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(HANSARD)

Tuesday, April 30, 2024

The Honourable RAYMONDE GAGNÉ,  
Speaker

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## THE SENATE

Tuesday, April 30, 2024

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

Prayers.

[*Translation*]

### BUSINESS OF THE SENATE

MOTION TO PHOTOGRAPH PROCEEDINGS OF APRIL 30 AND  
MAY 9, 2024, ADOPTED

**Hon. Larry W. Smith:** Honourable senators, with leave of the Senate and notwithstanding rule 5-5(k), I move:

That, on Tuesday, April 30, 2024, and Thursday, May 9, 2024, official Senate photographers be authorized in the Senate Chamber to photograph proceedings with the least possible disruption.

**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.)

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[*English*]

### SENATORS' STATEMENTS

#### WORLD IMMUNIZATION WEEK

**Hon. Judith G. Seidman:** Honourable senators, since 2000, the mortality rate of children under five years old has declined by an incredible 51% globally. As World Immunization Week comes to a close today, we must recognize the role that immunizations have played in reaching this milestone.

Diseases which once affected the lives of millions around the world have been controlled. This year, we are celebrating the thirtieth anniversary of Canada being certified free of endemic wild polio. This enormous achievement shows how effective vaccine programs are when matched with the resources and the political will necessary to see them through.

Canada has been a long-standing and recognized leader in ensuring that people throughout the world have access to immunizations. Building on our domestic success, Canada was the first country to contribute to the global effort to eliminate polio. As a partner of Gavi, the Vaccine Alliance — for over

20 years — we have played a critical role in providing the means to vaccinate over 1 billion children, and saving the lives of over 17 million people.

Our work is far from over. Here at home, declining rates of vaccination have resulted in an ongoing measles outbreak in Montreal. Measles can be deadly and is extremely contagious, but is preventable by a safe and cost-effective vaccine. We must all do more to remind Canadians that vaccines are safe and effective and save lives.

Globally, one in five children are still zero dose or undervaccinated, meaning that they've missed out on at least part of their routine immunizations. These children are at risk of having their lives cut short by preventable illnesses, and many of those who survive will have their lives changed forever. Putting an end to the preventable deaths of children is not only our moral duty, but also a concrete commitment under the Sustainable Development Goals.

Colleagues, 2024 brings opportunities to continue our fight against child mortality. This year, the first vaccine against malaria is being deployed to fight a disease that claims a child's life every minute in Africa. A growing number of countries have committed to vaccinating millions of girls against HPV, undertaking to wipe out a type of cancer for the first time in history.

This year, let us reaffirm our support of immunization and ensure that vaccines reach every child, everywhere.

Thank you.

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

#### GLOBAL PLASTICS TREATY

**Hon. Rosa Galvez:** Honourable senators, the world is drowning in plastic, suffocating beneath the weight of our own negligence. Plastics are found everywhere, from the Arctic Circle to human placentas. Representatives from 176 countries have been in Ottawa for the past week to debate a global treaty to solve the plastic problem. They were joined by 196 fossil fuel and petrochemical industry lobbyists.

In Canada, more than 4 million tonnes of plastic is discarded each year. Plastic pollution hinders our ability to achieve climate goals, exacerbates biodiversity loss, impacts human health and perpetuates environmental racism and inequalities. Indeed, increased risks of cancer, water contamination and toxic air emissions from plastic production, use, and disposal disproportionately affect Indigenous, Black and vulnerable communities.

For the Aamjiwnaang First Nation, the devastating consequences of living beside plastic production plants are felt throughout their community. Situated in "Chemical Valley," the community is exposed to benzene at levels more than 100 times

those detected in Toronto or Ottawa air. A hazardous chemical by-product of petrochemical processing, benzene is associated with an increased risk of developing cancer.

Over 90% of plastic waste in Canada is incinerated or discarded in landfills or in the natural environment. A landfill situated across a fence line from the Oneida and the Chippewas of the Thames First Nation receives 500,000 tonnes of plastic-laced waste each year, which releases toxic gases and pollutes the air of the surrounding communities.

Fossil fuels provide the feedstock and energy required for plastic production — 75% of all greenhouse gas emissions from primary plastic production occurs before and during the monomer production stages. Current primary plastic production growth rates are expected to consume our global carbon budget as early as 2060. To avoid exceeding the 1.5 degrees Celsius limit, we must decrease primary plastic production by at least 11.8% per year, starting this year.

Action is overdue, colleagues.

The Scientists' Coalition for an Effective Plastics Treaty clearly laid the path to success: a comprehensive approach encompassing the entire plastic life cycle from production to disposal, underpinned by legally binding plastic reduction targets, mandated disclosure and removal of hazardous chemicals, unwavering commitment to human health and environmental justice, and securing sufficient financial support to attain treaty objectives.

We must act swiftly, decisively and with firm resolve, for the fate of our planet hangs in the balance.

Thank you. *Meegwetch.*

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

#### DISTINGUISHED VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of our former colleague the Honourable Wilfred P. Moore.

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

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

#### DAFFODIL MONTH

**Hon. Wanda Thomas Bernard:** Honourable senators, I rise today on the unceded and unsundered territory of the Anishinaabe Algonquin Nation.

Today is the last day of April, also known in the cancer world as Daffodil Month. Every spring, the Canadian Cancer Society rallies together around the daffodil to show their support and help people with cancer live longer, fuller lives.

The daffodil is the first flower to bloom in the spring, and, for those living with cancer, it is a symbol of hope. I saw daffodils on my walk here today.

During this month, volunteers raise vital funds and show support, wearing daffodil pins to aid in the fight against cancer. I am happy to see that many of our colleagues here are wearing their daffodil pins.

• (1410)

The funds collected during Daffodil Month support promising research across all cancer types, provide a compassionate support system for people living with cancer and their caregivers, and fund advocacy for healthy public policies to prevent cancer and better support those living with the disease.

Although we know that cancer affects everyone, I know it doesn't affect everyone equally. There are deep disparities in cancer risk, care and costs that can impact a person's cancer treatment, outcomes and overall experience — what some call the "cancer journey." This is especially true for people of African descent, who are more likely to be diagnosed at later stages of the disease and less likely to have positive outcomes. Early detection is key, as are health promotion and awareness.

Today, we grieve with those families who feel the pain of the loss of a loved one to cancer. Today, we also pause to honour cancer survivors, with special recognition to all who give back by volunteering to help others.

Colleagues, please join me in thanking the Canadian Cancer Society and their volunteers for their tireless efforts to help raise awareness in this country about cancer and its impacts on individuals, families, communities and, of course, all of us here. I would like to give special thanks to Senator Cardozo for inviting all of us to participate and for inviting the Canadian Cancer Society here today.

Thank you. *Asante.*

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Stuart Edmonds, Executive Vice President, Mission, Research, Advocacy and Surveillance at the Canadian Cancer Society; members of the Canadian Cancer Society; and cancer survivors Julie Booker, Maria Dagenais-Muñoz and Jonathan Calof. They are the guests of the Honourable Senator Cardozo.

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

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

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Donald Abelson and Kelly Worton of McMaster University. They are the guests of the Honourable Senator Dean.

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

[*English*]

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

[*Translation*]

#### THE LATE JEAN-PIERRE FERLAND

**Hon. Claude Carignan:** Colleagues, it is with some sadness that I rise today to pay tribute to Jean-Pierre Ferland, a brilliant and sensitive Quebec singer-songwriter who passed away on Saturday, April 27, 2024.

Every community is made up of different kinds of people. Every community has its greats. Then, there are the others, the greatest of the great: the giants. One of our musical giants is now gone. Since we received news of his death, heartfelt and affectionate tributes to the troubadour have poured in from all across Quebec and beyond.

Jean-Pierre Ferland left an indelible mark on Quebec and the Francophonie with his sentimental, passionate and socially engaged lyrics and the irresistible rhythms and modern sensibilities of his music. To call Jean-Pierre Ferland a giant is an understatement. He is an integral part of our cultural heritage. It takes a lifetime to write, sing and produce more than 30 albums, every one of them a chart-topper, including his most famous album, *Jaune*, released in 1970, which marked a turning point in his career, coming as it did in the wake of the Quiet Revolution. *Jaune* opened the door to a wind of optimism and opportunity across Quebec. Jean-Pierre Ferland embraced this effervescent era wholeheartedly. A master wordsmith, he showed us all how to make our passions, our dreams and our emotions shine brightly.

Alongside the likes of Charlebois, Lèveillé, Leclerc, Forestier, Deschamps, Reno, Vigneault, Castel, Renée Claude and many other greats of francophone music, Jean-Pierre Ferland touched the very soul of Quebecers in a wonderful way. Love was his art form. He bore heartbreak with humanity. With a pinch of theatrics, made childhood dreams come to life.

His superb lyrics, warm voice, wide smile, mischievous eyes and easy-going generosity endeared him to Quebecers and francophones, who mourn his loss today like they would a member of their family.

How fortunate we are, we were and we will always be, to have him etched in our minds and hearts.

A little higher above, a little further away, “boule de gomme,” the man, transformed into a musical angel who will forever brighten our lives, dreams and loves, like Jean-Pierre did with a passion for more than 60 years.

Watch over us, *petit roi!* Thank you.

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

[ The Hon. the Speaker ]

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Marc and Nina LePage. They are the guests of the Honourable Senators Deacon (*Nova Scotia*), Boehm, Boyer, Galvez, Gignac, Harder and Wallin.

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

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

[*Translation*]

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of members of the Association des policières et policiers provinciaux du Québec. They are the guests of the Honourable Senator Dagenais.

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

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

#### THE LATE SERGEANT MAUREEN BREAU

**Hon. Jean-Guy Dagenais:** Honourable senators, many of you will be visited this week by representatives of Canada’s police associations who are in Ottawa as part of their annual visit to parliamentarians, to remind us of certain issues on which we have the power to intervene.

I had a meeting in my office this morning with the president and board of directors of the Association des policières et policiers provinciaux du Québec, who are here with us this afternoon.

We discussed the safety issues facing our police forces, especially the issue of mental health, which I see as the scourge of our time, something that must be addressed in order to protect not only our peace officers, but all of our communities, which are increasingly being threatened by people displaying unpredictable, dangerous and sometimes deadly behaviour.

As I’m sure you can appreciate, I’m particularly sensitive to these issues and the demands of the association, having chaired it myself for several years.

I’ve been looking forward to today because I want to pay tribute in this chamber to Sergeant Maureen Breau of the Sûreté du Québec, who was murdered on March 27, 2023, in the municipality of Louiseville, Quebec.

This 20-year veteran of the force and mother of two was murdered in cold blood during a simple police operation to apprehend an individual who should never have been released because he was known to be dangerous.

The murder of Maureen Breau triggered a number of investigations: a police investigation; another by the Quebec bureau of independent inquiries, because the murderer was killed by police when they responded to the call; an investigation by the Commission des normes, de l'équité, de la santé et de la sécurité au travail because a person died on the job; and a coroner's inquest.

That is a lot of investigations because there are glaring and dangerous flaws in our system that public, prison and medical officials are well aware of. However, unfortunately, over the years, those officials have chosen to release individuals whose mental health status poses a high risk for those around them.

Coroner Géhane Kamel heard from 67 witnesses with regard to the death of police officer Maureen Breau and she will publish her report next fall. Those witnesses include a number of police officers, but also the parents of the murderer, who unsuccessfully called for the incarceration of their dangerous son.

• (1420)

Her preliminary observations during the investigation suggest that she will make robust recommendations to improve our police officers' working conditions and to make the health care system more accountable when patients represent obvious risks to society. Let's just hope this long-awaited coroner's report doesn't end up gathering dust like so many others because our politicians are more interested in decarceration, deinstitutionalization and dehospitalization. Public safety must come first. Any delay in taking concrete action is unacceptable to me. In short, I've had it with hearing that people knew what was going on but couldn't do anything about it.

In closing, my thoughts are once again with Sergeant Maureen Breau's two children and her partner, who is also a Sûreté du Québec officer. Let's hope that Sergeant Breau's tragic death can lead to positive change.

#### THE LATE DAN PHILIP

**Hon. Marie-Françoise Mégie:** Honourable senators, the former president of the Black Coalition of Quebec, Dan Philip, passed away on Monday, April 1. His funeral was held on Monday, April 22 in Montreal.

Dan Philip was a prominent figure in the fight for human rights and justice in Canada. Born in St. Lucia in the Caribbean, he moved to Montreal in the early 1970s. Shortly after his arrival in Quebec, he joined the Black Coalition of Quebec and served as its president from 1980 to 2020.

During his 40 years of service, he was known for fighting against racism and discrimination against Black people in the employment and housing sectors. He was very involved in the fight against racism waged by Haitian taxi drivers in the 1970s and 1980s. When I arrived in Quebec in 1976, his actions made me realize that racism also existed in Canada. Mr. Philip was actively involved in the fight against police brutality. On the day of Mr. Philip's funeral, Jamaican Consul, George Grant, said that Mr. Philip embodied the Black Lives Matter movement well before it became a slogan.

Among the many honours bestowed on him for his commitment, Dan Philip was awarded the National Assembly Citizenship Medal in 2019 and the Rosa Parks Award of the Quebec Human Rights Commission in 2000. Dan Philip was and remained an ally not only of Black communities, but of other marginalized communities as well. He spoke out in a loud, clear voice against anti-Semitism and Islamophobia.

Finally, I thank him for contributing to the success of the young leaders within our communities of African descent. His efforts to learn French and become bilingual were truly remarkable. My condolences go out to his family, friends and fellow members of the Black Coalition.

Rest in peace, Mr. Philip.

[English]

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of the group of International Students Overcoming War (ISOW). They are the guests of the Honourable Senators Deacon (*Ontario*) and Boehm.

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

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

[Translation]

#### ROUTINE PROCEEDINGS

##### AUDITOR GENERAL

COMMISSIONER OF THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT—2024 SPRING REPORTS TABLED

**The Hon. the Speaker:** Honourable senators, I have the honour to table, in both official languages, the reports of the Commissioner of the Environment and Sustainable Development to the Parliament of Canada (Spring 2024), pursuant to the *Auditor General Act*, R.S.C. 1985, c. A-17, sbs. 7(5).

[English]

##### CANADIAN HERITAGE

UNITED NATIONS HUMAN RIGHTS COUNCIL RESOLUTIONS—  
NATIONAL REPORT TABLED

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, I have the honour to table, in both official languages, the national report submitted pursuant to the United Nations Human Rights Council resolutions 5/1 and 16/21 — Canada.

## SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO DEPOSIT  
REPORT ON STUDY OF ISSUES RELATING TO SOCIAL  
AFFAIRS, SCIENCE AND TECHNOLOGY GENERALLY WITH CLERK  
DURING ADJOURNMENT OF THE SENATE

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

That the Standing Senate Committee on Social Affairs, Science and Technology be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate, no later than June 30, 2024, an interim report on issues related to social affairs, science and technology generally, if the Senate is not then sitting, and that the report be deemed to have been tabled in the Senate.

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## QUESTION PERIOD

### EMPLOYMENT AND SOCIAL DEVELOPMENT

#### ELECTRIC VEHICLE BATTERY PLANT

**Hon. Donald Neil Plett (Leader of the Opposition):** Leader, the Trudeau government is telling Canadians that giving 50 billion of their tax dollars to corporations would create jobs for Canadian workers.

Canada's Building Trades Unions recently wrote to Prime Minister Trudeau about the heavy use of foreign replacement workers at the Stellantis battery plant in Windsor. The organization claims that the situation became worse after a meeting in March between the Prime Minister and company executives, when the corporation became emboldened and increased the number of foreign workers at the site.

This incompetent Prime Minister is not worth the cost. Just how bad was the deal that the Trudeau government negotiated? Will you release the contracts so we can see them?

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

The contracts that the government enters into are often subject to a number of well-understood commercial limitations in terms of divulgence. That allows both the government and the suppliers to proceed in the best interests of the project to which the contract refers. So, I've not been advised that the government will be releasing details at this juncture.

**Senator Plett:** That was a long-winded "no," leader.

When I asked you in November about jobs at the Windsor plant, your response was, "Nothing to see here." If that were the case, why do you think Canada's Building Trades Unions wrote to the Prime Minister about specific jobs going to replacement workers? Why do you think Liberal MPs filibustered at

committee last fall? Why do you think they and their NDP partners voted yesterday to keep the contracts hidden? Why do you hide the contracts if you are proud of the deal that was negotiated?

**Senator Gold:** Time doesn't permit me to answer the seven questions you managed to ask. The fact remains that this government is engaged with its provincial counterparts and the private sector, both here and abroad, to provide opportunities for Canadians and for the growth of our economy. It will continue to do so in the best interests of Canadians.

## HEALTH

### DECRIMINALIZATION OF DRUGS

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Government leader, last Friday, the NDP government of British Columbia admitted that the drug decriminalization experiment it pursued alongside the Trudeau government has been a terrible mistake. The NDP government in B.C. has requested an urgent change to its exemption that allows the use of hard drugs in public places, such as hospitals, beaches and parks. It is shocking that, instead of quickly granting this request to save lives, the members of the Trudeau cabinet are wasting time by defending their disastrous radical policy.

Leader, why is it taking so long for the Trudeau government to respond? Will it act today?

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

As all colleagues know, the B.C. government had requested of the government the ability to run a three-year pilot project for the decriminalization of drugs in British Columbia. The project is but one year old. As Minister Saks announced, the government is considering the request of B.C., just as it is considering the request of the City of Toronto for a similar pilot project. It takes its partnership with the provinces on the administration of justice and on health issues — because this is a health issue — very seriously.

• (1430)

The program that British Columbia requested is one that saves lives. The adjustment to that program that the Government of B.C. has asked the government to consider is under consideration.

**Senator Martin:** Yet there are drugs in hospitals, leader, and the nurses and hospital workers are at risk. There are drug dealers. It's not a safe supply; there's no such thing. It's been four days. Premier Eby's request should have been granted immediately. The Trudeau government is holding on to a failed, deadly experiment that has ruined thousands of lives all across my province.



Is it more important to the Trudeau government to stick with this failed policy than to admit that they were wrong?

**Senator Gold:** The Government of British Columbia, if I understand correctly, did not ask them to stop the project, but simply to make adjustments so that drugs could not be used in public places. It is misleading to those suffering from drug addiction and governments trying to help treat this fundamentally serious health issue to describe it, as is your privilege in the opposition, in such black-and-white and incorrect terms.

## FINANCE

### BUDGET 2024

**Hon. Tony Loffreda:** Senator Gold, Canadians are seeking clarity about the government's intention to increase the inclusion rate on capital gains realized annually above \$250,000 from one half to two thirds.

Minister Freeland said that only 0.13% of Canadians, with an average annual income of \$1.4 million, will pay more on their capital gains. However, we are hearing that up to 20% of Canadians may be impacted and the policy may capture many working professionals like doctors and real estate investors who have trusts or incorporated businesses.

Can you set the record straight? How many people will be affected? What data was used to make this determination? Many are extremely concerned that it will hinder investment in Canada.

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. Senator, based on information from the government, next year, 28.5 million Canadians are not expected to have any capital gains income and 3 million Canadians are expected to earn capital gains below the \$250,000 annual threshold. That means that for 99.87% of Canadians, personal income taxes on capital gains will not increase. The government has shared that about 12% of Canada's corporations would face the higher inclusion rate on their capital gains. However, increasing the capital gains exclusion rate is not expected to hurt Canada's business competitiveness.

Corporations in most other countries, including the United States, pay corporate income tax on 100% of their capital gains. With a two-thirds inclusion rate, corporate taxation in Canada remains competitive.

**Senator Loffreda:** Thank you, Senator Gold. As a quick follow-up, I'd like to ask about consultation. I've spoken to many individuals and entrepreneurs who were caught off guard by the announcement. Can you speak to us about the government's consultation process? Who was consulted? What did you hear? What other revenue-generating policy may have been considered as an alternative to the capital gains tax increase?

**Senator Gold:** Thank you for your question. All measures were undoubtedly considered in the lead-up to the budget. However, I do not have any information on the consultation process for this specific budget measure.

## EMPLOYMENT AND SOCIAL DEVELOPMENT

### CANADA DISABILITY BENEFIT

**Hon. Brent Cotter:** My question is for Senator Gold.

In June of 2023, the Canada Disability Benefit Act, Bill C-22, was passed by Parliament virtually unanimously in both houses. According to the then Minister for Diversity, Inclusion and Persons with Disabilities, in Parliament and in public remarks, the bill would achieve generational change in raising working-age Canadians with disabilities out of poverty.

Our Prime Minister said the same. The sponsor of Bill C-22, in this chamber and in public remarks — including not long ago, with his disabled daughter, while speaking to an audience of 500 or so — celebrated this generational achievement.

My question is this: Who in our government — who in their right mind — thought that a benefit starting in July of 2025, for a maximum of \$200 a month and running at that level for six years, with strict qualifications determined by the Canada Revenue Agency, would achieve generational change lifting people with disabilities out of poverty?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question, your advocacy on this issue and indeed for your sponsorship in this chamber.

As I've said, the disappointment of so many in the disability community, and beyond, with the announcement in this budget is understandable and shared within government. Like all the other progressive programs that the government has delivered and seeks to deliver, this one was built to be enhanced and expanded; that was indicated in the budget. Clearly, the delay in its start is regrettable but was deemed necessary for the budget to remain fiscally responsible.

It's not a good answer. It's the truth, but I know that the answer will displease many. Those are the circumstances.

**Senator Cotter:** I think we all agree with the last part of your remarks, Senator Gold.

Can you confirm that in the nearly one year since Bill C-22 was passed, the Minister for Diversity, Inclusion and Persons with Disabilities has at least personally met with provincial ministers and got their commitment not to claw back provincial benefits?

**Senator Gold:** Thank you for the question. It is my understanding that the minister is, indeed, working with provincial and territorial counterparts and calling on them to exempt Canada disability benefit payments from counting as income in relation to provincial or territorial supports.

## FINANCE

### FINANCIAL CONSUMER AGENCY OF CANADA

**Hon. Colin Deacon:** My question is for the Government Representative in the Senate.

Senator Gold, bank fraud is a persistent and growing issue in Canada. The escalating frequency of fraudulent incidents at our financial institutions involving fake identification, email scams, real estate fraud and other increasingly preventable crimes is a concern. International criminals are taking note, putting vulnerable Canadian consumers at even more risk of losing their hard-earned savings.

We've seen this government start to act through the creation of a beneficial ownership registry and providing financial institutions with the ability to share information in an effort to help fight financial crimes.

With a mandate to “. . . protect the rights and interests of consumers of financial products . . .” how is the Financial Consumer Agency of Canada, or FCAC, addressing the concerning surge in bank fraud? If combatting this fraud falls beyond their mandate, what further legislative measures can we expect this government to introduce? Thank you.

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question, senator. The Financial Consumer Agency of Canada provides information to consumers on their rights and responsibilities in dealing with banking products and services and oversees the federal consumer protection framework, including the compliance of the banks with the complaint handling process.

The Financial Consumer Agency of Canada expects financial institutions to investigate whether the circumstances that led to an unauthorized transaction were beyond the person's control and to take into account all relevant factors before finding them liable or not.

From personal experience this past week, I can attest that my bank, at least, is acting responsibly in that regard.

**Senator C. Deacon:** I've had a lot of experience recently with people coming to me where that's not happening. So the FCAC is not responsible, and the Ombudsman for Banking Services and Investment — who is said to represent consumers — has consumers sign an NDA prior to investigating an incident. If the bank is following their internal policies, the ombudsman does not intervene on the customer's behalf, even when the bank policy is proven to be ineffective and resulting in consumer harm. Is it understood by this government that our financial institutions are not keeping up with criminals?

**Senator Gold:** The Government of Canada is always attentive to what may need to be done further. As I said, it has put in place measures to ensure, as best as it can, that Canadians are treated fairly by their banks — that includes the designation of an independent and transparent not-for-profit organization, the Ombudsman for Banking Services and Investments, as a single external complaints body for Canada's banking sector — and will continue to explore other measures as needed.

• (1440)

## CROWN-INDIGENOUS RELATIONS

### MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

**Hon. Brian Francis:** Senator Gold, last December, more than 40 individuals and groups signed a letter opposing a court application from the RCMP to dispose of 14,000 exhibits linked to Robert Pickton, who has been linked to the murder or disappearance of more than 50 women — the majority of whom are Indigenous and whose cases remain unsolved. Many families still waiting for answers and justice want this evidence preserved.

Has the federal government put an end to the disposal of evidence related to Pickton, and will legislative reforms be introduced to improve the management of evidence involving missing and murdered Indigenous women, girls and gender-diverse people?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. That more work needs to be done, certainly, with regard to missing and murdered Indigenous women and children is clear. I'm not aware of any prospective legislation to deal with this issue, but I'll certainly raise the issue with the minister at the first opportunity.

**Senator Francis:** Thank you, Senator Gold. As we approach Red Dress Day on May 5, I hope the families will receive a response to these questions. In the same letter, the families also called on the RCMP to prioritize resources for the investigation of unsolved cases related to Pickton to ensure all legal avenues are explored to bring justice to any additional perpetrators or unexamined aspects of the case. Could you confirm if or how the agency has responded to this request?

**Senator Gold:** Unfortunately, I'm not in a position to respond to how the RCMP may have — I could say it's a question properly addressed to the RCMP, which it is. Again, that's something that I will add to my inquiries to the minister.

[Translation]

## FINANCE

### BUDGET 2024

**Hon. Leo Housakos:** My question is for the Leader of the Government. Yesterday, *Le Journal de Montréal* reported that 25% of Quebec households are unable to live with dignity. This number has jumped in the past year because of “Justinflation.” In the neighbourhood where I grew up, Parc-Extension, people are having to live 15 to an apartment. There are riots in front of the food bank. This is the result of Justin Trudeau’s policies. He has doubled the country’s debt; meanwhile, Montreal is getting poorer, Quebec is getting poorer and Canada is getting poorer.

When will your government admit its mistakes, scrap the Freeland budget and table a new budget that will make Canada prosperous again?

**Hon. Marc Gold (Government Representative in the Senate):** My understanding is that the government has no intention of scrapping the Freeland budget. On the contrary, the government is looking forward to the debate that has just begun in the other place and the study that will take place in this chamber.

I don’t have enough time to respond to all the allegations in your question, and that is all they are. None of it was based on fact. That said, I look forward, as we all do, to the budget implementation bill arriving here so that the Senate can study it in depth.

**Senator Housakos:** The fact is that lineups at food banks in Canada are at an historic high, Senator Gold. It is official: Every dollar of GST is being used to pay the interest on Canada’s debt. Every dollar of GST goes to the bankers in London and New York who thank Justin Trudeau for his generosity. What is the government’s plan as the debt continues to grow? Will it increase the GST?

**Senator Gold:** Parliament’s review of the budget represents a responsible exercise for ensuring that we stay on track, focused on the projections of the 2023 Fall Economic Statement, while also providing support to individuals and businesses so that our economy can continue to develop and grow.

## PUBLIC SAFETY

### ACCESS TO INFORMATION REQUESTS

**Hon. Claude Carignan:** Leader, last month, after more than two years, Justice Canada finally responded to my access to information request. In response to another request, Innovation, Science and Economic Development Canada tells me that it will take them 650 days to send me the requested documents, but I consider myself lucky. If I had submitted an access to information request to the Canada Border Services Agency, the officials probably would have lost it. According to a

Radio-Canada story, CBSA has lost 12,000 access requests, and potentially thousands of other documents related to those requests.

Why does your government so chronically and miserably fail to respond to requests within the normal and reasonable 30-day time frame set out in the Access to Information Act?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question. It’s true that delays in many departments are unacceptable, and the government has been working hard to improve this situation for a few years now. What’s more, this is the first government in over 30 years to reform the Access to Information Act, and the government will continue to try to do better. However, what you said is true. It may be a cliché, but clichés are clichés because they have a grain of truth. A lot more work needs to be done, and the government will continue to try to do better.

**Senator Carignan:** It seems that the loss of these requests resulted from work done on 40 among the hundreds of servers belonging to the Canada Border Services Agency. These 40 servers contained the 12,000 requests that disappeared.

In the interest of transparency, can you tell us what other data on these 40 Canada Border Services Agency servers were lost?

**Senator Gold:** In fact, I don’t have the information you’re looking for, and I don’t know if it’s available.

[English]

## OFFICE OF THE GOVERNMENT REPRESENTATIVE

### RULES OF THE SENATE OF CANADA

**Hon. Jim Quinn:** Senator Gold, my question is tied to Motion No. 165. Last week, in an interview with *The Hill Times*, you indicated your office doesn’t have a timeline, and there’s nothing in the motion that puts parameters on the length of debate. You said, “The debate has barely begun . . . we fully expect and want to have a proper debate on the floor.”

Given that you’ve indicated all of this in your interview, are you open to senators proposing amendments that they feel will strengthen proposed rule changes?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question, Senator Quinn. It is up to individual senators to decide how they want to participate in the debate. I have every confidence that this chamber, as it always does, will consider whatever is brought forward. I hope this chamber considers the motion that I’ve brought forward to be a practical, pragmatic and timely first step in achieving fairness and equity between the groups, a measure that is long overdue.

**Senator Quinn:** Last week, Senator Gold, we spoke of the one change of 60 days for a response versus 45 days. Given that these rules belong to the Senate and that your preference is to find a way forward that meets everybody’s objective, is it not

reasonable to expect that we should have that follow-up with the ability to introduce amendments? Why, at this early stage, are you proposing and telegraphing that you will use time allocation?

**Senator Gold:** The Government of Canada has taken on the important task of reforming the way in which senators are appointed, providing for greater diversity in this chamber and providing for greater independence of this chamber from the control of the Prime Minister's Office.

• (1450)

Second, we have brought forward a responsible effort to complete the work that this chamber did on the Parliament of Canada Act. The government is prepared to do what it can to ensure there is no further obstruction on this important initiative.

### PRIVY COUNCIL OFFICE

PARLIAMENTARY SECRETARY TO THE LEADER OF THE  
GOVERNMENT IN THE HOUSE OF COMMONS (SENATE)

**Hon. Donald Neil Plett (Leader of the Opposition):** Senator Gold, I don't know how you can answer those questions with a straight face the way you do. It's amazing. It's a real gift.

Leader, on December 13, 2022, I submitted a written question to the Senate Order Paper concerning your former parliamentary secretary, MP Mark Gerretsen. It asked for some basic information: How many times had he met with you? And how many times had he met with other senators? A recent response said:

The Parliamentary Secretary . . . met with the Representative of the Government in the Senate and other Senators on a regular basis, to discuss legislation and the business of both chambers.

That's it. I waited 15 months, leader, for that response, and I won't call it an answer. Justin Trudeau once promised Canadians a government "open by default." Nine long years later, the Trudeau government is just laughing at Canadians and at the Senate — aren't they, leader?

**Hon. Marc Gold (Government Representative in the Senate):** Hardly. The answer is no. You're entitled to ask any question you want, senator. That really is scraping the bottom of the barrel.

First of all, with all respect, Mr. Gerretsen is not my parliamentary secretary. He was the parliamentary secretary to the House leader. Let's get our language correct.

Second, it is totally appropriate, and you would find it irresponsible, though you would never admit it, if I were to tell you "He's the parliamentary secretary to the House leader, but I never met the guy." Of course we meet and we speak. That's my job and that's his job. I'm not sure what else there is to say in response to your question.

**Senator Plett:** I waited fifteen months, leader, and I still don't have an answer.

Leader, doesn't this so-called answer to simple questions about your former parliamentary secretary prove that the government's argument is wrong? Changing the Senate Rules won't change what the Information Commissioner called the "culture of secrecy" in the Trudeau government. Instead of changing the Senate Rules, shouldn't Canadians change this government?

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

**Senator Gold:** I do not have a parliamentary secretary. I am not a minister. I don't have a driver. I'm simply a senator — when an election is called, Canadians will make their decision. In the meantime, I will continue to do my job representing the government in this chamber.

### IMMIGRATION, REFUGEES AND CITIZENSHIP

#### INTERNATIONAL STUDENTS

**Hon. Andrew Cardozo:** My question is for the Government Representative in the Senate.

Senator Gold, a couple of days ago, the immigration minister announced that there would be a reduction in the number of hours that international students can work when they are in Canada. I believe the number is being reduced from a maximum of 40 hours per week to 25 hours per week. Can you share the purpose and expected outcome of this decision?

**Hon. Marc Gold (Government Representative in the Senate):** Senator, thank you for your question. You might recall that during the pandemic, the government lifted what was then a 20-hour cap for international students to help combat the labour shortages that we experienced in so many sectors, and to allow international students to support themselves during a time of great economic uncertainty. That was the right decision at the time.

In light of the issues of which we're all aware, the government has revised that number, both to be fair to international students and also to make sure that they can be treated fairly, accommodated and integrated properly by the cities, provinces and even the institutions to which they're attached.

**Senator Cardozo:** The government has also looked at the number of international students who are coming, and has made a calculation about the number of international students who can attend publicly supported universities and colleges versus those who can attend private colleges.

Could you share information about that, and whether a federal-provincial agreement is required for that to happen before those numbers can be changed?

**Senator Gold:** Thank you for your question. My understanding is the government is adopting a recognized institution framework to better identify those institutions that are truly offering educational opportunities to students — and not those that are simply fronts to facilitate entry into Canada and that offer no educational benefits. Working with the provinces and territories — in collaboration with them — that program is being developed and is under way.

## ANSWERS TO ORDER PAPER QUESTIONS TABLED

## AGRICULTURE AND AGRI-FOOD—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Agriculture and Agri-Food Canada (including the Canadian Pari-Mutuel Agency), Canadian Grain Commission, Farm Products Council of Canada, Canadian Dairy Commission and Farm Credit Canada.

## ATLANTIC CANADA OPPORTUNITIES AGENCY—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Atlantic Canada Opportunities Agency.

CANADIAN NORTHERN ECONOMIC DEVELOPMENT AGENCY—  
HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Canadian Northern Economic Development Agency.

ECONOMIC DEVELOPMENT AGENCY OF CANADA FOR THE  
REGIONS OF QUEBEC—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Canada Economic Development for Quebec Regions.

## NATIONAL REVENUE—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Canada Revenue Agency.

FISHERIES, OCEANS AND THE CANADIAN  
COAST GUARD—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable

Senator Plett, regarding Huawei — Fisheries and Oceans Canada, including the Canadian Coast Guard, and Freshwater Fish Marketing Corporation.

## INDIGENOUS SERVICES—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Indigenous Services Canada, including Indian Oil and Gas Canada.

## NATIONAL DEFENCE—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — National Defence, Military Grievances External Review Committee, Military Police Complaints Commission, National Defence and Canadian Armed Forces Ombudsman and Communications Security Establishment.

## ENVIRONMENT AND CLIMATE CHANGE—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Environment and Climate Change Canada, Impact Assessment Agency of Canada and Parks Canada.

EMPLOYMENT, WORKFORCE DEVELOPMENT AND  
OFFICIAL LANGUAGES—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Employment and Social Development Canada and Canadian Centre for Occupational Health and Safety.

FEDERAL ECONOMIC DEVELOPMENT AGENCY FOR  
SOUTHERN ONTARIO—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Federal Economic Development Agency for Southern Ontario.

FEDERAL ECONOMIC DEVELOPMENT AGENCY FOR  
NORTHERN ONTARIO—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Federal Economic Development Agency for Northern Ontario.

FINANCE—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Department of Finance Canada, Bank of Canada, Canada Deposit Insurance Corporation, Canada Development Investment Corporation, Canada Pension Plan Investment Board, Office of the Superintendent of Financial Institutions and Royal Canadian Mint.

FOREIGN AFFAIRS—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Global Affairs Canada, Invest in Canada, Export Development Canada, Canadian Commercial Corporation and International Development Research Centre.

HEALTH—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Health Canada, Public Health Agency of Canada, Canadian Food Inspection Agency, Canadian Institutes of Health Research and Patented Medicine Prices Review Board.

CROWN-INDIGENOUS RELATIONS—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Crown-Indigenous Relations and Northern Affairs Canada.

HOUSING, INFRASTRUCTURE AND COMMUNITIES—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Infrastructure Canada,

Canada Infrastructure Bank, Canada Mortgage and Housing Corporation, Jacques-Cartier Champlain Bridges Inc. and Windsor-Detroit Bridge Authority.

IMMIGRATION, REFUGEES AND CITIZENSHIP—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Immigration, Refugees and Citizenship Canada and Immigration and Refugee Board of Canada.

INNOVATION, SCIENCE AND INDUSTRY—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Innovation, Science and Economic Development Canada, Copyright Board of Canada, Canadian Space Agency, National Research Council Canada, Natural Sciences and Engineering Research Council of Canada, Social Sciences and Humanities Research Council of Canada, Statistics Canada, Standards Council of Canada, Destination Canada and Business Development Bank of Canada.

JUSTICE AND ATTORNEY GENERAL—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Department of Justice, Canadian Human Rights Commission and Administrative Tribunals Support Service of Canada.

ENERGY AND NATURAL RESOURCES—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Natural Resources Canada, Canada Energy Regulator, Canadian Nuclear Safety Commission, Northern Pipeline Agency and Atomic Energy of Canada Limited.

PACIFIC ECONOMIC DEVELOPMENT AGENCY—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Pacific Economic Development Canada.

## CANADIAN HERITAGE—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Canadian Heritage, Canadian Radio-television and Telecommunications Commission, Library and Archives Canada, National Battlefields Commission, National Film Board of Canada, Canada Council for the Arts, Ingenium – Canada’s Museums of Science and Innovation, CBC/Radio-Canada, Canadian Museum for Human Rights, Canadian Museum of History, Canadian Museum of Immigration at Pier 21, Canadian Museum of Nature, National Arts Centre, National Gallery of Canada, Telefilm Canada, Canadian Race Relations Foundation, Canadian Conservation Institute and Canadian Heritage Information Network.

## PRIVY COUNCIL OFFICE—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Privy Council Office.

JUSTICE AND ATTORNEY GENERAL—  
PUBLIC PROSECUTION SERVICE—  
HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Public Prosecution Service of Canada.

## PRAIRIES ECONOMIC DEVELOPMENT—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Prairies Economic Development Canada.

PUBLIC SAFETY, DEMOCRATIC INSTITUTIONS AND  
INTERGOVERNMENTAL AFFAIRS—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Public Safety Canada, Canadian Border Services Agency, Canadian Security Intelligence Service, Correctional Service of Canada, Parole Board of Canada and Royal Canadian Mounted Police.

## PUBLIC SERVICES AND PROCUREMENT—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Public Services and Procurement Canada, Canada Lands Company, Canada Post Corporation, Defence Construction Canada, National Capital Commission and Shared Services Canada.

## TREASURY BOARD—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Treasury Board of Canada Secretariat, Canada School of Public Service and Public Sector Pension Investment Board.

## TRANSPORT—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Transport Canada, Canadian Transportation Agency, Atlantic Pilotage Authority, Canadian Air Transport Security Authority, Federal Bridge Corporation Limited, Great Lakes Pilotage Authority, Laurentian Pilotage Authority, Marine Atlantic Inc., Pacific Pilotage Authority and VIA Rail Canada.

PRIVY COUNCIL OFFICE—PUBLIC SERVICE COMMISSION AND  
TRANSPORTATION SAFETY BOARD—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Public Service Commission of Canada and Transportation Safety Board of Canada.

PUBLIC SAFETY, DEMOCRATIC INSTITUTIONS  
AND INTERGOVERNMENTAL AFFAIRS—  
CANADIAN INTERGOVERNMENTAL CONFERENCE  
SECRETARIAT—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Canadian Intergovernmental Conference Secretariat.

