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Wednesday, May 5, 2021

The Honourable GEORGE J. FUREY,
Speaker

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THE SENATE

Wednesday, May 5, 2021

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

Prayers.

SPEAKER'S STATEMENT

The Hon. the Speaker: Honourable senators, on February 8, 2021, the Senate adopted the fourth report of the Committee of Selection. That report recommended "that for the remainder of this parliamentary session, the position of Speaker pro tempore be filled by means of a secret ballot, using a process to be established by the Speaker after consulting with the Leader of the Government, the Leader of the Opposition, and the leader or facilitator of any other recognized party or recognized parliamentary group."

These consultations have now taken place, and I am pleased to advise the Senate that the election of the Speaker pro tempore will be by ranked ballot.

To be a candidate, a senator will have to communicate his or her interest by email to the Clerk of the Senate by noon on Monday, May 10, 2021.

At the start of the sitting after Monday, May 10, I will announce the names of the senators who are candidates. Instead of proceeding to Senators' Statements, we will then hear from the candidates for a maximum of three minutes each, irrespective of the total time required. If there are less than six candidates, any balance of time can be used for regular statements.

One hour after we have heard from the candidates, the voting will start. Details about the confidential system will follow shortly before voting is to start. Only the Clerk will have access to information about the vote. He will not reveal any of this information to anyone.

Senators will have until 6 p.m. on the day after voting starts. That deadline could be extended if required for technical reasons. When they vote, senators will rank as many candidates as they wish, with one being their first choice, two their second, and so on.

After the voting, the Clerk will count the votes in private. After the initial count, the candidate, or candidates, with the fewest votes will be dropped and those votes redistributed to the next active preference on the ballot, if one is indicated. The process will continue with successive rounds until a candidate has a majority of votes that are still active. If, after all possible distributions, two or more candidates have the same number of votes, a run-off election will be held.

The name of the chosen candidate will be announced at the start of the sitting following completion of counting. A motion to name that senator as Speaker pro tempore will then be deemed

moved, seconded, and adopted, without debate, amendment, or further vote. No further details will be provided, and the Clerk will keep all information related to the vote confidential.

SENATORS' STATEMENTS

THE LATE MALI CURLEY

Hon. Dennis Glen Patterson: Honourable senators, I rise to pay tribute to Mali Curley of Iqaluit, a long-time court worker, expert interpreter and respected elder who passed away recently at age 72.

Mali was one of my first employees and a mentor and guide in understanding the Inuit language and culture, when together in 1975 we worked with a local Inuit board to establish Iqaluit's Maliiganik Tukisiinakvik legal aid clinic, now one of Canada's longest running legal aid clinics. She has been a close and dear friend ever since.

Established on a pilot basis as an initiative of Inuit Tapirisat of Canada to replace the colonial fly-in and fly-out legal aid services offered through the circuit court system, the Inuit-run project successfully proved the worth of storefront regional clinics which were accessible to Inuit in conflict with the law and featured trained Inuit paralegals like Mali who worked alongside lawyers to better serve Inuit. Now this model is employed today for delivery of legal aid in Nunavut and the N.W.T. through regional clinics.

The clinic had a mandate of public legal education and law reform as well. With the leadership of Mali Curley and other paralegal court workers, law reform initiatives included revising wildlife laws to recognize traditional Inuit hunting practices, including formally permitting the practice of allowing young Inuit to hunt under the guidance of their parents; a reform of the Jury Act to accommodate unilingual jurors and the expansion of legal aid services into providing family and civil legal aid as well as in criminal law.

Maliiganik made several other innovations from the beginning. It was the first clinic in Canada to employ paralegal court workers who actually argued cases in court. Court workers in the South serve mainly as liaisons between native clients and professionals. Here, Inuit such as Mali Curley were able to represent clients.

Maliiganik also played a major role in bringing Inuktitut speakers into the legal system. A historic example in the late 1970s was the coroner's inquest in Pond Inlet. A young boy had killed a young girl accidentally with a loaded gun at a spring hunting camp on the sea ice. The inquest was presided over by David Mablick, a local Inuk coroner, and Mali Curley

represented the youth and his family. It was a first, as the proceedings were all in Inuktitut, except the RCMP member who required a translator.

