



MINUTES OF PROCEEDINGS

OTTAWA, Monday, June 1, 2026
(22)

[English]

The Standing Senate Committee on Human Rights met this day at 4 p.m., in room B45, Senate of Canada Building, the chair, the Honourable Paulette Senior, presiding.

Members of the committee present: The Honourable Senators Arnold, Arnot, Bernard, Karetak-Lindell, LaBoucane-Benson, Martin, McPhedran, Moncion, Osler, Senior, Wells (*Alberta*) and Wells (*Newfoundland and Labrador*) (12).

Other senators present: The Honourable Senators Pate and Simons (2).

Participating in the meeting: Robert Mason and Madalina Chesoi, Analysts, Library of Parliament.

Pursuant to the order of reference adopted by the Senate on Thursday, April 30, 2026, the committee continued its consideration of Bill C-9, An Act to amend the Criminal Code (hate propaganda, hate crime and access to religious or cultural places).

WITNESSES:

Department of Justice Canada:

Kristen Ali, Manager and Senior Counsel, Criminal Law Policy Section;

Joanna Wells, Senior Counsel and Team Lead, Criminal Law Policy Section;

Marianne Breese, Counsel, Criminal Law Policy Section.

It was agreed that the committee proceed to clause-by-clause consideration of Bill C-9.

Kristen Ali, Joanna Wells and Marianne Breese were called to the table and answered questions. They answered questions from time to time for the remainder of the meeting.

It was agreed that the title stand postponed.

It was agreed that clause 1, which contains the short title, stand postponed.

It was agreed that clause 2 carry.

It was agreed that clause 3 carry.

The chair asked whether clause 4 shall carry.

The Honourable Senator Bernard moved that Bill C-9 be amended in clause 4, on page 2:

(a) by replacing line 5 with the following:

“also known as the SS bolts, or a noose, a burning cross or a white pointed hood;”;

(b) by replacing line 8 with the following:

“symbol described in paragraph (a) or (b); or

(d) any other symbol that is used or associated with the promotion of ideological violence based on race, ancestry or ethnic origin.”.

At 4:21 p.m., the committee suspended.

At 4:34 p.m., the committee resumed.

At 4:35 p.m., the committee suspended.

At 4:47 p.m., the committee resumed.

After debate, it was agreed that the motion in amendment stand postponed.

The Honourable Senator Karetak-Lindell moved that Bill C-9 be amended in clause 4, on page 2, by adding the following after line 14:

“(2.4) Everyone who, by communicating statements other than in private conversation, willfully promotes hatred against Indigenous Peoples by condoning, denying or downplaying the Indian Residential Schools System

(a) is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years; or

(b) is guilty of an offence punishable on summary conviction.”.

After debate, the question being put on the motion in amendment, it was adopted on the following vote:

YEAS

The Honourable Senators

Arnold, Arnot, Bernard, Karetak-Lindell, McPhedran, Senior, Wells (*Newfoundland and Labrador*) — [7]

NAYS

The Honourable Senators

LaBoucane-Benson — [1]

ABSTENTIONS

The Honourable Senators

Martin, Osler, Wells (*Alberta*) — [3]

The Honourable Senator Karetak-Lindell moved that Bill C-9 be amended in clause 4,

(a) on page 2,

(i) by adding the following after line 15:

“(1.11) The portion of subsection 319(3.1) of the Act before paragraph (a) is replaced by the following:

(3.1) No person shall be convicted of an offence under subsection (2.1) or (2.4)”,

(ii) by adding the following after line 16:

“(1.3) Paragraph 319(3.1)(d) of the Act is replaced by the following:

(d) if, in good faith, they intended to point out, for the purpose of removal, matters producing or tending to produce feelings of antisemitism toward Jews or hostility toward Indigenous Peoples.”,

(iii) by replacing line 30 with the following:

“tion (1), (2), (2.1), (2.2) or (2.4) or section 318, anything by “;

(b) on page 3, by replacing line 3 with the following:

“(2), (2.1), (2.2) or (2.4) or section 318.”.

After debate, it was agreed that the motion in amendment stand postponed.

Resuming debate on the motion in amendment to clause 4 of the Honourable Senator Bernard, that Bill C-9 be amended in clause 4, on page 2:

(a) by replacing line 5 with the following:

“also known as the SS bolts, or a noose, a burning cross or a white pointed hood;”;

(b) by replacing line 8 with the following:

“symbol described in paragraph (a) or (b); or

(d) any other symbol that is used or associated with the promotion of ideological violence based on race, ancestry or ethnic origin.”.

The Honourable Senator Arnot moved that the motion in amendment be amended by replacing the text in paragraph (a) with “or a noose; or” and by deleting paragraph (b).”

The question being put on the subamendment, it was adopted on the following vote:

YEAS

The Honourable Senators

Arnold, Arnot, Bernard, Karetak-Lindell, LaBoucane-Benson, McPhedran, Osler, Senior,
Wells (*Newfoundland and Labrador*), Wells (*Alberta*) — [10]

NAYS

Nil

ABSTENTIONS

The Honourable Senators

Martin — [1]

The question being put on the motion in amendment, as amended, it was adopted.