## VETERANS AFFAIRS—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Veterans Affairs Canada and Veterans Review and Appeal Board.

## WOMEN AND GENDER EQUALITY—HUAWEI

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the reply to Question No. 50, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Huawei — Department for Women and Gender Equality.

[Translation]

• (1500)

## ORDERS OF THE DAY

### NATIONAL COUNCIL FOR RECONCILIATION BILL

#### MESSAGE FROM COMMONS

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons returning Bill C-29, An Act to provide for the establishment of a national council for reconciliation, and acquainting the Senate that they have agreed to the amendments made by the Senate to this bill without further amendment.

[English]

### 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: second reading of Bill C-50, followed by third reading of Bill S-16, followed by Motion No. 165, followed by all remaining items in the order that they appear on the Order Paper.

### CANADIAN SUSTAINABLE JOBS BILL

#### SECOND READING—DEBATE ADJOURNED

**Hon. Hassan Yussuff** moved second reading of Bill C-50, An Act respecting accountability, transparency and engagement to support the creation of sustainable jobs for workers and economic growth in a net-zero economy.

He said: Honourable senators, today I rise to speak to Bill C-50, the Canadian sustainable jobs act. It is a piece of legislation that I am passionate about.

Why? It's because this bill is fundamentally about workers, protecting their rights and interests, supporting their families and enabling their communities to grow.

Colleagues, we can no longer deny or avoid the environmental, societal and economic threats of climate change. We see it all around us, from increased temperatures, floods, fires and droughts. No part of our country is immune, and no part of our society or our economy can avoid being impacted. Climate change is causing economic change; that is undeniable. It is happening in every country — large or small, capitalist or communist, authoritarian regime or democratic society — around the world.

Change can be good, or it can be devastating. In large part, it depends on how well you recognize the change that is coming, and how well we can prepare for it.

The question, colleagues, that you are essentially being asked in supporting this bill is whether you want to recognize the change. If you do, it's whether you want to prepare our economy and our workers for it.

Dr. Fatih Birol, the Executive Director of the International Energy Agency, said:

The transition to clean energy is happening worldwide and it's unstoppable. It's not a question of 'if', it's just a matter of 'how soon' . . . .

Senators, Bill C-50 lays the framework for how we can help workers and their communities deal with the effects that climate change will have on an economy and labour market that will inevitably be impacted.

Nearly every country in the world has committed to the Paris Agreement and the target to fight climate change by reducing greenhouse gas emissions. That includes sectors like energy, transportation, buildings, manufacturing and beyond.

In Canada and around the world, that progress is being made because companies are ramping up energy efficiency and adopting low-carbon alternatives, while delivering the same goods that people rely on day in and day out.

The global commitment made nine years ago in Paris is not simply a political declaration. It has sent a signal to capital markets and, yes, to labour markets around the world.

The International Energy Agency's recent report made it clear that trillions of dollars of investment globally are shifting away from assets that are incompatible with a sustainable, net-zero future — like unabated coal power — to those that are.

The Royal Bank of Canada recently forecasted that Canada can add 400,000 clean energy jobs on the path to net zero by the end of this decade.



In Canada, we are already seeing this first-hand. Consider the auto industry, where we have seen multi-billion dollar investments in the electric vehicle and battery supply chain, from companies like Ford, Volkswagen, Umicore, Michelin, Northvolt, Stellantis and just recently Honda in Alliston, Ontario. This is creating jobs for construction and auto workers from Bridgewater, Nova Scotia, to Bécancour, Quebec, from St. Thomas to Windsor to Alliston, Ontario, and beyond.

Consider the hydrogen industry. Hydrogen is a zero-carbon fuel source that is incredibly energy-dense, and can be made in a variety of ways to reduce diesel and other heavy-emitting fuels.

Companies like Air Products, EverWind Fuels and World Energy are creating new plants and stations across the supply chain, from production and transportation to the end use of hydrogen. This means good jobs for workers in Stephenville, in Cape Breton, in the Niagara Region and in Edmonton, just to name a few.

Consider the building sector. As we see a boom in housing construction, we are also seeing a rise in innovation from modular housing in the use of low-carbon Canadian building materials like mass timber or steel made using electric arc furnaces.

All of this innovation means good jobs in Canada's building trades sectors — for electricians — and other trades in every region of this country.

Innovations in agriculture and biofuels, in the nuclear industry, in electricity transmission and in renewables have also created the same high demand for one of our country's most important resources: Canadian skilled labour.

For Canada to reach its full potential in becoming a global leader in many of these industries, we must ensure that we are able to meet this demand for Canadian workers, while also effectively equipping those same workers to succeed.

That is precisely what the Canadian sustainable jobs act is meant to lay the groundwork for.

Colleagues, I would like to now go through the main aspects of the bill in how it can help workers, and talk about some improvements to the bill that happened in the other place.

Senators, the Canadian sustainable jobs act is the result of years of extensive consultations and work across multiple government departments.

It has been shaped, in part, through the work of the Task Force on Just Transition for Canadian Coal Power Workers and Communities, which I co-chaired in 2018. It is supported by Canadian labour unions, industry, environmental leaders and experts in sectors including workforce training.

I now want to briefly go over the five key aspects of the bill and what they aim to achieve, and then I will highlight some of the improvements that were made to the bill as it went through the legislative process in the other place.

There are five key elements to this legislation as it intends to create a framework to support workers as they move to more sustainable jobs.

• (1510)

The bill includes guiding principles, a governance structure and transparency and accountability requirements.

First, the bill establishes guiding principles, including social dialogue, decent work, inclusive approaches and fostering strengthened global efforts.

Second, with the passage of this bill, the government will establish a sustainable jobs partnership council composed of representatives from labour, industry, Indigenous communities, environmental organizations and other experts. The council will have meaningful and frequent public consultations with Canadians, using the input they receive, combined with their expertise, to advise the government on strategies and measures to encourage the creation of more sustainable jobs while growing a net-zero economy.

Third, the bill will designate ministers responsible for implementing the act and the five-year action plans that are required.

Fourth, the bill will create a sustainable jobs secretariat to assist and coordinate federal actions.

Finally, the fifth element requires the development of updated action plans every five years.

These plans will report on the progress the government has made on prior commitments and will be designed to benefit communities and workers so they can seize the opportunities associated with the move to clean energy.

These are the core elements of this legislation that are critical to ensuring that workers have a seat at the table and that workforce policy is consistent with Canada's climate policy.

Now, I would like to speak to the substance of the amendment process that occurred in the House of Commons. In close collaboration with workers, labour leaders, environmental organizations and other parties in the other place, the government further strengthened the legislation and added additional amendments that increased accountability, transparency and certainty.

For instance, the partnership council, reflecting the tripartite approach outlined in the Sustainable Jobs Plan, is now balanced between representatives of Indigenous voices, labour and industry, while reflecting the diverse perspectives of other stakeholders. This is important to deliver on the important principle of social dialogue while ensuring workers have a seat at the table so they can discuss their own future.

This legislation is also now linked to the Canadian Net-Zero Emissions Accountability Act, which will mandate that the sustainable jobs action plans detail and take into consideration the 2030 Emissions Reduction Plan. This further ensures workers' voices are included in efforts to fight climate change, grow Canada's low-carbon economy and ensure communities in every region of the country can benefit.

The legislation would also recognize the important roles that the provinces, territories and other levels of government play in the advancement of sustainable job opportunities.

While this legislation only affects areas of federal jurisdiction, the duties of the partnership council and the development of action plans every five years must include engagement with the provinces, territories and other levels of government.

Government-wide and cross-jurisdictional collaboration is an important factor in gathering analysis, input and growing new economic opportunities for workers.

This is also an important aspect of the sustainable jobs secretariat. With the goal of creating a coherent set of policies that reflect a whole-of-government approach to sustainable jobs, the secretariat will collaborate with each department in its respective area of expertise to support and help coordinate the design of the action plan measures across different governmental departments. The secretariat also now plays a role in external engagement, serving as a point of contact for employers and workers.

Senators, the sustainable jobs act has been thoroughly considered and strengthened over almost one year it has been in the other place to produce a bill that is supported by industry, workers, environmental leaders, labour organizations and beyond.

Ultimately, it is the need to support workers and the broad consensus across Canadian society in support of the sustainable jobs act that drove me to sponsor this piece of legislation. As many of you know, creating sustainable jobs and helping communities and workers in every region of the country during a time of global change is an issue I am very familiar with and am personally very passionate about.

In 2018, I co-chaired the Task Force on Just Transition for Canadian Coal Power Workers and Communities. The task force was mandated to engage with workers and communities in the provinces and territories directly impacted by the phase-out of unabated coal-fired electricity. We met directly with coal workers, coal communities and public officials in Alberta, Saskatchewan, Nova Scotia and New Brunswick. This engagement informed advice to the Minister of Environment and Climate Change on how to support workers and their communities. The task force's final report was unanimously supported by all those who participated in this work.

Much of this advice is reflected in the sustainable jobs act, such as embedding principles in planning and legislative processes to ensure ongoing action by government is taken to support workers.

Co-chairing the task force was a very memorable experience of serving my country. At the time, I was also President of the Canadian Labour Congress, working to represent the voices of over 3 million workers.

When we agreed to support, of course, the phasing out of coal-powered electricity generation, not one of the unions that represent workers in those sectors dissented with that decision, because they recognized fundamentally what it would do for the environment, what it would do for climate change and what it would do for human health. But they also recognized that some of these jobs are the best-paying jobs that workers could possibly have. In many cases, they paid anywhere between \$60,000 and \$100,000 per year.

Despite that reality, the union supported the phasing out of coal-fired electricity generation in this country because they recognized that if they want their families and children to have a future, it is about recognizing the damage we are doing to the environment and to the climate and how we are destroying human health in our communities at the same time. Was it easy? No. Was it hard? It definitely was. But the conversations and the efforts to ensure we can achieve this as a country working together were more important than anything else we could do. We recognized that we cannot bury our heads in the sand and refuse to acknowledge the reality and the changes occurring around us.

It is notable that Canada is among other countries, such as Germany, South Africa, Poland and many others, which also created task forces that went out to talk directly to workers and their community leaders about how they can phase out coal. Much of what we have done they are learning from.

These conversations enabled us to meaningfully talk about ways we can help individuals leverage their skill sets and to determine the steps the government needs to take to meet the needs of the workforce and build sustainable communities.

I know from experience there's no substitute for these kinds of discussions, because creating good public policy requires that the government engage authentically with the workers whose lives are going to be affected by the decisions.

It is no exaggeration to say that those town halls were some of the most meaningful experiences I have had in my life, whether we were in Alberta to talk to coal communities and workers who were going to lose their jobs and what would replace that, or going to Estevan in Saskatchewan to a town hall to engage workers in their community about what these changes would mean to them and what we could do to help them, or going to Nova Scotia. I travelled across that great province listening to workers. We went to Cape Breton, in the coal community, to understand first-hand what will happen in those communities. It was not easy, but we recognized fundamentally that we have a role and a responsibility to talk to Canadians about the future we want to build together.

I knew that if we did not show up in person, if we failed to take the time to listen, we were not going to learn how we can do things better and truly support Canadian workers and their communities, because good policy starts with listening.

I am pleased to see that in the development of the sustainable jobs act and the interim plan, the government regularly engaged with Canadians throughout the entire process. The government was provided with input from Canada's provinces and territories, as well as opinions and advice from workers and union representatives, historically marginalized groups, Indigenous peoples, advocates for civil society, industry experts and environmental organizations.

Over the course of the consultation process, many in-person discussions were held by officials, in addition to further engagement through other avenues. Their goal was to learn what people thought about certain elements that would be included in the legislation, as well as their opinions about the possible actions the government detailed in the discussion paper on a people-centred approach.

• (1520)

Also, the government took into consideration more than 75 comprehensive submissions from dozens of Canadian organizations on this legislation and sustainable jobs in general. They reviewed some 30,000 emails from across Canada to inform both this legislation and the interim Sustainable Jobs Plan that was made public in February of 2023, which I encourage honourable senators to review.

Also, I am aware that as this legislation passed through the other place, there was extensive engagement with members of the government and the caucuses of other parties in the House of Commons.

As I mentioned, there are many who have come out in support of this bill. The International Union of Operating Engineers said:

The Canadian Sustainable Jobs Act is a step toward a future that puts the interests of energy workers at the forefront of a low-carbon economy. . . .

By the way, these are the same workers who just built a pipeline, completed with their skills and labour, that now gives Alberta a second way to get their energy to market in the Pacific region.

The President of the Business Council of Alberta said:

The Sustainable Jobs Act represents an important opportunity for Canada: to shape our future and create jobs by providing the resources that the world needs—including energy, food, and minerals. . . .

The President of the Canadian Labour Congress said:

Workers need action now, we needed it yesterday, and we need to make sure that we get this legislation passed so all parties – labour, business, and government can sit down at a table . . .

A youth-led organization called re•generation said they support the plan and bill because it:

. . . will help ensure that green jobs are available for anyone who wants one. It will establish a partnership council to directly involve workers and communities in the transition, and allocate critical funding to green skills development and training.

The President of the Alberta Federation of Labour said:

Bill C-50 is about creating a framework for discussion on diversifying our economy so that we're prepared for a lower carbon future. That's good for workers, that's good for business, that's good for the country.

The Vice-President of the International Brotherhood of Electrical Workers International said, "Through this legislation, the Government of Canada has demonstrated its commitment to protecting good-paying, highly skilled jobs. . . ."

The Executive Director of the Pembina Institute said:

Passing the Sustainable Jobs Act and getting the new Sustainable Jobs Partnership Council working will deliver the message, loud and clear: Canada is a great place to invest, with workers who are second to none and ready to get the job done.

Meanwhile, the head of Canada's Building Trades Unions said they welcome Bill C-50, which is:

. . . aimed at addressing Canada's transition to a net-zero economy, which brings forth key aspects including the creation of a Sustainable Jobs Partnership Council to provide meaningful consultation during the transition.

There are many more voices I could cite here, colleagues, who have been clear in their support for this vital and strengthened piece of legislation.

Honourable colleagues, let me end by saying this: The Canadian sustainable jobs act provides the government with a critical opportunity to support the creation of a fundamental anchor for a sustainable jobs policy. It shows Canadians that we are in it together for the long haul, however long that may take.

If passed, the Canadian sustainable jobs act will ensure that Canadian workers will continue to be at the centre of this deeply important work, and that the workers will have a seat at the table.

I urge you to reflect on the many important points contained in the legislation and the many amendments that were successfully made by the government and other members of Parliament in close consultation with stakeholders who care deeply about ensuring Canadian workers win at the end of the day.

Colleagues, this bill gives workers a seat and voice at the table that can impact the decisions that will affect their work, families and communities.

Now it is time for us to study and pass Bill C-50. It is my sincere hope that every member of the Senate will support this piece of legislation so we can ensure that Canadian workers win. I look forward to working with you on the passage of this bill. Thank you so much.

I will take any questions.

**Hon. Clément Gignac:** Senator Yussuff, thank you for your involvement and the informative briefing you organized with government officials. We appreciate it very much.

Make no mistake, I think almost all of us recognize the impact of climate change and the necessity to accelerate toward a greener economy.

Having said that, I have a concern about the lack of collaboration or cooperation from provinces such as Alberta and Quebec, which have mentioned they have no interest in collaborating. Provinces are closer to employers' and employees' needs than the federal government.

You mentioned that this bill received the support of workers, industry, labour leaders and environmental organizations, but no commitment from provinces.

My question is this: In the absence of provincial commitment, could you reassure me that it will not be another example of red tape from the federal government with the creation of a new secretariat or council?

**Senator Yussuff:** First, let me thank my colleague for his question. I appreciate his participating in the briefing that was provided.

As you know, the provinces have their own jurisdictions and guard them intensely. I don't need to give you any examples of that. I can assure you that for the success of the Canadian sustainable jobs act, provinces will have to be engaged in the process. The workers who work in their provinces will be impacted by it as a result of the shift to a low-carbon economy and, more importantly, measures that will be required will have to be collaborative.

Right now, as you know, the federal government transfers large sums of money to the provinces for training on an ongoing basis. Part of that ongoing effort will be around how provinces can support workers to get retraining and update their skills as they move from certain jobs to the new jobs that will be created within those provinces.

At the end of the day, all of that will require the provinces impacted by a shift to a low-carbon economy and the federal government to talk with each other to ensure they are not duplicating their efforts, but instead equally ensuring the resources allocated will go to support the workers, communities and an industry that wants to transform itself to ensure they are sustainable for the near future.

[*Translation*]

**Hon. Michèle Audette:** Would the honourable senator take a question?

[ Senator Yussuff ]

**Senator Yussuff:** Yes.

**Senator Audette:** We talk about resource regions and we say that most First Peoples are still in the regions. When I read your bill, it spoke of Indigenous peoples, but can you assure me that the matter was discussed with Indigenous rights holders?

Too much fraud is going on in Canada. A person can self-declare themselves a member of a First Nation, but as far as I'm concerned, that's fraud. I would be very careful to ensure that Indigenous peoples are consulted. I'd like to hear your thoughts on that, with reference to governing bodies.

Every time something is created in Canada, it is usually done in English. Some First Nations communities in Quebec speak French as a second language. Can you assure us that the greater francophone community and Indigenous peoples who speak French as a second language will have a seat on the council you mention in the bill?

[*English*]

**Senator Yussuff:** Thank you for the question; it is a very important one.

When I was the co-chair of the task force on the phasing out of coal-generated electricity, we travelled across the country. We met not only with workers but also First Nations leaders, who came to the consultations to talk about how they were being impacted, especially in coal communities, whether it be mining or supplying some of the coal-generation facilities. They certainly gave us their thoughts. I think that continued with the government as they were developing this piece of legislation.

As I outlined early in my remarks today, it is embedded in the bill that First Nation communities will have seats at the table. They will be a part of this legislation. They have been allocated a number of seats to ensure there is a circular conversation, not individual conversations among the players.

If we are going to build a sustainable community, we believe it should include all of the country, including First Nation communities.

• (1530)

I accept the point you are making about how we ensure that we include the voices of francophone communities in this process. I'm hoping that, as we debate this bill, we make that loud and clear. I'm sure the government will become attuned, as they look at the appointments process, and will ensure they have individuals who bring that language diversity to the table as they set up the secretariat to ultimately guide this legislation going forward.

**Hon. David Richards:** Will the honourable senator take a question?

**Senator Yussuff:** Yes.

**Senator Richards:** This is second reading debate, so I hope the bill goes to committee.

There was great fanfare about the lithium experiment we will have here in Canada. Many experts say that we are going from bad to worse with lithium: that it wastes tons of water, that it is environmentally dirty and that the reduction of the impact of lithium mining is essential or we will just go in circles.

We have brought that up not only as a cash cow in the last few months, but as an example of the environmentally correct posture that Canada needs to adopt. Many scientists say that's not true at all. I wonder if you could comment on that.

**Senator Yussuff:** Thank you for this very important question. I'm not an expert on the environmental waste or the challenges we will face with the development of our lithium capacity in this country, but I can say — without a doubt — that a large part of the world is betting on lithium as a way for us to fuel our desire to remain in our vehicles at the end of the day.

As somebody who worked in the auto industry I've watched it go through many changes, and I think it's inevitable that it will go through another change. We have the capacity to do this in a way that can preserve the environment as we transition from a combustible to an electric car industry of the future. I agree with you that we'll have to ensure we're not doing more damage to the environment as we develop this new industry to meet the challenges of the future.

I hope that we — as well as the many countries around the world that are now engaged in the development of a new car industry — will learn much, and that we can share what we learn and ensure that we don't create harm for the future of the planet, and, at the same time, that we don't harm the environment going forward.

[Translation]

**Hon. Amina Gerba:** I'd like to start by congratulating you on how active you have been here in the Senate because I think you're one of the most active senators in our cohort that was sworn in on November 22 and I have lost track of how many bills you've sponsored in this chamber. Congratulations. My question has to do with businesses that are taking some action or that have clean work methods. Are there specific incentives for those businesses that invest a lot, mainly at the industrial level, to make their machinery less polluting?

[English]

**Senator Yussuff:** Thank you. That is a very important question. I'm not sure I'm the most active senator here. Perception and reality are not one and the same. I know one thing: I'm not sleeping on the job.

I appreciate the opportunity to participate in the broader discussion regarding legislation. I'm very passionate. I spent a lifetime defending workers, so for anything to do with workers I'll stand up and be counted. I'm honoured to do that. I think it's fair to say that the Canadian industry in general has been going through transformative changes. I'll talk about two with which I'm familiar.

The steel industry in this country has been very productive, generating many good jobs, and it continues to be an important part of the economy. As I speak to you, our steel industry is going through an incredible change. They used to use coal as an important part of making steel. Many of them are now switching to our way of making steel, and I think that's a good thing. We'll still need steel in this country, but they will require some help to get there.

As you know, during the period of the renegotiation of the North American Free Trade Agreement, or NAFTA — now called the Canada-United States-Mexico Agreement, or CUSMA — our American friends levelled tariffs on our country, some of which have been used to transform the steel industry. The government has used some of that money here. Equally, I think many industries will go through similar changes as they are required to reduce their emissions while ensuring that they're sustainable and profitable going forward. I think the federal government is working with industry — as are the provinces and territories — to ensure they can meet the challenges of the future.

I know one thing: If workers do not have the ability to renew and improve their skills, we will not have the successful country we've had in the past. I know this for a fact. The coal industry in this country made us rich. It's no accident. Let's remember how this country was developed. Workers mined that coal, transported it to communities and used it to heat their houses. In some areas in Cape Breton Island, they're still using it to heat their homes. As we change and learn from the environmental challenges we face, those workers will no longer be needed for mining coal. What can we have them do? They have incredible skills. How can we transition them to a future that gives them the opportunity to have a good job, raise a family and build strong communities?

I don't have all the answers to that, but I think this bill is one part of that going forward.

**Hon. David M. Wells:** Thank you, Senator Yussuff. Will you take another question?

**Senator Yussuff:** Yes.

**Senator Wells:** My question is about the cost of this program, which I'll ask you about, and the costs of the just transition, which I'll also ask about. You'll recall that when he was the Associate Minister of Finance, Randy Boissonnault said that the just transition from the petroleum sector to things other than petroleum would cost \$125 billion a year. When I was on the Standing Senate Committee on Energy, the Environment and Natural Resources, we had environment and climate change officials testify, and I asked the same question: How much will this project of cancelling the petroleum industry and giving support to alternative sources cost? His response was \$4 trillion.

He gave us great comfort by revising that some days later to only \$2 trillion. With the programs that the Liberal government is setting up under Bill C-50 — this legislation — the councils and all the other things that will be for the long term, what will the further cost of those federal programs be?

**Senator Yussuff:** Thank you for the question. Let me start with the assumptions that have been made about the bill. This bill is not about getting rid of the oil and gas sector. It's about

recognizing the reality that the oil and gas sector produces a lot of carbon, some of which needs to be captured, and those companies are working to reduce their footprint. We will have the use of oil and gas for some time into the future, but, similarly, workers have been impacted and thousands of workers have already lost their jobs in that sector. The reality is: What can we do to help those workers? There is a cost. The workers, their families and their communities have paid that cost.

Earlier, I said that when I went to those communities to talk about the phase-out of the coal industry, there was a lot of fear and ambivalence among workers about what will happen to them in the future. The bill recognizes that we need to take that into consideration.

I will give you one example. In Leduc County in Alberta, they lost a thousand jobs as a result of phasing out coal use for electricity generation. It was a huge challenge for them. They decided they could either do something about that or simply complain about the future. In Leduc County, as a result of their efforts, they have created 2,000 new jobs since the phase-out of coal mining and coal generation in their community. They recognized that they can build a different future.

• (1540)

There is a cost, Senator Wells. I don't have the cost of that. The government hasn't cost out what it will be to set up Bill C-50, but we already have existing programs that are there to assist workers in retraining and to equip them with new skills and realities.

What this bill hopes to do is to ensure the current resources being used by the federal government and the provinces will continue to be extended to workers who will be impacted by job losses. Of course, changes will happen in their sector, and, hopefully, at the end of the day, we can do that in a way that maintains sustainability and at the same time gives those workers hope that they are part of the future rather than simply saying, "Well, if you lose your job, too bad; there's nothing we can do about it."

The intent is not to get rid of the oil and gas sector by simply shutting it down, but it is to recognize it is changing. As you and I discuss this right now in this chamber, changes are happening in those sectors. They are reducing their emissions. They continue to make changes, and those changes are also having impacts on workers who live in our communities.

**Senator Wells:** I do have another question. I hope you will take it.

I represent Newfoundland and Labrador. It's a significant income producer for our province, our families and, therefore, our communities. You may know that the carbon footprint from Newfoundland and Labrador's offshore oil and gas is among the lowest in the world. You don't have to remove the oil from the sand. It comes up in a form that doesn't always need to be refined. It goes straight to market. None of that processing that you see in other parts of the world has to occur.

Of course, it's low cost as well. It's almost the same cost as Saudi Arabian-produced oil as opposed to Alberta-produced oil and Saskatchewan-produced oil, which is \$65 to \$70 a barrel. In Newfoundland and Labrador, it costs \$15 a barrel to produce because that separation is not required.

When you talk about retraining of workers and that sort of thing, that's a real trigger for Newfoundlanders and Labradorians that went through that by the thousands during the shutdown of the once prolific groundfish industry in Newfoundland and Labrador in the early 1990s. Thousands of people — both harvesters and plant workers — were immediately put out of work with the moratorium, and they were given retraining to be all sorts of things that had no bearing and no relevance whatsoever in Newfoundland's rural areas.

Certainly, this will be a trigger for Newfoundlanders and Labradorians when they hear about a thriving industry — the oil and gas industry in Newfoundland and Labrador — now being phased out, not because of natural causes but because of man-made causes or government-made causes.

As a representative of Newfoundlanders and Labradorians, what would you suggest I say to them when I tell them that the government is coming up with a program to phase-out a responsible, mature, well-run and well-regulated industry, and the government will set up retraining programs based on Bill C-50 — based on the legislation that you're going to be promoting and I'm going to be the official critic of? What do I say to those Newfoundlanders and Labradorians about that?

**Senator Yussuff:** You could say to them what I would say to those workers because I used to represent those same workers that you're talking about. I continue to have dialogue with them.

The government is not proposing to somehow phase-out — as a matter of fact, not even a year ago, Bay du Nord is a new oil field that was approved by the federal government because there's a recognition about how significant that project is in terms of carbon emissions. It was approved based on the fact that it had such a low carbon footprint to begin with.

The government is not proposing to phase-out that industry. But over time, as the world continues to shift away from the development of petroleum products, we also have to figure out how to build vibrant communities that create meaningful jobs for the men and women who work in this country.

Do we wait until it happens and then tell them nothing is going to happen or do we assure them that, yes, we will go through a process, but the world is changing? It's moving in a different direction. We will be part of that.

Equally, we don't have to scare people. We have to say, "When that moment comes at least there's thinking ahead as to how we can assure workers that they will have a brighter future as we create new industries." Those new industries will bring some challenges with them, but ultimately, as leaders in this Senate and as elected officials in the other place, I hope we can speak to workers rather than have fear. We can speak about the opportunity to work together as a country to build an even

brighter future, one where all workers can have a meaningful job, who can have a decent living and still be able to remain in their communities.

I'm not naive nor do I live in a world of fantasy. I've seen first-hand the devastation that workers go through when their communities are yanked, when the jobs disappear and there's no plan to help those workers deal with the future that will come. I know first-hand that workers want to be retrained. I know they want to be given new skills. They also want to see investment happening in their communities, so they can have comfort that they don't have to pack up and move someplace else.

Senator Wells, I hope you will join me in recognizing Newfoundland and Labrador as an important part of this country. It is part of the petroleum industry right now, but it can also be part of the new industries that will evolve and develop.

The German government just came to your province to talk about how they can develop hydrogen. It's a whole new industry that was not there. It's part of the future. I hope when those jobs are created, there will be people saying, "This is something good, and this is good for the future of Newfoundland and Labrador as it's good for our country and for the rest of the world."

[Translation]

**Hon. Diane Bellemare:** Will Senator Yussuff take a question?

**Senator Yussuff:** Yes.

**Senator Bellemare:** It is very short.

I read the bill carefully because I have my own speech to make. Since you might have all the answers, the bill says that the council consists of 13 members who are to be appointed by the Governor-in-Council to hold office at pleasure, but on a part-time basis.

Did I understand correctly that the 13 members of the council will be paid? What will be the scope of remuneration?

[English]

**Senator Yussuff:** The government has not yet published what the scope of remuneration will be, but a number of these people will be coming from their full-time employment. A good number of them are going to, hopefully, be in jobs where they represent workers, industry or other sectors of the economy. I hope, when they are participating on the council, that they will be compensated for the time they are putting into the council or associating with the council. They're not going to be full-time, but at some point, yes, the government will have to compensate them.

As you know, within the legislation, they have been envisioned to travel the country to listen to Canadians and engage Canadians at the same time. I hope there will be some recognition of the costs involved in that, and hopefully, whatever the costs are, it will be transparent because the department will have to publish and share what the action plan is and how that action plan is being funded going forward.

**The Hon. the Speaker:** There's very little time left, and I have one more senator who wants to ask a question. Are you asking for more time, Senator Yussuff?

**Senator Yussuff:** I would kindly ask the chamber to consider another five minutes.

**The Hon. the Speaker:** Is leave granted?

**Some Hon. Senators:** Yes.

**Some Hon. Senators:** No.

**The Hon. the Speaker:** I hear a "no." Sorry.

[Translation]

**Senator Bellemare:** Colleagues, I am delivering this speech from the unceded traditional territories of the Algonquin Anishinaabe people.

Today I'll be speaking in favour of Bill C-50 at second reading. The bill's short title is the Canadian Sustainable Jobs Act.

I have no objection to the principles of this bill. I feel that it's a major bill and that we have to facilitate a labour market transition. However, I do have questions about some of the details. As they say, the devil is in the details. I hear that a lot.

Basically, Bill C-50 calls for the adoption of a sustainable jobs action plan. It also provides for the establishment of a sustainable jobs partnership council and a sustainable jobs secretariat to support the implementation of the act.

If the bill is passed, the sustainable jobs partnership council will be made up of 13 members. Its role will be to advise the minister responsible for implementing the act and other specified ministers. The bill does not specify the portfolios of these ministers, which ministers or their total number. The government will designate them later. The minister responsible must draw up an action plan by December 31, 2025, at the latest and must present a new plan at least every five years. These plans will be tabled in both houses of Parliament.

Bill C-50 provides very specific details about the content of the sustainable jobs action plan. It's a green transition plan that focuses on a labour market response to climate change.

• (1550)

It goes without saying that I share the opinion of the Canadian Chamber of Commerce and the Canadian Labour Congress, who support the adoption of a labour market transition plan. That is a principle no one can object to.

This is more about determining whether Bill C-50 will allow such a plan to be developed and implemented within a reasonable time frame with noticeable results in terms of sustainable jobs.

Let us also remember — because I will come back to this — that the EI system remains, in Canada and in every jurisdiction, the primary source of funding for public interventions in the labour market. It is essential to take into account the framework

of governance of the action plan for sustainable jobs. That is essentially what my speech will focus on: the connection between Bill C-50 and Employment Insurance.

First, what is an action plan for ensuring a green transition in the labour market? An action plan for a green transition in the labour market stems above all from a plan to fight climate change, which depends directly on targets and strategies identified in that plan. We must take into account deadlines and targets for reducing greenhouse gas emissions and the means identified for achieving them.

In Canada, the Canadian Net-Zero Emissions Accountability Act, passed in 2020, provides the framework for setting targets and establishing methods, and the 2030 Emissions Reduction Plan, released in 2022, provides the roadmap for updating them. The Minister of Environment and Climate Change is the one who reports to Parliament on emissions reduction.

The main components of this plan include carbon pricing, a cap on the oil and gas sector, a clean electricity standard, a clean fuel standard and reducing emissions associated with land use.

This ambitious plan is a society-wide plan that involves all provincial and territorial stakeholders. Implementing all these efforts to reduce greenhouse gases will inevitably impact the job market, hence the sustainable jobs bill, which aims to ease the job market transition for those affected.

Studies on the impact of the green transition on the labour market show that the success of these plans depends heavily on the workforce's ability to carry them out. Labour organizations, such as the Canadian Labour Congress, and the businesses that make up the Canadian Chamber of Commerce are excited about the objectives of Bill C-50. They're also aware that the success of the operation depends on the availability of a workforce with the proper skills.

A recent report by the Canadian Chamber of Commerce entitled *Building Canada's Net-Zero Workforce* states the following, and I quote:

[English]

A recent study scanning 48 countries found that only one in eight workers has the skills relevant to a net-zero economy. This research also concluded that there is a growing demand for workers with net-zero skills, but this demand is not being met by today's labour force.

[Translation]

The Chamber of Commerce goes on to say the following about meeting the challenges associated with the fact that the workforce doesn't have the proper skills, and this is important. It said, and I quote:

[English]

Leveraging the government's existing relationships with trade unions and industry leaders in both the energy and resource sectors will be key to reskilling and training the workforce in these industries. This is particularly important

given these sectors are likely to experience more acute labour challenges given they will need to modernize operations to meet low-carbon requirements — and as new industries emerge within a net-zero economy.

While trade unions have an important role in representing the interests of workers and advocating for decent jobs, they also have a unique role in building capacity through accessible training and upskilling. Efforts are already underway within trade unions to evaluate the scope and delivery of training programs for a variety of apprenticeships, and to incorporate net-zero skills and knowledge into career pathways.

[Translation]

We may owe you thanks, Senator Yussuff, since you may be the one who launched these union initiatives.

The green transition will create new jobs, but it will also transform existing jobs. This reality must not be ignored. A lot of occupations will experience a growing need for green skills, as highlighted by Céreq, the European centre for studies and research on qualifications. Céreq talks about a progressive greening of occupations, in other words, the inclusion of environmental concerns in all work-related activities, in all sectors.

The challenges posed by climate change compound the challenges inherent in technological advances, such as artificial intelligence, and demographic factors, such as an aging population and immigrant integration.

All of these changes will mean that some jobs will disappear while others will emerge, with a major impact on tasks.

Without question, gains in living standards among Canadians will be proportional to the success of the green transition and adaptation efforts.

This multi-faceted transition will require significant investments in workforce adaptation, skill upgrading and retraining, and income support for workers in the labour market. That's where Natural Resources Canada's Sustainable Jobs Plan comes in. Initiated primarily to deal with the natural resources sector, the Sustainable Jobs Plan will develop means and initiatives that will undoubtedly benefit other sectors of the economy, because the entire Canadian economy is affected by the accelerating changes in climate, technology and demographics.

As an aside, despite all these changes, the good news is that Canadians are acutely aware of the challenges ahead and want to improve their skills. Skills upgrading is the key to a successful transition. I've already mentioned a survey of 1,069 Canadians conducted by Nanos in December 2023, which I commissioned in my office. This survey was similar to the one I conducted prior to the pandemic, and provides an overview of Canadian perceptions of the anticipated impacts of climate and technological change on the job market, as well as the training needs that will be required to deal with them.



What does this survey tell us? It tells us that 20% of respondents who have jobs — in other words, 20% of employed Canadians — feel it is likely or somewhat likely that these changes will threaten their jobs. An even higher proportion, 37%, believe climate change and technology will affect their job tasks and require additional training. These are astronomical numbers. That last one, 37%, represents about eight million Canadians.

Canadians' perceptions are consistent with the results of studies carried out by international organizations such as the OECD. Young Canadians are keenly aware of the challenges. Among 18- to 34-year-olds, 42% believe technological and climate change will affect their work tasks.

In response to that, Canadians, 9.6 million of them, are ready to get training. They want to upgrade their IT and professional skills in particular.

That being said, Employment Insurance — I'm coming back to the subject of EI and Bill C-50 — will continue to play a vital role in meeting the challenge of workforce development for Canada and the provinces. We all know that EI is funded exclusively by employer and employee contributions to the plan. This plan provides income support during the transition in the event of job loss, but it is also the main source of funding for training when workers transition to another job under agreements with the provinces.

EI funds industry committees and all sorts of partnership initiatives. In short, the EI system is the backbone of public intervention in the Canadian labour market.

• (1600)

In the documents that I consulted on funding for all the measures proposed under the action plan for sustainable jobs, EI is identified as one of the main funding sources.

EI does not fall within the reporting environment of Natural Resources Canada or Environment and Climate Change Canada. We have a serious issue with the way that this council and partnership operate.

The Sustainable Jobs Plan relies heavily on EI. However, in keeping with the principle of “no taxation without representation,” business and labour representatives must be associated with the Sustainable Jobs Plan, and they will be.

What concerns me, however, is obviously involving labour market players directly in decision-making through representatives of the most important workers' and employers' associations. These people need to be appointed in that capacity, not on an individual or personal basis. The bill doesn't make this distinction. Simply being unionized is enough to get appointed to the council.

I want to reiterate that members of the sustainable jobs partnership council must be appointed based on the most representative workers' and employers' associations, and not on an individual or personal basis. That is missing in the bill. In addition, since the action plan will rely on EI, the commissioners of EI workers and employers must also sit on the council, given the importance of the plan in financing labour market transitions.

Canada's major labour and employer associations have affirmed their commitment to meeting the labour and skills development challenges posed by climate, technological and demographic transitions. They reaffirmed this at the recent employment and skills forum that was held. Senator Yussuff and Senator Ross were there. That statement was very clear.

To sum up, an action plan for climate transition is essential, particularly with regard to the labour market. To this end, it is vital that labour and employer representatives from the major associations, as well as EI commissioners, be involved.

I hope the committee studying this bill will raise questions on these issues and on how this plan will be implemented as soon as possible. At the end of the day, climate change is already happening, and we can't wait too long before making the necessary transitions.

I invite you to adopt this bill quickly at second reading so that it can be referred to committee. Thank you.

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

**The Hon. the Speaker:** There are two senators who want to ask questions. Would you like to have more time since your time is up?

**Senator Bellemare:** Yes.

[*English*]

**The Hon. the Speaker:** Is leave granted?

**Hon. Senators:** Agreed.

**Hon. Rodger Cuzner:** Would the honourable senator take a question?

**Senator Bellemare:** Absolutely.

**Senator Cuzner:** We know that change puts certain pressures on the workforce. With the invention of fences, many shepherds found themselves out of work. With the development of marine technology and navigational aids, lighthouse keepers had trouble finding jobs as well.

I was impressed that Senator Yussuff and the Task Force on Just Transition for Canadian Coal Power Workers and Communities came to my Cape Breton community. Senator MacDonald and Senator Cordy can speak to this, but at one time in Cape Breton, coal was king. We had 6,000 coal miners at that time. I know they would have appreciated a program such as this.

Specifically, I know that your background is in labour. I believe that a tripartite approach to policy and program development is essential. Is the senator confident that we see that throughout the development of this legislation and, going forward, that a tripartite approach has been respected?

**Senator Bellemare:** Thank you for the important question, senator. I will reserve my answer until after the committee's study. From what I know of tripartite best practices, this one differs a bit, especially in one respect — and this is the one that I underline — namely, that the employers and the workers do not necessarily come from associations that are the most representative. With tripartitism in society, you need to have the largest associations that are the most representative. You cannot have individual nominations. It is important that institutions are participating. This bill does not respect that characteristic.

[*Translation*]

**Hon. Julie Miville-Dechêne:** Senator Bellemare, would you agree to answer a question?

**Senator Bellemare:** Absolutely.

**Senator Miville-Dechêne:** I will pick up on what my colleague was saying. You're from Quebec; you organized and participated in all sorts of forums on labour issues. How do you believe that an organization without a round table and where Quebec and Alberta are absent can function, given the importance of the provinces in labour matters?