The board lobbied to have legal interpreters recognized as an integral component of the legal system. Now they travel with and work with the court regularly.

Thanks to Maliiganik and skilled court workers like Mali Curley, those interpreters now also have access to several glossaries of legal terms in English and Inuktitut published through Nunavut Arctic College.

Mali was a consummate interpreter, greatly in demand to interpret at important and historic meetings in the evolution of Nunavut. She understood all the terms used by Inuit elders in the full richness of the Inuktitut language. She had a quick, dry wit and was known for being direct and honest in everything she said and did. She made a difference with her life's work. Thank you. *Qujannamik*.

CLIMATE AND ENERGY STRATEGY

Hon. Douglas Black: Honourable senators, I rise today to bring the Senate's attention to the opportunity that exists between Canada and the United States when it comes to cooperation on climate and energy. As we are all witnessing on the cross-border Line 5 conflict, cooperation on climate and energy is needed.

• (1410)

Earlier last month, the CEO of the Canada West Foundation and myself wrote an op-ed for the *National Post*, making the case for a North American climate and energy strategy and detailing what that would look like. The strategy we propose starts with Canada and the U.S. but then would hopefully expand rapidly to include Mexico. Its first pillar is a comprehensive emissions reduction plan, building on the commitments made at the first bilateral meeting between our Prime Minister and President Biden. It would include specific binational objectives and deliverables. We need to think big on carbon capture and storage — tackling the methane challenge — and figure out how to compete for market share in the growing hydrogen economy. We could also cooperate on advanced nuclear, metals, minerals and hydro. We could also cooperate on emissions credits for carbon-competitive exports, and demonstrate global leadership by aligning clean-tech research and development. With strong leadership, we will reduce emissions in all kinds of areas and build the energy system of the future while creating jobs and boosting competitiveness.

Honourable senators, COVID has shown us that the just-in-time supply chains need to be just-in-case supply chains. It has taught us to rely on ourselves and our closest allies. That is why the second pillar of the strategy should be a commitment to energy security. We can be a continent that powers itself and does not have to worry about threats to supply. This can be done while working together and capturing a greater share of the international energy market.

[Senator Patterson]

Finally, we need to strengthen what connects us by updating and modernizing the transportation infrastructure across the continent: airports, bridges, broadband, ports, pipelines, roads, railways.

Colleagues, I encourage you to join me in urging the Government of Canada to strike a Canada-U.S. environment and energy working group to build out this strategy. Canada and the U.S. have done great things together before — NATO, NORAD, NAFTA, CUSMA — and it's time to do that again by developing a robust continental climate and energy strategy.

[*Translation*]

TRIBUTE TO ACADIAN LOBSTER FISHERS

Hon. René Cormier: Honourable senators, yesterday, May 4, at 6 a.m. Atlantic time, people in Acadian communities in New Brunswick and Prince Edward Island gathered on wharves, in accordance with physical distancing rules, to pay tribute to the lobster fishers heading out on the water for their first day of fishing.

This annual ritual, which takes place at sunrise, shows what this fishery resource means for Acadians. It is a time of celebration, of course, but above all hope, hope that these fishers will come back with a catch big enough to support their families and contribute to the well-being of their communities.

Every year, as we watch the boats leave the harbour, we think about past generations of men and women who set out to sea, sometimes at the risk of their lives, to feed their families.

In Acadia and elsewhere, fishing is much more than a source of income. Commercial considerations aside, fishing is a way of life, a marker of identity and culture.

I would like to remind you that, before they were deported, Acadians mainly lived as farmers. After they were forcibly removed from their land, those who did not lose their lives in the Great Upheaval settled along the Atlantic coast and turned to the sea for their livelihood.

In his study entitled *Pêche et identité en Acadie : nouveaux regards sur la culture et la ruralité en milieu maritime*, sociologist P.D. Clarke stated, and I quote:

The Deportation turned Acadian society into a community of fishers out of necessity. Denied access to their previous means of production, the fertile land of the *Baie Française*, and dispersed in clusters along the Gulf of St. Lawrence and Atlantic coastlines, Acadians ended up working in the fisheries, which were part of a global staple trade long monopolized by companies from the British Isle of Jersey.