Resuming debate on the motion in amendment to clause 4 of the Honourable Senator Karetak-Lindell, that Bill C-9 be amended in clause 4,

(a) on page 2,

(i) by adding the following after line 15:

“(1.11) The portion of subsection 319(3.1) of the Act before paragraph (a) is replaced by the following:

(3.1) No person shall be convicted of an offence under subsection (2.1) or (2.4)”,

(ii) by adding the following after line 16:

“(1.3) Paragraph 319(3.1)(d) of the Act is replaced by the following:

(d) if, in good faith, they intended to point out, for the purpose of removal, matters producing or tending to produce feelings of antisemitism toward Jews or hostility toward Indigenous Peoples.”,

(iii) by replacing line 30 with the following:

“tion (1), (2), (2.1), (2.2) or (2.4) or section 318, anything by “;

(b) on page 3, by replacing line 3 with the following:

“(2), (2.1), (2.2) or (2.4) or section 318.”.

The Honourable Senator McPhedran moved that the motion in amendment be amended in subparagraph (a)(ii) by replacing “hostility” with “hatred”.

After debate, the question being put on the subamendment, it was adopted.

The question being put on the motion in amendment, as amended, it was adopted.

The Honourable Senator Martin moved that Bill C-9 be amended in clause 4, on page 2, by deleting lines 15 and 16.

The question being put on the motion in amendment, it was negated on the following vote:

YEAS

The Honourable Senators

Martin, McPhedran, Wells (*Newfoundland and Labrador*) — [3]

NAYS

The Honourable Senators

Arnold, Arnot, LaBoucane-Benson, Wells (*Alberta*) — [4]

ABSTENTIONS

The Honourable Senators

Bernard, Karetak-Lindell, Senior — [3]

It was agreed that clause 4, as amended, carry.

The chair asked whether clause 5 shall carry.

It was moved by the Honourable Senator Wells (*Newfoundland and Labrador*) that Bill C-9 be amended in clause 5,

(a) on page 3,

(i) by replacing line 21 with the following:

“this Act, if the commission”,

(ii) by replacing line 33 with the following:

“under this Act is not, for”;

(b) on page 4, by replacing lines 21 and 22 with the following:

“(4) and (5), any provision of this Act — including one in respect of procedure, or-”.

The question being put on the motion in amendment, it was negatived on the following vote:

YEAS

The Honourable Senators

Martin, McPhedran, Wells (*Newfoundland and Labrador*) — [3]

NAYS

The Honourable Senators

Arnold, Arnot, Karetak-Lindell, LaBoucane-Benson, Senior, Wells (*Alberta*) — [6]

ABSTENTIONS

The Honourable Senators

Bernard — [1]

It was agreed that clause 5 carry.

The chair asked whether clause 6 shall carry.

It was moved by the Honourable Senator McPhedran that Bill C-9 be amended in clause 6, on page 5, by replacing line 18 with the following:

“(4) No person is guilty of an offence under subsection (1) or (2)”.

The question being put on the motion in amendment, it was adopted on the following vote:

YEAS

The Honourable Senators

Bernard, Karetak-Lindell, McPhedran, Senior, Wells (*Newfoundland and Labrador*) — [5]

NAYS

The Honourable Senators

Arnold, Arnot, LaBoucane-Benson, Wells (*Alberta*) — [4]

ABSTENTIONS

The Honourable Senators

Martin, Osler — [2]

It was agreed that clause 6, as amended, carry on division.

It was agreed that clause 8 carry.

It was agreed that clause 9 carry.

It was agreed that clause 10 carry.

It was agreed that clause 11 carry.

It was agreed that clause 11.1 carry, on division.

It was agreed that clause 12 carry.

It was agreed that clause 1, which contains the short title, carry.

It was agreed that the title carry.

It was agreed that the bill carry, as amended, on division.

It was agreed that the Law Clerk and Parliamentary Counsel be authorized to make necessary technical, grammatical or other required non-substantive changes resulting from the amendments adopted by the committee, in both official languages, including updating cross-references and renumbering of provisions.

At 7:03 p.m., the committee suspended.

At 7:15 p.m., pursuant to rule 12-16(1)(d), the committee resumed in camera to discuss a draft report.

It was agreed that the committee allow the audio recording and/or transcription of the in camera portion of today's meeting, that one copy be kept with the clerk of the committee for consultation by committee members and/or their staff, and that the audio recording and/or transcription be destroyed by the clerk of the committee when authorized to do so by the Subcommittee on Agenda and Procedure, but no later than at the end of this parliamentary session.

It was agreed that observations be appended to the committee's report.

It was agreed that the Subcommittee on Agenda and Procedure be empowered to approve the final version of the observations being appended to the report, in both official languages, taking into consideration today's discussion, and with any necessary editorial, grammatical or translation changes as required.

It was agreed that the chair report Bill C-9, with amendments and with observations, to the Senate, in both official languages, at the earliest opportunity.

At 7:50 p.m., the committee adjourned to the call of the chair.

ATTEST:

Caroline Woodward

Clerk of the Committee