**Senator Bellemare:** I have to say that, when the workforce is organized in such a manner, there is an indirect way for provinces to take part and that is through employer associations and labour organizations. It is through that channel that we would hear from them. It is through the most representative associations, whether they be the chambers of commerce in connection with the Quebec and Alberta chambers of commerce, or the Canadian Labour Congress in connection with the Fédération des travailleurs et travailleuses du Québec and with the Ontario and Alberta labour federations, that ties and connections are forged.

I'm not sure how to bring in the provinces at this point. However, the studies that I have conducted regarding EI made it very clear to me that the council must be mainly made up of representatives of labour market players who can communicate with the provinces. I will repeat that employer associations and labour organizations are niches and connections. Fortunately, the associations in these sectors don't necessarily change positions all the time. The way the labour market works for unions and businesses intersects and doesn't change with different government ideologies, because the goal is to create good jobs. That is why it's a channel and a very good link to the provinces.

(On motion of Senator Martin, debate adjourned.)

[ Senator Cuzner ]

[*English*]

## HAIDA NATION RECOGNITION BILL

### THIRD READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Greenwood, seconded by the Honourable Senator Busson, for the third reading of Bill S-16, An Act respecting the recognition of the Haida Nation and the Council of the Haida Nation.

**Hon. Brent Cotter:** Honourable senators, I rise to speak to Bill S-16. This bill is not merely a legislative formality for the Haida Nation but a profound commitment to the principles of justice, recognition and self-governance. It continues a pivotal shift of our nation's approach to Indigenous rights and sets a precedent for similar initiatives across Canada.

The introduction of Bill S-16 is rooted in a comprehensive effort to reconcile past injustices faced by the Haida Nation and other Indigenous peoples. This bill arises from the foundational Nang K'uula • Nang K'uulaas Recognition Agreement and is an integral component of the broader "Changing Tide" Framework for Reconciliation worked on for many years by the governments of British Columbia, Canada and the Haida Nation.

• (1610)

These frameworks are designed to not only acknowledge the sovereignty and traditional governance of the Haida people but to integrate these elements into the legal fabric of Canadian society.

I would like to speak briefly to three aspects of what we are doing this week.

First, I will speak about the legal framework and detailed provisions of Bill S-16. These focus on the governing powers and legal status of Bill S-16, based in section 4 of the act, which stipulates that ". . . the Haida Nation exercises its governing powers —" in accordance with its Constitution "— through the Council of the Haida Nation." This is the recognition dimension of the bill.

Currently, the Council of the Haida Nation's legal status exists through its registration under the Societies Act of British Columbia, along with the British Columbia Society for the Prevention of Cruelty to Animals and, I presume, the Knights of Columbus and so on. It could be called an unusual way to legalize a government if it weren't so insulting.

This legislative initiative is critical, as it rectifies these historical oversights and formally recognizes the inherent governance rights held by the Haida Nation. This acknowledgement of these rights in Canadian law is overdue and essential for true reconciliation — forming a relationship based on respect, sovereignty and equality.

Specifically, this provision ensures that the governance conducted by the council aligns with the established and in-place constitutional framework of the Haida Nation, providing a solid legal foundation for its operations. Building on this foundation, section 5 recognizes the Council of the Haida Nation as an entity akin to a natural person, not just a recipient of rights and powers that are somehow delegated to it by some other government. This recognition is pivotal as it grants the council the legal capacities necessary for effective governance, such as entering into contracts, acquiring property, managing assets and initiating legal proceedings under Canadian law.

Second, the legislation establishes through these recognition agreements the potential for future jurisdictional negotiations. Indeed, this is one of the main purposes of the recognition act going forward. The enactment of Bill S-16, the Haida Nation recognition act, significantly enhances the Haida Nation's capacity to negotiate over key sectors that are vital to their community and environmental sustainability. This will occur through negotiation between Canada, British Columbia and the Council of the Haida Nation, rather than the alternative: litigation.

Categories of potential negotiations could include, first, natural resources management. The Haida Nation will have the opportunity to assert greater control over the extraction and management of natural resources within their beautiful territories. This could include negotiating terms for mining activities, forestry operations and the sustainable harvesting of marine resources. These are central to the traditional way of life and economic sustainability of the Haida people.

With the legal backing to enter into contracts and agreements, the Haida Nation can ensure these natural resource projects are conducted in ways that are respectful of their environmental standards and cultural significance. Which leads to the next topic of potential negotiation: cultural heritage protection.

The legislation provides a framework for the Haida Nation to actively manage and protect their cultural heritage. This can involve negotiating for the return of culturally significant artifacts, establishing museums or cultural centres and managing historical sites. Beyond preservation, the Haida Nation could develop cultural tourism, creating educational programs and experiences that share their history and culture with a wider audience, thus generating revenue while also controlling the narrative and integrity of their cultural exposure.

Senator Busson described both the emotional experience of visiting the Haida Nation recently and the powerful significance and need for the preservation of Haida culture.

With respect to economic development and investment, Bill S-16 allows the Haida Nation to initiate and participate in economic development projects directly. This could include the development of Indigenous-owned businesses, partnerships with external investors and the creation of joint ventures which align with the nation's economic goals. The ability to engage directly in the commercial market provides a platform for economic self-sufficiency and the potential to create jobs and business opportunities within the community and in accordance with the community's values.

Another topic is education and social services. With recognized governance capabilities, the Haida Nation might negotiate jurisdiction over educational and social service provisions to their people. This is common in a number of other negotiated agreements across the country. This could lead to the development of education systems that incorporate Haida language, culture and history and tailor educational content to better reflect and serve the community's needs. Similarly, in social services, programs can be uniquely designed to address the specific challenges and circumstances of the Haida community, from health care to housing and so on.

I turn lastly to my third point and some broader implications for other First Nations. As with the bill we passed last June in relation to the Whitecap Dakota First Nation, the successful implementation of Bill S-16 will set a precedent for First Nations across Canada in similar circumstances to the Haida Nation who seek similar recognition and negotiation powers. It illustrates a clear pathway toward enhanced autonomy and can serve as a model for others in their negotiations with federal and provincial governments.

In conclusion, Bill S-16, the Haida Nation recognition act, represents a significant step forward in a commitment to the rights and governance of the Haida Nation. By endorsing this bill, the dedication to a partnership that respects the sovereignty and dignity of the Haida people is affirmed, setting a standard for how Canada engages with Indigenous nations and fostering a future that embraces equality, respect and mutual benefit.

This bill is not merely a resolution but a pivotal advancement in a much larger journey toward full reconciliation and robust partnership. The legislation provides a framework through which the Haida Nation can exercise significant control of its natural resources, cultural heritage and economic and social development. It marks an essential progression in acknowledging and institutionalizing the inherent governance rights of the Haida Nation. It is a real step on the road to reconciliation, and I urge all senators to support it. Thank you.

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

**The Hon. the Speaker pro tempore:** Resuming debate. Senator Coyle.

**Hon. Mary Coyle:** Honourable senators, I rise today on the traditional and unceded territory of the Anishinaabe Algonquin Nation to speak to you on Bill S-16, An Act respecting the recognition of the Haida Nation and the Council of the Haida Nation.

Colleagues, today is a day to celebrate this historic and hard-won accomplishment of the Haida Nation, one that has been 50 years in the making. It is a moment to congratulate the Haida people on their steadfast leadership and perseverance, and it is time for us to learn about and understand the historic and present-day role of the Government of Canada — our government — in this history, this process and now this positive outcome.

Colleagues, this bill is about the Haida people and their ways, territories, governance, future well-being and relationship with Canada — and frankly, the well-being of our nation.

Colleagues, last week, our Indigenous Peoples Committee heard from Gaagwiis, Jason Alsop, the elected President of the Haida Nation, who spoke strongly in support of Bill S-16. This was important to hear from him. He described the bill as a “. . . co-developed piece of legislation . . .” and said it is “. . . an important part of the journey of reconciliation between the Haida Nation and Canada. . . .” He told us that Haida language speakers came up with an articulation of the concept of reconciliation in their own language — and apologies for my pronunciation —

[*Editor’s Note: Senator Coyle spoke in Haida.*]

• (1620)

Colleagues, that means “good people working together to make things right.”

What are those things we are “working together” on to “make things right”? President Gaagwiis spoke to us about the troubled history between Canada and the Haida Nation. The first written record of this history is from when the royal commission came to Haida Gwaii in 1913 with the intention of speaking to Haida leaders about reserves and reserve boundaries. The position of the Haida Nation then is identical to its position today: The Haida Nation had never ceded, surrendered, signed a treaty or been defeated in a war, and all of Haida Gwaii is Haida territory. President Gaagwiis reminded us:

Canadian law and policy have been designed to assimilate Indigenous people, disconnect us from our culture, our history, our territories and from each other and have done great harm to our people, our lands, waters and territories over the years. Canada had made it illegal to exercise our traditional governance and legal systems through the banning of the potlatch system.

The cultural genocide of the residential school system was designed to silence our language, disrupt our culture and values and break up our family structures. . . .

As a further example of the problematic history, President Gaagwiis told us:

With Crown laws and the way that things are set up . . . . If you come to Haida Gwaii and look at the billions of dollars in timber value that has been taken out of Haida Gwaii —

— all the trees harvested and shipped down south —

— you’ll see no infrastructure, no swimming pools and no recreation centres. There’s really little to nothing to show for all the people of Haida Gwaii of what’s left from all that has been extracted.

Colleagues, there are many aspects of the relationship between Canada and the Haida that need to be made right, but these two key aspects — first, the recognition of Haida governance and laws; and, second, very critically, title to their territory — are the

[ Senator Coyle ]

foundational aspects of the right relationship that is the ultimate goal of this process of reconciliation. Bill S-16 is foundational in this reconciliation.

As the bill’s sponsor, Senator Margo Greenwood, told us in her second- and third-reading speeches, this bill will do two important things. First, it will affirm the Government of Canada’s recognition of the Haida Nation as the holder of inherent rights of governance and self-determination; and, second, it will affirm the Council of the Haida Nation as the government of the Haida Nation.

What does that governance look like? President Gaagwiis told our committee in his testimony that 50 years ago — that’s a long time to wait:

In response to this oppression of Canada and the Crown in an act of self-determination, the Haida people formed the Council of the Haida Nation . . . to assert our full Haida title to all Haida territories and to uphold our inherent responsibility to look after Haida Gwaii — the land and the water.

In 2003, the Haida Nation formally ratified the Constitution of the Haida Nation. That constitution recognizes all people of Haida ancestry as citizens. It affirms that the governing power of Haida Nation shall be vested in the Council of the Haida Nation. It establishes the Hereditary Chiefs Council. It recognizes the Haida Nation as a matrilineal society, the prominent role the hereditary matriarchs hold and the formal role of the hereditary matriarchs in the governing body through the —

[*Editor’s Note: Senator Coyle spoke in Haida.*]

— citizenship table. It articulates the role of village councils to perform the functions of local government and to assume responsibility for the well-being of the communities, and it establishes a house of assembly as the law-making authority. All bodies of the Haida Nation operate on a 75% majority.

All of that has been in place for some time, and President Gaagwiis told our committee that Bill S-16 would not change it:

That’s internal, inherent Haida Nation business, but this bill and the coming work can help to solidify the environment in which we work through applying those laws to the land base and, to be honest, the relationship between the Haida Nation, the Council of the Haida Nation and Canada in the resources for supporting the continued evolution of our self-governance . . . .

That’s what this is about.

Colleagues, this land base, Haida Gwaii, that President Gaagwiis identifies as so key to this whole equation is, as you know, one of the most beautiful and unique places on this earth — one that I and many of us dream of visiting. Senator Greenwood described these 200 islands located 100 kilometres west of the northern coast of British Columbia. Haida Gwaii, which means “the islands of the people,” is the homeland of the Haida people. The origin story tells of the raven creating the islands of Haida Gwaii out of the water and coaxing the Haida out of the clam shell to join the raven on the beautiful new land.

There are the sacred lands of Haida artist Bill Reid and the land that captivated artist Emily Carr. President Gaagwiis stated:

The land — a fundamental piece for us in our mandate and responsibilities is really first and foremost to look after the culture, look after the land, all the beings and that will all look after us. It's kind of sometimes a bit maybe flipped from other ways of looking at things where it's more individualistic or people-centred. . . .

Colleagues, remember that 50 years ago, when the Haida established the Council of the Haida Nation, that body was charged with upholding their inherent responsibility to look after Haida Gwaii — their lands and waters. I can't even imagine the frustration they must have felt all these years, knowing they have that responsibility to the lands and waters of Haida Gwaii without being fully able to exercise that responsibility.

On this journey of reconciliation, working to make things right, the Haida Nation has been hard at work. The other key players on this journey are the Government of Canada and the Government of British Columbia. Earlier this month, the B.C. government signed a pact with the Council of the Haida Nation, formally accepting that the Haida Nation has Aboriginal title to all 1 million hectares of the islands of Haida Gwaii. At the ceremony, Council of the Haida Nation President Gaagwiis said:

Now we can look into the long future and prepare for the challenges we may face in the coming years, when it comes to climate change. We'll be governing with our people on the forefront, because they'll take the lead on everything that happens in our home.

This agreement with B.C. is critical, as is Bill S-16 — another important step toward full recognition, resolution and reconciliation.

Colleagues, it is important to look at the next steps, and the next steps for Canada in this journey are to pass Bill S-16 and get it to the other place for swift passage. This governance recognition legislation lays the foundation for the next critical elements. Minister Anandasangaree said at committee:

Self-governance helps our federalism evolve, strengthening it so that it is based on fairness and equality rather than on paternalism.

Next and most critical to the Haida is the matter of land title. The minister admitted to being behind on this, as there are a number of very complex issues that they are working through: the parks system, the Department of National Defence lands and the lands associated with Transport Canada, among others. This issue of land title will be critical for us to monitor closely. It is the linchpin to full reconciliation and justice, so it cannot be allowed to slow down.

Other areas to be resolved are related to taxation — to come soon — fisheries and legal systems.

Honourable senators, as I bring my remarks to a close, I remember that two weeks ago many of us experienced the thrill and honour of meeting one of my lifelong heroes, the renowned primatologist, anthropologist and conservationist Dr. Jane

Goodall here at the Senate. Dr. Goodall spoke to us with such wisdom and compelling simplicity. She is known for saying the following: “What you do makes a difference, and you have to decide what kind of difference you want to make.”

Honourable colleagues, as we look to how each of us as senators and collectively as Canada's upper chamber can make a difference, passing Bill S-16, the Haida Nation recognition act, is just such an opportunity to take one more step toward reconciliation and fulfilling our obligations under the United Nations Declaration on the Rights of Indigenous Peoples, or UNDRIP. This is our chance to play our role in what the Haida call —

*[Editor's Note: Senator Coyle spoke in Haida.]*

— or “good people working together to make things right.”

Honourable colleagues, let's take this historic step in making things right between Canada and the Haida people. *Wela'liog*, thank you.

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

• (1630)

*[Translation]*

**Hon. Michèle Audette:** I want to thank my two colleagues for speaking out on a subject, on a part of Canada's history, that is complex but that is still very palpable for most Indigenous peoples.

I am proud to be half Innu and half Quebecer. I feel it every day. My son is one of the Gitksan people, neighbours to the Haida. A spiritual grandmother, Bernie William Poitras, accompanied me during the national inquiry. She comes from that great nation. She is a gentle warrior from a family line that goes back thousands of years, a matriarch, and also a hereditary chief.

Please understand that my position — I'm going to be gentle and loving about it — is to remind us collectively that reconciliation is a truth that only we, Indigenous peoples, can keep. Through our oral tradition, we have been sharing it for decades, for centuries. I have to remind us collectively how important it is important to sign those agreements. The right to self-determination is the first thing I had when I arrived in this chamber. I had a medallion made from caribou hide with the words “education, justice, right to self-government” written on it. That is very important.

At the same time, let's remember that, in this very space, colonialism caused us harm, especially to Indigenous women. After marrying the most handsome Quebecer, my mother was expelled from her territory. The same thing goes for languages, and so on. These are all things that we learn over time.

February is the month of love, but for families that have lost a loved one, it's a time of reflection. February is for those who have lost a sister, a brother, a mother, another loved one. Last February, I was visiting these matriarchs in their northern British Columbia territory. They said to me, “This bill will hurt us, because we were not listened to.” In my own words, I told them

that, even so, 50 years had passed and we needed to move forward, even if this isn't perfect, even if this isn't what we would have hoped for as a people, as a society or as a country. How could they make their voices heard? They tried to make their voices heard in various forums here in the Senate, but people didn't hear them. For all sorts of reasons, people didn't hear them. I'm here to speak for them today. Fifty years of colonialism and debate for the great and beautiful Haida people, and we finally have something.

Let's not forget that these women have 12,000 years' worth of rights, rules, protocols and pride for their people. I've often been told by government members I've met here, "yes, but that's between you. You have to figure it out." We aren't the ones who imposed colonial laws on ourselves.

I'm sure you can appreciate why I plan to abstain, but in your heart of hearts, based on your values and your beliefs, if you want to support this initiative, that's up to you, and that's fine. I'm not asking you to side with me on this, but please understand that the next nations that testify before our committees, so that we can pass bills with them to ensure their full autonomy . . . Always remember that there are silent voices that must be heard. That is our responsibility.

[English]

There are so many voices that we know — we think we do good, and I'm one of them, of course; I think I did my due diligence. Within their own nation, same nation, there's probably a group of voices that we need to bring here during committee. So I hope you understand my abstention — that there are voices that weren't heard. The next bill or the next — even my nation, I can't wait for them to come here, and I'll ask them the same question: What about the Indigenous women? Where are they? Are they involved? Did they dream in that vision that you have and are presenting to us as senators; did they co-build with you this piece of legislation or this vision?

We have that due diligence. We have that responsibility. I say thank you to all people here who do open their minds and hearts to this, but let's also remind ourselves that there are so many of us who are not able to come and shake or speak or share the truth. Thank you.

**Senator Coyle:** May I ask a question?

**The Hon. the Speaker pro tempore:** Yes.

**Senator Coyle:** I really appreciate your intervention. It was important, and this question of the matriarchs was raised several times at committee, both with Gaagwiis and also with the minister. We had responses from them, and you know what they are, and you're not satisfied, and I understand that. I think probably none of us should be fully satisfied.

Your point, though, I believe, is that we should, in future deliberations, always make sure at our committees that we are inviting them to speak directly for themselves, the women, as was in this case the matriarchs. Is that what your main point is?

[ Senator Audette ]

**Senator Audette:** Yes. Not only that, but to not ask women or people to write a submission. We come from the oral tradition. I don't have the money to write the statement or have the capacity to ask an expert to write for me. We're from oral tradition, so we come as witnesses. Thank you.

(On motion of Senator Housakos, debate adjourned.)

## RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

### MOTION TO AMEND THE *RULES OF THE SENATE*—DEBATE

On the Order:

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

That the *Rules of the Senate* be amended:

1. by replacing the words "Leader of the Government" by the words "Leader or Representative of the Government" in rules 2-4(2), 3-6(2), 4-3(1), 4-8(1)(a), 5-7(m), 6-5(1)(b), 12-5(a), 12-23(2) and (3), and 14-1(2);
2. in rules 3-3(1) and (2), 4-2(8)(b), and 7-4(2), by replacing the words "6 p.m." by the words "7 p.m." in the marginal notes, as appropriate, and the text of the rules;
3. in rule 4-2(2), by replacing the number 15 by the number 18 in the marginal note and the text of the rule;
4. in rule 4-2(8)(a), by replacing the words "At the request of a whip or the designated representative of a recognized parliamentary group" by the words "At the request of a whip, liaison, or the designated representative of a recognized party or recognized parliamentary group";
5. by:
  - (a) replacing rules 4-9 and 4-10 by the following:

#### *"Delayed Answers and Written Questions"*

##### Delayed answers to oral questions

**4-9.** (1) When responding to an oral question during Question Period, a Senator may indicate that a delayed answer will be provided in writing pursuant to the terms of this rule.

##### Written questions

**4-9.** (2) Subject to subsection (5), a Senator may submit a written question to the Government relating to public affairs by sending it in writing to the Clerk if either:

- (a) a written answer is requested; or
- (b) the question seeks statistical information or other information not readily available.

#### Publication of written questions

**4-9.** (3) Upon receipt of a written question, the Clerk shall have it published in the *Order Paper and Notice Paper* on the day following receipt and subsequently on the first sitting day of each week until the earlier of the following:

- (a) an answer is tabled;
- (b) a written explanation why an answer has not been provided is tabled;
- (c) the question is withdrawn; or
- (d) the expiration of the 60-day period provided for in this rule for an answer or explanation.

#### Withdrawal of a written question

**4-9.** (4) The Senator who submitted a written question may subsequently withdraw it by writing to the Clerk, who shall have a note to that effect included in the *Order Paper and Notice Paper* the next time the question would have been published there.

#### Limit on number of written questions

**4-9.** (5) A Senator shall not submit a written question if they already have four such questions that are to be published in the *Order Paper and Notice Paper* under the provisions of subsection (3).

#### Answer within 60 days

**4-9.** (6) Within 60 calendar days of the Leader or Representative of the Government, or a Senator who is a minister, indicating that a delayed answer will be provided to an oral question pursuant to the terms of this rule, or of a written question first appearing in the *Order Paper and Notice Paper*, the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government, shall table either the Government's answer to the question or a written explanation why an answer has not been provided.

#### Tabling

**4-9.** (7) An answer or explanation to be provided under this rule may be tabled either during Delayed Answers, which shall be called at the end of Question Period, or by being deposited with the Clerk. A copy of any such tabled document shall be provided to the Senator who asked the question, and the delayed answer to an oral question shall be printed in the *Debates of the Senate* of the date the tabling is recorded in the *Journals of the Senate*.

#### Failure to respond or provide explanation

**4-9.** (8) If the Government has tabled neither an answer nor an explanation of why an answer has not been provided within the 60-day period provided for under this rule, the absence of an answer shall be deemed referred to the Standing Committee on Rules, Procedures and the Rights of Parliament for consideration and report, with this referral being recorded in the *Journals of the Senate* as soon as possible thereafter.”; and

- (b) renumbering current rules 4-11 to 4-16 as rules 4-10 to 4-15;
- 6. in current rule 4-13(3), by replacing the words “such sequence as the Leader or the Deputy Leader of the Government shall determine” by the words “such sequence as the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government shall determine”;
- 7. by replacing rule 6-3(1) by the following:

#### “Time limits for speakers

**6-3.** (1) Except as otherwise provided:

#### Certain Leaders and Facilitators

(a) the Leader or Representative of the Government, the Leader of the Opposition, and the leader or facilitator of the recognized party or recognized parliamentary group with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs, shall be allowed unlimited time for debate;

#### Other Leaders and Facilitators

(b) leaders and facilitators, other than those provided for in paragraph (a), shall be allowed up to 45 minutes for debate;

#### Sponsor of bill

(c) the sponsor of a bill, if not one of the Senators provided for in paragraph (a), shall be allowed up to 45 minutes for debate at second and third reading;

#### Critic of bill

(d) the critic of a bill, if not one of the Senators provided for in paragraph (a), shall be allowed up to 45 minutes for debate at second and third reading;

#### Designated Senators

(e) one other Senator designated separately by the leader or facilitator of each recognized party or recognized parliamentary group, except for the recognized party or recognized parliamentary group of the sponsor and critic, shall be allowed up to 45 minutes for debate at second and third reading; and

Others

(f) other Senators shall speak for no more than 15 minutes in debate.”;

8. by replacing rules 7-1(1) and (2) by the following:

“Agreement to allocate time

**7-1.** (1) At any time during a sitting, the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government may state that they have reached an agreement with the representatives of the recognized parties and the recognized parliamentary groups to allocate a specified number of days or hours either:

- (a) for one or more stages of consideration of a government bill, including the committee stage; or
- (b) for consideration of another item of Government Business by the Senate or a committee.

Motion on agreement to allocate time

**7-1.** (2) The Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government may then, without notice, propose a motion based on the agreement.”;

9. by replacing rules 7-2(1) and (2) by the following:

“No agreement to allocate time

**7-2.** (1) At any time during a sitting, the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government may state that they have failed to reach an agreement with the representatives of the recognized parties and the recognized parliamentary groups to allocate time to conclude an adjourned debate on either:

- (a) any stage of consideration of a government bill, including the committee stage; or
- (b) another item of Government Business.

Notice of motion to allocate time

**7-2.** (2) After stating that there is no agreement on time allocation, the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government may give notice of a motion to allocate time for the adjourned debate, including the committee stage of a bill. The motion shall specify the number of days or hours to be allocated.”;

10. by replacing rule 7-3(1)(f) by the following:

“(f) Senators may speak for a maximum of 10 minutes each, provided that the Leader or Representative of the Government, the Leader of the Opposition, and the leader or facilitator of any other recognized party or recognized parliamentary group may each speak for up to 20 minutes.”;

11. in rule 7-3(2), by deleting the words “at 6 p.m.” and the words “at 8 p.m.”;

12. in rule 7-4(5)(d), by replacing the words “the Government Whip” by the words “the Government Whip or Liaison”;

13. by replacing rules 9-5(1) to (3) by the following:

“(1) The Speaker shall ask the Government Whip or Liaison, the Opposition Whip, and the whips or liaisons of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Government Whip or Liaison, or the Opposition Whip belongs, if there is an agreement on the length of time the bells shall ring. If a whip or liaison is absent, that whip or liaison’s leader or facilitator may designate a Senator to act for this purpose.

(2) The time agreed to shall not be more than 60 minutes.

(3) With leave of the Senate, this agreement on the length of the bells shall constitute an order to sound the bells for that length of time.”;

14. by replacing rule 9-10(1) by the following:

“Deferral of standing vote

**9-10.** (1) Except as provided in subsection (5) and elsewhere in these Rules, when a standing vote has been requested on a question that is debatable, the Government Whip or Liaison, the Opposition Whip, or the whip or liaison of any of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Government Whip or Liaison, or the Opposition Whip belongs, may defer the vote.”;

15. by replacing rule 9-10(4) by the following:

“Vote deferred to Friday

**9-10.** (4) Except as otherwise provided, if a vote has been deferred to a Friday:

(a) the Government Whip or Liaison may, at any time during a sitting, further defer the vote to 5:30 p.m. on the next sitting day if it is on an item of Government Business; and

(b) the Government Whip or Liaison, the Opposition Whip, or the whip or liaison of any of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Government Whip or Liaison, or the Opposition Whip belongs, may, at any time during a sitting, further defer the vote to 5:30 p.m. on the next sitting day if it is on an item of Other Business.”;



16. by replacing rule 10-11(2)(a) by the following:

“(a) by the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government, at any time during a sitting; or”;

17. by:

(a) replacing rule 12-3(3) by the following:

“Ex officio members

**12-3.** (3) In addition to the membership provided for in subsections (1) and (2), and subject to the provisions of subsection (4), the Leader or Representative of the Government, the Leader of the Opposition, and the leaders or facilitators of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs, are ex officio members of all committees except the Standing Committee on Ethics and Conflict of Interest for Senators, the Standing Committee on Audit and Oversight, and the joint committees. For the purposes of this provision, in case of absence, the Leader or Representative of the Government is replaced by the Deputy Leader or Legislative Deputy of the Government, the Leader of the Opposition is replaced by the Deputy Leader of the Opposition, and the leader or facilitator of any other recognized party or recognized parliamentary group is replaced by that Senator’s deputy leader or deputy facilitator.

Ex officio members voting

**12-3.** (4) Of the ex officio members of committees provided for in subsection (3), only the Leader or Representative of the Government, and the Leader of the Opposition, or, in their absence, their respective deputies, shall have the right to vote.”; and

(b) renumbering current rule 12-3(4) as rule 12-3(5);

18. by replacing rule 12-8(2) by the following:

“Service fee proposal

**12-8.** (2) When the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government tables a service fee proposal, it is deemed referred to the standing or special committee designated by them following consultations with the Leader or Deputy Leader of the Opposition, and the leader or facilitator of any other recognized party or recognized parliamentary group, or the designate of such a leader or facilitator.”;

19. by replacing rule 12-18(2) by the following:

“Meetings on days the Senate is adjourned  
**12-18.** (2) Except as provided in subsection (3) and elsewhere in these Rules, a Senate committee may meet:

(a) when the Senate is adjourned for more than a day but less than a week, provided that notice was given to the members of the committee one day before the Senate adjourned;

(b) on a Monday the Senate does not sit that precedes a Tuesday on which the Senate is scheduled to sit; or

(c) during other periods the Senate is adjourned and that are not covered by the above provisions, provided that the meeting was either:

(i) by order of the Senate, or

(ii) with the agreement, in response to a request from the chair and deputy chair, of a majority of the following Senators, or their designates: the Leader or Representative of the Government, the Leader of the Opposition, and the leaders or facilitators of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs.”;

20. by replacing rule 12-26(1) by the following:

“Appointment of committee

**12-26.** (1) As soon as practicable at the beginning of each session, the Leader or Representative of the Government shall move a motion, seconded by the Leader of the Opposition, and the leader or facilitator of the recognized party or recognized parliamentary group with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs, on the membership of the Standing Committee on Ethics and Conflict of Interest for Senators. This motion shall be deemed adopted without debate or vote, and a similar motion shall be moved for any substitutions in the membership of the committee.”;

21. in rule 14-1(1), by replacing the words “Leader or Deputy Leader of the Government” by the words “Leader or Representative of the Government, or Deputy Leader or Legislative Deputy of the Government”;

22. in rule 16-1(8), by replacing the words “Leader or Deputy Leader of the Government” by the words “Leader or Representative of the Government, or Deputy Leader or Legislative Deputy of the Government”, both times they appear; and

23. in Appendix I:

(a) in the definition of “Critic of a bill”, by replacing the words “Leader or Deputy Leader of the Government” by the words “Leader or Representative of the Government, or Deputy Leader or Legislative Deputy of the Government”;

(b) by replacing the definition of “Deputy Leader of the Government” by the following:

**“Deputy Leader or Legislative Deputy of the Government**

The Senator who acts as the second to the Leader or Representative of the Government and who is normally responsible for the management of Government business on the floor of the Senate. The Deputy Leader or Legislative Deputy is also generally responsible for negotiating the daily agenda of business with the Opposition and other recognized parties and recognized parliamentary groups. In the absence of the Deputy Leader or Legislative Deputy, the Government Leader or Government Representative may designate another Senator to perform the role. The full title is “Deputy Leader of the Government in the Senate” or “Legislative Deputy to the Government Representative in the Senate”. (*Leader adjoint ou coordonnateur législatif du gouvernement*);

(c) in the definition of “Evening suspension”, by replacing the words “between 6 and 8 p.m.” by the words “between 7 and 8 p.m.”;

(d) in the definition of “Government Business”, by replacing the words “Leader of the Government or the Deputy Leader” by the words “Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government”;

(e) by replacing the definition of “Government Leader” by the following:

**“Government Leader**

See “Leader or Representative of the Government”. (*Leader du gouvernement*);

(f) by replacing the definition of “Government Whip” by the following:

**“Government Whip or Liaison**

The Senator responsible for ensuring the presence of an adequate number of Senators of the Government party in the Senate for purposes such as quorum and the taking of votes, and to whom the Leader or Representative of the Government normally delegates responsibility for managing the substitution of Government members on committees as appropriate. The Government Whip or Liaison may be responsible for outreach on Government Business in the Senate. (*Whip ou agent de liaison du gouvernement*);

(g) by replacing the definition of “Leader of the Government, or Government Leader” by the following:

**“Leader or Representative of the Government**

The Senator who acts as the head of the Senators belonging to the Government party, or who is appointed by the Government to represent the Government in the Senate without affiliation to a Government party. In modern practice, the Leader or Representative of the Government is normally sworn in as a member of the King’s Privy Council for Canada and can be a member of Cabinet. The full title is “Leader of the Government in the Senate” or “Government Representative in the Senate”. (*Leader ou représentant du gouvernement*);

(h) by replacing the definition of “Ordinary procedure for determining the duration of bells” by the following:

**“Ordinary procedure for determining duration of bells**

The Speaker asks the Government Whip or Liaison, the Opposition Whip, and the whips or liaisons of the three largest recognized parties or recognized parliamentary groups, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Government Whip or Liaison, or the Opposition Whip belongs, if there is an agreement on the length of time, not to exceed 60 minutes, the bells shall ring. With leave of the Senate, this agreement constitutes an order to sound the bells for the agreed length of time, but in the absence of either agreement or leave, the bells ring for 60 minutes. In some cases provided for in the Rules, this procedure is not followed, with the bells ringing for shorter periods of time. (*Procédure ordinaire pour déterminer la durée de la sonnerie*);

- (i) in the definition of “Public bill”, under “Bill”, by replacing the words “(introduced by a Cabinet Minister or in a Minister’s name) or a non-Government bill (one introduced by a Senator who is not a Cabinet Minister)” by the words “(introduced by a Cabinet Minister, in a Minister’s name, or by or on behalf of the Leader or Representative of the Government if that Senator is not a minister) or a non-Government bill (one that is not a Government bill)”;

- (j) by replacing the definition of “Senator who is a minister” by the following:

**“Senator who is a minister**

A Senator who is a member of the Cabinet. The Leader or Representative of the Government is generally sworn in as a member of the King’s Privy Council for Canada and may be a member of Cabinet. (*Sénateur-ministre*);

- (k) in the definition of “Sponsor of a bill”, by replacing the words “the sponsor will typically be a government member” by the words “the sponsor is designated by the Leader or Representative of the Government”; and

- (l) by adding the following new definitions in alphabetical order:

(i) **“Deputy Leader or Deputy Facilitator**

The Senator who acts as the second to the leader or facilitator of a recognized party or recognized parliamentary group, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs. (*Leader adjoint ou facilitateur adjoint*);

(ii) **“Government Liaison**

See “Government Whip or Liaison”. (*Agent de liaison du gouvernement*);

(iii) **“Government Representative**

See “Leader or Representative of the Government”. (*Représentant du gouvernement*);

(iv) **“Leader of the Government**

See “Leader or Representative of the Government”. (*Leader du gouvernement*);

(v) **“Legislative Deputy of the Government**

See “Deputy Leader or Legislative Deputy of the Government”. (*Coordonateur législatif du gouvernement*); and

(vi) **“Representative of the Government**

See “Leader or Representative of the Government”. (*Représentant du gouvernement*);

That all cross references and lists of exceptions in the Rules be updated as required by these changes, but otherwise remain unchanged;

That, in relation to the amendments to current rules 4-9 and 4-10, provided for in point 5 above:

1. new rule 4-9(5) not apply to any written question submitted before the adoption of this motion, so that only written questions submitted after the adoption of this motion are counted as if subject to that provision;
2. the provisions of the new rules have effect from the time of the adoption of this motion in relation to questions arising from that time forward, subject to point 3 below; and
3. the provisions of the new rules relating to the 60-day period for answering written questions, tabling, and a failure to respond or provide an explanation take effect, in relation to written questions submitted before the adoption of this motion, on the date that is six months after the adoption of this motion as if that were the date on which these questions were submitted, provided that if the current session ends before the expiration of this six month period, these elements of the new rules take effect on the last day of the current session; and

That, within 30 days that the Senate sits after the adoption of this motion, the Standing Committee on Ethics and Conflict of Interest for Senators present a report to the Senate proposing changes to the *Ethics and Conflict of Interest Code for Senators* to take account of the amendments to rule 12-26(1) provided for in point 20 above.

**Hon. Donald Neil Plett (Leader of the Opposition):**

Honourable senators, it is with a mix of sadness and hope that I rise today to speak on the Trudeau government’s Motion No. 165 to change the *Rules of the Senate*.

I am sad because I think some of the changes brought forward by this motion are detrimental to the Senate and the Canadian democratic system, and I am sad because the precedent created by Senator Gold with his motion marks the end of a Senate that was functioning in some ways outside of partisanship that we now see in the House. I will elaborate on this in a moment.

As I said, I’m also hopeful because I think this is the last act in this lousy drama of Justin Trudeau’s attempt to reform the Senate. Let’s be clear: This is Justin Trudeau’s attempt. The end is near for this government, and Pierre Poilievre will soon be given the mandate to repair this broken country. One of the things that Justin Trudeau broke and that Pierre Poilievre will have to repair is the Senate of Canada.

Contrary to what Senator Gold and the Liberals would like us to believe, Justin Trudeau did not come up, in 2014, with an elaborate plan to throw the Canadian Senate into the 21st century. His plan was done on a napkin out of political expediency and under pressure to come up with a gambit that would protect him from going down with half of his caucus.

The vast majority of you were not here in 2013 when the Senate had to deal with some senators having dubious expenses, but let me briefly explain to you what happened. For those senators who were here, this will help refresh your memory.

Four senators were named in the media for having questionable expenses. One of them was a Liberal, who quickly decided to retire. When the Conservative government decided to act and suspend the three other senators, Justin Trudeau instructed his Liberal senators to abstain on that vote. Half of the caucus did not follow his orders.

• (1640)

Trudeau was furious. He sent Dominic LeBlanc, his trusted henchman, to organize a coup in the Senate Liberal caucus. George Furey was to replace Jim Cowan as leader. That failed.

That made Trudeau even angrier. He knew that the Auditor General inquiry would show more of his Liberal senators having questionable expenses. So he decided to throw them out of the caucus, to send them into exile. That was done unceremoniously. Senators Jaffer, Cordy, Ringuette, Downe or Massicotte could all tell you more about this meeting on a cold Wednesday morning in January 2014 when Liberal senators learned who the real Justin Trudeau is. Those senators who had worked tirelessly for the Liberal Party were discarded like nothings, thrown to the wayside by Justin Trudeau on his way to power.

It was after they decided to throw out their senators from caucus that the Liberals came up with a plan to change the Senate without really changing it. The idea that being part of a national caucus made the Liberal senators less independent is a sham. The Liberal senators that were here when I came, such as those I mentioned, and further — Cowan, Joyal, Baker and Fraser — all of them were strong and independent thinkers. In fact, as I just said, it is because they did not follow Justin Trudeau and because they were independent thinkers that they were tossed aside.

There were two objectives to the plan that Trudeau concocted in 2014.

One, they had to cut the ties with those senators who could become an embarrassment at any time. The Liberals saw their Senate colleagues as toxic time bombs that they had to run away from. For Trudeau, his image was sacrosanct. It was out of the question that any senator — as good and loyal as they may be — would stain his reputation.

Second, the Liberals, being in third place, had to put something in the window as far as Senate reform was concerned. The Harper plan to have term limits and Senate elections was still out there, although it was being restrained by the courts. The second place NDP plan was simpler: just abolish the institution.

To distinguish themselves, the Liberals came up with this idea of a committee of Liberals — remember, a committee of Liberals — that would appoint Liberals in the Senate who would then call themselves independent. The Liberals would also ask the Leader of the Government to style himself as a representative, even if he was the Leader of the Government.

You have to admire the Liberals for this. They were able to sell immobility as progress. Senate reform was suddenly simple: all you have to do is change titles, call a leader a representative, a whip a liaison and a Liberal an independent, and ta-dah! You have a new Senate.

Colleagues, fast-forward to 2024. Sensing that Trudeau's time is up, the government has decided to rush in this motion to change the Rules. In their ninth year in power, the Liberals have decided to prepare their exit and change the Senate for good — or so they hope. That is a wooden one.

What took them so long? I know that Senator Gold will accuse the Conservatives of having stalled all those magnificent changes Justin Trudeau was supposed to bring to this place. Sorry, colleagues, that's the wrong answer.