Acadians were exploited by big companies for a long time, and it took all their courage and determination to claim their place in an industry that now has a significant economic impact in Canada.

Thanks to fishers, plant workers and exporters, Acadians, Indigenous peoples and all the communities involved in this industry are making a valuable contribution to Canada's economic development.

Yesterday, as I watched the boats disappear over the horizon, many questions crossed my mind as a senator and lawmaker. How can we protect this tasty crustacean from the effects of climate change? How can we ensure that this precious resource is shared fairly? How can we bring new fishers on board to replace the men and women who will be retiring soon? In a global market, how can we make sure lobster stays available and affordable for our own people?

Most importantly, how can we get all Atlantic communities on the same page with respect to this industry, which is so important to our region?

Canada's Parliament has a vital role to play here, and it must demonstrate leadership.

Let's thank everyone who contributes to this industry, and let's work together to make sure everyone's rights are respected and the conversation is characterized by peace and solidarity.

Thank you.

[English]

THE PAN-AFRICAN HERITAGE WORLD MUSEUM

Hon. Patricia Bovey: Honourable senators, I'm very pleased to let you know that Canada is playing a significant role in the forthcoming Pan African Heritage World Museum, set to open in Ghana in the fall of 2023. Indeed, the sod-turning for this stunning building was this morning. The plans can be found online.

Appointed to the international curatorial council for this large transformational international museum project, my role is to liaise between Canadian and international participants and its museological and logistical aspects. Canadian Black artists from all creative disciplines, from every part of Canada, have been engaged with me in meeting to discuss the approaches for our physical exhibition in the new building and the online virtual exhibitions. Virtual presentations are slated to commence in 2022. A content steering committee, the membership of which is about to be confirmed, will represent all art forms. This group of Canadian Black artists will determine the overall themes and the curators for both the physical and virtual dimensions.

Leading up to this point, the discussions of the wider group have been rich, the realities brought forward both tough and inspirational, and the visions of the artists truly exciting. All have underlined the uniqueness of the Canadian Black experience globally while recognizing the lack of knowledge at home and abroad of Canadian Black history. In determining the project scope, one member of the group said, "Canada is what pan-African is envisioned to be: cultural identity, not a melting pot." Another quote: "Centering Blackness and Canadian culture" is key. Ideas will develop, I know, and the interdisciplinary approach these artists are proposing is exciting and innovative.

Meanwhile, the international leaders of the project have proffered that Canada will be the signatory project in the inaugural presentations and the featured North American nation. Also, our virtual contributions, given the group's initial ideas, will "provide the mantle framework regarding diversity in unity."

Colleagues, this project embodies the spirit of the Senate's *Cultural Diplomacy* report and the strong bilateral relations between Canada and Ghana. You can appreciate my support and willingness to do what I can to realize this opportunity. I am grateful for the honesty, creativity and energy of the many artists already involved, as I am for the community groups looking to ensure logistical aspects.

The many discussions I have had with people across Canada and in government have been enlightening and passionate. All are in favour of the project and of Canada's participation and leadership role. I know Canada will tell its story of Black Canadians in a compelling and innovative way. And I also know the messages and insights will challenge us all to be united in our diversity. Let's show the world we are up to it. Opportunity is knocking and Canada is answering.

OPIOID OVERDOSE CRISIS

Hon. Vernon White: Honourable senators, everyone knows Canada has been in the midst of an opioid crisis for more than a decade, and as the country fought the pandemic, Canada saw this crisis worsen, with more than 19,000 opioid-related deaths over a four-year period. Then 2020 and the pandemic actually worsened an already terrible situation.

A number of factors likely contributed to this situation, including the fact that the illegal drug supply has become even more toxic, with carfentanil now being used more often as a precursor to manufactured counterfeit drugs. As well, as we know, there are limited resources available for those living with addiction. In fact, in British Columbia alone, more than 1,700 people lost their lives to toxic street drugs in 2020 — the worst year on record.

• (1420)

Across Canada, statistics tell us that we have shifted from more than 10 deaths per 100,000 in 2019 to more than 16 per 100,000 in 2020. B.C., Alberta and Saskatchewan, to name only a few, have seen a 50 to 70% increase of overdose deaths per 100,000 people in 2020 from the previous year.

