then sitting, and that the reports be deemed to have been tabled in the Senate.

(On motion of Senator Martin, debate adjourned.)

MOTION TO AUTHORIZE COMMITTEE TO STUDY PROVISIONS AND
OPERATION OF THE INDIGENOUS LANGUAGES ACT—
DEBATE ADJOURNED

Hon. Brian Francis, pursuant to notice of December 5, 2023,
moved:

That the Standing Senate Committee on Indigenous Peoples be authorized to examine and report on the provisions and operation of the *Indigenous Languages Act* (S.C. 2019, c. 23) pursuant to Section 49.1 of said Act;

That the committee submit its final report to the Senate no later than December 31, 2025;

That the committee be permitted, notwithstanding usual practices, to deposit reports on this study with the Clerk of the Senate if the Senate is not then sitting, and that the reports be deemed to have been tabled in the Senate; and

That the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

(On motion of Senator Martin, debate adjourned.)

(At 11:41 p.m., the Senate was continued until tomorrow at 2 p.m.)

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