The problem was what I outlined: these changes were not well-thought-out. They were just a couple of slogans for the 2015 election that Trudeau was never supposed to win.

The government had no clue what to do with the Senate. It took them five months to decide that they needed a leader in the Senate. Yes, senators, the Senate sat for five months without the government being represented. The new senators — the Liberals appointed in 2016 — had no idea what to do: sit all by themselves or create groups? But then, how can you be in a group and be an independent? Somebody found a way.

We saw the birth of strange notions like leaders who don't lead, liaisons who liaise with who knows who and facilitators who facilitate who knows what. Of course, all of this is just a masquerade. Colleagues, calling your cat a feline does not make you a lion tamer.

Meanwhile, Conservative and Liberal senators all patiently waited for the government and the new senators to come up with their plans. To no one's surprise, the independent senators decided to replicate the model that exists in all Westminster parliaments and formed groups. Sir John A. Macdonald's prediction that this place could not function with 105 loose fish came true, once again. The majority of senators, still affiliated to a political party, agreed to the demands of those new senators and made the necessary changes to the Rules — without any resistance, I might add. As Senator Gold pointed out in his speech:

... the *Rules of the Senate* were adjusted to allow for the participation of these groups, or sessional orders were put in place so that new senators could be included.

Listening to Senator Gold, you would think that the Trudeau senators had to fight with Conservatives and Liberals for every inch. Nothing, colleagues, is further from the truth.

The Conservative opposition has not resisted the vast majority of the changes to the Rules, to the Parliament of Canada Act or the way we conduct our business. We know that elections have consequences. We know that by appointing 81 senators — as many as Wilfrid Laurier did — Justin Trudeau has put his mark on the Senate.

But we have been very clear: We will not accept the reduction of the powers of the opposition. And we will not accept changes that will restrict a new Conservative government that will very shortly be in place to be able to properly conduct its business in the Senate. That has been — and remains — our red line.

Again, I will come back later to the impact of the changes pushed by Senator Gold on the opposition and on a future Conservative government. But first, I want to address what I think is the most egregious aspect of this move from the government.

To use a government motion to change the Rules without any agreement or even meaningful discussions with opposition is, as far as I know, unprecedented. When I asked Senator Gold about this, he could not point to one previous instance where the government had moved unilaterally to change the *Rules of the Senate*.

Please, Senator Gold, spare us with your argument that you tabling a motion is not a unilateral move by the government. Justin Trudeau has appointed 81 senators. There are only 13 senators in the opposition out of 96. Yes, using the powers of the government to ram such a motion down the throat of the opposition is unprecedented and I would suggest undemocratic especially when it is done under the threat of imminent closure — a motion that we now have hanging over our heads and have already been threatened with.

Senators will know that the regular process to change the *Rules of the Senate* is to go through a study and then a report from the Rules Committee, where consensus has always been the policy. It has always been accepted that to change the rules of the game you need to discuss with all players, have their input and have a consensus. No more so. Senator Gold will go down in history as the Leader of the Government who broke this model that has been in effect since 1867. He is the first to do what is now routinely done in the House of Commons: using the government majority to change the rules. You will note the cynicism of the government here. They are using the most partisan tactic ever used to change the rules to make this place less partisan, or so they pretend.

• (1650)

Senator Gold has opened a Pandora's box. A page has been turned. I will make a prediction: Now that the genie is out of the bottle, future government leaders will use this precedent to justify the use of government powers to change the rules. In a few years, when the Conservatives regain the majority in the Senate, they will be able to change the rules as they see fit. More or less, 50% of all of you — and I — will not be around. Some 50% will not be; 50% will still be around. For those of you who will sit on the opposition benches, I think you will look back to our current debate and say, "Plett warned us." Trust me: The Conservative government will do what you are, ahead of time, telling them that they can do.

Frankly, I do not understand why the government did not use the method in place since Confederation to change the rules. What was good under Wilfrid Laurier, under Lester B. Pearson and under Brian Mulroney is no longer useful under Justin Trudeau.

The Conservative opposition has 4 seats out of 15 on the Rules Committee — 4 out of 15. The four other groups who support the government's general policies, including the budget, share 11 seats. Why does the government need to use a government motion to ram these changes through the Senate? Why did

Senator Gold not first table his changes at the Rules Committee? Maybe he doesn't trust his 11 allies on the Rules Committee. I don't know. In any event, this is a slap in the face to the Rules Committee and its chair, and I hope the chair takes note.

By moving a motion, the government is skipping the committee process. We will not hear expert witnesses who could tell us what they think about these changes. We will not be able to debate each change, to carefully review the text, to wordsmith each and every new rule. What the Senate is so proud of — and for so many years has been known for — is its committee work, its ability to do a deep dive. The government has decided that we don't need that for our very own rules.

**Senator Housakos:** They know better.

**Senator Plett:** That is why the government is using a government motion, so that senators cannot hear experts who would be against the proposal, cannot carefully study the changes and tweak them if necessary. The government, as Senator Housakos just pointed out, knows better. It has all the answers already; who cares what other senators think?

It is true that some of the ideas we find in the motion have already been discussed, and there was consensus on several of the notions. But the government senators presented this as a take-all-or-nothing package. Senator Quinn asked today if Senator Gold would consider one simple amendment. He refused to answer. It's his motion. He didn't ask what the rest of the Senate would do. He asked Senator Gold, "Would you be prepared to accept a simple amendment?" Senator Gold refused to answer the question.

**Senator Housakos:** He has to ask the government.

**Senator Plett:** Like I said, it is true that some of the ideas we find in the motion have already been discussed, but government senators presented this as a take-all-or-nothing package. This is when Senator Bellemare and the Rules Committee decided not to present a report. It was their decision, not the Conservatives'.

The government has decided to act unilaterally, in frustration, as Senator Gold admitted in his speech. Instead of doing his job as a consensus builder, which he should be, he is throwing Senator Bellemare under the bus and bullying the opposition. Let's not kid ourselves here: These changes are a fait accompli.

Senator Gold admitted in his speech that there was no place for discussion. Justin Trudeau wants those changes, and what Justin Trudeau wants, his senators have to deliver. The objective of this motion is to create a second government caucus — or a second opposition caucus, depending on who is in power — and Senator Gold admitted that this is part of the DNA of this motion. What is left to negotiate for the Conservatives if turning the Senate into a Liberal echo chamber is the ultimate objective and the government will use any means to do it, including closure of debate?

Now that the Liberal Party is down by 20 points in the polls, and now that the Trudeau senators are looking at the prospect of sitting in opposition for a very long time, they are changing the rules, and they will use time allocation to make sure that the

debate is cut short. After all, we need to act fast to get rid of these time-wasting procedures, which is what Senator Lankin called them.

Lastly, on this topic of the unprecedented use of a government motion to change the rules, I'm not sure what to make of the waffling by Senator Gold regarding whose idea these changes actually were. He was asked. He would not answer whether the Prime Minister supports these changes. He said in his speech:

This is an initiative of the Government Representative Office in the Senate. It is not an initiative of the Prime Minister's Office, period.

Those are Senator Gold's words.

Well, then, what is government business in the *Rules of the Senate*? You have to ask this question. It is not a personal idea from a member of the government. It is not an initiative from an office somewhere in this building. It is the business of the government. If Senator Gold wants us to believe that this motion is not a motion from the Justin Trudeau Liberal government, then he should not use a government motion to advance it.

**Senator Martin:** Exactly.

**Senator Plett:** I will trust that Senator Gold is not trying to pull a fast one on all of us, that he is not using the tools of the government to advance his own personal agenda. We should stop fooling around; this government motion is 100% supported by the government, by Justin Trudeau, the Liberals, and probably Jagmeet Singh.

**Senator Martin:** He wants to abolish the Senate.

**Senator Plett:** The Liberal Party and its supporters here and in the House will have to pay a political price, now and in the future, for these changes and the way they are being pushed.

The second thing that I have an issue with is the timing of this motion. As I said, there is a smell of desperation in Senator Gold's move. The Trudeau government has had a majority in the Senate for seven years or so. All those years, even before it had a majority, the government was able to pass its legislation. In fact, thanks to the fact that he had 23 open seats to fill when he was elected, Justin Trudeau was able to get a majority in the Senate very quickly. When you compare him with Laurier, Borden or Mulroney, who had to fight for years against a Senate majority from the opposite side, Justin Trudeau is lucky.

Why are these changes so urgent? We all know the answer. Changing the *Rules of the Senate* has become urgent since Pierre Poilievre opened a 20-point lead in the polls. Senator Gold is now desperate to entrench in the Senate, before the election, this ridiculous structure that Justin Trudeau has created because he knows the Liberals will be wiped out, likely back to third party status again.

• (1700)

As I will explain later, this motion puts the Independent Senators Group, or its successor, in the position to be the ballast in the Senate, throwing its weight on whatever side the Liberals will be — now in power, tomorrow in opposition. This way, the

Liberals are making sure that for a few years at least, the Senate will tilt in their favour. They say they want to get rid of the duopoly in the Senate. They are replacing it with a triumvirate, where they control two of the three actors.

Let's talk about the role of the opposition. Let me turn to an important consideration in this debate.

It is clear that some of the Trudeau senators have a problem with having a robust opposition in the Senate. We use words such as "liar," "incompetent" or "corrupt" to truthfully describe their favourite prime minister. We use procedural tactics. We are wasting time. We ask too many questions. Some of these questions touch topics that they are very uncomfortable with. This shows not only a poor understanding of the democratic process by these senators, but also a lack of knowledge about the history of the Senate. You don't have to go back very far in history to find oppositions in the Senate which were way more obstructionist than we have ever been in the last nine years.

Colleagues, sorry to cause all that pearl-clutching, but we are simply doing our job. We play a role as important as the role that the government and its supporters play.

I will repeat it over and over: The Senate needs an organized opposition that has the necessary tools to do its job.

Let me quote former prime minister Wilfrid Laurier:

... it is indeed essential for the country that the shades of opinion which are represented on both sides of this House should be placed as far as possible on a footing of equality and that we should have a strong opposition to voice the views of those who do not think with the majority.

You will note that Prime Minister Laurier insisted on the fact that government and opposition should be as equal as possible.

And what is the role of the opposition? Of course, it is to keep the government's proverbial feet to the fire, and to challenge the government on behalf of Canadians.

Let me again quote a former prime minister; this time, it's John G. Diefenbaker:

If Parliament is to be preserved as a living institution His Majesty's Loyal Opposition must fearlessly perform its functions. When it properly discharges them the preservation of our freedom is assured. The reading of history proves that freedom always dies when criticism ends. It upholds and maintains the rights of minorities against majorities. It must be vigilant against oppression and unjust invasions by the Cabinet of the rights of the people. It should supervise all expenditures and prevent over-expenditure by exposing to the light of public opinion wasteful expenditures or worse. It finds fault; it suggests amendments; it asks questions and elicits information; it arouses, educates and molds public opinion by voice and vote. It must scrutinize every action by the government and in doing so prevents the short-cuts through democratic procedure that governments like to make.

Of course, when doing its job, the opposition will ruffle the feathers of those in government. This is at the heart of the democratic process. One may feel that the opposition is going too far, that it uses sharp language, and that it is wasting time. Well, there are rules to stop that if that is the case. As long as the opposition is following the Rules, the government and its supporters should and, indeed, have to accept the fact that this is part of our democratic process.

Let me quote a third prime minister; it's Lester B. Pearson:

In national politics during the years when I was in the government, I watched the Opposition perform their duty vigorously and industriously, with courage and determination. They rightly insisted on their right to oppose, attack and criticize, to engage in that cut and thrust of debate, so often and so strongly recommended by those concerned with the vigour and health of Parliament and the health of democracy. I cannot forbear to add, however, that the application of this procedure has, in the past, been occasionally resented by those who are cut and thrust at.

As for the accusation that the opposition is wasting time — slowing things up — I will admit it is true. Not only is it part of the arsenal of the opposition, but it is also the most effective tool that we have. When introducing a measure in the Senate, the government has only one objective: to get it out of here as fast as possible. That's even before it is introduced in the Senate. It is already Senator Gold's objective. This has become an obsession for Senator Gold. That is why we are rushed to pass bills that then stay in the House for months, if not years.

But time is important for the opposition: It allows it to keep the debate in the public eye. It allows it to alert stakeholders. It allows it to show that there could be a better way to do things — to present itself as the government in waiting.

This does not mean that the opposition must drag its feet and turn the chamber into a battlefield on all questions. The opposition must be careful in using its procedural tools. It must maintain a balance between compromise and obstruction, co-option and reflex opposition. But the opposition has the right, as it should, to use all necessary means — within the bounds of the Rules — to stop what it considers to be measures detrimental to Canada.

And in the end, the government, especially when it has a majority like in the current Senate, will be able to go forward. As the saying goes, "The opposition has its day; the government has its way."

Senators should know that since 2015, even before there was a Leader of the Government in the Senate, the Conservative opposition has been able to negotiate reasonable timetables on moving government legislation. We understand very well our role in Parliament. When Senator Gold accuses us of stalling, delaying or filibustering legislation, he is recycling for the Senate

the talking points that the Prime Minister's Office prepared for his House colleagues. If some senators are interested in learning what an obstructionist opposition is, they can look at Hansard from when the Conservatives were in government and the Liberals had a majority in the Senate. The debate on the GST comes to mind.

I cannot fail to note that when the government and its senators say they want to make the Senate more efficient, they are not talking about running the place better, at a lesser cost. When they say that, what they are looking for is to cut the opposition's ability to use time. They want to cut debate, and stop the time-wasting, as Senator Lankin said. But efficiency is not what the government is looking for; it is expediency. The government — any government, in fact — wants to move fast. It wants to get to business. But rushing legislation is not what the Senate is for.

As author Gerald Schmitz said:

Parliament exists not only to transact the business of state, but to provide a forum in which all legitimate points of view can be expressed. The government has a right and duty to govern. The opposition's right and duty, if it believes the public interest is at stake, is to oppose the government's policies and actions by every legitimate parliamentary means. . . .

I invite senators who have trouble with a Conservative opposition in the Senate to consider the alternative. If the point of view of close to 80% of Canadians who do not support the Trudeau Liberals is not expressed here, then what is the point of the Senate? This 80% will ask the question: Why are we paying \$130 million per year for an institution that simply parrots Trudeau government lines? Why not just abolish it? I have no argument against that. Sometimes I wonder if it wasn't Justin Trudeau's secret plan to get rid of the Senate: make it so irrelevant that abolishing it would just be a cost-saving measure that barely anyone would notice.

• (1710)

For now, at least, you can count on the Conservative senators to spice up debate, but imagine what it would be to only have Trudeau supporters here debating how great his policies are. That \$130 million price tag would look horrific, wouldn't it?

Finally, I want to point out an additional fact about the opposition in the Senate. The opposition caucus must have ties to a political party just like the government caucus needs to have ties to the party in power. These ties can be loose. They can just be the membership of senators to the party — like the Liberals had in 2014-15 — but there must be ties for two reasons.

First, to call yourself the opposition of the government, you must not only oppose it from time to time on specific issues but you must also want to take the place of the government. Every day, the opposition is trying to convince the electorate that it should change places with the government. This role is fundamental in our system.

As the distinguished Canadian parliamentarian Stanley Knowles put it:

. . . the opposition should so conduct itself in Parliament as to persuade the people of the country that it could be an improvement on the government of the day. . . .

Only a group tied to a party that wants to replace the government can play the role of the opposition in the Senate. That is why our Rules are written this way. Having ties to a political party also gives the government and the opposition additional legitimacy. As Senator Gold himself said in his speech:

The point that the opposition is trying to make is one worth taking seriously. If one purports to speak for the government, there should be a link to the government because I represent a government that was elected and represents.

The Conservative senators stand up and say, “We speak for 6 million” — whatever the number of Canadians who voted for them was — and they are right to say that because there is a link there. When they say, “I speak for Canadians,” they represent a party that does.

This is another reason why putting the Independent Senators Group, or ISG, on the same footing as the opposition — now the Conservatives, tomorrow the Liberals or the NDP — is wrong.

Let me go back to the motion in front of us. It contains three types of changes to the Rules.

The first type of change is the introduction of all those new and phony terms that the government is so enamoured with. My reaction to those changes is, “Why?” If Senator Gold wants to style himself as representative, special agent, enforcer, negotiator, beggar-in-chief or Grand Poobah, that is his privilege.

**Senator Housakos:** Lord of the Senate.

**Senator Plett:** He is and will remain the Leader of the Government in the Senate, period, by law — no matter how he is dressed, combed or styled. To change the Rules to satisfy this strange need to come up with new vocabulary to describe the same reality is, frankly, ridiculous.

Second, there are changes to some specific provisions, such as the evening suspension or Order Paper questions. Although I don’t support those changes, I acknowledge that they may have some merit. They are certainly worth being looked at carefully and debated. I regret that the government has refused to give the opportunity to the Rules Committee to look at these changes, and especially that we will not be able to reflect on the unintended consequences.

In fact, I almost fell off my chair when I saw that the Rules Committee has a meeting scheduled for May 7 to study — guess what? — delayed answers and responses to written questions. Mind-boggling. I’m not sure what to make of this. Are we having two competing debates? In any event, I believe it shows that Senator Gold is clearly rushing things and somebody doesn’t know what they’re doing.

Finally, the government has decided to put the ISG on the same level as the government and the opposition and to give the Canadian Senators Group, or CSG, and the Progressive Senate Group, or PSG, some symbolic powers. Somehow, they are falling all over themselves wanting to vote for this too — at least their leaders are — when they get nothing.

As Senator Gold said in his speech:

. . . That is the centrepiece of this initiative, its *raison d’être*, its DNA. It is like the object of a bill. Certain things cannot be given up, if I can use the analogy, without destroying the bill. It would be out of order in that situation were this a piece of legislation.

This is where I have a big problem with this motion. By putting the ISG on the same footing as the government and opposition, this motion creates an imbalance in the Senate. Remember, the Westminster model is based on the fact that there is a balance between the rights and privileges of the government and the rights and privileges of the opposition. So first, by giving some of the privilege of the opposition to other groups, the motion dilutes the powers of the opposition. A right that is held by a few is a privilege. A right that is held by all is just that, a right.

But the government’s move is more devious than just attacking the opposition. By creating a third force with the same powers and privileges, this motion creates either a second government group or a second opposition group. The third group will either support the general policy objectives of the government or it will not. If it supports them, it is with the government. If it opposes them, it is in the opposition.

The change in the Rules allows the Trudeau government to count on two groups to help it steer the Senate — the Government Representative Office, or GRO, and the ISG. Out of the 41 members of the ISG, 38 were appointed by Justin Trudeau and 3 were appointed by Jean Chrétien. Now, we all know they will faithfully continue to support the Liberals until the end of their mandate, as they have done until now.

As Senator Gold once said in an ISG caucus meeting, “Remember who appointed you.” This was Senator Gold in an ISG caucus meeting, a group meeting. Until the next election, Senator Saint-Germain will be the *de facto* second Leader of the Government without having the obligation to answer during Question Period. Surprising how we know things that you said that weren’t supposed to be public.

My gut tells me that a vast majority of the Trudeau-appointed senators will remember who appointed them long after he resigns or is kicked out by Canadians. They will defend his legacy against the changes that Pierre Poilievre will bring. We will see the comeback of the Liberal caucus in the Senate, which will be the official opposition. They may even be invited to join the national Liberal caucus, which, no doubt, will be at a very low number by then.

**Senator Housakos:** They might need all the senators.



**Senator Plett:** I think they could kick the other guys out. And I am certain that the ISG will remain standing, maybe under a new name. Who knows? Names change here. They will not support Pierre Poilievre's policies. They will be a second opposition in the Senate of Canada. The changes to the Rules that Motion No. 165 will bring are giving them the tools to do that.

This second opposition will be able to maneuver without any practical political restraint. The new Liberal leader will not have to answer for their behaviour. No Liberal MP will pay a political price if they stall or defeat a bill. They will be able to take unpopular stances, defend Trudeau's ideas — even against the new Liberal leader — and will not be accountable to anyone. This group will stay in ambush in the Senate, ready to move against Pierre Poilievre's legislative agenda.

Colleagues, I am sure most of you think I am exaggerating. Well, to be frank, I hope I am. I hope I am wrong. And I hope that after the election, you will accept the will of the Canadian people and will not stall any bill that is sent over here by the elected house, the Conservative Party of Canada. But I fear that history will repeat itself and that the Justin Trudeau-appointed senators will act just like the Pierre Elliott Trudeau-appointed senators acted between 1984 and 1991 and will put as many roadblocks on Pierre Poilievre's path as their predecessors did for Brian Mulroney.

• (1720)

Now, let me go through the details of the motion and what those changes mean for the Senate.

As I said earlier, by circumventing the regular process of having the new rules studied one by one at committee, Senator Gold is robbing us of the chance to measure carefully the impact of the changes. This is sad because there will be unintended consequences to having these new rules. Those of you who will still be in this place in three or five years will realize that you were duped.

First, Senator Gold has decided to reduce the evening suspension by one hour and to have it from 7 p.m. to 8 p.m. Why he chose this instead of 6 p.m. to 7 p.m. or 6:30 p.m. to 7:30 p.m., we will never know, since he decided to skip the regular process.

**Senator Housakos:** He was told to do that.

**Senator Plett:** As senators would know, the evening suspension is often used for those of us who have organized caucuses to hold caucus meetings to discuss strategy for the evening. In fact, Senator Gold circulated in March a "rationale" on changes to Rules that allowed whips to ask for an extension of the evening suspension to allow for caucus meetings. This is not in the motion. Why? We don't know. Maybe the government does not want senators to be able to discuss how they can oppose legislation. It makes their job easier.

Also, the evening suspension is a good time for senators to meet with stakeholders. I have stakeholders asking me many times, "Senator, what day can we have a meeting?" Now, I can almost always say, "For sure, I can meet you on a Tuesday from 6 p.m. to 8 p.m. or possibly on a Thursday from 6 p.m. to 8 p.m."

Because I know that is when that time will be available. For those of us who are here working hard, that is the only free time in a day filled with committees and chamber attendance. Maybe the government is happy with the fact that senators will have less time to meet with stakeholders. Again, it will make their job easier.

**Senator Housakos:** They can go home earlier.

**Senator Plett:** I know I am old school on this issue, but, for me, the evening suspension is an integral part of the "sober second thought" aspect of the Senate. All senators are expected to attend all sittings and stay throughout the debates, but we don't. On Thursday afternoons and Thursday evenings, colleagues, it is shameful. When I look at this chamber on a Thursday at six o'clock, people are leaving in all directions for their airplanes that will be leaving in half an hour.

We were appointed to this chamber to work. We are paid good money by Canadian taxpayers to be here and do our work. I see this as a reason for us to be able to get out of here no later than seven o'clock in the evening. All senators are expected to attend all sittings and stay throughout all the debates. That is why we do not have exceptional circumstances; that is why we do not agree to having committee meetings while the Senate sits. Yet, we are being asked to do so constantly. No. That's the time when we're supposed to be in here.

To have a break after a long day to allow senators to prepare for an evening of debates does not seem to be, in my opinion, again — Senator Lankin's words — a waste of time. Maybe the government does not want senators to be prepared. Maybe the government does not have all those bad intentions, but other than allowing senators to go to bed earlier, what will this actually accomplish?

How many times in the last five years, colleagues, do you remember that the Senate failed to go through the Order Paper before midnight because of an evening suspension? It could happen tonight.

With this measure, the Senate will not accomplish more. It will sit shorter hours. Reducing the evening suspension to one hour does not reduce time wasting, as Senator Lankin said, it just reduces the time spent on Senate business by senators. Let's at least be honest about that, colleagues.

**An Hon. Senator:** It adjourns more quickly.

**Senator Plett:** The second issue the motion seeks to address is the issue of delayed answers and Order Paper questions.

You will note that the Liberals are coming up with these changes after more than eight years in power. They were content with not answering questions while they were in power, but on the eve of them returning to the opposition benches, they now push for the creation of an obligation for the government to answer questions. There has been no desire to do that until now. I haven't received an answer from Senator Gold in I don't know how long. Guess what: They did not need to change Rules to answer questions. All they need to do is have the will to answer questions.

The government is giving itself an additional eight months to answer questions that are already on the Order Paper. Obviously, Senator Gold thinks that the Trudeau government is a hopeless case as far as transparency is concerned and that it will be up to a Poilievre government to properly respect the Senate and provide answers in a timely fashion.

In section 5 of this motion, Senator Gold is giving the right to the government to crawl out of the obligation to provide an answer by simply tabling an explanation of why an answer cannot be provided. Why should the Senate allow this? The government does not have the right to do this in the House of Commons, and it does not have it in the Access to Information Act. Why should senators be treated differently than members of the House of Commons? Why is it that in Justin Trudeau's Senate, "I can't answer" is considered to be an answer under these new rules?

Speaking of being treated differently than the House of Commons, the government has 45 days to answer their questions but would have 60 days to answer ours. Why is that, Senator Gold? Are our questions more difficult to answer?

**Senator Housakos:** Obviously.

**Senator Plett:** Must be. Are they less important?

Senator Gold has tried to explain that it is because the government has to provide delayed answers in the Senate. Well, I have two objections to this. First, the government does not have the obligation to promise delayed answers; it is its choice. To make this an excuse for a longer delay in answering does not hold water. Second, why would having to provide delayed answers justify taking longer to answer a written question? Aren't there enough bureaucrats to answer our questions? What have we increased our bureaucracy by in the last eight years?

**Senator Housakos:** About 40% more.

**Senator Plett:** Does the government figure that it will be flooded with questions?

Let's be serious. There is no valid reason for having a longer delay than what they have in the House of Commons. Again, Senator Quinn asked the question, and Senator Gold refused to answer it: "Would you accept an amendment?" You will have your opportunity. It will be there.

Also, Senator Gold's motion limits the senators' questions to four questions. Why that number? Why not five or six?

Finally, on this issue, I have 92 questions on the Order Paper as of today — well, this is outdated by an hour because I got some answers today. For the sake of simplicity, I have almost 92 questions on the Order Paper as of today. Some of these questions have been on the docket since November 2021.

**Senator Housakos:** Unbelievable.

**Senator Plett:** Senator Gold's motion has a transitional measure for those questions. As I said, the government is giving itself an additional six months before the 60-day delay starts. I

have been waiting 30 months for some answers, and now the government wants an additional eight months and will probably give me an answer like, "We can't answer this." This is not serious. This is a joke, Senator Gold, a joke.

Once again, Senator Gold pretends he is doing something but is, in fact, doing the opposite. He pretends that his motion would help senators get more timely answers out of their questions. This is not true. The government will have the ability to just provide a non-answer to forgo its obligation. The government is giving itself eight months to answer questions that have been already filed — some of them for more than 30 months.

Finally, the motion puts a hard cap on the number of questions a senator can ask. Shameful! This is democracy?

**Senator Housakos:** Independent Senate.

**Senator Plett:** Colleagues, this is not the gift to senators that Senator Gold pretends it is. I am certain that in a few years, some of you will deeply regret these changes.

• (1730)

Let's move to another issue: time limits for speakers. In section 7 of his motion, Senator Gold is giving the leader of the Independent Senators Group, or ISG, unlimited time to speak. Why is it necessary to give a third leader unlimited time?

In the House of Commons, the leader of the Bloc Québécois, the third party, does not have unlimited time. I suspect this will allow the leader of the ISG to play the role of substitute Leader of the Government or substitute Leader of the Opposition, as I outlined already. As long as the Liberals are in power, two leaders supporting the government will have this privilege.

As soon as the Conservatives are in power, two leaders opposing the government will have unlimited time to speak. While Senator Gold has explained that this is done for reasons of fairness, we are not naive, Senator Gold. This change seeks to give the Liberals a double-barrelled shotgun to shoot at Conservatives — figuratively speaking, of course. That is why this privilege is not extended to other leaders.

Senator Gold was happy to note in his speech, "For other leaders and facilitators, speaking time would be extended to 45 minutes."

The problem is that under rule 6-3(1)(a) of the Rules, they already have 45 minutes of speaking time. Thanks, Senator Gold. He's given it to you twice. On this matter, Senator Gold's motion is advantaging the leader of the ISG and no one else. Progressive Senate Group, or PSG, and Canadian Senators Group, or CSG, take note — you're being thrown under the bus along with us.

In section 9 of this motion, Senator Gold is reducing by one third the speaking time of the Leader of the Opposition on its time allocation motion. Time allocation — he's taking away our right to speak to it. Such a motion is probably the most drastic procedural manoeuvre the government can make in the Senate.

It is, of course, a straitjacket put on the opposition when it is slowing things down during debate on a government matter, which — as I said — is one of the most important privileges of

the opposition. Why does the government want to reduce the time given to the opposition in a debate on a motion to shut down debate? Is closure not enough?

The opposition has 13 out of 96 senators right now. Why does the government feel it needs to reduce the speaking time of the Leader of the Opposition?

Also, Senator Gold's motion is giving five leaders 20 minutes each. I will remind you that four of those leaders have voted for the last government budget.

That leaves only 50 minutes for other senators to speak on a time allocation motion, compared to 90 minutes now. With one senator from each group speaking, that leaves only one senator from the opposition on a closure motion.

**An Hon. Senator:** Shame.

**Senator Plett:** This is where equality between all groups does not make any sense, colleagues. When four groups support the policy of the government and are willing to support time allocation to shut down debates because they feel it is wasting their precious time, the new rules would give the opposition one fifth of the speaking time in the debate. Let me be clear, colleagues: Four out of five leaders are supporting that Senator Gold time allocates this very motion.

How is two hours to support the government and 30 minutes to oppose it fair? I remind you, colleagues, in such a scenario, the only thing that the opposition has left is limited time to express its point of view before the government's will is realized. Senator Gold's motion would add insult to injury by reducing the ability of the opposition to speak even further.

The next point in Senator Gold's motion is the issue of duration of bells and the ability to defer votes. Section 13 of the motion replaces the current rule on the length of bells by requiring the Speaker to ask the representatives of five groups if there is agreement for the duration of the bells. I don't know why the government chose to include five groups and not all recognized groups. Why is it necessary to ask five different people if they have agreed instead of asking the Government Whip if there is agreement?

I remind you that, in any event, it takes leave of the Senate to accept that agreement. Even under our current Rules, a group that has not been consulted or does not agree on the length of the bells could derail any agreement.

I don't know what this change to the Rules adds, other than lengthening the proceedings before the Speaker can ask to call in the senators. The Trudeau government is a world-renowned expert in virtue signalling. This is simply another example of that.

It says it is giving new powers to some parliamentary groups when, in fact, they already have those powers. In his speech, Senator Gold said:

The agreement of the whips and liaisons of the three largest groups, as well as the government and opposition, would be required in order to modify the default time for bells on standing votes. This is currently exclusive to the government and opposition. A majority is not represented.

As I said, this is not true. The de facto agreement of all senators is required to modify the duration of the bells. Senator Brazeau and Senator McCallum, who are sitting as unaffiliated senators, have the right to do that. They stand up and do not agree and we have a one-hour bell. When the Speaker asks if there is an agreement on the bells, such agreement must be accepted by all senators.

Then, in section 14 of his motion, Senator Gold gives the right to defer a vote to five groups. I don't know why he thinks groups other than the government and the opposition would need this right, other than to add to the list of pretend powers that the ISG, CSG and PSG will have. Since these changes are supposed to be about time-wasters, I am not sure that giving the right to defer votes to more people will save a whole lot of time.

Then we have the changes in section 17 of the motion that give status of ex officio on committees to three additional leaders. Any senator can attend the meetings of committees mentioned in section 17. The three leaders already have that right.

This change is about the right to receive documents and move motions. Wouldn't it be simpler to have a rule allowing leaders to get the documents of the committees? As for the right to move motions, all recognized groups have members on the committee. A leader can be subbed in at any time during a meeting. Is this change in the rules really necessary, or is it just for optics, to make us believe that the government is actually giving powers to third parties?

In fact, this change has very real consequences for the Conservative Party. As I said before, we have here one group that opposes the Liberal government and four groups in which a majority voted to support the government in the most important vote, on the budget. It is basically four to one.

With this change, a committee of 12 regular members could see its membership grow by 5 ex officio members to 17. Right now, the Conservatives have two seats on such committees. The change to the Rules will add three leaders of groups supportive of the government, and we will go from an 11-to-3 split to a 14-to-3 split. I understand the leaders will not vote; however, the speaking time, the ability for opposition senators to ask questions, will be reduced.

Even more worrisome for the Conservatives, ex officio members count for the calculation of quorum. With Senator Gold's new scheme, there could be a committee meeting with only the Leader of the Government and the leaders of the ISG, CSG and PSG in attendance and quorum would be attained — no one from the committee or the opposition, and Senator Gold would have the only vote.

Colleagues, is this something we want to support? Is this something this government has the audacity to put in front of us and think we won't read this document? Is that the government's idea of a democratic process? That is a new concept: clause-by-clause consideration of bills with only the Leader of the Government voting. Wow!

I wish I could be here after the next election, be the government leader and vote by myself. I would win every vote. At least it would be close.

• (1740)

This may not be the intention of the government, but it is one of the consequences. I'm sorry to hammer this, but skipping the committee process means that we cannot discuss at length how we can give additional powers, such as receiving documents, to groups other than the government and the opposition without opening the door to scenarios where dissenting voices could be excluded from committee proceedings.

Committee meetings are the next issue. Section 19 of the motion would allow committees to meet on a Monday when the Senate does not sit that precedes a Tuesday when the Senate sits. That may include statutory holidays such as Thanksgiving or Victoria Day. Is that an oversight, or is this what Senator Gold has in mind: the ability for the non-Conservative majority to force a committee sitting on a holiday?

Also, the way the motion reads, any committee can sit on a Monday. Shouldn't it be restricted to committees that regularly sit on Mondays and during their regular time slots? Otherwise, on a Friday a chair could call for a meeting on the following Monday — for which senators would not have planned — which would force them to scramble to get to Ottawa.

How is that fair, colleagues?

Remember, if you vote for this motion, you could be the one that will have to make arrangements on a Friday when you've planned something over the weekend, and you will have to be here Monday.

Senator Gold's motion is putting a mechanism in place to allow the Trudeau-appointed senators to hold committee meetings without Conservatives present, and this will be the case not only in the year or so that Trudeau will remain in power, but for a long time after the election.

In section 20 of the motion, Senator Gold adds the Independent Senators Group as a seconder of the motion creating the Standing Committee on Ethics and Conflict of Interest for Senators. In practice, what does this change? It is just a symbolic reduction of the role of the opposition.

Finally, in section 23 of this motion, Senator Gold is changing the definition of the term "Leader of the Government." This is rather interesting.

In his decision of April 25, 2023, Speaker Furey said that Senator Gold is the government leader. He is the head of the government party. That was why he could use time allocation provisions in the *Rules of the Senate*.

Either his change is purely for optics — a symbolic change that has no effect in reality, since Senator Gold's situation actually falls within the current definition of the "Leader of the Government" — or there is an actual need to change the definition, and then it is an admission that Speaker Furey's decision was baseless.

Every time Senator Gold tries to defend his idea of a leader who is not part of a group he leads or a representative who does not necessarily support what he represents, it makes me think that deep down he is ashamed of representing this inept government, and I would not blame him for that. He is trying to make us believe that somehow he is some kind of non-partisan member of a partisan group and that he is part of a government led by a political party that he more or less supports. He goes to cabinet meetings, but he is not involved in their decisions. He is a tourist. Senator Gold would have us believe that he is just a bystander, a witness to the Trudeau car crash, just like the rest of us.

I am sorry, but I do not buy that.

Speaking of Senator Gold, I want to take this opportunity to correct some of the inaccuracies of his speech.

Senator Gold referred several times to the changes to the Parliament of Canada Act that were adopted as part of Bill C-19, the Budget Implementation Act, 2022, No. 1, or the BIA. In his speech, he said:

In order to implement those changes, the regulating body has to adopt implementing regulations. In other words, the Senate has to adopt a revised set of Rules. Absent that, the amendments to the Parliament of Canada Act would remain a paper tiger and an empty promise.

The problem is that this is not what the government has been saying for the last three years.

Senators, you will remember that the changes included in the Budget Implementation Act, 2022, created additional allocations for some of the leadership positions of the Independent Senators Group, or ISG; the Canadian Senators Group, or CSG; and the Progressive Senate Group, or PSG. The Conservative senators were comfortable with these changes. They reflected the fact that there were three organized groups led by some senators, for whom this represented additional responsibilities. It is fair that they be compensated for this as the leadership of the parties, other than the government and opposition in the House of Commons, are compensated.

Bill C-19 was the third legislative attempt in this Parliament to make such changes to the Parliament of Canada Act after Bill S-2 was killed by the Speaker of the House of Commons and Bill C-7 never went anywhere. Furthermore, the government had tabled this bill, then named Bill S-4, in the previous Parliament. In fact, today marks the third anniversary of the tabling of Bill S-4.

There were four different bills tabled by the government to make those changes. They never introduced changes to the Rules as a corollary. In fact, never in the debates on those four bills will you find mention of specific changes to the Rules.

If, as Senator Gold says, those modifications to the Parliament of Canada Act required changes to the Rules, why did the government wait three years before moving them? Why didn't the government circulate the proposed changes when those bills were debated?

Because there was zero relationship between increasing the salaries of some senators and the content of Motion No. 165.

Minister Dominic LeBlanc appeared in May 2021 in front of our Committee of the Whole as part of the debate on Bill S-4. He never alluded to changes to the Rules to give more powers to the ISG or to dilute the powers of the opposition. Let me be clear: Senator Gold is incorrect when he says these changes have any relation at all to the Parliament of Canada Act. He made that up.

Another inaccuracy contained in Senator Gold's speech of April 18, 2024, is this notion that somehow some senators cannot participate fully in debates. He said, "... the Rules, as they currently exist, have made it increasingly difficult for all senators to participate fully."

He said that our system "... excludes an absolute majority of the senators ..."

I guess deep down he knows that he is going over the top here, as he later corrected himself, acknowledging that all senators are, in fact, equal, and our Rules reflect that. Let me make a couple of points on this.

First, it is false that senators cannot participate and that they are somehow excluded. Since 2016, we have always found ways to include all senators. Everyone can sit on committees. Every senator can rise on debate on any matter. All senators can vote the way they wish. Anyone can join a group — or not — with the exclusion of the Conservative Senate caucus for Trudeau appointees. That is not because of our Rules. This has always been the case, by the way.

In the June 2015 edition of the *Senate Procedure in Practice*, it says:

Senators who are not members of the government or opposition parties can participate fully in the work of the Senate and be appointed to committees.

That was in June 2015, before Justin Trudeau was elected Prime Minister and before Senator Harder came here as the first Trudeau appointee. We can see, again, this Liberal trick of presenting as new something that already exists.

Second, the fact that your leader has unlimited time to speak — or not — that they receive more money — or not — and that your whip may defer a vote — or not — has nothing to do with your ability to participate fully in Senate business. Motion No. 165 is about giving powers to the leadership of the ISG, the CSG and the PSG, not about giving individual senators any more power.

Individual senators, remember that: You're getting nothing from this, and it is normal, as they are already equal to other senators, as Senator Gold said himself.

Let me be clear again: Senator Gold is incorrect when he says these changes will enable some senators to more fully participate, because all senators can already participate in any event, and the changes have no effect on an individual senator's ability to participate in Senate work.

Senator Gold said in his speech that one of the objectives of this rule is to make the Senate less partisan. As I have explained already, nothing can be further from the truth.

Senator Gold is making a partisan move in unilaterally changing the Rules — a first in Canadian history. I am sure he is itching to double down and use time allocation and make sure his will prevails. This is hardly the beginning you want in this new, less partisan Senate.