As tragic as that is, I do want to say that a few people in places like Vancouver's East Hastings are trying their best to save lives in this vulnerable group. Recently recognized for their work for the vulnerable group living with addiction, Sharon Jensen and Wendy Stevens of Vancouver Coastal Health are two who have been working with their organization to try to vaccinate as many people as possible against COVID. Walking the streets to get to where these people are living, to date they have successfully vaccinated 9,000 of the 10,000 residents of the high-risk area; and 2,500 people who are working in this area have also been vaccinated. As a result, the obvious potential health burden that would have come from higher levels of COVID caseload has not

occurred. Had this sector been hit as believed it surely would, it is estimated that residents would have been four times more likely to require hospitalization.

While I believe governments are not doing enough for people with addictions within this sector as they continue to die in large numbers, the local health authority in this case is making a difference and I thank them for that.

[Translation]

THIS IS OUR SHOT CAMPAIGN

Hon. Mobina S. B. Jaffer: Honourable senators, the This Is Our Shot campaign was officially launched on Wednesday, April 28. It is a national grassroots movement aiming to eliminate vaccine hesitancy.

[English]

The This Is Our Shot campaign was born from the desire to ensure that public health messaging is reaching underserved and vulnerable communities. It was created by a coalition of organizations from across the country, including the Canadian Muslim COVID-19 Task Force, the BlackNorth Initiative, the South Asian COVID Task Force, Siksika Health Services, Black Physicians of Canada, the Latin American COVID-19 Task Force, Entripy, 19 to Zero and Kids Help Phone.

Honourable senators, racialized communities are being disproportionately impacted by COVID-19. Although race-based data is not consistently available across Canada, a report published by the Public Health Agency of Canada in February 2021 looked at surveillance data from Ottawa and Toronto and highlighted that COVID-19 cases are 1.5 to 5 times higher among racialized populations than non-racialized populations in these two cities. This is a direct reflection of the inequities that exist within health care systems, as well as social and economic factors, including income, education, housing and employment.

It is for this reason the This Is Our Shot campaign is so important. It is absolutely essential that we break both cultural and language barriers to ensure that the message of getting a vaccine as soon as it is your turn reaches racialized communities. All of us need to be vaccinated for all of us to be safe.

[Translation]

That is why I'm so impressed by the work being done through the This Is Our Shot campaign. In addition to organizers hosting virtual town halls and special activities with doctors and health specialists, the This Is Our Shot campaign website also provides a wealth of useful information in 27 languages.

[English]

Honourable senators, for over a year now front-line workers have been working tirelessly to protect Canadians. They have sacrificed time with their families so that, one day soon, we can once again hug our loved ones. I look forward to the day I can hug my grandchildren.

[Senator White]

[Translation]

Now is the time to help front-line workers. We all must work together to protect our families and our communities.

[English]

This is our shot. Getting vaccinated will keep our communities safe and help stop the spread of COVID-19.

[Translation]

ROUTINE PROCEEDINGS

ADJOURNMENT

NOTICE OF MOTION

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

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, May 25, 2021, at 2 p.m.

[English]

THE SENATE

NOTICE OF MOTION TO CALL ON THE GOVERNMENT TO MATCH CANADIANS' DONATIONS TO SUPPORT INDIA IN ITS BATTLE AGAINST THE COVID-19 PANDEMIC

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

That the Senate of Canada call on the Government of Canada to match Canadians' donations to support India in its battle against the COVID-19 pandemic.

QUESTION PERIOD

FOREIGN AFFAIRS

U.S. TRAVEL ADVISORY

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, my question today is for the government leader in the Senate.

Leader, the U.S. Department of State website contains the following travel advisory, dated April 20, 2021: “Do not travel to Canada due to COVID-19.” This new guidance also says:

The Centers for Disease Control and Prevention (CDC) has issued a Level 4 Travel Health Notice for Canada due to COVID-19, indicating a very high level of COVID-19 in the country.

There is no level worse than Level 4 for the U.S. Department of State, leader. We are now in the same company as Iran and North Korea. As I mentioned to you last month, leader, the U.S. has warned that citizens, even fully vaccinated travellers to Canada, may be at risk for contracting and spreading COVID-19 variants.

Leader, a yes-or-no question and a yes-or-no answer: Is the Trudeau government proud of its record on COVID-19 when even our best friend and ally is giving Canada a failing grade?

Hon. Marc Gold (Government Representative in the Senate): The Government of Canada is working hard to protect Canadians. We understand it is the duty of every government to protect their citizens and to advise them appropriately, as we’ve done with our citizens when issues arise around the world and as the United States has done as well.

It is very unfortunate that we still have the level of infection and community transmission that we do in many parts of Canada, and we need to bring it further under control. I will remind senators, however, that according to public health experts the most important thing we can do — even when vaccinated and even as vaccines continue to roll out and vaccinations continue to increase — is to maintain, as we do in the chamber, physical distancing and follow health guidelines.

Senator Plett: I guess this is another indication of why this is called Question Period and not question-and-answer session. If your answers are not going to even touch on the subject, they could at least be shorter so we could get a few more questions on the table.

Leader, Canadians who work in our tourism sector can only watch as other countries make plans to open to visitors. For example, the European Union intends to allow fully vaccinated Americans to travel there this summer. The Manitoba Lodges & Outfitters Association estimates that visitors from the United States make up 90 to 95% of their industry’s business. These businesses and many others like them are facing another lost summer tourism season with no criteria set out by the Trudeau government for reopening.

• (1430)

Leader, again, I’d like a direct answer. When do you expect this travel advisory will be changed? Is the Trudeau government aware of the devastating effect this will have on the tourism industry if the advisory remains in effect for the summer?

Senator Gold: The government is very aware of the impact on the tourism industry regarding visitors from abroad and, indeed, with regard to travel within Canada.

I was stopped at a checkpoint coming into Ontario because of the significant outbreaks here in the province. Provinces like Alberta are suffering the worst levels of infection of any jurisdiction in North America.

As for when the U.S. will change its advisory, I’m not in a position to answer.

[Translation]

NATIONAL DEFENCE

PROTECTION OF VICTIMS OF SEXUAL ASSAULT

Hon. Pierre-Hugues Boisvenu: Senator Gold, the Prime Minister has asked former Justice Louise Arbour to come up with an independent structure for receiving reports from victims in the military. There are already three structures, but the government has been slow to make them available to victims. They are the Office of the National Defence and Canadian Armed Forces Ombudsman, which has asked to be independent of the military chain of command and civilian management in order to better support victims, the Declaration of Victims Rights to better protect the rights of victims of service offences, and recommendation 3 from the Deschamps report to create an independent centre to handle victims’ complaints.

Senator Gold, can you tell me what else Justice Arbour could propose beyond these three mechanisms that the Prime Minister and the minister haven’t had the courage to put in place in order to better protect women in the Canadian Armed Forces? Will Justice Arbour’s report be left to gather dust on a shelf like the Deschamps report?

Hon. Marc Gold (Government Representative in the Senate): Thank you for this question, honourable colleague. As I mentioned yesterday, Ms. Arbour’s mandate is to continue moving forward, take what has been done by this government and finish what remains to be done following the Deschamps report. She will have to implement the appropriate recommendations based on the needs and requirements and do so in an effective manner.

Senator Boisvenu: Senator Gold, if I understand what the Prime Minister was saying a few days ago, Ms. Arbour will be there to set up an independent structure to ensure that victims can come forward and report abusers.

In 2015, Justice Deschamps proposed an independent structure so that victims could report abusers. You also have the Declaration of Victims Rights, which you have yet to implement, and the Office of the National Defence and Canadian Armed Forces Ombudsman.

I will repeat my question. If, according to the Prime Minister, Justice Arbour has the same mandate as former Justice Deschamps, what will Justice Arbour add in her report?

Senator Gold: As I have already tried to explain, Ms. Arbour was very clear when she answered questions about her mandate. She will take the recommendations of former Justice Deschamps and ensure that when they are implemented, it will be done effectively and appropriately in the circumstances.

[English]

CROWN-INDIGENOUS RELATIONS

INDIGENOUS HEALTH SERVICES

Hon. Paula Simons: Honourable senators, my question is for the Government Representative.

Five years ago this week, Fort McMurray and the Regional Municipality of Wood Buffalo were engulfed by a wildfire that caused the evacuation of the whole city. All Canada rallied to help them.