We will see the mutation of the ISG into a second Liberal caucus in the Senate, as I have said. We will not have less partisan speeches; we will just have twice the same Liberal points of view.

• (1750)

When the Pierre Poilievre government will try to move its legislation, these two Liberal caucuses will undoubtedly work in unison against it. That will signal a return to the overly partisan nature of the Senate, when the government in place is faced with a determined majority opposition in the Senate, just like in 1896, 1911 and 1984, to name some examples. Nothing in the proposed changes that we have in front of us will reduce partisanship then. On the contrary, the new Rules will just exacerbate it.

Let me be clear again: Senator Gold is incorrect when he says these changes will reduce partisanship in the Senate.

Continuing to dissect his April 18 speech, I was surprised to hear Senator Gold pretend that the opposition is a relatively new concept in the Senate.

The fact that the Proclamation of the Constitution Act, 1867 contained the names of Conservatives and Liberals to be appointed as senators is proof that there was never any intention to have a non-partisan Senate. Queen Victoria could have appointed men unaffiliated to political parties, or at least act like Justin Trudeau and pretend to do so. She did the contrary. The Liberals sat in opposition for the first two terms. When Alexander Mackenzie and the Liberals came to power in 1874, the Liberal senators became part of the government.

I want to reassure Senator Gold that the position of the Leader of the Opposition in the Senate dates back to 1867. Luc Letellier de Saint-Just — a good Liberal — was the first to hold this position. The job I hold has been in existence for as long as the job that Senator Gold holds.

Let me be clear again: Senator Gold is incorrect when he says that the opposition in the Senate is a new concept, and that his attacks against the opposition are just a return to the roots of the Senate.

Speaking of the first leader of the opposition, who became leader of the government in the Senate a few years later, he was known to have a sharp tongue. I don't think Senator Gold was correct in his speech when he said that the Senate was not created with the intention that it should simply replicate the highly partisan talking points in the other place. Although Hansard was then written in a very sanitized manner, my team showed me an excerpt of one of Saint-Just's interventions, where he said about one of his colleagues that he had "neither energy nor ability," that he "ruined the Grand Trunk Railway," that he was "like Satan" and that he was "guilty of splendid egotism." That was in one speech. Today, Conservatives were asked to leave the House of Commons because they called the Prime Minister what the Prime Minister really is: a racist. The myth about the early Senate full of gentlemen debating courteously above partisanship is just that: a myth.

I know you've been waiting for these words: in conclusion. One thing that has changed in the Senate under Justin Trudeau, though, is the idea that the Rules have to be changed by consensus.

The government has been clear: This package will not be amended, and debate has to be limited. If you listen to the Trudeau government and their supporters in the Senate, nothing is more urgent than changing the *Rules of the Senate*. Canadians are waiting with bated breath, hoping that we change the Rules. I could well have 700,000 views on this because people are waiting for this. If you listen to the Trudeau government and their supporters, nothing is more urgent. Canadians are waiting with bated breath to see if Senator Gold will be able to give Justin Trudeau his departing gift of a Senate controlled by his senators.

People waiting for hours in emergency wards across the nation are on the edge of their seats: "Will Senator Saint-Germain have more than 45 minutes to speak?" It's an important issue for people across the country. People in the lineup at the food bank are asking themselves, "Will the Progressive Senate Group and the Canadian Senators Group have the right to defer a vote?" People filling out their tax forms today are saying to themselves, "I am so happy to pay all that income tax. We will soon have a Senate where more senators will have more time to praise Justin Trudeau."

On the second day of debate, even before a second senator had the chance to speak, the government is threatening time allocation. Instead of allowing us to present amendments, Senator Gold will use the hammer and close debate. He has made his bed; he will ram this motion through, no matter what.

The only good news — as I said — is that this is hopefully the last attack the Trudeau government will make on the Senate. Canadians are waiting for this, in those same emergency wards, in those same food lineups and in those same houses where people are doing their tax returns today. They are waiting for this: Canadians will soon give a massive mandate to Pierre Poilievre and the common sense Conservatives, who will then be able to appoint senators with a mandate to repair this broken, fractured Senate. They will have a daunting task in front of them, but I am confident that those who will still be here — and those of you who will still be here — will see the light and decide that we need a more efficient, independent and accountable Senate working for all Canadians.

Thank you, colleagues.

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

**Hon. Percy E. Downe:** I wonder if Senator Plett would take a question.

**Senator Plett:** Senator Plett would be pleased to take a question.

**Senator Downe:** Senator, I share your view about the long-term impact that these changes would have in the Senate, but I come at it from a different angle. My concern would be that if there is a change in government, in light of the recent history in Canada — as you know, a government is elected and re-elected — people feel comfortable now that there are so many senators appointed by the current government, but that would change. In my experience — and probably in your experience as well — it changes surprisingly quickly. People leave for a host of reasons: personal situation, family members need them at home, or they're disenchanted by what the government of the day is doing, because they're from a different viewpoint and party. There's a rapid turnover in the Senate, and then if the Conservatives win the election — and nobody can predict the future — there will be changes.

This opens the door to changes. As somebody on a different side of the equation than you, I think of the changes that your party might make, and I compound them by two, and it's my worst nightmare. But that's being done because we're changing what has been — as you correctly noted — a consensus format since 1867.

My question is this: Given the appetite of the majority of senators for some changes to the Rules, and given the frustration that many senators are feeling because those Rules have not changed, are you able or willing to enter into negotiations over the next few weeks in order to see what changes would be acceptable to your caucus as we move the Senate in a different direction?

**Senator Plett:** Thank you very much, Senator Downe. The very short answer is yes. But let me delve into it a bit. First, your worst nightmare is my wildest, best dream. At least our subconscious minds will be dealing with the same issue.

Yes, I would absolutely be willing, and we have been. I'm sure we will have people from the Rules Committee — speaking on debate — who will tell you that, even at the Rules Committee,

some concessions were made. But this is all or nothing to Senator Gold; he made that clear. There are a number of issues here that we have been willing to negotiate. I was at the Rules Committee some weeks ago, where I absolutely said that I agree with some of the changes. But this is not the way to do it. This is all or nothing. I heard this today again at other meetings that I attended: Do or die. Today or never. Right now, all of this has to be passed. That's not the way to do this, Senator Downe. I think you, at least, agree with that. Thank you.

**The Hon. the Speaker:** 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 will resume, unless it is your wish, honourable senators, to not see the clock.

Is it agreed to not see the clock?

**Some Hon. Senators:** Agreed.

**Some Hon. Senators:** No.

**The Hon. the Speaker:** I hear a "no."

Honourable senators, leave was not granted. The sitting is, therefore, suspended, and I will leave the chair until eight o'clock.

(The sitting of the Senate was suspended.)

[Translation]

(The sitting of the Senate was resumed.)

• (2000)

### ROYAL ASSENT

**The Hon. the Speaker** informed the Senate that the following communication had been received:

RIDEAU HALL

April 30, 2024

Madam Speaker,

I have the honour to inform you that the Right Honourable Mary May Simon, Governor General of Canada, signified royal assent by written declaration to the bills listed in the Schedule to this letter on the 30<sup>th</sup> day of April, 2024, at 6:05 p.m.

Yours sincerely,

Ken MacKillop

*Secretary to the Governor General*

The Honourable  
The Speaker of the Senate  
Ottawa

Bills Assented to Tuesday, April 30, 2024:

An Act respecting Pandemic Observance Day (*Bill S-209, Chapter 7, 2024*)

An Act to provide for the establishment of a national council for reconciliation (*Bill C-29, Chapter 8, 2024*)

[English]

### RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

MOTION TO AMEND THE *RULES OF THE SENATE*—DEBATE

On the Order:

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

That the *Rules of the Senate* be amended:

1. by replacing the words "Leader of the Government" by the words "Leader or Representative of the Government" in rules 2-4(2), 3-6(2), 4-3(1), 4-8(1)(a), 5-7(m), 6-5(1)(b), 12-5(a), 12-23(2) and (3), and 14-1(2);
2. in rules 3-3(1) and (2), 4-2(8)(b), and 7-4(2), by replacing the words "6 p.m." by the words "7 p.m." in the marginal notes, as appropriate, and the text of the rules;
3. in rule 4-2(2), by replacing the number 15 by the number 18 in the marginal note and the text of the rule;
4. in rule 4-2(8)(a), by replacing the words "At the request of a whip or the designated representative of a recognized parliamentary group" by the words "At the request of a whip, liaison, or the designated representative of a recognized party or recognized parliamentary group";
5. by:
  - (a) replacing rules 4-9 and 4-10 by the following:

#### ***"Delayed Answers and Written Questions"***

Delayed answers to oral questions

**4-9.** (1) When responding to an oral question during Question Period, a Senator may indicate that a delayed answer will be provided in writing pursuant to the terms of this rule.

Written questions

**4-9.** (2) Subject to subsection (5), a Senator may submit a written question to the Government relating to public affairs by sending it in writing to the Clerk if either:

- (a) a written answer is requested; or
- (b) the question seeks statistical information or other information not readily available.

#### Publication of written questions

**4-9. (3)** Upon receipt of a written question, the Clerk shall have it published in the *Order Paper and Notice Paper* on the day following receipt and subsequently on the first sitting day of each week until the earlier of the following:

- (a) an answer is tabled;
- (b) a written explanation why an answer has not been provided is tabled;
- (c) the question is withdrawn; or
- (d) the expiration of the 60-day period provided for in this rule for an answer or explanation.

#### Withdrawal of a written question

**4-9. (4)** The Senator who submitted a written question may subsequently withdraw it by writing to the Clerk, who shall have a note to that effect included in the *Order Paper and Notice Paper* the next time the question would have been published there.

#### Limit on number of written questions

**4-9. (5)** A Senator shall not submit a written question if they already have four such questions that are to be published in the *Order Paper and Notice Paper* under the provisions of subsection (3).

#### Answer within 60 days

**4-9. (6)** Within 60 calendar days of the Leader or Representative of the Government, or a Senator who is a minister, indicating that a delayed answer will be provided to an oral question pursuant to the terms of this rule, or of a written question first appearing in the *Order Paper and Notice Paper*, the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government, shall table either the Government's answer to the question or a written explanation why an answer has not been provided.

#### Tabling

**4-9. (7)** An answer or explanation to be provided under this rule may be tabled either during Delayed Answers, which shall be called at the end of Question Period, or by being deposited with the Clerk. A copy of any such tabled document shall be provided to the Senator who asked the question, and the delayed answer to an oral question shall be printed in the *Debates of the Senate* of the date the tabling is recorded in the *Journals of the Senate*.

#### Failure to respond or provide explanation

**4-9. (8)** If the Government has tabled neither an answer nor an explanation of why an answer has not been provided within the 60-day period provided for under this rule, the absence of an answer shall be deemed referred to the Standing Committee on Rules, Procedures and the Rights of Parliament for consideration and report, with this referral being recorded in the *Journals of the Senate* as soon as possible thereafter.”; and

- (b) renumbering current rules 4-11 to 4-16 as rules 4-10 to 4-15;
- 6. in current rule 4-13(3), by replacing the words “such sequence as the Leader or the Deputy Leader of the Government shall determine” by the words “such sequence as the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government shall determine”;
- 7. by replacing rule 6-3(1) by the following:

#### “Time limits for speakers

**6-3. (1)** Except as otherwise provided:

#### Certain Leaders and Facilitators

(a) the Leader or Representative of the Government, the Leader of the Opposition, and the leader or facilitator of the recognized party or recognized parliamentary group with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs, shall be allowed unlimited time for debate;

#### Other Leaders and Facilitators

(b) leaders and facilitators, other than those provided for in paragraph (a), shall be allowed up to 45 minutes for debate;

#### Sponsor of bill

(c) the sponsor of a bill, if not one of the Senators provided for in paragraph (a), shall be allowed up to 45 minutes for debate at second and third reading;

#### Critic of bill

(d) the critic of a bill, if not one of the Senators provided for in paragraph (a), shall be allowed up to 45 minutes for debate at second and third reading;

#### Designated Senators

(e) one other Senator designated separately by the leader or facilitator of each recognized party or recognized parliamentary group, except for the recognized party or recognized parliamentary group of the sponsor and critic, shall be allowed up to 45 minutes for debate at second and third reading; and



- Others  
(f) other Senators shall speak for no more than 15 minutes in debate.”;
8. by replacing rules 7-1(1) and (2) by the following:
- “Agreement to allocate time  
**7-1.** (1) At any time during a sitting, the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government may state that they have reached an agreement with the representatives of the recognized parties and the recognized parliamentary groups to allocate a specified number of days or hours either:
- (a) for one or more stages of consideration of a government bill, including the committee stage; or
- (b) for consideration of another item of Government Business by the Senate or a committee.
- Motion on agreement to allocate time  
**7-1.** (2) The Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government may then, without notice, propose a motion based on the agreement.”;
9. by replacing rules 7-2(1) and (2) by the following:
- “No agreement to allocate time  
**7-2.** (1) At any time during a sitting, the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government may state that they have failed to reach an agreement with the representatives of the recognized parties and the recognized parliamentary groups to allocate time to conclude an adjourned debate on either:
- (a) any stage of consideration of a government bill, including the committee stage; or
- (b) another item of Government Business.
- Notice of motion to allocate time  
**7-2.** (2) After stating that there is no agreement on time allocation, the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government may give notice of a motion to allocate time for the adjourned debate, including the committee stage of a bill. The motion shall specify the number of days or hours to be allocated.”;
10. by replacing rule 7-3(1)(f) by the following:
- “(f) Senators may speak for a maximum of 10 minutes each, provided that the Leader or Representative of the Government, the Leader of the Opposition, and the leader or facilitator of any other recognized party or recognized parliamentary group may each speak for up to 20 minutes.”;
11. in rule 7-3(2), by deleting the words “at 6 p.m.” and the words “at 8 p.m.”;
12. in rule 7-4(5)(d), by replacing the words “the Government Whip” by the words “the Government Whip or Liaison”;
13. by replacing rules 9-5(1) to (3) by the following:
- “(1) The Speaker shall ask the Government Whip or Liaison, the Opposition Whip, and the whips or liaisons of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Government Whip or Liaison, or the Opposition Whip belongs, if there is an agreement on the length of time the bells shall ring. If a whip or liaison is absent, that whip or liaison’s leader or facilitator may designate a Senator to act for this purpose.
- (2) The time agreed to shall not be more than 60 minutes.
- (3) With leave of the Senate, this agreement on the length of the bells shall constitute an order to sound the bells for that length of time.”;
14. by replacing rule 9-10(1) by the following:
- “Deferral of standing vote  
**9-10.** (1) Except as provided in subsection (5) and elsewhere in these Rules, when a standing vote has been requested on a question that is debatable, the Government Whip or Liaison, the Opposition Whip, or the whip or liaison of any of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Government Whip or Liaison, or the Opposition Whip belongs, may defer the vote.”;
15. by replacing rule 9-10(4) by the following:
- “Vote deferred to Friday  
**9-10.** (4) Except as otherwise provided, if a vote has been deferred to a Friday:
- (a) the Government Whip or Liaison may, at any time during a sitting, further defer the vote to 5:30 p.m. on the next sitting day if it is on an item of Government Business; and
- (b) the Government Whip or Liaison, the Opposition Whip, or the whip or liaison of any of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Government Whip or Liaison, or the Opposition Whip belongs, may, at any time during a sitting, further defer the vote to 5:30 p.m. on the next sitting day if it is on an item of Other Business.”;

16. by replacing rule 10-11(2)(a) by the following:

“(a) by the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government, at any time during a sitting; or”;

17. by:

(a) replacing rule 12-3(3) by the following:

“Ex officio members

**12-3.** (3) In addition to the membership provided for in subsections (1) and (2), and subject to the provisions of subsection (4), the Leader or Representative of the Government, the Leader of the Opposition, and the leaders or facilitators of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs, are ex officio members of all committees except the Standing Committee on Ethics and Conflict of Interest for Senators, the Standing Committee on Audit and Oversight, and the joint committees. For the purposes of this provision, in case of absence, the Leader or Representative of the Government is replaced by the Deputy Leader or Legislative Deputy of the Government, the Leader of the Opposition is replaced by the Deputy Leader of the Opposition, and the leader or facilitator of any other recognized party or recognized parliamentary group is replaced by that Senator’s deputy leader or deputy facilitator.

Ex officio members voting

**12-3.** (4) Of the ex officio members of committees provided for in subsection (3), only the Leader or Representative of the Government, and the Leader of the Opposition, or, in their absence, their respective deputies, shall have the right to vote.”; and

(b) renumbering current rule 12-3(4) as rule 12-3(5);

18. by replacing rule 12-8(2) by the following:

“Service fee proposal

**12-8.** (2) When the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government tables a service fee proposal, it is deemed referred to the standing or special committee designated by them following consultations with the Leader or Deputy Leader of the Opposition, and the leader or facilitator of any other recognized party or recognized parliamentary group, or the designate of such a leader or facilitator.”;

19. by replacing rule 12-18(2) by the following:

“Meetings on days the Senate is adjourned

**12-18.** (2) Except as provided in subsection (3) and elsewhere in these Rules, a Senate committee may meet:

(a) when the Senate is adjourned for more than a day but less than a week, provided that notice was given to the members of the committee one day before the Senate adjourned;

(b) on a Monday the Senate does not sit that precedes a Tuesday on which the Senate is scheduled to sit; or

(c) during other periods the Senate is adjourned and that are not covered by the above provisions, provided that the meeting was either:

(i) by order of the Senate, or

(ii) with the agreement, in response to a request from the chair and deputy chair, of a majority of the following Senators, or their designates: the Leader or Representative of the Government, the Leader of the Opposition, and the leaders or facilitators of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs.”;

20. by replacing rule 12-26(1) by the following:

“Appointment of committee

**12-26.** (1) As soon as practicable at the beginning of each session, the Leader or Representative of the Government shall move a motion, seconded by the Leader of the Opposition, and the leader or facilitator of the recognized party or recognized parliamentary group with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs, on the membership of the Standing Committee on Ethics and Conflict of Interest for Senators. This motion shall be deemed adopted without debate or vote, and a similar motion shall be moved for any substitutions in the membership of the committee.”;

21. in rule 14-1(1), by replacing the words “Leader or Deputy Leader of the Government” by the words “Leader or Representative of the Government, or Deputy Leader or Legislative Deputy of the Government”;

22. in rule 16-1(8), by replacing the words “Leader or Deputy Leader of the Government” by the words “Leader or Representative of the Government, or Deputy Leader or Legislative Deputy of the Government”, both times they appear; and

23. in Appendix I:

(a) in the definition of “Critic of a bill”, by replacing the words “Leader or Deputy Leader of the Government” by the words “Leader or Representative of the Government, or Deputy Leader or Legislative Deputy of the Government”;

(b) by replacing the definition of “Deputy Leader of the Government” by the following:

**“Deputy Leader or Legislative Deputy of the Government**

The Senator who acts as the second to the Leader or Representative of the Government and who is normally responsible for the management of Government business on the floor of the Senate. The Deputy Leader or Legislative Deputy is also generally responsible for negotiating the daily agenda of business with the Opposition and other recognized parties and recognized parliamentary groups. In the absence of the Deputy Leader or Legislative Deputy, the Government Leader or Government Representative may designate another Senator to perform the role. The full title is “Deputy Leader of the Government in the Senate” or “Legislative Deputy to the Government Representative in the Senate”. (*Leader adjoint ou coordonnateur législatif du gouvernement*);

(c) in the definition of “Evening suspension”, by replacing the words “between 6 and 8 p.m.” by the words “between 7 and 8 p.m.”;

(d) in the definition of “Government Business”, by replacing the words “Leader of the Government or the Deputy Leader” by the words “Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government”;

(e) by replacing the definition of “Government Leader” by the following:

**“Government Leader**

See “Leader or Representative of the Government”. (*Leader du gouvernement*);

(f) by replacing the definition of “Government Whip” by the following:

**“Government Whip or Liaison**

The Senator responsible for ensuring the presence of an adequate number of Senators of the Government party in the Senate for purposes such as quorum and the taking of votes, and to whom the Leader or Representative of the Government normally delegates responsibility for managing the substitution of Government members on committees as appropriate. The Government Whip or Liaison may be responsible for outreach on Government Business in the Senate. (*Whip ou agent de liaison du gouvernement*);

(g) by replacing the definition of “Leader of the Government, or Government Leader” by the following:

**“Leader or Representative of the Government**

The Senator who acts as the head of the Senators belonging to the Government party, or who is appointed by the Government to represent the Government in the Senate without affiliation to a Government party. In modern practice, the Leader or Representative of the Government is normally sworn in as a member of the King’s Privy Council for Canada and can be a member of Cabinet. The full title is “Leader of the Government in the Senate” or “Government Representative in the Senate”. (*Leader ou représentant du gouvernement*);

(h) by replacing the definition of “Ordinary procedure for determining the duration of bells” by the following:

**“Ordinary procedure for determining duration of bells**

The Speaker asks the Government Whip or Liaison, the Opposition Whip, and the whips or liaisons of the three largest recognized parties or recognized parliamentary groups, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Government Whip or Liaison, or the Opposition Whip belongs, if there is an agreement on the length of time, not to exceed 60 minutes, the bells shall ring. With leave of the Senate, this agreement constitutes an order to sound the bells for the agreed length of time, but in the absence of either agreement or leave, the bells ring for 60 minutes. In some cases provided for in the Rules, this procedure is not followed, with the bells ringing for shorter periods of time. (*Procédure ordinaire pour déterminer la durée de la sonnerie*);

- (i) in the definition of “Public bill”, under “Bill”, by replacing the words “(introduced by a Cabinet Minister or in a Minister’s name) or a non-Government bill (one introduced by a Senator who is not a Cabinet Minister)” by the words “(introduced by a Cabinet Minister, in a Minister’s name, or by or on behalf of the Leader or Representative of the Government if that Senator is not a minister) or a non-Government bill (one that is not a Government bill)”;
- (j) by replacing the definition of “Senator who is a minister” by the following:

**“Senator who is a minister**

A Senator who is a member of the Cabinet. The Leader or Representative of the Government is generally sworn in as a member of the King’s Privy Council for Canada and may be a member of Cabinet. (*Sénateur-ministre*);

- (k) in the definition of “Sponsor of a bill”, by replacing the words “the sponsor will typically be a government member” by the words “the sponsor is designated by the Leader or Representative of the Government”; and
- (l) by adding the following new definitions in alphabetical order:

(i) **“Deputy Leader or Deputy Facilitator**

The Senator who acts as the second to the leader or facilitator of a recognized party or recognized parliamentary group, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs. (*Leader adjoint ou facilitateur adjoint*);

(ii) **“Government Liaison**

See “Government Whip or Liaison”. (*Agent de liaison du gouvernement*);

(iii) **“Government Representative**

See “Leader or Representative of the Government”. (*Représentant du gouvernement*);

(iv) **“Leader of the Government**

See “Leader or Representative of the Government”. (*Leader du gouvernement*);

(v) **“Legislative Deputy of the Government**

See “Deputy Leader or Legislative Deputy of the Government”. (*Coordonateur législatif du gouvernement*); and

(vi) **“Representative of the Government**

See “Leader or Representative of the Government”. (*Représentant du gouvernement*);

That all cross references and lists of exceptions in the Rules be updated as required by these changes, but otherwise remain unchanged;

That, in relation to the amendments to current rules 4-9 and 4-10, provided for in point 5 above:

1. new rule 4-9(5) not apply to any written question submitted before the adoption of this motion, so that only written questions submitted after the adoption of this motion are counted as if subject to that provision;
2. the provisions of the new rules have effect from the time of the adoption of this motion in relation to questions arising from that time forward, subject to point 3 below; and
3. the provisions of the new rules relating to the 60-day period for answering written questions, tabling, and a failure to respond or provide an explanation take effect, in relation to written questions submitted before the adoption of this motion, on the date that is six months after the adoption of this motion as if that were the date on which these questions were submitted, provided that if the current session ends before the expiration of this six month period, these elements of the new rules take effect on the last day of the current session; and

That, within 30 days that the Senate sits after the adoption of this motion, the Standing Committee on Ethics and Conflict of Interest for Senators present a report to the Senate proposing changes to the *Ethics and Conflict of Interest Code for Senators* to take account of the amendments to rule 12-26(1) provided for in point 20 above.

**Hon. Denise Batters:** Senator Plett, during a government motion on invoking time allocation, under these rule changes, all of the parliamentary group leaders will each get 20 minutes to speak and take questions. By the way, that actually is not limited in that section to the five group leaders; it is “all” recognized group leaders. So the entire time allocation debate is capped at two and a half hours, so that would mean the other 100 senators not in leadership positions will barely have any time to speak at all in that time allocation debate. This runs counter to the principle of the Senate that all senators are equal.

This rule change also reduces the time for the government leader, who is proposing time allocation, to answer questions from other senators. That allows the government to dodge accountability for using the most draconian tool for limiting debate.

Senator Plett, don’t those rule changes on time allocation debate mean the opposition potentially has only 20 minutes — just the leader of the opposition — out of the two-and-a-half-hour maximum for a time allocation debate? How could that possibly be considered to be properly holding the government to account on such a draconian step?

**Hon. Donald Neil Plett (Leader of the Opposition):** Thank you very much, Senator Batters. I agree with you on that. Clearly, time allocation is done on government legislation. So there is only one caucus in this chamber that opposes government legislation, and their rights are being taken away in two areas here. Number one, yes, I — as a government leader — will get my allotted 20 minutes, but you may well not get any time. Any other senator in our caucus may well not get any time. So here it

is that the opposition in the Senate gets no time to speak. You are right, the government leader, of course, would love to, in this case, limit his time because he doesn't want to answer questions. So he will run out his time in his 20 minutes, and there will not be any time allowed for questions at all.

So I really fail to see where we have — again, as I said in my speech — basically have four caucuses that are supporting legislation, supporting the time allocation and they get all the time, and the one caucus that is opposed to it gets no time. And this is all done under the auspices of transparency, openness and fairness.

I fully agree and support you, yes.

**Senator Batters:** Thank you. Senator Plett, as you noted in your speech, by using this government motion for these rule changes, Senator Gold is skipping the committee process. For many weeks, the Rules Committee where I am deputy chair studied the issue of equity of groups. These rule changes — some previously tried and failed to be forced through before — failed to achieve consensus there.

Many of the more minor changes in this omnibus motion were actually agreed to by our Conservative opposition at Rules Committee. We tried to separate out those agreed-upon changes from the larger, more contentious part, which did not have consensus. Then we could have had a large number of changes agreed to. I tried that actually two or three times to bring that forward at committee, but the Trudeau-appointed senators refused to agree; they demanded all or nothing. That was 18 months ago. Now, 18 months later, the Trudeau government is bringing this draconian omnibus motion in this chamber.

Senator Plett, in light of all of that history, do you think it is the intention of the Trudeau government to prevent us from doing our work as opposition?

**Senator Plett:** Again, I can only concur with what you are saying. I've been paying attention to what your Rules Committee has been doing, and you've been doing a wonderful job, even though I don't agree with some of the things that many people on the Rules Committee wanted to move forward. I commend you and Senator Ataullahjan, Senator MacDonald and Senator Wells for supporting us and standing up for us. It is becoming increasingly more difficult.

As Senator Gold has made clear, I don't want to try to wait for consensus. I am not even going to make an effort to get consensus. Clearly, as you stated, there were issues at the Rules Committee even where there was consensus. As I said in my speech, I had the opportunity to be a witness a few months ago, where I agreed to part of what Senator Gold is now putting in his rules — I agreed to them at that meeting. And yet, it all gets circumvented.

What should have happened, in my opinion, Senator Batters, is — as much as I disagree with many parts of the motion — this motion should have gone to the Rules Committee. If the Rules Committee couldn't reach a consensus on enough issues, then this motion should have gone to the Rules Committee and it

could have been debated there properly. We could have called in witnesses. We could have had expert witnesses. We could have had other leaders come and give us their opinion.

We are getting none of that now. It is being rammed through. He is circumventing. He has thrown, in my opinion, his own chair under the bus and says, "You are not good enough, Rules Committee. I, Leader of the Government, know what's best. I, Justin Trudeau, know what is best and I am going to push it through. I am not going to pay any more attention to the Rules Committee because you are taking too much time, you are being too meticulous, you are trying to actually find what the problem is before you change something." He doesn't want to do that.

**Hon. Leo Housakos:** Thank you, Senator Plett.

My question has to do primarily with the obsession of this government with Senate reform and trying to fix what, in my opinion, isn't broke. If anyone can shed some light on what exactly it is we are trying to fix, maybe I can get my head around this. There are two roles for the Senate. The first role is to make sure we pass government legislation from a legitimately elected government, and the second role is to hold the government to account. We've seen, over the last few years, there is only a small group of people who are preoccupied with holding the government to account, and we have a government that is obsessed with changing the rules.

• (2010)

The question I have is why this government is so obsessed with changing the rules and procedures of this parliamentary chamber. The second question I have for you — and you alluded in your speech that, since 1867, there have never been procedural rule changes in the Senate of Canada without consensus from both sides of the chamber. Has there been an example anywhere in the world in the Westminster parliamentary system where a chamber had the government unilaterally change the rules and procedures, let alone use time allocation to get it done?

**Senator Plett:** Thank you, Senator Housakos. I will take your second question first. I asked that very same question to Senator Gold: Where has this ever been done? In what Westminster parliamentary system has this ever been done? Can you give me one example? He has not been able to give me an example.

We have done a lot of research on this. As you will probably agree, there was a little bit of research that went into my speech. It was fairly comprehensive. My staff has done a lot of research trying to find at least one example. We have not been able to find any. I would have thought that the government leader, when he wants to bring forward a motion such as this, would at least be able to cite some precedent that this has happened since 1867. He hasn't been able to give us any. I haven't been able to find any.

Your first question is dealing with — and I agree with you, Senator Housakos, and I've said this many times — the fact that our role here is to deal with government legislation. Our role is to try to improve government legislation if we can, amend government legislation, send it back. Our job isn't to defeat government legislation.

We respect — Conservatives respect elections. We win some; we lose some. Unfortunately, since 1867, we've lost more than we've won, but we are very hopeful and very positive we will win the next couple. So we hope that the members opposite will accept the results of that election. We have accepted the results of the elections since 2015.

But, most certainly, Senator Harder would bear me out in this comment — and Senator Gold may or may not want to, very reluctantly, because he has been forcing time allocation now on a couple of bills. But this government had been in power for eight years before they ever did time allocation. They never needed to do time allocation.

The fact of the matter is for the last five or six years — although I wasn't the leader; I was the whip, and I worked with our then leader — we have managed to negotiate dates for votes on every piece of legislation. We never guaranteed we would support government legislation — that's not our job to do — but we negotiated timelines. We negotiated timelines, Senator Housakos, on bills like Bill C-69, Bill C-48, Bill C-11. The government passed every piece of government legislation they have ever brought to us, and only the last two, where Senator Gold now has lost his patience entirely and no longer wants to hear from the opposition, no longer wants to have proper debate — in his opinion, proper debate is this. We've had proper debate tonight because we have spent a few hours. That is proper debate in our government leader's opinion.

To me, proper debate would be if we were given this motion — first of all, I don't agree with where it came from, but if it did come here, for him to have given us a proper amount of time and said, "I need to pass this before we rise for the summer." That would have made some reasonable sense, and we could have done some work on it. But, no, to him proper debate is if you spend two or three hours debating this; that's proper debate. "Let's do time allocation. Let's take away your right to speak even at time allocation," as Senator Batters just pointed out, "and let's just ram this through."

Every government bill that has come forward from this inept government has passed this house quickly. Now, all of a sudden, we have to ram things through here again with this Goliath-versus-David type of an attitude.

**Senator Housakos:** Senator Plett, we've seen the government now that got elected in 2015, re-elected in 2019 and in 2021, and as you appropriately pointed out, the opposition has been more than accommodating. We have respected the outcome of that election. We have seen a government that was more interventionist in terms of forcing — unilaterally — its Senate reform plans, without respecting the Constitution, on this chamber. We acquiesced on all those steps.

Yet, do we think it is appropriate, again, in a time and place where they are changing rules and procedures in what are the last few days of the shelf life of this government, and for them to step up in an appointed chamber, like this is, with a plurality of appointed senators, and say, "We are going to use time allocation to change the rules of how this chamber works," at a point in time where, clearly, they are losing the support — the democratic support of the public?

[ Senator Plett ]

**Senator Plett:** Well, again, thank you, Senator Housakos. Very easily, Senator Gold could have come along at least and said, "I will bring this motion forward, and this will be a motion for this session, a sessional order." But he doesn't care about that now. He has the power. He has the ISG senators and, for a good part, the PSG and many of the CSG senators supporting him. So he doesn't need these powers right now. But he is looking ahead. Justin Trudeau is looking ahead. They know that within the next year to a year and a half, they will be in opposition. And so he is already moving ahead to make sure that he is creating at least two opposition parties. His party and the ISG will be the two opposition parties. That's why this needs to be done in a hurry now. That's why this can't be done with a sessional order.

We will see whether Senator Gold will allow us to bring forward some amendments. Right now, every indication is that we will be cut short of that. We will see if he will allow us some amendments to maybe find out if this is just something that he feels he needs in order to move the government agenda. Because if that's all he needs, we can do this as a sessional order, and then this falls apart come election time, and then the next government is not beholden to this.

But I suspect he will not accept an amendment such as this, because he needs this for after the election more than he needs it before the election.

**Hon. Salma Ataullahjan:** Senator Plett, as I was listening to you, the thought that came to mind was whether you think the Conservative opposition has acted responsibly. After all, we were in a position to defeat the first budget. I remember being on the Finance Committee, and Senator Harder was then the government leader, and we supported the budget.

**Senator Plett:** Again, Senator Ataullahjan, thank you. You make an excellent point. The fact of the matter is that we believe it is our job as an opposition to oppose, but it is not our job to defeat this government. That is not our job. Our job is to oppose legislation and, typically, amend legislation. Our job is not to defeat the government. Our job is not to defeat a budget. You are absolutely right. In the first few votes, ironically, we found that some senators needed to go for coffee and didn't make it back for a vote always in a timely manner when the budget was voted on. So you are absolutely right.

This opposition party has been a responsible opposition party. Certainly for my time, and I have been there since the beginning of this government, and I believe we've been a very responsible opposition party. We have senators like Senator Marshall, who has done an excellent job — better than anybody in the government would ever be able to do — pointing out flaws in these budgets. Even after she pointed out those flaws to us, we made sure the government didn't lose budget votes.

• (2020)

You are right, Senator Ataullahjan. We've been more than accommodating, more than fair and a very responsible opposition party.

**Senator Ataullahjan:** Senator Plett, you've done considerable research. Can you tell me, is there another parliamentary chamber anywhere else in the democratic world where the opposition does not enjoy special rights and privileges?

**Senator Plett:** Thank you, Senator Ataullahjan. As I said earlier, I asked Senator Gold that question when he delivered his speech, because I have not been able to find one, and Senator Gold has not been able to point one out to me. I would challenge any senator in this chamber: If they can point one out to me, I would like to know where it is, because I do not believe there are any.

**Hon. Elizabeth Marshall:** Senator Plett, will you take another question?

**Senator Plett:** Yes, please.

**Senator Marshall:** I understand what you are saying about the government trying to make sure they carry out their agenda, but you were saying in your speech that the dinner break rule in the evening will be changed so that we will go from seven o'clock until eight o'clock. I'm just wondering, what is the rationale for that? We left here at six o'clock. By the time you go somewhere to get something to eat it's 6:10, and 50 minutes is not enough time to get something to eat and get back here in an hour. Why is it being cut back to an hour, and why is it from seven o'clock to eight o'clock? That doesn't seem long enough.

**Senator Plett:** I support that in its entirety, Senator Marshall. There are a number of reasons why a dinner break has been from six o'clock until eight o'clock, even this one. I managed to get over to a reception that we had on the Hill today with our fine men and women in uniform, policemen and policewomen from across the country. They've been in many of our offices. They had a reception tonight, and they invited many of us. I rushed over there. I managed to eat a little bit. A few of my colleagues were there.

We spoke to many of the police and we thanked them for the services they are doing, and we rushed back here. That was in a two-hour break. In a one-hour break, it would have been totally impossible.

I had a meeting with a senator just last night who said to me, "You know, I never realized what you actually do during these supper breaks because I am not a member of a caucus like yours." I explained that we use that time to meet with stakeholders in our offices. I will meet people from Manitoba who come, and they would like to have dinner with me. Typically, on Tuesdays and Thursdays I have time from six o'clock to eight o'clock, because that is a break. As you know, we do our caucus meetings, many times, from six o'clock to eight o'clock. These are all impossible.

The reason this is being done, in my opinion — and I haven't heard anything to the contrary — is that, by doing this from seven to eight o'clock, there is hope that we will get through most of the Order Paper by seven o'clock and we won't have to come back at all — because we don't want to be here after 8 o'clock. I get paid to be here for three days from morning until

midnight. Those are actually our working hours. I don't want those working hours. I really only want to work three quarters of a day, so let's shorten that a little bit.

That's the only reason I can think of that they would move this, but they have not been able to answer that. I concur with you. Certainly, if you are going out to a restaurant to eat and you have to order, it cannot be done in one hour. I agree with you.

**Senator Marshall:** Is it because by shortening it to one hour we would get everything done by midnight? I don't think I've ever been here until midnight. Do you think that was the rationale? That's what I'm wondering.

**Senator Plett:** Senator Marshall, I think the rationale was that we would get everything done by seven o'clock and then go home. By six o'clock, it is difficult. We've not been very cooperative, as you know, Senator Marshall, in agreeing with the Speaker when she asks if it is agreed not to see the clock. We typically say, "No, we do not agree." We've probably been doing that more often than other senators.

That means we have to come back at eight o'clock, even if there is only one hour of business left. That's the right way to do it. The hope is that we will have most of our stuff done by seven o'clock so we won't have to come back at all.

**Hon. Michael L. MacDonald:** Senator Plett, in your research, are there any other chambers in the democratic world where there is no official opposition designated to the Senate, for the Senate to the government?

**Senator Plett:** No. As I said earlier, Senator MacDonald, I'm hoping that if we ask the question often enough here, maybe Senator Gold will get up and ask a question, and in asking that question, he might offer us an answer. So far I have not seen him jump up and do that. In my research, there are none.

**Senator MacDonald:** In the Senate, the ISG is being presented as being independent. Do independent members in the House of Commons have unlimited time to speak, the right to defer votes or any other right conferred to a recognized party?

**Senator Plett:** No, they do not. In doing it here — I'm not sure — again, I'm trying to wrap my mind around it, Senator MacDonald. What is the purpose and the intent of giving this to others? As Senator Gold has pointed out, rightfully, "We are not taking any of your rights away." Well, if you pour half a glass of water into half a glass of scotch, the scotch is a little weaker. The same thing applies here. If you give somebody the same powers, you are diluting the powers of somebody else.

Be that as it may, this particular rule does not prevent our whip from deferring the vote, but it will also allow other whips, liaisons, facilitators and lion tamers to defer votes.

I'm not sure what the motive of that is, because the fact of the matter is that, again, we have one opposition caucus and four government caucuses, and the government already has the right to defer the vote. The opposition has the right

to defer the vote. You are not really widening the scope any by giving just three more members of the government the right to defer that vote. It will only create more problems.

As I said, when you call for a bell, the Speaker asks the Government Whip, “Have the whips reached agreement?” Typically, it is between the Opposition Whip and the Government Whip. Now she will ask everybody, “Have you reached an agreement?” Today, if we were to call for a vote, and if Senator Seidman gets up and says, “A 30-minute bell,” and if Senator LaBoucane-Benson agrees with that, even then, Senator McPhedran, who is an unaffiliated member, can say no. If she alone says no, it automatically is a one-hour bell.

Again, this is virtue signalling. That’s really all that part of this motion is: virtue signalling. That’s all it is, because it changes nothing.

- (2030)

But the Liberals are very good at telling everybody, “We are doing something for you.” They are not doing anything for anyone. We have a status quo there, other than that a few other people can also defer a vote. I’m not sure why they would want to, because they typically want something passed. It is usually our side that defers. Occasionally, if they’re a little afraid, the government will defer, but it’s typically something the opposition would do. Now four or five government parties can do it.

**Hon. Marty Deacon:** Would the honourable senator take a question?

**Senator Plett:** Sure.

**Senator M. Deacon:** Thank you.

I tried to listen and hang on to every word of your speech before supper. This evening, I find myself coming back to ask something very basic: What is the problem here?

I want to ask you a question about this — not so much debating all the concerns you might have about the different changes, but the problem of this work being slammed, rammed or jammed. I’m not a leader of a group, so my assumption as a senator working alongside everybody is that we have spent time on modernizing or improving our rules since the day I started with the Modernization Committee. I spent time in the Rules Committee, learning a whole lot about how we should have the discussion in the Senate on certain issues, but we could come up with a bundle in the Rules Committee for others.

I might come to this with different experiences, and other senators are brand new and might not have had those experiences. The part I want to get at tonight is the “ram-jam effect,” which is the feeling that it’s being rammed and jammed down your throat. Does that mean that leaders, together or individually, of each group were not able to sit down and talk about it? Does that mean there wasn’t a consultation process where you felt that your ear and voice were valued before it came to this table? Is that why this feels so fast to you?

I generally want to understand that. I feel this is repeating itself as a problem and wanted to get your take on that.

**Senator Plett:** Thank you very much, senator.

Yes, I have a number of times used the words “ram” or “jam” with respect to getting something through. I believe that has been an inherent problem of this government for the last few years. We regularly hear from the Government Representative in the Senate, “We’re going to get this or that Bill. I’m not sure when we’re going to get it, but can I have agreement from you that we will move it through very quickly when it comes?”

Maybe we should at least see the legislation.

I was accused by either the Minister of Justice or the Minister of Defence in the other place of holding up Bill C-21 before it had even passed the House of Commons — or at least we didn’t have it. But already, I was holding it up. Then, when we got it here, we were supposed to “wham bam; here we are” — get it through. That’s what we’re being told on regular legislation by this government.

As I said earlier, in one way or another, I’ve been involved in leadership since the days of Senator Harder’s leadership and the beginning of Senator Gold’s leadership, and we managed to get very controversial legislation, including Bill C-69, the no-pipelines act; Bill C-48; and Bill C-11. Those were bills that we opposed from the very core of our being, and yet I negotiated timelines with the government that gave us a certain amount of time to debate the bills, and on a certain date we would guarantee a vote. It is not that we will vote for it. Senator Gold always says, “By this date, I want it passed.” I’m sorry; by this date, you want a vote. You might want it passed. I don’t want it passed.

So we’ve been cooperative in that, senator.

Senator Gold spoke to this motion on Thursday two weeks ago. That’s like yesterday in Senate time. I’m the Leader of the Opposition, and I’m speaking to it today. We already have the threat of time allocation hanging over our heads today, while Senator Gold is constantly saying, “I want thorough and robust —” I think those are the words he uses “— debate, but I’m going to do time allocation after a day and a half.”

Senator Dalphond has occasionally said our leaders are meeting in camera. I don’t think they are. Again, I might be chastised for saying this, but yes, senator, this was discussed at leadership today. It was four against one. They said, “We want this through now.” I said, “Can we have a couple of weeks?” They replied, “No. We want this through now.” It is four to one.

What will change in this chamber? What will change for Canadians? What Canadian will know whether we pass this motion this week or two weeks from now? But we aren’t going to be given the opportunity, senator, to properly put forward amendments.

I shared many of my concerns and outlined them in the bill. We have about four — maybe five — legitimate amendments that we would like to at least propose. We don’t like this motion, but let’s at least work together and try to improve it. At least listen to us and to the amendments we have. Those amendments can then be debated and voted on.



Are we going to try to adjourn them? Are we going to maybe defer votes on them? Absolutely. That's what the opposition can do. But the motion will pass. Nothing is going to change in this chamber or this country between now and June 21 — or whatever our final sitting date is. If this motion passes on the last day of our sitting, nothing will be better or worse.

Why ram things through? When somebody says, "Well, we've waited nine years for it," then why in the world can't we wait another 60 days?

I hope that answers your question.

**Hon. Marilou McPhedran:** Senator Plett, would you take a question from me?

**Senator Plett:** Yes.

**Senator McPhedran:** Thank you.

I think I heard you argue that these rule changes are not needed, as all senators can freely perform all senatorial functions and participate equally in any event.

Senator Plett, can I participate in ministerial Question Period? Can I participate openly in Senators' Statements? Do I get informed in advance when there are going to be tributes to retired or deceased senators?

You said that any senator can be appointed to a committee. Does that mean the Committee of Selection will name me to a committee directly? Thanks to you and Senator Housakos, I'm honoured to sit on the Social Affairs Committee, because you kindly gave me a place; however, as you remind me from time to time, you can take it away.

My question, Senator Plett, is this: If any senator can participate equally in any event, as you stated, does that mean that a group must free up a committee seat for me?

Do you see anything in these proposed rules that would make this chamber truly equal for senators who are not caucus members?

**Senator Plett:** Thank you very much, Senator McPhedran. After tonight, I think we might have to have a talk about that seat on the Social Affairs Committee. No, Senator McPhedran, we are so happy that you are a member of the Social Affairs Committee and in that seat.

I think we have, on occasion, offered you a spot for Senators' Statements and maybe even occasionally a spot during Question Period. But you are right, Senator McPhedran: There are limits.

First, I believe fully that every senator is equal. You have the right, as you are exercising today, to stand on debate and ask questions. You have the same rights as everybody else in this chamber. We can debate that, and whether non-affiliated senators

should have more. I have said many times, Senator McPhedran — in this chamber and at leadership meetings — that, in my opinion, non-affiliated senators belong to the government. When we were in government, my good friend and deputy leader now was a deputy leader there. She took the non-affiliated, independent senators under her wing, and she made sure they got different spots to do different things. I have maintained from the beginning on that this is the responsibility of this government. Like many other things, they have entirely shirked their responsibility there — and then sometimes other senators and other caucuses — and, on this particular one, it is fully and wholly the responsibility of the government to see to it that you get these spots.

• (2040)

The bottom line, Senator McPhedran, is that this motion does nothing to change anything for you. Your rights are not being eroded, nor are you getting anything extra. You're getting nothing. We're losing something. Some others are gaining something. You're the status quo. That may be okay. That may not be okay. That's not the debate here tonight. But this motion doesn't help you at all.

**Senator McPhedran:** Would you say that what you've described just now is equality, or is it noblesse oblige?

**Senator Plett:** I think it's equality. The reason I think it's equality is you have the equal right to join a caucus. I believe in caucuses. It's my inherent belief. I believe there should be two caucuses: a government caucus and an opposition caucus. I believe that any senator should have the right to be an independent senator, and we always have had them. Senator McCoy was an independent senator. Senator Anne Cools was an independent senator during the days when we had two caucuses, and they functioned quite well. I know they sometimes drove Senator Martin around the bend because Senator Martin wanted to make sure, as Senator Cools probably knew the *Rules of the Senate* better than anybody in the chamber.

**Senator Martin:** She did.

**Senator Plett:** So she knew how to make sure she would get her digs in.

I guess I come from that school, Senator McPhedran, where I know that this independent senator truly was equal. I'm sorry; I think you're as equal as anybody in this chamber. You may not have the same opportunities. That is, to some extent, possibly your choice — and, if not your choice, then it's the choice of the government — to have you the way you are, not the opposition.

**Hon. Pamela Wallin:** I'm not sure how much of a question this will be, but listening to this whole debate has provoked some thoughts that I have every single day in here. I'm very happy to be part of this group of senators: the Canadian Senators Group. I have sat in other caucuses. I've sat as an independent senator. And the concerns in my time here have grown.

We've talked about this before: the use of omnibus bills, where the government puts everything but the kitchen sink, and sometimes that too, in a budget bill, knowing full well that, by tradition, we do not stop budget bills, and we do not amend budget bills. But I think that approach is being abused, and we've seen that grow over the years.

We invite members of Parliament here — ministers of the Crown — to participate in our Question Period, and they treat the process as they do in their own house, which is disrespectful on many occasions. They do not answer our questions. The answers are often very political. So I have questions about that part of the process.

The government and the NDP routinely use their numbers in the House of Commons committees to stop and stifle debate. We have seen this on numerous bills that I've dealt with. They stop investigation. They stop even simple questioning, and then bills arrive here in bad shape. They haven't been properly studied and presented in the other place, or amended properly in the other place, and they land on our desks with timelines — and now there's the proposition of permanent restriction on debate in this house.

I'm afraid that too many people in the political process, certainly in the media and, I would believe, in the public in general do not truly understand what we do here. Sober second thought is a very crucial part of our parliamentary system. Governments that are elected with majorities, or have support which allows them to act with the majority, means it is more incumbent on us to do our work.

Having watched the work of our colleagues Senator Stephen Greene and Senator Massicotte, and their proposals for reform over the ages, not be well received when the balance in here, politically speaking, was different, I guess I'm just very concerned about what I see as a diminishing sense of respect by our parliamentary colleagues in the other place. That is a message that's being sent over here consistently. That's a lack of respect for what our role is.

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

**The Hon. the Speaker:** Was that a question?

**Senator Wallin:** Yes. Do you agree?

**Senator Plett:** I can find a question there, yes, Your Honour. I really understood that as a question.

Senator Wallin, I agree with you; that lack of respect, in fairness, started some years ago and has eroded over time. It is worse now than it has ever been, without question.

I've been a member of the government, as you have, in the Senate, Senator Wallin — we were colleagues in the government — and we received legislation there sometimes that we didn't entirely like, and we received bills there that were too large. But they paled in comparison to what they are now. Now people will say, "Well, Stephen Harper did it." Well, maybe he did, but we've now learned from that, and we've taken steroids on that, and we've gone worse.

I cannot recall, Senator Wallin, where we have been asked to pass legislation before we have received legislation. That is what we have been asked to do here. Then, we're being told that we are being respected. We are being asked this on a regular basis: "I'm not sure when I'm going to get this legislation, but, when I get it, can you guarantee me that you will send it through real fast? And oh, by the way, I may ask for leave, because I'm going to want to send it through real fast."

Without question, it has become worse over the years. We are members of a national caucus. Do some of the members in my party over in the other place always have the respect that I think they should have for us? No, they don't. But we have a lot of respect from our caucus because we're members of that caucus.

That doesn't mean that everybody has to be, but that is one of the advantages of being part of a national caucus. If we had a national Liberal caucus, they could maybe invoke and enforce some degree of respect. But we don't. We have three members of the government here who don't admit that they are part of the government. So we have, in essence, no government in the Senate, if we want to go by that. How can we expect to be shown any respect, because they don't need to?

I concur; it has been bad for a long time, but never as bad as it is now, and people are angry. People across the country are angry. That's one of the reasons the Senate is starting to actually be on people's radar: People across the country are angry. When we speak here — and I said it before that the speech that I made last year received over 700,000 views. That's fairly significant. That's because people are angry, and they are listening, and they are saying, "What is this government doing?"

• (2050)

Our Question Period in this chamber is being picked up across the country because of the questions that this opposition is asking the government. We are starting to get attention across the country, and a lot of it is being driven by anger, fear and, quite frankly, hunger because people can't put food on the table because of this government.

[Translation]

**Hon. Diane Bellemare:** Would Senator Plett take a question?

[English]

**Senator Plett:** Yes.

[Translation]

**Senator Bellemare:** You said you liked the two-caucus model, like the one that existed in the good old days, with a Liberal caucus and a Conservative caucus.

I'll preface my question with a comment. Since Confederation, there have always been two caucuses. The strategy was for the caucus or party in power to control the same party's caucus in the Senate. This was all done through an appointment process, by placing the right players in the right spots and making the Senate caucuses toe the party line, since it was the same as in the caucuses in the other place.

[English]

This game of controlling the Senate by the government in power has been documented more and more by political scientists, and it doesn't enable the Senate to play its role as the chamber of sober second thought because, sometimes in the past, we were obliged to follow the party line of the government in power.

This fact that is documented, how do you think a two-party caucus in the Senate could play an independent role if it is controlled by the other place?

**Senator Housakos:** That's what we're saying.

**Senator Plett:** I think you're trying to make my argument for me, Senator Bellemare. You should know, Senator Bellemare, because you've been part of every caucus and part of government twice. As a Conservative member, you were part of government, and then you were the Deputy Leader of the Government for the Liberals. I think you have more experience in how this works than anyone.

The two-caucus system does work, and we are not being controlled by the other place. This caucus is not being controlled by the other place. It is not. It doesn't matter what you say. It is not being controlled by the other place.

**Senator Housakos:** We influence the other place.

**Senator Plett:** For anyone here, I challenge you to come and check some of our voting records.

We are Conservatives by nature. We have a common philosophy.

**Senator Carignan:** Common sense.

**Senator Plett:** We have common sense, and you used to have as well, Senator Bellemare, because you were a Conservative. Sorry, I didn't mean to say you don't have common sense, but you're not a common-sense Conservative.

We have conservative values, and we believe inherently in the agenda of the Conservative Party of Canada. That's why we work for them. That's why many of us will work hard in the next election to get a common-sense Conservative elected.

That isn't being controlled by the other place. That means we have an inherent belief. Even in the other place, Senator Bellemare, they have different line whips. In the Conservatives, you will see our leader vote opposite to what many of his MPs vote because they have different line whips. We don't have any line whips.

We go to national caucus, most of us — not all of us — and we're not required to. As a matter of fact, we're not even required to be members of that other caucus. We can be members of this caucus and not be members of the national caucus. So there is no way, no matter how you slice this. We're not being controlled.

I am the first president of the Conservative Party of Canada. I helped found this party. I'm 74 years old almost. I have one year left. I know many of you are anxious, but I have one year left to continue to irritate you.

At 74 years old, I don't think I'm going to be whipped by anyone. But do Pierre Poilievre and I agree on 85% of all issues? Yes, we do. We are both Conservatives. We both have conservative values. Do we agree 100%? No. He has stated how he feels about some issues, and you know how I feel on those issues. So we're not always in agreement, but we're Conservatives.

**Senator Batters:** Senator Plett, another way the Trudeau government is substantially limiting the opposition's ability to hold the government to account is by limiting the number of written questions a senator can submit: four per senator. The Trudeau government may say they're bringing this written question limit into line with the House of Commons. However, we in the Senate Conservative caucus opposition have only 13 opposition caucus members. In the House of Commons, our Conservative opposition has about 120 MPs who can all ask four written questions. This is a huge difference.

Senator Plett, sometimes the important written questions that you ask make major national news. This happened last month when your government answer to your written question revealed that the Trudeau government has already spent \$40 million on its gun buyback program and bought zero guns with it for \$40 million.

Senator Plett, isn't this proposed limitation contained in this motion on written questions a major stifling of opposition power?

**Senator Plett:** I was going to pull out the stack of answers I got today, but I'm not supposed to use props.

Senator Batters, you are so correct. This is something that irritates the government to no end. I have some magnificent staff who do so much good research for me personally — and, indeed, for our party and for Conservatives across the country — and bring out time and time again the corruption that we have in this government.

This is a problem for this government. They are supposed to answer these questions that they don't want to talk about. Here we have these pesky Conservatives across the way who have the nerve to ask us — the Trudeau government, the Trudeau-Jagmeet Singh coalition — they have the audacity to ask us these questions, so we are going to limit those questions. That is what this is doing. This is stifling of the opposition part to the nth degree.

Why not five? Why not six? Why not unlimited? We're down to 13 members, soon to be down to 12, but they are so afraid of us. Senator Gold is so afraid of us that he has to bring in a motion so that I cannot ask him questions anymore.

I'm waiting for the day that he is going to try to do away with Question Period because, again, we are only echoing, of course, the talking points, according to him. We are only echoing the talking points. He doesn't like our questions. I wouldn't either, especially if I can't answer them.

**Senator Batters:** Senator Plett, the Trudeau government is presenting attendance at a national caucus of a political party by senators as a bad thing. You have been a proud member of the Conservative caucus since your appointment to the Senate. Can you share with us how discussions with elected members from all across Canada at national caucus and at your regional caucus have benefited you in your work? How can senators contribute to the work of their elected colleagues in that system?

**Senator Plett:** Thank you. For sure, Senator Batters. At the national caucus itself, we, of course, are full members. Those of us who want to be are full members of that national caucus. I have my slot, along with the rest of the leadership team, to do the Senate report. We are being questioned. We can participate, but we don't need to. Beyond that, we are all part of one group. We can share ideas. We may have members of the House of Commons who would like some help in a riding. To have a senior, seasoned senator come and help in that helps them to no end, and it helps us in our research. We can trade research back and forth. My office does research for some members of the House of Commons on occasion. They might ask me about a certain issue, and I will ask some of my staffers to help with that.

• (2100)

It is a collaboration. It is a team effort. Indeed, it is an entire team. Again, I have a degree of sympathy — if you will — for senators who are not part of that, because being here in Ottawa is a bit of a lonely life without that camaraderie, or the general purpose of wanting to make a difference in the country and get the right prime minister and members of Parliament elected.

I know that many senators are saying, “Well, we are not Liberals, but they fundraise and do much of this.” I think it is great to be part of that team and join in, as we did even earlier tonight, going to a reception and being there with our fellow members, and — indeed — being there with members of the opposition. At the reception earlier today, I had a wonderful conversation with my friend Judy Sgro. We had a great conversation. Together, Judy Sgro and I brought in the Federal Prompt Payment for Construction Work Act for contractors in the country. So, even there, we have learned to occasionally work across party lines.

**Senator Housakos:** Honourable senators, I have listened to my friend and colleague Senator Bellemare lecture the chamber about how it's inappropriate to have governments influence and control senators in the chamber. Senator Bellemare, I will tell you that I've been here for 16 years now. I've been an avid student of our parliamentary process in this chamber. I remind you that you are the Chair of the Standing Committee on Rules, Procedures and the Rights of Parliament, and I do not know one

of your predecessors who would tolerate on this floor a government leader moving a motion unilaterally changing the rules and procedures and bypassing the committee. I encourage you to bring all former chairs of the committee, any former Speaker — Liberal or Conservative. They will tell you how deplorable that is.

I know you haven't been here long enough, Senator Cardozo, but in a period of question there's a debate and a period of discussions, and we have an opportunity in the debate to answer questions that colleagues bring up. You might not like it, but it is what it is.

Senator Plett, in this chamber, there are four groups. There is without a doubt a recognition that there is one group that engages in the most robust fashion in criticizing the government. There are three other groups that I think everybody right now recognizes — the media and public alike, as well as people on the other side — engage in what is more often than not sober second thought, and we see in their voting record where they stand on political issues. By and large, they are not as robust as this opposition is.

The questions I have are the following: Is it safe to say that the government right now would rather have two groups in this chamber — an Independent Senators Group, or ISG, that has been appointed by the government at the same level as an opposition group, which, in a robust fashion and on a daily basis, criticizes the government and holds it to account? Is this their attempt to curtail criticism and basically elevate to the same level a caucus they appointed, which has a track record of supporting the government more than criticizing it?

**Senator Plett:** Thank you, Senator Housakos. Let me build a little bit on your opening comments because I agree with you that what Senator Gold has done with this motion, first of all, by entirely usurping the Rules Committee, is outrageous. He is doing that — again — because he doesn't want transparency. He wants to push something through. If this were done through a committee, there would be committee hearings. There would be witnesses and the flaws in this would be pointed out by them. He has thrown the chair under the bus with this by simply saying to the chair, “You are not capable of getting anything through,” even though there have been a lot of things that — as Senator Batters and others have pointed out — were agreed to at that committee.

First, Senator Housakos, you are absolutely right about that. As far as the government curtailing the opposition, that has been the entire purpose of this event.

Look at everything they are doing by limiting the number of questions that we can send in — which is probably one of the most offensive parts — and limiting our speaking time on a closure motion to a point where it could happen that not one member of the opposition other than myself would be able to even speak for 20 minutes.

**Some Hon. Senators:** Shame. Shame.

**Senator Plett:** This would completely shut down the opposition. Then they say that it does not hurt the opposition. This cuts the opposition's feet right out from under them because

they don't want the transparency. They are ashamed of what they are doing and are trying to do it all under the cloak of darkness to get it through as quickly as they can. Then, in a few weeks or a month from now, people will have forgotten.

That's the way this government has operated. That is the way this Prime Minister has operated, time and time again. As I said in my speech just a week ago, he does something and then says, "I'm sorry." He cheats somebody out of money? "I'm sorry. Here's a cheque." He gropes a reporter? "I'm sorry. I didn't know you were a national reporter." But this has been a learning experience not only for me, but for the rest of this country.

That's what this Prime Minister does. He apologizes on behalf of the entire country, not himself. He rams things through the Senate over here and rams things through over there. Today, he had the Speaker call our leader whatever name he wants, and that's okay. Then, our Speaker gets up to defend himself and gets asked to leave the chamber. That's the kind of a government we have over there. That's the kind of incompetent regime we have over there, and that is filtering in over here to the government benches as well.

**Senator Housakos:** I have a question for you, Senator Plett. Have you ever seen, on the House or Senate side, a situation where procedural rules have been changed without the consent of the official opposition? Has it ever happened?

**Senator Plett:** I criticize Senator Gold too often by saying, "I'm asking for a one-word answer. Give me a one-word answer." So, for this question I will give you a one-word answer, Senator Housakos: No.

**Senator MacDonald:** Senator Plett, I'm always loath to bring up questions when someone is not in the chamber, but my good friend Senator Lankin is not here and I want to bring this up. She had the responsibility from the government to push through the changes to the rules. I am a member of the Rules Committee. I have great faith in my colleague Senator Bellemare to manage the Rules Committee. I am curious if Senator Lankin, who has been given this responsibility, has ever addressed you, contacted you or asked you to discuss these changes?

**Senator Plett:** Yes, in fairness to Senator Lankin, Senator MacDonald, she did call me. She asked whether we could get together to discuss the motion. Obviously, this can't be verbatim because it was a while ago, but in essence, my answer to her was, "Yes, Senator Lankin, I would be willing to sit down with you and discuss it, but let me tell you at the outset that I oppose your motion. I oppose the premise of your motion. I see very little in your motion that I can support. So, I'm not sure if we're wasting our time by getting together." And we left it at that.

• (2110)

Senator Lankin came to Ottawa. This was on a break week, so she was at home, and I was at home. I don't know where she was — it was by phone. I was at home. We came to Ottawa, and I had at least considered it because I had basically — again, in fairness, I had given Senator Gold very much the same answer. But as people know, I'm a little impulsive. I had seen the motion; I didn't like it. I was frustrated, and I said I didn't like any of it. When I got here, I thought maybe we should at least discuss it.

So I actually had a meeting set up with Senator Lankin in my office to discuss the motion further to see if we could not reach some common ground.

After that, Senator Lankin had a meeting with Senator Gold, and it was decided that they wouldn't bother wasting their time to discuss it with me because I had been too adamant that I didn't like it, so why bother discussing it any further.

**Senator MacDonald:** Senator Gold is apparently using the motion to skip the committee process, so we will not hear from experts. We will not be able to review the changes as a Senate. We are supposed to be the masters of our own house — we used to be. Senator Bellemare is a very able and competent person as the head of the Rules Committee. I am a member of the Rules Committee.

Do you think it is appropriate that the Rules Committee is being cut out when it comes to changing the fundamental rules of the Senate?

**Senator Plett:** Well, absolutely not. Senator MacDonald, I would ask you — as well as Senator Batters, Senator Wells and Senator Ataullahjan, who are all members of the Rules Committee — that at the very next committee meeting you ask the chair that question: "Why are we not debating that motion in this room?" This is where that discussion should take place. You should ask the chair that and request an answer: "Did Senator Gold call you and tell you, 'I'm taking over. You are not doing a good enough job, so I will bring it forward?'"

Ironically, as I said in my speech, on May 7, your committee is holding a meeting to discuss part of these rules. So, again, which way do we want to have it? It makes no sense. It is showing the absolute incompetence of everything that is happening here. We will duplicate part of it, but please, Senator MacDonald, I would like the answer myself. I would ask you to ask the Chair of Rules why, and maybe at Question Period I may ask the Chair of Rules if I'm allowed to ask the chair of a committee a question. Senator Gold is certainly tired of my questions — maybe I can get an answer from Senator Bellemare.

**Hon. Yonah Martin (Deputy Leader of the Opposition):** My colleagues on all sides have asked some very good questions. I do have a few questions for the leader.

I'm still quite taken aback and shaken by this sweeping government motion, and I'm thinking about the importance of the Rules Committee and the process in place. Even after a rule is discussed at the Rules Committee and there is consensus to agree to that, it still comes back to the whole chamber, and then there is another layer of accountability where the whole chamber discusses it.

I remember, as the deputy leader, one slight rule change that would have made our lives a little bit easier in the overall organization of the Senate was agreed upon by the Rules Committee, but when it came back to the chamber, former Senator Cools was opposed to it. She had good reason, and we had a good debate about it. As a result, even though we were a majority governing party and we could have really pushed it — there are different ways to do that, even with Other Business — we didn't. We backed down because any senator, including an

independent senator who doesn't belong to a group, at any time during basic procedure of the Senate can say "no" and deny leave. That process is so important, Senator Plett. I'm sure you remember these times.

I'm quite concerned about how we are doing things with a government motion that can be time-allocated. We actually don't have sober second thought on that decision, but this is a sweeping motion. Would you speak to that, please?

**Senator Plett:** Yes, absolutely. Thank you very much, Senator Martin, and you are absolutely right. Over the years, basically, rule changes, whether they were at the Rules Committee or even in the Senate, have had a degree of consensus, at least. Here, we've not been afforded any at all. So you're absolutely correct.

The process clearly should have been that it be — well, first of all, as I said, it should be sent to the Rules Committee. If not, then we should be able to have, as Senator Gold says, a thorough, robust debate, but we're not being given that. Senator Gold is saying this is a government motion, and it is. He brought it forward as a government motion.

**Senator Martin:** Shocking.

**Senator Plett:** But when he was asked, I think by Senator Housakos, point-blank, "Is this your motion or Justin Trudeau's motion?" he said the Prime Minister's Office had nothing to do with this. If that is the case, and Senator Gold says he is not the Leader of the Government — he is the representative of the government — then he should have no right to introduce a government motion because he is not the government by his own admission. So, in essence, this is a private member's bill, and he should have no right to time-allocate this.

**Senator Housakos:** And the government shouldn't be changing the Rules.

**Senator Plett:** He cannot have it both ways. He wants it every way. First, he says, "I am a representative of the government, not a leader, but I'm going to do time allocation." Then our honourable colleague and friend Senator Furey manages to twist himself into a pretzel to say, "Well, I will style you, whether you like it or not, as the leader, because if you're the representative, you can't do time allocation. So I will change your name and I will declare you the leader."

**Senator Housakos:** In the morning.

**Senator Plett:** So for the next few weeks or few months, because he had another time allocation to do, he needed to be the leader, so he kept himself as the leader. Then, all of a sudden, today, he is no longer the leader — now he is a representative again. So if he's not the Leader of the Government, and this isn't a Justin Trudeau motion, Senator Gold has no right to make this a government motion.

So, Senator Martin, you are absolutely right, he's time-allocating a private member's motion. For the first time in Canadian history, we will have a private member's bill being time-allocated. I can't get my mind around that.

**Senator Martin:** So, like I said, I am in shock about this very unprecedented motion, a government motion to change all these rules. I am preoccupied with the Rules, as I know my counterparts are.

I'm trying to understand how this will work. For committees, I know that as deputy leader I am an ex officio member. That means I will be counted in the quorum and I will be able to vote, whether it is clause-by-clause consideration or whatever motion is on the floor. The tradition has been that we inform our counterparts, so I messaged Senator LaBoucane-Benson to let her know I was going to a committee, because I am the sponsor of a bill and I was part of the quorum, which we had, and the committee took place.

In the rules that are being proposed in this motion, the leaders will all become ex officio members, and ex officio members count for the calculation of quorum. With the government's new scheme, there could be a committee meeting with only the Leader of the Government and the leaders of the recognized groups in attendance, and the quorum would potentially be attained without any member of the committee as well as anyone from opposition.

**Senator Plett:** Yes.

**Senator Martin:** So Senator Gold would have the only vote.

**Senator Plett:** The only vote.

**Senator Martin:** Is that your idea of a democratic process?

**Senator Plett:** That's right. And in the neighbouring Korea to where you grew up that would be considered a democratic process, by all means. I think Senator Gold would consider this very democratic because he is the one with the vote.

• (2120)

**Senator Martin:** It doesn't make sense.

**Senator Plett:** If I could somehow be that only leader, I would consider it reasonably democratic as well.

**Senator Housakos:** It might be good a year from now.

**Senator Plett:** Absolutely. This is something that could benefit whoever will be the government leader then. Hopefully, I will be sitting on my golf cart somewhere. The next government leader will be able to use this and have many committee meetings where he or she will have the only vote.

Yes. Again, Senator Martin, for the life of me, I can't get my mind around it. I'm not sure who wrote this. I am trying to envision that there were mistakes made in writing this. I would like to believe, in my heart of hearts, that nobody can be so evil as to do what this motion intentionally does. I would like to believe that there have been some mistakes made.

The fact that we have been told we are going to probably receive notice of a time allocation motion shortly — and if we don't wrap this up, it might even be tonight yet, who knows? But

we are going to have a time allocation motion, and we will not have an opportunity to bring amendments forward to find out if some of these were mistakes.

This is something that, logically, I would suggest that Senator Gold would say, “I agree with you, Don. It doesn’t make a lot of sense to do this,” or “I agree with you that the opposition should be able to speak on a time allocation motion.” They should be afforded the opportunity to speak on it.

Somebody wrote this and made a mistake; I would like to believe that is the case, because people make mistakes. We will find out when we come forward with amendments over the next days, hopefully. We will find out whether this is a mistake. We will find out whether Senator Gold is democratic and if he believes in robust debate. To him, a robust debate is, “I’m done talking. Let’s vote.”

Let’s find out how many of us would still like to be heard over the next few days. We will see where this goes from there.

[Translation]

**Hon. Claude Carignan:** Leader, I’m looking at the changes that the Leader of the Government wants to make to the Rules so that both titles are mentioned: Leader of the Government and/or Government Representative. However, Speaker Furey ruled on April 25, 2023, that Senator Gold, as Government Representative, was indeed the Leader of the Government.

Can you explain why you think he wants to make this change and have a rule that says, in short, “to be or not to be?”

[English]

**Senator Plett:** Senator Carignan, I’ve been trying to get my mind around that same question.

So often we hear the saying that you can’t have your cake and eat it too, or something along those lines. It seems like that’s what Senator Gold wants here. He wants to style himself the way he wants to be styled when it suits his agenda. Then, when he needs to do something else to suit his intent of what he wants to do, he says, “Well, I have to twist this a little bit, so today I am going to be called something else.”

You are right. Speaker Furey alluded to, yes, you can call yourself the Government Representative if you want but, really, you are the government leader, regardless of what you want to call yourself.

Now, Senator Furey is not here. We have not asked the current Speaker to rule on this yet. We might at some point, if Senator Gold keeps calling himself the Government Representative. We might challenge his time allocation motion again and ask our new Speaker to rule on that and see whether she also calls him the government leader because, so far, she hasn’t been asked that question.

I don’t want to put her on notice that we are going to ask that, but if Senator Gold continues with this foolishness we may have to ask that again so it’s clarified.

[Translation]

**Senator Carignan:** I obviously have plenty of questions, but what is the risk of setting this precedent of having a government leader — or a Government Representative — change the Rules, using the power of government to change a rule in a Senate that claims to be more independent of government than ever? What risk do you think this precedent poses?

[English]

**Senator Plett:** For the next year and a half, I think there is a lot of risk in this. At the end of the day, I believe that Senator Gold’s motivation is to have this rule in place when Pierre Poilievre becomes the prime minister, because that is when he will need that second opposition party.

Senator Gold is very close to my age, so probably both of us will be doing something somewhere else rather than here in the Senate at that point. Nevertheless, he is preparing the road for a Liberal opposition.

I think the Conservative Leader of the Government in the Senate will not style himself or herself as a Government Representative. They will admit that they are the government leader, so at least that part of this rule will, for a while, be put to bed after the next election.

**Hon. Mary Coyle:** Thank you to all of our colleagues for this interesting conversation you are having among yourselves. We’re listening, too.

**The Hon. the Speaker:** Senator Coyle, your question?

**Senator Coyle:** Yes, I have a question.

As you are aware, there are seven other senators, perhaps eight — maybe others we don’t know about — who would like to have their voices heard on this debate this evening. It is on the Order Paper. Your people attended the scroll meeting, so you are aware of this. We are all aware of this.

Are you hoping to finish the internal conversation with your caucus soon and allow others to debate this very important matter? We have all talked about the importance of debate here tonight. Will we get on with hearing some other voices on this debate tonight?

**Senator Plett:** Thank you, Senator Coyle, for that very important question.

Senator McPhedran is not part of our caucus. Senator Bellemare is not part of our caucus. Senator Marty Deacon is not part of our caucus. Senator Wallin is not part of our caucus. I would challenge your comment that this has been a debate among us.

This is a place of Senate debate. Senator Coyle, after that question, I hope I can run this until midnight because I have as much right —

**Senator Housakos:** No, you have more right as leader.

**Senator Plett:** — to stand here and debate this as anybody else in the chamber.

If this is important to you, Senator Coyle, you should want to hear all of us. You should want to hear the questions and the answers. Because we asked Senator Gold the questions last week and did not get the answers.

Senator Coyle, there will be lots of time. If this leader of the government does not bring a time allocation motion, you and every other senator in this place — all 96 — should have an opportunity to stand up and speak, but he is not going to allow it. I'm not going to bring in a time allocation motion, he is. Your question should be for him, not for me.

**Senator Coyle:** Yes. I am sorry I upset you. I am sorry that we may all be punished this evening because of my intervention.

I agree with you, Senator Plett, that everybody should have a right to speak on the topic and have a debate: an honest, open debate. Yes, I want to hear from everybody who wants to speak on this. I'm just asking you simply this: When will we get to hear some of the other voices who want to enter the actual debate?

• (2130)

**Senator Plett:** When all senators who would like to ask me a question are finished asking me a question.

Let me go on the record to say that I am prepared to stand here and answer questions. I'm not asking them; I'm answering them — contrary to what the government leader did when he was asked questions. He doesn't answer them. Clearly, you do not want to hear all of the problems because that is what my colleagues and other colleagues are putting forward. They are putting forward the problems with respect to this motion. I have a feeling the majority of the senators who will get up and speak after a few of us have spoken will sing the praises of this motion.

**An Hon. Senator:** Of course.

**Senator Plett:** So we are doing the opposite. We are giving it the sober second thought, Senator Coyle. Even your question tells me how you feel about this opposition and the fact that we are debating, because this is debate.

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

**Senator Batters:** Senator Plett, the motion that Senator Gold brought forward says that the chair and the deputy chair of a committee can ask for a meeting. What happens if there's more than one deputy chair at that particular committee? Does the request need to be made by the chair and all of the deputy chairs, or just by the chair and one of those deputy chairs?

**Senator Plett:** The way I would understand it — and I'm being a little facetious here — is if the opposition isn't one of those two, then one of each would be sufficient. If it happens to be that one of them is a member of the opposition, I'm sure it would require one more member.

**Senator Batters:** Yes. I also note that one of the changes that's being proposed is it would need to have an agreement, in response to a request from the chair and a deputy chair, of the

majority of the following senators: the Leader of the Government, the opposition leader and the leaders or facilitators of the three other recognized parties.

So you could have this request for a committee meeting to take place with just a majority, which, of course, can absolutely exclude the opposition. We could now have committee meetings taking place with the government so-called caucus and other government-affiliated or government-voting caucuses voting for it, but the other ones voting against it. Historically, of course, the government and opposition share the position of chair and deputy chair on many Senate committees. A requirement to have the two agree to a meeting used to have a safeguard that basically both the government and opposition would agree to that. But we now have seven committees without either the chair or the deputy chair from the opposition.

Is that what the government wants, namely, to have committee meetings without the opposition agreeing at all?

**Senator Plett:** Senator Batters, it would certainly appear that way. As I said a few minutes ago, quite frankly, I like to see the good in people as well; I like to give people the benefit of the doubt. I would like to do that, and I will, because we will find out. So far, we have this threat of time allocation hanging over us, but there has been no motion or notice of motion brought forward. I would like to still believe that Senator Gold will go back to his office and have his staff reread this motion and say, "Did we make some mistakes here?"

I would like to believe that nobody is so nefarious that they would blatantly want to completely destroy the opposition in one single night. I would like to believe that they're going to go back and look at this and maybe come back and say, "You know, maybe we should withdraw this motion and start over," or at the very least, "We are certainly open to any and all amendments that might improve this to be a reasonable document." It isn't that now. They keep on saying, "We are not taking anything away from the opposition. We are just giving others some of the same rights." That's just not true. You've pointed it out, I've pointed it out, and others have pointed out the many areas where this is cutting our legs out from under us and preventing us from doing the job that we have also been sent here to do.

Every senator in this chamber has been sent here for a specific reason. Yes, we have been critical of the appointment process, and we have been critical of much of this. But I believe that every senator has been sent here to do a job. We also have been sent here to do a job, yet it seems we are the only ones whom everybody pretty much unanimously criticizes when we are the glue that is holding this chamber together. Quite frankly, if it weren't for the Conservative caucus — if it were just for three or four or five independent caucuses — this place would fall apart. At least, let's all accept that, even if we all believe in our right to be independent. If there were no coherent, cohesive groups at all, this would fall apart. Yet, that is what we're being asked to accept.

**Senator Housakos:** Senator Plett, it's amazing how some people believe that an independent Senate is an echo chamber where people get up and basically applaud and laud the



government. Some senators become restless when they hear criticism of their beloved government, which calls into question, of course, the independence of the institution.

I will ask you a question about the things about which Canadians are lining up at my door with emails, calls and events that I do. I put everybody on notice that these are the people we should be talking about. There are people lining up in soup kitchens. Today, in my city of Montreal, there are riots at soup kitchens and lineups of people in numbers that we have never seen before. Since last week, we are spending \$54 billion to cover the interest on the debt of a bankrupt government. Every single penny of GST collected in Canada as of last week is going to pay the interest on the debt.

We have a whole generation of Canadians, Senator Plett, who are being relegated to live in the basement of their parents' home. Yet, the biggest priority that the government leader has found in this chamber under these circumstances and in the context of April 30, 2024, tax day, is to move a motion that limits the role of the group in this chamber that holds the government to account.

**Senator MacDonald:** He's a good little boy.

**Senator Housakos:** How can you explain such wackiness from a wacky government?

**Senator MacDonald:** He's a good little boy. He does what he's told.

**Senator Plett:** From a wacko Prime Minister.

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

**Senator Plett:** Senator Housakos, my wife and I moved a few years ago into the city of Steinbach, a small city in Manitoba. I didn't know where the soup kitchen was because there was nobody there. Everyone was being fed. When I drive by there now, however, there are lineups a quarter of a mile long in my small city. It is shameful. We have a Prime Minister who keeps saying, "Yes, I know everything appears to be broken. Everybody is angry, but it's not my job to make you happy." What is his job? To frivolously blow money on consultants, on scams, on holidays, on trips?