Today, the municipality is facing another state of emergency. It has the highest COVID-19 infection rate in all of Canada and in all North America, with more than 1,866 cases per 100,000 residents. The region has only one hospital. Every ICU bed is taken, and they have created makeshift ones to deal with the overflow. Almost 40% of the hospital's total beds are now taken up with COVID patients.

In addition to Fort McMurray, the Regional Municipality of Wood Buffalo encompasses 11 separate First Nations and Métis Nations. Chief Allan Adam is chief of the Athabasca Chipewyan First Nation and president of the Athabasca Tribal Council. On behalf of the Athabasca Tribal Council, he has asked your government to send federal military assistance, such as a staffed mobile field hospital or public health teams to run 24-7 vaccination clinics to accommodate the region's many shift workers.

As an Alberta senator, believe me, I realize just how politically sensitive such a move might be. I know there are no easy answers, but your government is responsible for First Nations health care and for the safety of Indigenous people living on reserve. Can you please tell me and the people of Wood Buffalo if, when or how your government might provide a field hospital or other consequential assistance in this time of crisis?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for raising this important issue for that community.

From the start of the pandemic, the federal government has worked with the provinces and territories to support their health care systems. Those are the interlocutors with whom the government deals. I've been advised that, at least to date, Alberta has not required such federal assistance. If any province or territory does require specific assistance, as Ontario has done recently, the Government of Canada will seriously examine the request and figure out how to best provide assistance.

Senator Simons: As I understand, the federal government has not received a formal request for assistance from the Government of Alberta, but the First Nations communities of Wood Buffalo

are appealing to you directly, based on the relationship First Nations have with the federal government for Indigenous health care. If there is no formal request from the Province of Alberta, is there any point at which your government would step in during this very particular regional crisis?

Senator Gold: Thank you, senator. I would have to make inquiries and report back to the chamber.

Senator Simons: Thank you very much.

UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

Hon. Mary Jane McCallum: Honourable senators, my question is for the Government Representative in the Senate, Senator Gold. It is with regard to Bill C-15 and the comments Minister Bennett made during her April 20 appearance before the House of Commons Indigenous and Northern Affairs Committee.

When asked about the concept of free, prior and informed consent, Minister Bennett said, "There's nothing about free, prior and informed consent in the legislation itself." She also said that as free, prior and informed consent is explained in the declaration, it is not necessary to explain it again in the bill.

Senator Gold, I myself, as well as many First Nations grassroots people and leadership, found these comments concerning. Essentially, community members believe these remarks indicate that the articles of the United Nations Declaration on the Rights of Indigenous Peoples, or UNDRIP, will have no legal standing, as UNDRIP is simply an annex to Bill C-15 and only the numbered sections of the bill have the force of law. It follows that the articles of UNDRIP, then, would not have the force of law.

This reality seems to support Minister Bennett's view that since free, prior and informed consent is not in the numbered section of the bill, there should be no fear it could amount to a veto.

Can you please confirm whether or not the articles of UNDRIP will have legal standing, as they are only found in the annex?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question, senator. I think the most appropriate answer I could give is to encourage all interested senators to participate in the pre-study that this chamber has authorized our committee to take. There will be opportunities to question both ministers, witnesses and experts on this subject. There will be a far more appropriate and fulsome answer given through the Senate process.

Senator McCallum: Senator Gold, I asked Minister Lametti's office for the gender-based analysis on Bill C-15. We were told that it was confidential, so my office couldn't get it. However, when we had the parliamentary briefing last week and I brought that up, the people answering our questions said that they would be sending it to us. Would it be possible for you to ensure that my office gets a copy of the GBA? Thank you.

• (1440)

Senator Gold: Thank you, senator. I wasn't aware of such undertakings. I will certainly make inquiries and use my best efforts to see that it happens.

Senator McCallum: Thank you.

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

BUSINESS OF COMMITTEE

Hon. Diane F. Griffin: Honourable senators, my question is to Senator Marwah in his capacity as Chair of the Standing Committee on Internal Economy, Budgets and Administration.

Senator Marwah, on February 10, I had asked you how much money had been saved on Senate-related travel since the onset of the COVID-19 pandemic and whether some of those funds could be reallocated to augment the capacity of our committees to meet.