You're right. He should direct the Leader of the Government here to bring forward a motion so that we can at least control the chamber because he's going to be gone, too. After the next election, he will no longer be the leader of the party. He may not be the leader after June of this year, but he certainly won't be after the election.

**Senator Housakos:** They might not even have a party.

**Senator MacDonald:** He'll be the janitor.

**Senator Plett:** He's saying, "You have to protect the Liberals in the Senate, so let's develop some rules. Let the people in Canada starve. Let them live in their parents' basements. But let's create some rules to prevent the small opposition that there is now from doing their duty because they're doing too good of a job."

Colleagues, if we weren't doing our job so well — and I think we all collectively need to give ourselves a hand — the government wouldn't need to bring this motion forward. They are bringing this forward because we are holding their feet to the fire here, and, in fact, we are helping to hold the government's feet to the fire in the other place.

• (2140)

You're right, Senator Housakos; of all the things that we should be doing, and could be doing, this is how we're spending our time. Then, we have a senator saying, "Well, sorry, you're taking up too much time. Allow the rest of this echo chamber to speak, too."

**Senator MacDonald:** Senator Plett, I've been a member of the national Conservative caucus for 15 years. In fact, I think the one question I've been asked more than any other question over the years is this: "What is the most gratifying thing about being a senator?"

I've always told people the same thing: Whether in government or opposition, to walk into caucus on Wednesday morning and meet with my fellow Canadians from coast to coast, and to sit down as a Canadian and speak to the best interests of my country, is a great privilege, a great honour and something I cherish.

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

**Senator MacDonald:** Now we're being told that being a member of a national caucus is something pejorative — something that we should almost be ashamed of.

Senator Plett, I'd like you to share with your Senate colleagues how our discussions with our national colleagues and elected members benefit us in our work, and how you think senators can contribute to the best interests of the country by working with our caucus colleagues in the national caucus for the country.

**Senator Plett:** Thank you, Senator MacDonald.

First, let me share a little bit of my own perspective regarding how I feel about being in the Senate.

I think I was appointed four or five months after you were, Senator MacDonald, so we've been here for almost the same period of time. When people ask me how I feel about being a senator and what's important to me, I have shared many times that we come in here, day after day, and we have these debates, and we even get a little frustrated and angry with each other, and maybe we say things we shouldn't, and too often we think this is a regular job, but every time I walk through those doors, Senator MacDonald, I contemplate the tremendous responsibility that I have been afforded by being the nine hundred and ninety-fourth senator to be appointed since Confederation. There are not many. Even with the hundreds after me, there are not that many.

The responsibility is awesome. We have been sent here to do a job for Canada. Tonight, we are not doing a job for Canada, first of all. Let me be clear: One of the best things that the Senate does, and has always done, is the committee work. I have shared that: I have been on many committees, and I have been part of many committee reports with the Transport and Communications

Committee and with the Agriculture and Forestry Committee, and it has been such a pleasure. It's been committee work where we have worked across party lines.

I'm sure that my friend Terry Mercer is not listening to these debates tonight, but if he were, I would like him to know how much I appreciated working with him — Senator Terry Mercer, probably the most partisan Liberal in this chamber, and the most partisan Conservative in this chamber working together hand in glove.

It's not just our own caucuses, Senator MacDonald. It is actually other caucuses as well, because we are part of teams, and we work together. That has gone away. That isn't the fault of these colleagues who have been appointed by Justin Trudeau and his failed experiment. They didn't come up with this idea of an experiment. I'm sure they probably would be sitting in a Liberal caucus if Justin Trudeau had one, and if they had been asked to sit in a Liberal caucus. So I don't fault them for being here and being where they are.

I see Senator Gold shaking his head that he wouldn't be. He, in fact, is the only one who is, and he is the one who says he wouldn't be. I find that strange. He's in cabinet, and he's the one who wouldn't be.

But you're right, Senator MacDonald; we collaborate. We work together, but we work together, as I said — Senator Wells was beside me today when we shook hands and gave Judy Sgro a hug — across party lines. She's a true Liberal; we know she's a Liberal, and we work together. That is what this chamber should be, and it has digressed.

Maybe I'm part of the problem. I hope I'm not, but maybe I am. I don't think I have changed my beliefs in the last fifteen and a half years that I've been here. There is merit to being part of a team, and there is merit to working with the other team. Right now, Senator MacDonald, I'm not sure who the other team is, because nobody admits that they are the other team, including the Leader of the Government in the Senate, who doesn't admit he's part of the government.

**Senator MacDonald:** No, he's just somebody off the street.

**Hon. David Richards:** Would you take another question, Senator Plett?

**Senator Plett:** Certainly.

**Senator Richards:** I'm going to give a bit of a preamble.

**An Hon. Senator:** Wonderful. Take your time.

**Senator Richards:** I was talking to some police officers today, and they didn't think very much of the gun bill. They thought it was a sleight of hand, and that it didn't help rein in the criminal element, and I agreed with them. I said I spoke against that bill. I told them I also spoke against Bill C-11. I spoke against Bill C-69. I hated Bill C-48. I thought they all had a kind of sleight of hand. I didn't think Bill C-69 was an energy bill, which it was proposed to be, but rather it was an omnibus environmental bill dressed up as, supposedly, an energy bill. There's quite a bit of sleight of hand going on in here that

distressed me for a long time, especially with Bill C-18 and Bill C-11. The problem is that I think this is the same kind of thing, and I wonder how you feel about that.

Also, regarding this idea of giving people 45 minutes to speak, I admire your speech today. I thought it was a good speech, but no one needs 45 minutes. The Gettysburg Address was three minutes, and it was pretty good. When they asked Napoleon Bonaparte to explain war, he said, "If you say you're going to take Vienna, take Vienna." I think he did a good job in explaining the war from his terms.

I don't think we need 45 minutes, but I do think, in a way, that this is a sleight of hand to diminish the power of your caucus; I really believe that. I just wanted to say that I think you're right, so maybe you can tell me why you think it's a sleight of hand, too.

**Senator Plett:** Senator Richards, thank you very much. I would agree with you on all counts.

I have, on occasion, criticized and critiqued my pastor in my church when he speaks for 35 or 40 minutes, and I tell him, "You spoke a little too long." Then, on the other Sunday, when I walked out, he said, "I watched your 80-minute speech. Don't ever criticize my 35-minute message again" — so I probably can't.

But you're right; I really think if it takes more than 35 minutes to say what you have to say — the only thing is that when you have a government that has spent nine years creating as many scandals as they have, and you want to point all of that out, that does take a little more time.

• (2150)

I'll just let everybody know that was season 1, episode 1 that I made last week, and I have eight episodes. It's a Netflix series. Be prepared, Senator Richards: You'll have the opportunity to see that again. I do want to forewarn everybody here that when I do that, I don't do it to regale this chamber. Today, yes, because I was speaking to a motion, but when I speak to legislation and I speak that long, or when I speak to government ineptness and their scandals, I don't do that to let everybody here know, because they all know. I do that to let the 700,000 people who watch that speech know. I do that to let the 6 million Conservatives who voted for the Conservative Party know. It goes beyond that.

Is this sleight of hand? Without question it is. Is this trying to take focus away from something? Magicians do that. When a magician does some kind of a trick, there is usually a bang or puff of smoke somewhere and then something over here disappears because your attention has been focused over there.

Senator Richards, I think that is exactly what the government is doing here. Let's bring something in and focus our debate on something other than having Plett stand up and beat on the government again; let's let them do this. I don't know. You're right. The crazy thing is, this motion will give Senator Tannas and Senator Dalphond 45 minutes each to speak; they already

have it. It will give Senator Saint-Germain unlimited time. Am I concerned about that? I have never heard Senator Saint-Germain deliver a speech that's 45 minutes long.

**Senator Saint-Germain:** Just wait.

**Senator Plett:** There we go. She has practised. I'm looking forward to that.

I've been a proponent of 45 minutes for years. You're right; 45 minutes is enough. Unlimited time is too much. Nevertheless, I'm trying to use it today. As long as I have that right, I'll continue to try to use it.

Senator Richards, we have been in agreement on so many pieces of legislation, and I thank you. I thank you for your values, the votes and the contributions you make to these debates. They are well thought out. I sometimes wonder if Justin Trudeau knew you.

**Senator Richards:** No, he didn't.

**Senator Plett:** Thank goodness he appointed you.

**Hon. David M. Wells:** Senator Plett, would you take a question?

**Senator Plett:** Yes.

**Senator Wells:** This will take a bit of a preamble. I don't want to take too much time on that; it's not my style.

In the Senate, under the old two-party system, there have always been unwritten rules, conventions and courtesies. Even when the Harper government took over in 2006, when the Conservatives were vastly outnumbered, government legislation wasn't defeated when it easily could have been. Motions could have been easily defeated. I'm sure there were some adjournments that were defeated. There have always been conventions and courtesies that have allowed governments to get their legislation passed, or fixed and passed. Even when Justin Trudeau took over in 2015 and we had the majority, we didn't defeat any government legislation, and we could have.

My concern about this motion from Senator Gold — and I've sat on the Rules Committee since I was appointed — is that this motion is tilting the convention, or perhaps wiping it out, because now it's not going to be based on courtesy or on an understanding of allowing government legislation to eventually pass, amended or unamended. When this passes — and it likely will — this will swing the pendulum to the point where, when the next government takes over — assuming it's not a Liberal government or an NDP government or a Liberal-NDP government — and eventually has the majority whereby it can do whatever it needs to, then it will do that. It will throw that convention and those courtesies out the window — something this chamber has lived by for almost 160 years.

What's your thought on that? If you look ahead, you'll be long retired by then. What's your thought on losing those conventions, losing those parliamentary courtesies that all parties have extended, perhaps tonight?

**Senator Plett:** Thank you, Senator Wells. You're absolutely right. Let me also give a bit of a preamble to the answer.

Senator Wells, you and I served together under the leadership of Senator Smith — me as the whip and you as the caucus chair. I recall fondly when Senator Joseph Day was the leader of the Liberal caucus. We had the ISG and we negotiated different things. They were all done by negotiation. They were all done by consensus. There was give and take, and we worked our way through that.

We worked our way through legislation for eight years plus before we ever needed to do time allocation. There are many conventions. This motion ends all of that. Again, I'm trying to speculate. I'm still hoping upon hope that mistakes were made. It's one of two things: It's either jealousy, or "We need to cut the opposition; they're doing too good of a job." You're right: Everything has always managed to get through. We've always done that. We don't believe in killing government legislation.

Now they are forcing something and, the fact of the matter is — and I'll be a little more positive about this comment and not say "if" — when the next election happens, there will be a Conservative government. You, Senator Wells, will probably be part of that government. You're young enough yet, and many colleagues are, so you will have an opportunity to try to use these amendments to the Rules to your advantage. That is what politics is all about. You will try. Our caucus will try. Our leader will try to turn this. Some of these amendments will come back and bite people in the butt who are now voting for them. Some of them are very strategic in creating extra opposition parties, but some of these rules will come back and bite them because the Conservative Party will have no obligation to work by consensus. That will be taken away tonight.

**Hon. Jim Quinn:** This has been an interesting discussion. I'm kind of stuck in a place that says we want to have a thorough debate and we want to learn through debate. We have this potential for a time allocation motion. I haven't heard Senator Gold move time allocation, but it seems to be there. All I can say is that I appeared before the Rules Committee after writing a letter. I said my piece last week on that. I appeared before the Rules Committee and I was very impressed with it. I thought the chair did an excellent job. I thought the questions were focused on the question of 45 days versus 60 days for a response.

There seem to be so many issues here, so why wouldn't we want to refer it to the Rules Committee? Would you agree with that?

• (2200)

**Senator Plett:** I am sorry. These new earpieces that we have here get tangled up with my hearing aids. I apologize.

Yes, Senator Quinn, absolutely, I would agree with that. I've said that from the beginning that this is where this should be handled. Not only do I have all the confidence in the world in our members on the Rules Committee, but I have all the confidence in the world in the other members from the other groups who are members of the Rules Committee.

Senator Batters pointed out clearly in one of her questions about how there has been consensus reached on so many issues at the Rules Committee, but they didn't reach all of them and they didn't reach the ones that Senator Gold feels are so important. So he is circumventing something that just really — I can't remember how or why that ever happened. Why has the Rules Committee not at least tabled a report? Whatever they could agree on. Even if it were only half of what they wanted, why wouldn't they come along and table that report and see if we could move that through the Senate? That's the proper way of doing things, Senator Quinn.

Instead, Senator Gold said, "I'm not good with that, and I don't need a committee to study that because I know best." Not the government. He clearly says it is not the government. He has made that clear. I think he even used the word "period" at the end of his statement. It has not been Justin Trudeau. "It is me, Senator Gold." Well, that makes this a private member's bill as I said earlier, but he is hammering it through all by himself.

When you asked him the question earlier today in Question Period, Senator Quinn, "Would you consider an amendment," did he answer? No. He said, "Well, it is up to the chamber." No, it is your motion, Senator Gold.

That's typically what people do. When the government brings a bill forward and we go to a committee meeting, we will typically ask the government representative there, the government, whoever is there, "Would you accept some amendments? Would you agree with these amendments?" And, typically, we get some kind of an answer. It may not be definite, but, "Yes, we might consider certain amendments." We weren't even given the courtesy of that today. He gave you no answer. He just said, "The chamber will decide. I'm not telling you what I'm going to do." Well, I have a pretty good idea of what he will do. He will use his unlimited time to speak against whatever amendment we bring forward, and in due course, he will slap down time allocation. No, he has not said that in this chamber, but let me assure every senator here that he has made it absolutely and abundantly clear to me that he plans on doing that in the not-too-distant future if this does not pass promptly.

That is not speculation. That's something I've been promised. So, no, this is not the way to do things, especially on — this is not a government bill. There are millions of people starving, but not because of this bill. This isn't a money bill. There is no importance to this. If this doesn't pass before June 21, there will not be one less person on the food line because of that. This has no bearing on the rest of Canada, and yet it's more important than everything else. He has to reorder Government Business so that he knows he can get to it because, boy, is this important to every Canadian in the country to get these rules passed so that Senator Saint-Germain, God love her, can have unlimited speaking time.

**Senator Batters:** Senator Plett, earlier, after only 90 minutes of you taking questions tonight, Senator Coyle took issue with the amount of time that you were taking as the Senate opposition leader to both speak and answer questions on this important issue here tonight. Yet in section 7 of the motion, Senator Gold is giving the leader of the Independent Senators Group, or ISG, unlimited time to speak on every single bill and every single

motion. I wonder if Senator Coyle would have the same problem with her Independent Senators Group leader having unlimited time to speak on every issue.

Do you think it is necessary to give a third leader in this chamber unlimited time? In the House of Commons, who has unlimited time? Does the leader of the Bloc Québécois currently have unlimited time? And why would the government give this particular right to only the Independent Senators Group? Why not to all leaders?

**Senator Plett:** Let me echo at least the first part of what you said. You are absolutely right. This motion will, in all likelihood, pass. It was made very clear to me today, in the morning, that we are in a minority here and this motion will pass. And so you are right, Senator Batters, that it gives the unlimited speaking time to another member, and we had a member of that caucus opposed to my unlimited speaking time but will likely vote in favour of her leader having unlimited speaking time. I find that a little ironic as well, but, nevertheless, that's the way it is.

I suspect, Senator Batters, if this continues too much longer, the government may well introduce an amendment to their motion to take away unlimited speaking time from the Leader of the Opposition and just hand that to one of the other leaders and take it away from us because I'm sure everybody is getting tired of our debate here, except you and me —

**Senator MacDonald:** I'm not tired.

**Senator Plett:** Okay, we have a few others.

But you are right, Senator Batters. I cannot understand why we don't give every leader — because we are being told emphatically that the ISG is not a part of the government. They are not. They are independent. So what makes Senator Tannas or Senator Dalphond more independent than Senator Saint-Germain? Or less independent? Is it just simply because they have a lesser number of senators? What is the threshold? How many senators do you need before — Senator McPhedran asked, "Are we all equal?"

Well, I would suggest that the Canadian Senators Group, or CSG, and the Progressive Senate Group, or PSG, could also ask that same question. Aren't we all equal? Why aren't we all being treated equally? We are all independents. We are all not part of the government, so we should all get the same thing. I don't know. Cherry-pick. He only needs one other group to be part of the government, and so he has chosen the group.

**Senator Batters:** I want to ask about the term in this motion of "designated senators." Now, this is not baseball. It is not designated hitters. Designated senators. Where every single parliamentary group, not just five, again, in this section, would get to have a "designated senator," who can make 45-minute speeches at second and third reading of every single bill. If we're trying to avoid time-wasting tactics, you would think the government is not interested in doing this. But given the question-and-answer exchange that Senators Gold and Quinn had on this issue last week, it seems like the government is not going to give any type of briefing to that designated senator as they

would to the sponsor and critic of a bill. So what would this designated senator have to speak about for 45 minutes and then to try to answer any questions?

**An Hon. Senator:** I don't know. They are making up names.

**Senator Housakos:** What is a designated senator?

**Senator Plett:** I agree. We are not a baseball team here. We don't have designated hitters. That has not been explained anywhere in the Rules, what a "designated senator" is. I would suggest that, again, this is part of a Liberal virtue signal that, "We want to give something more to somebody else. We don't know for sure who we are giving it to, but let's just give you leaders the opportunity to pick somebody out of your crowd and designate them, and they can make 45-minute speeches."

Senator Richards was quite correct when he asked why we need 45-minute speeches here, and yet here we are designating a whole lot more people to deliver these 45-minute speeches. Again, there is so much of this motion that Senator Gold has never explained. The only explanation we have received about why this motion needs to be there is because we need to create a more non-partisan chamber. I'm trying to find out how this does that. I'm very sincere about that. I'm trying to wrap my mind around how this creates a more non-partisan chamber. That's the only reason we've been given.

• (2210)

**Senator MacDonald:** Senator Plett, I want to speak to you about the debate on the motion to allocate time. The government is giving five leaders 20 minutes apiece to speak. That leaves 50 minutes. Theoretically, we could have 100 senators, and that would give each senator 30 seconds to speak. In the civilized democratic world, do you know of any chamber in the world where members are reduced to 30 seconds to speak on the floor of their assembly?

**Senator Plett:** Well, "no" is the quick answer. Of course, it won't be divided equally so that everybody has 30 seconds. Of course, this isn't in any way a reflection on speakers and how they recognize people, but we see so often that Senator Richards in the far corner of the chamber is not recognized because he is so far away. Senator Wallin has said that occasionally, when she is way out there, she is not recognized when she is standing. So what happens? Where is the opposition? They are at least in the middle. Where is most of the government? From here that way. Who is most recognizable? The people closest to the Speaker.

This has the potential of not allowing the opposition a position to speak at all, never mind 30 seconds. That is what this does. I'm not faulting the Speaker, because the Speaker looks up and sees somebody and recognizes somebody. We see that all the time. The further away you are, the less chance of being recognized.

**The Hon. the Speaker pro tempore:** Senator MacDonald, do you have a supplementary question?

**Senator MacDonald:** I can if you want me to.

**Senator Housakos:** Colleagues, I have said it many times and I'll repeat it: The government always views Parliament as a nuisance, and so it should. If we are doing our job properly in an open-minded, independent and robust fashion, we should be a nuisance for the government.

I was told by many when I came here many years ago to take a deep breath because I will not always be in government. I think Senator Percy Downe and my good friend Senator Dawson said that if I'm here long enough — and I was young enough when I first got here — I would experience both sides of the chamber. It's important to be cognizant all the time that once you are in opposition, that is the most important place and the most important role in holding the government to account.

Senator Plett, I don't understand why, over the last few years, senators who have been given the largest privilege, who hold the government to account and who speak on behalf of their constituents have accepted from this government to be neutered, to become second-class parliamentarians. They have done it by throwing senators out of caucus. They have done it by making it shameful to engage in the democratic political process. And now they want to limit the role of the opposition as well in order to once again diminish our role as parliamentarians.

My question is the following: The Senate was created to be a replica of the House of Commons in Westminster. If anybody reads the Parliament of Canada Act, you will see clearly — I think it is in section 18 of the act — that this chamber was modelled after the House of Commons of Westminster, with the identical rights and privileges of the other house, other than the fact that this chamber is an appointed body, not an elected body.

Why in this motion has the government deliberately gone to such extremes to limit and take away rights and privileges that members of the House of Commons have, but to take them away from caucuses and parliamentarians in this place in terms of how often we speak, how often the opposition speaks and so on and so forth? Why is this government obsessed with limiting the powers of Parliament?

**Senator Plett:** Thank you, Senator Housakos. The fact of the matter is I have a feeling that if the Liberals had the kind of majority in the other house that they have in this house —

**Senator Housakos:** God help us.

**Senator Plett:** — they might well be trying to do exactly what they are trying to do here. Fortunately, they don't have the same kind of majority over there.

**Senator Housakos:** They did try it a few years ago.

**Senator Plett:** They tried it; you are right. It didn't work, and I don't think it will work here in the long run. It will backfire. There will be a day in the not too distant future when Pierre Poilievre will be the prime minister of this country.

**Senator Martin:** Hear, hear.

**Senator Plett:** He will, together with you, colleagues — those of you who are younger than Senator Seidman and me — you will bring changes to this chamber. This has been a failed experiment, and it will continue. Why are they doing it here when they don't do it over there? Because they can. That's what this government did. The Prime Minister is a bully. He has been a bully since day one. His father was a bully before him. He is a bully.

When we have peaceful protesters on Wellington, he calls them a fringe group and won't speak to them. When we have protesters beating on the top of our cars with Jewish hate-mongering insignia, he has nothing to say.

**Senator MacDonald:** That's right.

**Senator Plett:** That's what this Prime Minister is all about. That's what this government is all about, and that, colleagues, has filtered into the leadership of the government in this Senate. Even though their numbers are small in the Government Representative Office, their numbers are large in the government, and so they can and they will.

I am deeply disturbed, quite frankly, with colleagues who have been Conservatives and still profess to be Conservatives, that they are supporting this motion. That disturbs me more than if Liberals support this motion. This is a Liberal motion. I understand that. But we have Conservative colleagues who are trying to destroy the opposition along with them. That bothers me a lot more.

**Senator Housakos:** Pierre Poilievre will win a majority government, and there is no doubt he will axe the tax, build homes and fix the budget and stop the crime. The question I have for you is this: Will he fix the damage done to this institution? The other question I have for you is whether a Pierre Poilievre government — which in all likelihood will have a massive mandate from the people of Canada — will get the same type of support from this independent Senate when he tables motions to change rules and procedures. Will there be an acquiescence of those changes from a duly elected government by this independent Senate? What do you think?

**Senator Plett:** Senator Housakos, I would like to believe that there will be some, but I'm sorry, I'm from Missouri. There will be no cooperation given to Pierre Poilievre.

**Senator Housakos:** Say it isn't so.

**Senator Plett:** But I have every confidence in Pierre Poilievre and in you, Senator Housakos, and in the rest of you youngsters who will still be here and fighting the good fight. I pray that you will do that. I have every confidence that you will. I see a lot of energy in our benches, small as they are. There is not that much left over here.

**Senator Housakos:** We have plenty.

**Senator Martin:** You are doing a good job.

**Hon. Raymonde Saint-Germain:** Honourable senators, at the risk of disappointing you, I must admit that my interpretation of Motion No. 165 is far less creative and speculative than Senator

Plett's. Mine is rather factual and objective. In presenting it to you, I intend to demonstrate also that, between senators, we can share different views and still cooperate and work collegially and respectfully.

• (2220)

Senator Plett, you know that I respect you and I appreciate your dedication as well as your presence in fulfilling your duties here. This is my introduction — a different style, certainly.

[*Translation*]

Dear colleagues, today we are at a decisive moment in the history of the Senate, and I believe we must all grasp the importance of this moment and of the debate that is now taking place.

If adopted, Motion No. 165 will have a definite impact on both the effectiveness and the credibility of our chamber of sober second thought, a complement to the House of Commons, where elected parliamentarians sit.

When Senate reform and the independent appointment process associated with it began in 2015, the upper house of Parliament was going through trying times. The institution was grappling with ethical and governance issues that only served to confirm Canadians' negative impressions of the Red Chamber.

Today's Senate has gained credibility. Bit by bit, the Senate has evolved. It has found a new path, a less partisan, more constructive path that offers greater freedom of initiative and expression. While the public still has reservations, they seem to appreciate this progress. Professional polls from 2019 and 2021 show that, while the less partisan Senate still lacks credibility and public confidence to an extent, our credibility and public confidence in our institution are not declining as fast as they were before.

[*English*]

In fact, colleagues, Motion No. 165 is not a standalone, radical, new proposition. This motion stems from years of debates, discussions and reports. It is also the logical continuation of a long series of changes. Senator Gold addressed this history in his speech two weeks ago, but let me remind us of the road we've travelled before diving into the content of this motion.

First, in 2016, the Special Committee on Senate Modernization was tasked, as stated in its very first report, with:

. . . providing guidance on transforming a 19<sup>th</sup> century parliamentary institution into one that would be equipped to meet the challenges of the 21<sup>st</sup> century. . . . to . . . improve its working to better serve Canadians.

Conservative, Liberal and independent senators all contributed to the work of the committee. It sat for three years and produced 13 reports with concrete guidelines and recommendations for modernizing the Senate, some of which we see in this very motion before us today.

Later, in 2020, motions were tabled before the Senate by Senators Tannas and Woo proposing improvements to our Rules to better reflect what had become the new reality of the Senate's composition. Then, in 2022, the law of our land, the Parliament of Canada Act, was also modified to better reflect this new reality. It passed both houses seamlessly: in fact, not one senator voted against that modernization. Finally, last year, as a result of the motions of Senators Woo and Tannas, the Standing Senate Committee on Rules, Procedures and the Rights of Parliament studied possible rule changes and came up with its fifth report, *Equity between recognized parties and recognized parliamentary groups*.

Since 2016, both the Modernization Committee and Rules Committee — a 15-member standing committee — held 147 meetings on this topic, which amounts to a colossal 197 hours of study and deliberations. That is 147 meetings and 197 sitting hours. This is the strong foundation upon which this motion stands.

It's time for the *Rules of the Senate* to reflect the laws of the land and comply with the Parliament of Canada Act. It is time for the Rules to meet the needs of a diverse and modern Senate.

Now that we've seen the long path taken, let's have a look at what is before us today.

Motion No. 165 is wide-ranging and comprehensive. It accurately captures what is needed to change in order for the Senate we have known for the last eight years to work fairly and efficiently. It reflects the changes to the Parliament of Canada Act, unanimously adopted by both chambers of Parliament, as I said previously, and it fills the glaring gap between our laws and our Rules. What it does, truly, is allows more senators to have greater say in the Senate's decision-making process by ensuring that the facilitators or leaders of all caucuses and groups are consulted, providing them the ability to participate more effectively in the chamber's and committees' governance. The amendments in the motion strengthen the democratic basis of this chamber, confirming that the duopoly vestige of a partisan Senate is no longer the mantra here.

More specifically, this motion will give the opportunity to the leaders of the Independent Senators Group, the Canadian Senators Group and the Progressive Senate Group — collectively representing 72 out of the 96 senators currently appointed — to act upon important strategic matters, such as the deferral of standing votes or the length of bells preceding a vote. All groups would also have the opportunity to delegate a representative to speak for a 45-minute period on each bill. This would be far more representative of the various perspectives of the regions, Indigenous peoples, minorities, vulnerable populations, acting on behalf of the numerous regions of the country, and many more.

But, first and foremost, this will assure the complementarity of the Senate with the House of Commons, which is a fundamental reason for its creation and its enshrinement in the constitution of this country.

The ISG, the largest group in the Senate, and any other future largest group in the Senate, will finally enjoy, like the opposition and the government, unlimited speaking time for its facilitator. I know this is an important tool. Some use it as a filibuster tool, but I commit, as long as I am the facilitator, to never do that.

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

**Senator Saint-Germain:** The motion will, at the same time, update the titles of senators currently in leadership positions. By doing that, Motion No. 165 will not only accurately represent the reality of the Senate, but it will also reflect former Speaker Furey's ruling of April 25, 2023, as well as his ruling of May 19, 2016, leaving no room for alternate interpretations, let alone points of order on this question.

Also included in this motion are much needed efficiency changes, such as reducing the length of our dinner break from two hours to one, establishing a 60-calendar-day requirement for the government to provide responses to Delayed Answers and Written Questions — all changes that will help us hold the government accountable with more diligence and efficiency.

Regarding Written Questions, I will speak further to Senator Quinn's amendment.

[*Translation*]

Why are these seemingly technical changes so important?

Precisely because they ensure the legitimacy and equality of senators who are not affiliated with a House of Commons caucus. I'm talking about approximately 80% of the current members of this House. These 79 senators are just as good as any other senator at holding the government to account and amending and criticizing bills and other initiatives in the interest of improving them.

• (2230)

The difference is that we see our role not as one of obstruction, but rather one of careful and critical analysis to improve government bills, all from a perspective that far exceeds the confines of any party's vision or electoral considerations that do not concern our unelected chamber, the only such chamber in the Westminster system if we exclude the generally unelected crossbenchers in the United Kingdom's House of Lords.

In 2024, should the Senate still be seen as an institution where, to receive equitable consideration under the Rules, a senator has to either totally support all of the government's motions or stubbornly and relentlessly oppose them?

[*English*]

I want to insist that framing the Independent Senators Group, or ISG, Progressive Senate Group, or PSG, and Canadian Senators Group, or CSG, as a different but equally relevant form of opposition is something that is for me very important. It would be a different form of opposition by being constructive and complementary to the House of Commons rather than mimicking the style of opposition in the other place. I say this with respect for the elected parliamentarians, but we are not elected parliamentarians.

There have never been more amendments to government bills than during this new Senate. Isn't that proof that the independent senators from all three independent groups are making the government accountable and improving legislation for the benefit of Canadians? We are not affiliated with parties, and in no case, then, do we put the interests of a party before those of the country.

[Translation]

I personally believe that the reformed Senate is much closer to its constitutional mandate as a complementary chamber to the elected House.

It is a democratic institution of sober second thought, and its members must base their comments on facts, evidence and expertise as well as the common best interest of the citizens of our country.

Current rules and practices mean that a majority of senators are hostages to partisan activism. They're not the only ones who are uncomfortable with this system. Polls on the issue are clear. Canadians want a chamber that complements the elected House and, most importantly, one that rises above purely partisan considerations.

[English]

Within this institution, the sentiment is the same. In 2024, the vast majority of senators support the changes proposed in this motion. At no point was this more apparent than during the study at the Rules Committee. Unfortunately, this committee elected to move forward only with unanimity. So, a veto right was given to any one senator who disagreed, and the committee was deprived of submitting recommendations to the Senate.

To Senator Plett's point regarding the improper study of this motion: Respectfully, colleague, you've been opposing these changes for over eight years now.

And we should not be fooled into thinking that there was no consensus around that committee table. Unanimity does not equal consensus. When the few systematically block the will of the many, democracy fails.

This situation is typical of the current rules under which the Senate operates. We deny privileges to the majority of senators and groups to the profit of a few. In doing so, we are denying democracy and the will of Canadians, and enabling in this institution the tyranny of the minority — a concept that is, I might add, totally foreign to the principles of the Westminster system.

[Translation]

To conclude, honourable colleagues, after all these debates and studies, it is high time to move forward with the modernization of our Rules. This is a matter of fairness toward the independent senators, who, for the most part since 2016, have accepted this demanding mandate under these conditions. It is also a matter of fairness toward the 13 senators who were sworn in before 2016, who are disappointed with their experience in a duopoly and who have since chosen to sit as independents.

[ Senator Saint-Germain ]

In 2019 and in 2021, 77% and 76% of respondents in a poll on the future of the Senate wanted future governments to continue with the non-partisan appointment process. What's more, 81% felt that having senators who were not affiliated with a political party was a positive thing.

It could not be any clearer. We know what the people we serve and represent here expect from us. That is why I will be voting in favour of Motion No. 165, in the hope that we can continue to work on modernizing this institution.

We still have a lot of work to do to figure out how to balance the time spent studying government legislation, the time spent studying private members' bills and the time spent on committee studies with truly independent, non-partisan expert witnesses who can help the government understand the importance of establishing better public policies and holding the government — regardless of the party in power — to account for the management of the public funds that Canadians entrust to the state so it can serve them more efficiently and meet their present needs.

Thank you for your attention. *Meegwetch.*

**Hon. Clément Gignac:** Would Senator Saint-Germain take a question?

**Senator Saint-Germain:** I'd be happy to.

**Senator Gignac:** Thank you for your speech. I support the principle of modernization. I have experienced active politics and partisanship, and what actually convinced me to apply for the Senate is the fact that it's a chamber of non-partisan second thought. My thinking is very similar to yours. However, there is something that I don't really understand in terms of what's been explained to us.

I understand that we have different independent senators groups and that the Government Representative and the Leader of the Opposition have unlimited speaking time, but why would the leader of the Independent Senators Group, or ISG, be the only one to get unlimited speaking time, while the other two leaders would not? It seems as though that would create two classes of leaders among the other independent groups. I have to admit that I don't really understand that concept. Could you explain that to me, please?

**Senator Saint-Germain:** It's the same principle that applies in the other place and in the majority of governments, namely that the largest group, after the government, is the group that gets privileges in a democracy, because it represents a majority of senators.

I would like to emphasize that it's important to note that this motion does not take away any powers or privileges from either the government or the opposition.

Although I think it's odd to compare the dilution of the opposition's powers to ice in a glass of scotch — I personally think that example was pretty flippant — it is very important to recognize this principle of majority representation in a democracy. It is a fundamental principle that is recognized as one of the pillars of the Westminster system.



You mentioned the ISG, but we should actually be referring to the largest group, which currently happens to be the ISG. These changes, I hope, will be made with a view to the longer term, in order to permanently reform a Senate that is independent and complementary to the House of Commons. That, senators, was truly the will that the Fathers of Confederation expressed when this country was founded and an alliance was struck to form Confederation.

[*English*]

**Senator Quinn:** Will the senator take another question?

**Senator Saint-Germain:** Certainly.

• (2240)

**Senator Quinn:** Thank you. When I appeared before the committee, I talked about the 60 versus 45 days of response. Was that topic discussed in all of the other work that had been done that you referred to tonight? Was that 60 versus 45 talked about by the previous rules work that was done by the committee's terms of reference?

**Senator Saint-Germain:** Actually, it was discussed at the Rules Committee, but it was also discussed in this chamber many times. I would say senators from all groups, not only leaders, complained about the fact that we often have very long delays, responses that are delayed without a deadline and sometimes responses that are not really responding to the true question.

This is why I'm surprised. I will further comment when I speak to your amendment, but I'm really surprised by such an amendment that does not recognize that this motion is a great improvement with regard to written questions and delayed answers. Before this motion — and if it is voted and passed — the government will now have not only a deadline of 60 days, but it will have to explain the reason why the delay is not respected. And a sanction is enshrined in this motion because if the government does not respond to some questions, the chamber can refer the case to the Rules Committee and raise a question of privilege. What an improvement.

This is why I do believe that the Government Representative recognized the situation and listened to the complaints that were raised both in the Rules Committee and in this chamber from all groups, once again, and caucuses, the Conservative caucus as well.

Frankly, Senator Gold, I thank you for this.

**Senator Quinn:** For clarity, my question was asking if the topic that I presented at Rules had been discussed at any point prior to that. I understood from the chair of the committee, when I spoke about that particular aspect, I was given advice that that may be worthwhile to discuss at Rules and, "Could you please put it in writing so that we have it and so that we can consider it?" I took from that that it hadn't been considered.

If that's the case, are there other things that are in Motion No. 165 that weren't considered prior to Motion No. 165 being tabled?

**Senator Saint-Germain:** I hope I will answer your question because I'm not sure that I really understand. The proposal or your thoughts that you shared with the Rules Committee have been considered, but this was not the first time that this question was addressed by the Rules Committee and also by this chamber. You made a contribution that is appreciated, but I would say the world didn't begin the day you came to the committee on this question.

**Senator Batters:** Senator Saint-Germain, I want to discuss the time limit for speakers and the fact that you, as the leader of the Independent Senators Group, would receive unlimited time for speaking and answering questions for any bill and any motion.

What my question is focusing on is, right now, you have quite a large group in the Senate, 40 or somewhere around there. But potentially, covered by this motion and because it would be a rule of the Senate and not merely a sessional order which would cover just a certain point of time where that situation would still exist, right now you have a very large group and quite a bit larger than the other two groups that don't receive that unlimited time, but there could be a time — maybe in the near future — where the government and opposition actually become quite large and the third party then becomes very small. What if it was a situation where the group that you're now the head of actually had, perhaps, 16 senators; the group under that 15 senators; and the group after that 14 senators? Yet, you would be the one who gets unlimited speaking time, and the other two only 45 minutes. How is that fair, and how is that equity of groups?

**Senator Saint-Germain:** I will not answer a speculative question like yours with the numbers. I will only say that what is unfair — or would be unfair — would be that, other than government and opposition, the largest group that represents the third-greatest number of senators would not be given this opportunity.

Once again, I believe that we should not personalize who is the Leader of the Government, the opposition, the largest group or the two other groups. We're not changing or proposing these amendments for one year or two. It's for having certitude that this reform will survive because this reform is a democratic one. It is a reform that is supported by Canadians, and it is respectful of the principles of the Westminster system and also respectful of the other place rather than mimicking the other place.

This is a reform that is relevant, and, at this stage, many scenarios or hypotheses are not relevant to answer this type of question. When the Senate gets there, there are always possibilities and options through other amendments or through sessional orders to make different choices, but it's not up to us now to speculate for the 20 or 25 years to come. Let's do what we can do now in order to improve our institution and to make it more respectful of our democratic system.

**Senator Batters:** Senator Saint-Germain, earlier in your speech, you indicated that you would never use your power of unlimited speaking time and question-answering time to "filibuster." You stated that that was your promise, your solemn oath on that.

With that, then, what would you intend to use this unlimited speaking time to do? There may come a time when you feel extremely strongly against a particular government bill or motion or something like that where you have a situation that you feel so strongly that it's perhaps unconstitutional, it's completely contrary to your region, it's harmful to Canada and that is your best method in order to bring that to the attention of the Canadian public and to all parliamentarians. What would you be using your unlimited speaking time for, and why would you preclude that? If you feel so strongly about that, would you agree to an amendment to take out that ability?

**Senator Saint-Germain:** No, I would not agree to an amendment. I'm confident that I will never have to use this filibustering clause because I am a strong believer in our democracy, and I do believe that when Canadians elect a government with a platform, they do agree with that platform. The role of the Senate is not to defeat this government. The role of the Senate is to ensure there are not constitutional abuses.

Once again, we are all here to hold the government to account when we deem it appropriate, to constructively comment on a bill, make amendments and improve bills. This unlimited time privilege that would also be given to the largest group is only a safeguard in the case that the government — and it may be the case with a majority government — would abuse the constitutional rights of Canadians.

In this case, it will not be filibustering. It would simply be having enough time to consider and speak to all the aspects of such, I would say, undemocratic behaviour or bill or whatever it is — a gesture from the government — and giving enough time to the official opposition and the largest group to speak to this and to try to improve and amend it. This, in my mind, is not filibustering. I believe, however, that using it regularly and too often, when we are displeased with something that is democratic, is not sound.

• (2250)

Also, I believe that with a democratically elected government, the Senate must exert restraint. I will not quote the late Senator Shugart, but I totally concurred with him. This is why the Salisbury convention is so important. I invite all of us to read and reread this convention because we need to realize that it is the way we must be complementary to the elected chamber of this Parliament.

**Senator Housakos:** Senator Saint-Germain, there's a lack of cohesion in your assessment of what is democratic and what isn't. I want to go back to the question from Senator Gignac about why you are entitled to have the unlimited time that other groups don't have.

In your response to Senator Gignac, you said that the characterization or justification for this is due to being the second-largest group after the government in this chamber. You said it is consistent with the other place. With all due respect, Senator Saint-Germain, the second-largest group in the other place isn't appointed by the Prime Minister. The second-largest group in the other place is duly elected to oppose the first group, which is the governing party.

Now, if this government has decided to destroy the whole process of a parliamentary system, where there's a government leader who represents no one, the largest group in this chamber, appointed by the duly elected Prime Minister, should have the rights and privileges of the government leader. However, you can't have a government leader with all the government rights and privileges and the largest caucus with the same privileges as the opposition. That's a triple-headed monster.

When you say that you have the right because you're the second-largest group after the government, no — the largest group isn't the government here; it's your group. You are governing because you're the largest group, and we have the mandate because we represent the official opposition. I would love to see us be consistent with the House of Commons, where you have the largest duly elected group governing and the second-largest group representing the official opposition.

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

**Senator Saint-Germain:** You're making my point. You are affiliated with a partisan caucus. You're not elected. This motion is generous because an opposition is still considered, a government is still considered, and the majority are not affiliated with a partisan caucus, senator. This is the Senate style. This is what is important.

Do you know what my model is? You speak very often about the Westminster system. You know how I appreciate your — I would say —

**Senator Housakos:** Wisdom.

**Senator Saint-Germain:** No, not your wisdom — your ability to speak for long hours. It's easy for you. You're a good speaker.

My model is the House of Lords in the Westminster system. The majority are generally not elected. They have a role and a status. This is the model. Allow me to say this. You know that I appreciate you very much, but sometimes when you speak, it's as if the Senate of Canada were not the only upper chamber in the Westminster system that is made up of unelected parliamentarians. This is an important distinction. I'm glad that, with your question, I have the opportunity to make this nuance. We are not an elected chamber. We must still abide by democratic principles and the will of the majority, but the only relevant example in the Westminster system is crossbenchers in the House of Lords. Thank you.

[*Translation*]

**Hon. Michèle Audette:** Senator Saint-Germain, would you take a question from me?

**Senator Saint-Germain:** Certainly.

**Senator Audette:** I have to begin with a comment. Thank you for the respectful way you delivered your speech. I'm a person who likes everyone, but sometimes I feel that respect doesn't always come easy — I get the same feeling back home. There was a lot of commotion tonight, but you brought me back to a space where it's important to be like elders. You might recall that

I'd told you that we had to act as our elders do, and our colleague the Honourable Murray Sinclair said it too, "like wise people." So thank you very much.

At the same time, in my culture, we listen to wise people. We don't interrupt them or cut them off. However, it might be the Quebecker in me that feels that time is often important, since we don't have a lot of it in the Senate. I saw the words "unlimited speaking time," which I understood thanks to your explanation, but at the same time, there are other groups, like mine, that represent minorities, vulnerable people who aren't fortunate enough to be able to take up quite so much space in this great chamber.

You talked about a safeguard. Could you elaborate on that? I'm not comfortable — I am comfortable with you as a leader of a bigger group, yes, but in three or four generations that leader may be someone who doesn't have the same attitude as you. What assurances do I have that, beyond all that, the next leader will be the sort of person who will follow the Rules and won't abuse that privilege? I am concerned about that, but perhaps you have already considered that issue.

**Senator Saint-Germain:** *Meegwetch* for your kind words.

I want to share a secret, but on this point, we have to respect the will of the majority. Personally, and I wasn't the only one, since the meetings of the Rules Committee are open to the public, but I would have preferred that no one be given unlimited time. We've had several debates and we were told that under the government's current formula, a government office made up of three senators who don't have places reserved in committee . . . Senator Gold has *ex officio* status, which gives him the right to vote, but the Leader of the Opposition also has the same status; otherwise he doesn't have a seat in committee.

It was a rather specific question and we recognized that, yes, this formula was important for the government, and the senator did not abuse it, I might add. We also recognized the principle that privileges should not be taken away from the opposition and given to the government. We all agreed on that.

At the same time, we've heard that the notion of a group representing a majority is a principle of democracy. That being said — and I can't speak for my successors; no one can do that — but, in my view, in a less partisan Senate, it's clear that it simply provides an additional guarantee in the event of genuine abuse that goes against the will of Canadians.

I think that if there were abuse, we might say that it is the government of the day that did it, whoever the government may be. If there is abuse, we can always count on the opposition, who will have this status over the larger group and also over the groups with smaller numbers, who could nonetheless ask some questions. I think that I like the concept of saying that the word "opposition" has to be retained. It is in the Parliament of Canada Act, after all.

The question is, what type of opposition do the independent groups want to become? Do they want to be a constructive or obstructive opposition? Should opposing be systematic? I looked at a few bills and I listened objectively to what was said in committee. In the beginning, I was against the bill to

decriminalize the use of cannabis, but then I read up on the subject and I saw that decriminalization was the lesser of two evils, so I supported some amendments, including Conservative amendments.

• (2300)

I'm using that example to say that just because we may at times support government bills it doesn't mean that we are associated with that government or that party. That would be awful. What kind of public service would we have if rotten legislation or bills were systematically introduced by the government and passed by the House of Commons and if the Senate always had to amend them because they were bad? I don't like the link that is being made between bills that are examined and eventually passed without amendment and the fact that that is being done by the majority of senators because they are Liberal senators and so friends of the party of the day.

I think that is some of the misinformation that is out there that we need to correct. I hope to answer your question by saying that we need that barrier, at least for the biggest group that is not the government or the opposition group, but we also all need to have the view that all independent groups form a constructive opposition that serves Canadians well but that does not confuse the interests of the party with the interests of the country.

[*English*]

**Hon. Percy E. Downe:** Were any members of the Independent Senators Group, or their staff, involved in the drafting of this motion?

**Senator Saint-Germain:** Not that I know of. I do believe this motion was drafted by the Government Representative Office.

Senator Lankin is presently a member of the Government Representative Office. The question is regarding staffers. No Independent Senators Group staffer has been involved in the writing of this motion.

**The Hon. the Speaker:** Senator Plett, do you have a question?

**Senator Plett:** Yes, if the senator would take one more question, it is in reference to what Senator Downe just asked.

Senator Saint-Germain, is it not correct that Senator Lankin was a member of the Independent Senators Group, but left the Independent Senators Group very publicly. As a matter of fact, *The Hill Times* said she was going to the Government Representative Office only for the purposes of drafting this motion and making sure that this would come through, and she will be back again in the Independent Senators Group in the not-too-distant future?

**Senator Saint-Germain:** Senator Lankin is not an Independent Senators Group staffer.

[Translation]

**Hon. Pierre J. Dalphond:** Colleagues, I didn't really intend to speak to this. Senator Bellemare, who is our expert on the Senate Rules, was going to comment and will comment further — perhaps not today, but tomorrow or Thursday — on the technical content of the motion.

However, I can't remain silent after the comments I heard today following a very productive exchange between members of the Conservative group. Since they didn't have time to discuss these important issues amongst themselves during the two-hour break, we were able to benefit from their open discussions, which we were all able to participate in. I want to thank them.

That being the case, colleagues, I'd like to add some nuance to a few of the things that have been said.

[English]

Colleagues, this motion, once adopted, would give all parliamentary groups and parties in the Senate more equitable procedural powers, albeit with some remaining discrepancies, such as ex officio voting rights at committee.

As such, this motion is a positive step to allow groups to participate in the organization of the Senate proceedings, such as the ability to defer votes, and also to have committee hearings outside of ordinary times without two senators holding a veto.

This motion is firmly grounded in the Westminster tradition of recognizing parliamentarians' freedoms to associate in groups and to play their part in the legislative process and hold any government of the day to account.

This motion enhances senators' ability to perform our constitutional function without the need to be part of a government caucus or an opposition caucus.

Senator Plett has presented this Rules change motion as an unprecedented government motion drafted by an outgoing Prime Minister's Office trying to ambush an upcoming strong majority of the Conservative Party.

For those who see conspiracies all around — at the United Nations, at the World Health Organization, at Davos and at other places — this narrative may be appealing.

But the facts are what we should be looking at. For those who are interested in facts, they should consider that these proposals and changes are along the lines of previous discussions over

[ Senator Plett ]

many years since I joined the Senate — six years ago — such as at the Senate Modernization Committee and the Rules Committee.

Indeed, these changes will bring our Rules in line with the changes to the Parliament of Canada Act, which we finally adopted in 2022 after attempts starting in 2020. It took a long time to get there. It had to be part of a budget as an omnibus bill, which I don't like, but I did like that part of that omnibus bill.

Furthermore, this motion is not a first in Canadian history. Allow me to quote two passages from our *Senate Procedure in Practice*. First, I will refer to page iii on the topic of the Rules:

Several minor modifications were made in subsequent years, but those that occurred 1991 were the most far reaching. They were put in place following an unprecedented level of partisan rancor arising from the debate over the introduction of the Goods and Services Tax (GST). Among the changes incorporated into the Rules were time limits for specific proceedings, including Senator's Statements, Routine Proceedings and Question Period. Time limits were also established for most speeches and for the bells for standing votes. An ordinary time of adjournment — midnight most days and 4 p.m. on Friday — was also fixed. In addition, priority was given to Government Business, which would be called in the order determined by the Government Leader or Deputy Leader. Provisions were also added to allow the government to impose time allocation for its business, and new procedures for dealing with questions of privilege were established.

A second interesting quote is found on page 73 of the same *Senate Procedure in Practice*:

The Orders of the Day are divided into two main categories: Government Business and Other Business. This distinction has been in place since 1991 when changes to the *Rules of the Senate* gave priority to the consideration of items sponsored by the government. Prior to this change, there was no such distinction.

Colleagues, from these passages, I note two important points. First, there was no distinction between Government Business and Other Business prior to 1991. Second, there was no time allocation rule prior to 1991.

• (2310)

In inquiring how these changes came about, as a matter of procedure, I found that these major rule changes were part of a massive package of rule changes adopted on June 18, 1991, at the initiative of the Conservative government of the then prime minister, the Right Honourable Brian Mulroney. They were adopted on a standing vote of 40 to 30.

**An Hon. Senator:** Well done.

**Senator Dalphond:** It was far from a consensus. Furthermore, these changes followed Prime Minister Mulroney's appointment of an extra eight senators to the Senate in 1990 under a section of the Constitution that had never been used in Canadian history.

**Some Hon. Senators:** Oh.

**Senator Dalphond:** So we are not making big history tonight. It was made in 1991.

We can hardly speak of rule changes made on consensus. As a matter of fact, section 36 of the Constitution Act, 1867, requires that the Senate make decisions by majority. The Constitution does not permit us to make rules that will require a supermajority, like in the U.S. Senate, because it would be against the Constitution or, by implication, for example, giving a veto to a group of 13 senators. Furthermore, as Senator Sinclair said in 2020 in discussing potential rule changes proposed by him and me, as you may remember — it was a thick package, “. . . consensus should not be a precondition to doing the right thing . . .” I believe in that.

In short, senators, the opposition’s case against this motion rests on propositions that are inaccurate and, furthermore, on a vision of our chamber that no longer exists. The reality is that we now have four groups in the Senate, and none has a majority. Hopefully, this will last.

We should not be ashamed of what we are doing. In fact, we are simply following the evolution of the Westminster model. As you know, we were modelled on the House of Lords, the upper chamber of the Westminster Parliament, many decades ago now. The House of Lords is made up of various groups, the four largest being the Conservatives, 277 peers; Labour, 172 peers; the Liberal Democrats, 80 peers; and the Crossbenchers, 181 peers. As you can see, none has a majority of seats. Despite the very unpopular Conservative government which is running England now, its bills make it through the House of Lords.

The rules proposed by the motion before us will ensure that the four groups we have here will enjoy equivalent status in many aspects. Ultimately, these new rules will reflect the equality between groups that we’re trying to achieve — a principle of equality that is important for all of us as individuals and as members of groups. Beyond that, it will guarantee the existence of four groups in this place, which comes with the freedom of each of us to affiliate with one of these groups and to change affiliations as time passes. It makes us more independent and not dependent on making a move such as crossing the floor when you disagree with your group.

Speaking of the Westminster model, I think we should go further than what we are doing now. We should follow what they have done already. For example, we could elect our Speaker. They took this away from the power of the Crown. The Speaker is now elected by secret ballot in the House of Lords.

Your Honour, that is not a criticism of you. I am sure you would win the vote. The issue is that this is the model that the House of Lords is following. This is what the Westminster model is evolving toward. Moreover, the chairs of the committees are selected by the whole house. It is a committee of chairs that chairs all the meetings of the committees. These are the standing lords who have been selected by the whole chamber, not by two or three members of a committee, to be the chair of that committee.

Colleagues, I will conclude with this: Some people are concerned about the fact that if these rules are adopted, I may not have unlimited time when I am giving my next speech. I

understand the theory. In practice, I never use unlimited time. I won’t even use my 45 minutes today. Normally, I don’t use it because I believe that if your message is clear, it can be put to your colleagues in 15 minutes, maybe 30 minutes or 45 minutes. If you need more time than that, it is because your message is defective in more than one place.

Thank you very much, colleagues, for your attention.

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

**Senator Plett:** Thank you, Senator Dalphond, for that enlightenment. Would you accept a question?

**Senator Dalphond:** I feel fully energized and ready to answer questions. I don’t think I will beat you, though, as I have only 45 minutes.

**Senator Plett:** Thank you. First, let me suggest, Your Honour, that the Conservative Party fully supports the Speaker in this chamber, even if the members of the PSG don’t.

**Some Hon. Senators:** Oh, oh.

**Senator Plett:** Senator Dalphond, can you enlighten us as to how the Rules were changed in 1991? What process was used in 1991?

**Senator Housakos:** He wasn’t there. He doesn’t know.

**Senator Dalphond:** Senator Housakos is right. I wasn’t there, neither was he, and neither was Senator Plett. But as a matter of fact, I was born.

I wasn’t there, Senator Plett, but I can tell you that it was a standing vote. I can also tell you that it was a long debate and that it was imposed upon the Liberal minority.

**Senator Plett:** The fact of the matter, Senator Dalphond, is that in 1991 the rule changes were made through a report of a committee. It was done by a committee.

**Senator Housakos:** After study.

**Senator Plett:** After study. This, however, is being done by a dictator in the House and a dictator here in the chamber, not by a committee. We have been supportive of Senator Bellemare.

Are you suggesting that the committee should be completely circumvented? The opposition boycotted the Rules Committee. They asked for a vote but did not debate the changes. Senator Dalphond, you are comparing apples to oranges, are you not? In one breath, you’re saying that in 1991, this was a wonderful thing and we agreed. Bring something to the committee and let the committee bring in rules changes. Would you not agree that was the process in 1991? That’s what happened then, and what was good enough in 1991, as you suggested, is good enough for 2024?

**Senator Dalphond:** Thank you, Senator Plett, for the question. Can you tell us if the report was unanimous?

[Translation]

**Senator Gignac:** Would my colleague take a question?

**Senator Dalphond:** Of course, colleague.

**Senator Gignac:** Thank you for the background information. I was quite prepared to listen to you longer, but you were effective and spoke concisely.

I'd like to ask you the same question I asked of Senator Saint-Germain, because the topic keeps going through my mind. I understand that the Government Representative has unlimited time. Still, Canadians are the ones who elect the government, and the opposition is determined by what happens in the other place. The opposition is necessarily the second-largest group chosen. However, why would the representative of the Independent Senators Group, which has the largest number of members, receive the same powers and privileges as the Leader of the Opposition or the Government Representative?

• (2320)

As Senator Audette mentioned earlier, we represent minorities. We need to protect them. What unintended consequences would such a change have? Let me explain. In seven, eight or ten years, given that Quebec will always have 24 senators in this chamber, what would happen if suddenly a group of Quebec senators became the largest group? Would you feel comfortable allowing this group the same power as the official opposition and the government? It's a hypothetical question.

**Senator Dalphond:** Thank you, senator. You always ask good questions. When a minister puts a question to someone who used to be a judge, it can be a bit difficult. Normally it's the opposite.

I understand that, theoretically, a group may have the right to speak a little bit longer, but I have to say that I see a certain degree of logic in the proposal from the government and the Office of the Government Representative. When the amendments were brought forward in 2020 and then finalized in 2022, it was stipulated that the person who would occupy the position of leader or facilitator of the largest group and who was not from the opposition or the government would have the same salary as the Leader of the Opposition. We wanted to create a kind of bridge between the largest group, whichever it was at the time, and the position of Leader of the Opposition. That's why we added equivalent speaking time to the equivalent salary. This reflects the logic of the approach that was supported at the time. I understand that we may have a different logic, but it respects the logic that was adopted in the bill in terms of compensation for the positions of the leaders of the various groups.

**Senator Gignac:** I don't want to prolong the debate unnecessarily, but if that is the real reason, I'm not very impressed by the argument that it was decided two years ago that

the representative of the group with the most independent senators would earn a higher salary than the others, and now he needs to be given extra privileges.

It must be said, honourable colleague, we represent diversity in our group. Our colleagues from Indigenous communities are much better represented. That is a good thing if we see what is happening in the other place. It is our duty. This is a chamber of sober second thought that also represents the interests of the provinces and minorities.

I am new here. I am not very familiar with the ins and outs, but this part makes me uncomfortable because of the potential unintended consequences, like the ones I've mentioned. If there is a referendum in Quebec in eight or 10 years for some reason and Quebec democratically decides to vote for independence, and a group of independent senators from Quebec is formed before Quebec separates, you know what the implications of that would be. I expected other reasons. If you have others, I would like to hear them.

**Senator Dalphond:** Things are not always perfect. Take the idea of the opposition in the Senate. When the Bloc Québécois was the official opposition in the House of Commons, there were no Bloc members in the Senate, because they do not want to be here, they do not believe in the Senate. They want to abolish it. There will never be a Bloc senator, except perhaps in the theoretical transition period you mentioned. The Liberals were the third party in the House of Commons, yet they formed the opposition in the Senate.

The House of Commons and the Senate have not always been perfectly aligned. If there were to be an election that brought about change — if you believe the polls — and if, after 10 years, the change was still welcome, the Senate would have a group on this side that would be referred to as the government, a group made up of Conservatives. There might be a minister or two in that group, perhaps a new Speaker of the Senate, and so on. There would be a group that would oppose these Conservatives and play the role of opposition. Perhaps it would be the progressives, because, since the Conservatives would be in government, the progressives could be the ones in opposition. There would also be crossbenchers who would play into this dynamic, saying, “We do not support the government, but we do not oppose it either. We will vote on a case-by-case basis.”

Still, there is a role for an opposition to play in a house of debate. That's what I thought during the pandemic, but not at first; I did say to Senator Plett, however, that I thought there was still some value in having a group play a role of opposition. In a parliamentary democracy, some people sometimes have to say that our role is to put our foot on the brake. During the pandemic, the opposition did some of that work. I told the senator that I understood the idea that a group possibly smaller than the Independent Senators Group could have such a large research budget because it had a particular role to play, specifically analyzing everything and being more critical than the norm. That could make for a more productive and constructive opposition than we sometimes see, but there is still a place in the Senate for a group that defines itself as opposing the broad general principles of the government of the day.

I am not ashamed to say that the Conservatives oppose the government, which is rather progressive and made up of a coalition between the Liberals and the NDP. Ideologically, they are different. If they were on the other side of the House, I don't think I would share a lot of their views, but I would respect their mandate. The Salisbury Convention will apply. There will be a place here for a number of groups, some that will be more aligned with an opposition role and others that will decide on a case-by-case basis.

**Senator Saint-Germain:** Senator Dalphond, thank you for your remarks. My question has to do with what you said about the Parliament of Canada Act in your answer. Would you agree that the amendments to the Parliament of Canada Act, politics being the art of the possible, were a compromise, given that there were three independent groups in the Senate in addition to the government and the opposition, and that this compromise therefore recognized the fundamental principle of the majority, a fundamental principle in the Westminster system and in any democracy? Can we agree that it is in this context that, beyond the financial allocations, the notion of a majority group other than the government and the opposition has been retained, and that the powers inherent in the regulations for this majority group are therefore consistent?

Second, does everyone recognize that all groups—the opposition, the government and the three other groups—have a mandate to defend and represent minorities, the regions and the provinces?

Do you think that eventually, if we're talking about a country made up of ten provinces and three territories, it would be wise to have one of the three independent groups represent only one of the provinces, since the larger provinces have more senators and are obviously more likely to have an advantage? Thank you.

**Senator Dalphond:** There are three questions. I will start with the last, which seems rather hypothetical to me. As we used to say in court, let's stick to the facts that are before us. We will see later whether the question arises and, if it does, then we will answer it. I will avoid answering that question.

It is important that a group that represents a plurality but not a majority does not have a majority in the Senate, so that any one group is never able to impose its will on the three other groups by using its power to say, "I have two more votes than you. I'm imposing closure now and then all the rest later." I personally would not like that. During the discussions we had between 2020 and 2022, I supported this bill. Peter Harder, a member of our group, was the sponsor of the bill. He discussed it with Senator Plett. This legislation is the product of lengthy discussions among all the groups, during which it was acknowledged that a group such as the Independent Senators Group, which represents 41 senators now — and perhaps the number was different at the time, but it was a plurality at least — was larger than the other groups, and that, with respect to the role of the leaders of these groups, this one involved more work than the leadership of the other groups. There are just as many meetings, because we are all stuck with endless meetings, but it was acknowledged that there were more members in the group and, accordingly, the leadership positions come with more . . . I don't want to say difficulties, because I'm sure you don't encounter any difficulties, just as I don't with my group, but all of this means more compromise,

listening and so on, and it takes more time. There needs to be more dialogue. I recognize that, and I have experienced that. I was not against that. That is the compromise the groups made together at the time. Is it the right compromise? There may be better ones, but I was comfortable with it then and I still am today.

• (2330)

On the second question, I think that the role of each one of us is to be attentive. As Senator Pate often says, and I agree with her — I don't always agree with her bills, but I agree with many of her ideas — we are here to listen and to give a voice to the voiceless, which is something she is quite adept at, when she does it. It's our role because the people who are elected aren't interested in the votes of the voiceless. They want the votes of those who are in the majority, those who are going to vote. Those who don't have a voice are often those who do not articulate their ideas very well, they are less economically educated and less well off. Sadly, they don't vote. These are the voices of those who are often forgotten and have no stake.

I'm going to talk again about Senator Pate, who brought me to visit a prison in my hometown of Joliette. Not one MP goes to visit prisons because it wins votes. Even though the Conservatives think that they are riding high, I have yet to see a single Conservative MP go to visit a prison to say that improvements are needed. No, no, no. Instead, they say, "Put more people in prison and we don't want to know what happens behind those walls." Those voices aren't being heard because there's no political advantage to be gained. We can give those people a voice. That is the role that each of us here has, to listen to Indigenous communities, for example. Senator Audette comes from a unique region of Quebec that I wasn't familiar with before I met her, and I look forward to visiting her in that part of the country. There are many other senators here who have made me aware of realities that I was unfamiliar with before. I was talking to Senator Anderson, who sometimes tells me about people in the Northwest Territories who are experiencing health problems. They call and are given a phone number in Ottawa and the person who answers speaks only French or English. No one speaks Inuktitut. Those are some of the issues that I wasn't aware of before I came here.

Everyone here serves as the voice of the people and that is the beauty of the Senate. I hope that every group makes sure that those voices are heard. We aren't here to silence voices. We are here to make them heard. Affiliating oneself with a group doesn't mean becoming silent. It means sharing ideas with other senators to ensure that those voices are better heard. That is why we become affiliated with a group.

**The Hon. the Speaker:** You have a question, Senator Housakos?

**Senator Housakos:** Yes, I have a question.

**The Hon. the Speaker:** Senator Dalphond, would you take a question?

**Senator Dalphond:** Yes. I still have 14 minutes and 30 seconds left.

**Senator Housakos:** Senator Dalphond, like many of your colleagues, you made a comparison a number of times in your speech between the Senate and the House of Lords. As I have said repeatedly, that isn't the case at all; it is a false equivalence. I encourage all of our colleagues to consult the Parliament of Canada Act. The Senate was clearly constructed to mirror the Westminster House of Commons, not the House of Lords, but that is another debate.

A number of times during your speech, you stated that the rules and procedures of the Senate have been changed. You are correct. We are an independent chamber, with privileges and the ability to create our own rules and procedures, and to democratically amend them. However, there is something that has never happened before. There has never been a government that used time allocation in an effort to change procedures and rules without referring the matter to the Standing Committee on Rules, Procedures and the Rights of Parliament, without careful and diligent debate, without consulting experts on all sides of the House, and without arriving here with a report. You are right to say that, by the close of the consultation, we will very likely not have reached agreement on every item. However, it is still the most effective procedure for making fundamental changes.

Why did the government, this government, decide not to go through all these steps before making such a significant change? Why are we in such a hurry? What is the urgency? Why is this government unwilling to respect the historic and traditional procedures of this institution?

**Senator Dalphond:** Thank you for your question, Senator Housakos. I like talking to you because I know you like the Westminster model as much as I do. Every time I go to London, I sit in the gallery of the House of Lords, not the House of Commons. I have met the crossbenchers facilitator in his office. He doesn't have a big budget; he doesn't even have an assistant. You should have seen his office. It is quite modest.

I speak with English peers, Conservatives and people in the Labour Party. I try to understand their system. As I understand it, when I examined the issue, when I drafted the Court of Appeal decision on the reference about the Senate, around 2013 or 2014, just before the matter was referred to the Supreme Court. . . . I read a lot about the Senate. I noted that in terms of how the House of Commons is organized, there was very little debate about representation by population. Everyone was in agreement, and the matter was settled in less than half a day. For the Senate, it took two days of debate, and a consensus couldn't be reached.

Two options were debated: elected senators or appointed senators. John A. Macdonald and George-Étienne Cartier strongly opposed the idea of elected senators. What people forget, as I once said in a previous speech five or six years ago, is that in 1867, the first senators from Quebec, for example, of the 24 senators, 18 or 19 were members of the Legislative Council of the Parliament of the United Canada, which had 24 council members from Quebec and 24 from Ontario. What many people don't know is that from 1862 onwards, they were elected. Every two years, a third of the Legislative Council was elected. Macdonald didn't like that at all, because he was afraid these people would undermine the legitimacy of the House of Commons. He wanted senators to be appointed. So, to prevent these people from being too resistant, they were almost all

appointed senators, such that the first senators were mostly elected senators. Let's not forget that today we have Senator Tannas, who is virtually an elected senator. Back then, however, there were a lot of elected senators.

The House of Lords model was chosen. There was no aristocracy here, so they came up with the idea that the person needed to be 30 years old, own land and have a net worth of \$4,000. If we read the debates, it is clear that they wanted to follow the House of Lords model and that the convention would be respect for the elected members. They did not want a competing chamber, they wanted a complementary chamber.

The second question was: Shouldn't we refer this whole matter to the Standing Committee on Rules, Procedures and the Rights of Parliament? I think that the chair of the committee is going to address that in her speech, and she will explain all the work that has been done by this committee over the years, all the reports that have been drafted, to which I can add the report by Senator Greene, who worked on Senate reform with Senator Massicotte, Senator Busson and Senator Cordy, who all sat on the committee. All these questions and many more were explored. We accepted what was proposed to us. It doesn't measure up to what was discussed, but it is a step in the right direction. When we travel, we have to take the first step, otherwise we won't get anywhere. At least this is a start. I said it was not enough. I said that to Senator Gold when he talked about the first iteration. There were discussions between all the groups. In fact, there were amendments to the text. This is not the first text that we have seen. They were receptive to it. I hope that other amendments will be made in the future, but I think that this is a good start and that we don't need to send it back to committee, because, as they say, "Send it to committee if you want to kill it." I think that there has been enough discussion and enough reports. It's time to take action.

• (2340)

**Senator Housakos:** If I understand your answer correctly, you are open to examining amendments to this motion?

**Senator Dalphond:** I would say that the principle that should guide us, and all of you, is the one that we used when amending the Parliament of Canada Act. You didn't want to go very far, so you agreed to minimal changes. Today, you have before you minimal changes. Let's approve those and then debate further changes later.

[English]

There are many ways to skin a cat. If you want to amend and have subamendments and all of that, we know where it leads.

We have discussed these things in our group. Other groups have done so. We have proposed some amendments. Some were at the dinner hour, for example, and some other provisions were amended. I think we are comfortable with what is before us. It is not perfection, but let's proceed.



[*Translation*]

**Hon. Réjean Aucoin:** I rise in favour of Motion No. 165, which is a crucial step in adapting the Senate Rules to today's reality. The Canadian Senate, as a legislative chamber, must evolve to better respond to challenges and meet the expectations of Canadians.

The government has embarked on an ambitious journey to transform the Senate into a more independent and less partisan chamber, aligned with its constitutional role to give bills sober second thought.

This evolution is essential to keeping our democratic institution relevant and effective in an ever-changing world.

Appointing senators through an open, merit-based process has helped create one of the most diverse parliamentary chambers in the world, one that reflects the richness and diversity of Canadian society from coast to coast to coast.

However, for this transformation to be fully effective, it is imperative that the Senate Rules be revised to align with the new realities and challenges facing Canadians.

Motion No. 165 provides this opportunity by proposing amendments that clearly recognize and define the roles of the different parliamentary groups that have formed in the Senate following the appointment of unaffiliated senators.

These changes will enable the Senate to function better by promoting more open, inclusive and effective debate.

This initiative is not an isolated move.

It is part of the broader process of modernizing the Senate, which was initiated as a result of many reports and studies by committees, including the Special Senate Committee on Senate Modernization a number of years ago.

Motion No. 165 represents the last step of the reform process and does not take anything away from the existing groups. I was appointed in November 2023, and to me, this motion seems completely logical because it formalizes how things are and the way the Senate works right now.

In closing, I would encourage you to support this motion because it is essential to ensuring that the Senate stays relevant and effective in today's context.

By adapting our Rules to the reality of today's Senate, we are strengthening our ability to fulfill our constitutional mandate with integrity and impartiality. This does not mean that the Rules are perfect, but even bills are not always perfect. Thank you and good night.

[*English*]

**Hon. Yuen Pau Woo:** Honourable senators, I would like to thank Senator Gold for introducing this motion and Senator Lankin for taking on the role of consulting with senators about these changes and then advocating for them.

As Rohinton Mistry would say, it has been “such a long journey.” If he were writing a sequel about the first two hours of tonight's debate, he might well have called it “Such a Tedious One, Too.”

From the Special Committee on Senate Modernization, to the work of Senator Massicotte and Senator Greene, to motions in this chamber from Senator Tannas and myself, to the reports of the Standing Senate Committee on Rules, Procedures and the Rights of Parliament, it has been a long journey, indeed.

In my opinion, the compass for that long journey has been and continues to be the Supreme Court of Canada reference on the Senate of Canada in 2014, which was requested by then prime minister Stephen Harper. In it, the justices reaffirmed that the Senate should not be a carbon copy of the House of the Commons but that it should be “. . . a thoroughly independent body which could canvass dispassionately the measures of the House of Commons . . . .”

The justices went on to say:

The framers sought to endow the Senate with independence from the electoral process to which members of the House of Commons were subject, in order to remove senators from a partisan political arena that required unremitting consideration of short-term political objectives.

The Supreme Court reference is the critical context for Prime Minister Trudeau's decision to cut loose Liberal senators from his party in the House of Commons and to appoint members who are not tied to any political caucus. This is important to remember, because the Senate circa 2015 had to do something fundamentally different if it was to try to regain some credibility and legitimacy with Canadians after the sordid years of the Senate expenses scandal.

The Supreme Court had already explained why a Triple-E Senate could not be realized solely by the actions of the federal parliament, which was the question put to the justices by Mr. Harper. That is why the move to a more independent and less partisan Senate in 2016 was, in my view, the most profound reform in the history of our institution. Make no mistake — this motion is about protecting that historic reform. In this respect, it is ironic that the folks who are against the motion come from the party that has most loudly championed reform of the Senate. Whatever the motivation of Mr. Trudeau in proposing this change, it should be seen as a lifeline for our institution to rebuild its credibility and legitimacy with the Canadian public.

The poll speaks for itself: A Nanos survey commissioned by our colleague Senator Dasko a few years ago showed that 76% of Canadians agreed with the new merit-based appointment process, and only 3% want to return to the previous model of partisan appointments. Indeed the survey found that:

. . . 80 percent of the public describe the fact that “new senators sit as independent members and are not active in a political party” as a “good change” for the Senate . . . .

Even so, colleagues, the same poll showed that nearly a quarter of respondents believe the Senate to be “ineffective/pointless.” This is not a statistic to be proud of, and while we may be

comforted by the reality that the Senate is not going to be abolished any time soon, you can be sure that if that number creeps up, the calls for abolition will get louder.

• (2350)

This is the larger context in which we are discussing today's rule changes. The motion says to Canadians that we are actively working on improving our institution by making it less partisan and more distinct from the House of Commons, as the framers of our Constitution intended.

Colleagues who are against the motion, on the other hand, want to turn back the clock. We know that is true of Conservative senators, but I can tell you there are revanchist Liberals and would-be Liberals who also pine for the "good old days" of a partisan duopoly, each tied to the fortunes and dictates of the corresponding political caucus in the House of Commons. They see the role of a senator as advancing the objectives of the party as defined by the prime minister or the leader of the party in the House, and they will happily toggle from government to opposition and back again, election after election, one day extolling the importance of opposing everything the government does and the next day decrying attempts by the new opposition to counter everything they do.

This is, of course, the hoary argument we heard last week from our Conservative colleagues about the sanctity of "opposition" and why only they deserve that appellation. It boils down to the assumption that senators affiliated to a political party are the only ones capable of criticizing government legislation. It is not only a daffy argument, but it is insulting to the rest of us who every day of every week are looking at the bills we get from the House of Commons and are trying to do our duty as senators to scrutinize those bills and make them better — every one of us, not just the handful of folks who have anointed themselves as more blessed than the others.

If you think this is a bit harsh, look at the fifth report from the Standing Senate Committee on Rules, Procedures and the Rights of Parliament. It documents that Conservative senators believe their group is more equal, more worthy and more deserving than other recognized parliamentary groups. On that basis, the Conservative members on the Rules Committee refused to accept rule changes that the overwhelming majority of members on that committee supported. The proposed rule changes discussed over many months in the Rules Committee are, by and large, the same ones in this motion.

The Conservatives have been propagating the fiction that they are the "official opposition in the Senate," even though there is no such term in our Rules or in the Parliament of Canada Act. And yet we heard Conservative senators use the term in debate on this very motion — indeed, the very senators who claim to be arch-defenders of parliamentary practice and tradition.

There is a certain desperation in this deliberate distortion of our nomenclature, but it is made worse by the conceit that the way in which Conservatives carry out the work of "opposing" in the Senate is superior to how non-partisan senators do it. And what is that allegedly superior style of opposition? Let me quote

Senator Plett — who is trying to speak over me right now. In response to my question on a speech he made on the Income Tax Act, he had this to say:

I am making a speech that is contrary to what the government is doing, and I don't need to defend that.

Well, Senator Plett is correct that he doesn't need to defend a speech that was full of internal contradictions and non sequiturs. It is certainly his right to be contrarian for the sake of being contrarian, but, colleagues, that is not what is meant by sober second thought and that surely is not the form of opposition we want to demonstrate for Canadians.

Conservative supporters will, of course, cheer on Senator Plett for being obdurate, and Liberal supporters will cheer on any would-be Liberal senators who behave similarly on the other side of the debate. But is this any way to run an upper house? If you think it is, you have just boosted the number of Canadians who think the Senate is pointless or ineffective.

One of the favourite arguments used by Senate duopolists is that the test of being a true opposition member is in how you vote on government bills. By this measure, senators who vote for government legislation, even amended bills, cannot be part of the opposition. This is also a daffy argument, and I must say even some independent senators are taken in by it.

Think about this. When we have voice votes, and the opposition cries "on division," do you think it means they oppose the bill? If it did, why don't they call for a standing vote each time? The reason is that "on division" allows them to have the deniability of not supporting a bill and of not opposing it. They want to have cake and to eat it as well. In fact, we have even seen the spectacle of Conservative senators standing to vote for a government bill after having spoken vigorously against it because they suddenly realized that the bill might be defeated by a plurality of independent senators. This was the famous vote on Bill C-83 concerning Structured Intervention Units in 2019. Look it up. The video is . . . educational.

Or consider the following thought experiment: Suppose the majority of independent senators consistently voted against government bills. This, by the way, should strike terror in the hearts of Conservative colleagues who are hoping for a change in government, but if that happened, they would surely cry foul play because — and here is the clincher — they allowed government bills to go through while they were in opposition. In any case, imagine if, in fact, a Senate filled with independent members consistently voted down government bills. What do you think that would do for our legitimacy? Would Canadians break out in joyful support for the Senate and cheer us on to keep doing the same? It is daffy, right?

The Conservatives pretend to be the true opposition in the Senate, but their goal in doing so is to become the government after the next election. That is, of course, the prerogative of political partisans, but it is not reflective of today's Senate of Canada, which consists overwhelmingly of non-partisan members. Whereas Conservative senators are opposition members for only as long as their party is not in power, the rest of us will remain independent of the government whichever party

is in charge. How can we take seriously the claim that the “real” opposition in the Senate is the group that will ditch that title as soon as it has the opportunity to do so? Daffy.

Let me take on another hoary argument that was trotted out again in last week’s debate by Senator Martin and used repeatedly tonight by Senator Plett and others. It is that things are working fine the way they are; that, even without rule changes, the Senate can accommodate senators who don’t belong to a partisan caucus; that the Conservatives have been willing to grant speaking time and committee seats and travel privileges to non-partisan senators; and that, goodness gracious, the leaders and facilitators of recognized parliamentary groups are even consulted on some important decisions concerning the Senate. This, colleagues, is the argument of arrogance and noblesse oblige. It is the “let them eat cake” argument.

I will grant the Conservatives this: If their idea of the upper chamber is that it should be aristocratic, as in the House of Lords, where there are different classes of members and that they belong to the more privileged class, then they are indeed being true to an *idée fixe* of the Westminster model.

But that is not the kind of Westminster model I want for Canada. Non-partisan senators will not stand for “eating cake” or relying on the largesse of 13 senators for our rights and privileges. Because you can sure about one thing: The

Conservative opposition to this motion will not stop here. Their leader in the House is clear that he wants to return to a partisan Senate, and I am sure there are Liberals who are also wistful for the bad old days of duopoly. There will be forces in both parties that will want to roll back the more independent Senate of today, to marginalize the role of parliamentary groups that are not affiliated to a political caucus and to return to the cozy arrangements of alternating government and opposition — doing little more than mimicking their counterparts in the other place.

From the outside, the rule changes proposed in this motion may seem trivial, and it is true that much of this motion simply codifies the current practice. But the implications of not passing this motion are very serious indeed. If we entrench the privileged position of a political caucus that styles itself as the opposition — any political caucus — we will allow for the erosion of the rights of other parliamentary groups and their members, and that could lead to the demise of the independent Senate experiment. As it is, in my opinion, this motion does not go far enough. It does not go far enough —

**The Hon. the Speaker:** Senator Woo, —

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

*(At midnight, pursuant to rule 3-4, the Senate adjourned until later this day at 2 p.m.)*

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