First, could you tell us how many staff it is absolutely necessary to have on-site in the Senate of Canada Building to facilitate a committee meeting?

Hon. Sabi Marwah: Thank you, senator, for that question. To answer your specific question, it takes around 20 support staff to support a virtual committee meeting. To provide you with some breakdown, it takes around nine staff in the committee room itself, which consists of clerks, interpreters and the broadcast technicians. It takes seven staff elsewhere in the Senate precinct and consists of stenographers, recording support, a clerk and an assistant. Then it takes a full further staff that consists of scopists, and cleaners who then have to come after the committees have met. So altogether, senator, it takes around 20 staff.

Senator Griffin: The Zoom platform has evolved since we began using it. Could we allocate more resources into technology and hardware to temporarily allow many of these folks to work remotely so that the Senate committees can meet regularly while respecting occupational health and safety concerns?

Senator Marwah: Thank you again, senator. Senator Griffin, the constraints are not just technology and hardware. The major constraints, in fact, are the availability of interpreters, who are in very short supply, and the broadcast arrangements. For the broadcast arrangements, we have a very good arrangement with the House of Commons whereby we leverage their infrastructure, which turns out to be very cost-effective. The House has offered to add additional capacity to give us more availability, but they require several months to train the staff and the person. This would have taken us to the end of June, by which time we would have risen anyway. We will be revisiting the decision, and if things don't improve, we will take the appropriate steps.

If you wish to review the feasibility of going 100% remote, which includes not just interpretation but also broadcast, that would take a fair bit of resources and time to investigate, and that would be a decision for all senators to make.

Certainly, it was regrettable that committees have not been able to meet, but our primary concern has been to ensure the health of senators and staff, with which we have been very successful to date.

CROWN-INDIGENOUS RELATIONS

NATIONAL ACTION PLAN

[*Editor's Note: Senator Anderson spoke in an Indigenous language.*]

Hon. Margaret Dawn Anderson: Honourable senators, my question today is for the government leader.

Today is National Awareness Day for Missing and Murdered Indigenous Women and Girls, also known as Red Dress Day. I rise to mark the day and to ask the Government Representative in the Senate what advances have been made in the establishment of the national action plan to end violence against Indigenous women in Canada. This action plan was to be co-developed with Indigenous community leaders, the families of survivors and all levels of government.

Senator Gold, can you provide this chamber with a status update on the work undertaken so far?

Hon. Marc Gold (Government Representative in the Senate): Senator, thank you for your question. The government is continuing to conduct the collaborative work to develop a national action plan that sets out a clear roadmap to ensure that Indigenous women, girls, two-spirit and gender-diverse people are safe. The government has been engaging with a series of working groups led by Indigenous women comprised of Indigenous governments and organizations; federal, provincial and territorial governments; two-spirit and LGBTQ organization leaders; family members and survivors.

I've been advised, colleague, that the national action plan will have several different components, only one of which is the federal chapter. In that regard, good progress is being made on developing the federal chapter, but I'm not in a position to provide a concrete update on all components of this work.

HEALTH

COVID-19 VACCINE ROLLOUT

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, I'm wondering whether Senator Marwah would answer my question. He seems to be more direct than our government leader.

However, I will focus again on the government and see if we can get one here.

In a press conference on Monday, the National Advisory Committee on Immunization, NACI, told Canadians that mRNA vaccines are preferred to AstraZeneca or Johnson & Johnson, and Canadians could wait for Pfizer or Moderna if they can.

NACI told Canadians the exact opposite, leader, of what the Trudeau government has been saying to Canadians for a month — that the best vaccine is the first one you're offered — yet when the Minister of Health was asked about NACI's guidance on Monday, her response was, "Talk to your doctor."

Leader, the Trudeau government let NACI's comments implying second-class vaccines go unchallenged on Monday. Why didn't the health minister, the Prime Minister or anyone in your government provide Canadians with a clear message about these vaccines?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. It's very unfortunate that the communication around these issues has not been as clear as we would like, and it's a regrettable situation.

It's important to draw a distinction, first of all, between the roles of NACI and the roles of Health Canada and, indeed, the roles of our elected officials. In this regard, NACI's comments were consistent with what they've been saying for some time from a scientific point of view. That is, from a strictly scientific view, the Pfizer and Moderna are considered to be more effective vaccines because of their technology than the other two.

However, Health Canada, which has primary responsibility to ensure that vaccines are safe, has been consistent as well in that all of the vaccines that we have available in Canada are safe and recommended to be used. It remains the case, as the Prime Minister has said, that Canadians should take the decisions to make sure that they and those around them in their families and communities are safe, and that means taking the vaccine that's available.

Senator Plett: At a press conference yesterday, leader, Chief Public Health Officer Dr. Theresa Tam said that there will be further clarification and advice coming about mixing the first dose of AstraZeneca with Pfizer or Moderna before Canadians get their second dose.

Since early March, around 1.7 million Canadians have taken the AstraZeneca vaccine. It's perfectly understandable if they're worried and confused about what they're hearing from their federal government in recent days.

Leader, should Canadians who have already taken AstraZeneca expect to hear they have to take one or more doses of a different vaccine in the months ahead?

Senator Gold: Thank you for the question, but respectfully, colleague, that is not why the question of whether or not one can mix vaccines is being explored.

First of all, science changes. The vaccines were developed with remarkable efficiency and speed, but the clinical tests to see the long-range effects, of course, remain under way.

Because of the security of supply of Pfizer and Moderna, it is totally appropriate here in Canada and elsewhere in the world for scientists to be considering what possibilities may exist for safely mixing different vaccines. This has nothing to do with the AstraZeneca vaccine per se; it's simply a question of determining whether it would be appropriate, safe and effective to mix and match vaccines for the benefit of all who are awaiting their second dose.

• (1450)

PRIVY COUNCIL OFFICE

INDEPENDENT ADVISORY BOARD FOR SENATE APPOINTMENTS

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, let me change gears and move away from vaccines for a moment.

Senator Gold, the so-called Independent Advisory Board for Senate Appointments has not publicly issued a report on its activities since December 5, 2018. That report covered the period of April to September 2018, meaning that Canadians have not been provided with updated information on the work of that board for about three years. That sounds like our budget.

Just to provide some context, since October 2018 the Prime Minister has announced the appointment of 12 of our colleagues to this chamber.

Senator Gold, could you please tell us why the Independent Advisory Board for Senate Appointments hasn't bothered to report to Canadians since December 2018? If your government has indeed received these reports, why haven't you made them public? Will you make them public?

Hon. Marc Gold (Government Representative in the Senate): Senator Plett, to be very brief, I don't have the answers to your questions and I'm not aware of whether any reports have been issued, much less received. I'll make inquiries and report back.

Senator Plett: You're the leader of the government, Senator Gold, with all respect.

In the most recent publicly available report covering April to September 2018, the estimated cost for the advisory board for that six-month period was in the range of \$550,000.

Senator Gold, could you please confirm for us, even if not today, the final costs incurred by the advisory board during that period as well as all costs incurred by that board since September 2018?

Senator Gold: I will certainly make inquiries.

Senator Plett: Thank you.

ORDERS OF THE DAY

JUDGES ACT CRIMINAL CODE

BILL TO AMEND—THIRD READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Dalphond, seconded by the Honourable Senator Gagné, for the third reading of Bill C-3, An Act to amend the Judges Act and the Criminal Code.

Hon. Yvonne Boyer: Honourable senators, I rise before you today to lend my support to Bill C-3, An Act to amend the Judges Act and the Criminal Code, which Senator Dalphond is sponsoring in the Senate.

Before I speak to this important legislation, I, along with Senator Anderson, would like to take a minute to acknowledge that today is Red Dress Day. This annual day of remembrance is a sombre event. These tragic stories are far too common in our communities. Every Indigenous person knows someone who has gone missing — bright, young, beautiful girls who have had their futures stolen for no other reason than that they were born Indigenous in Canada.

Since 2017, on May 5, we have gathered in community and in ceremony to honour and celebrate our lost relatives — our sisters — while we work toward a future where no Indigenous women will go missing or be murdered. Today, let us honour and remember those we have lost. Tomorrow, let us commit to ensuring there are no more stolen sisters.

Now I'd like to speak about the legislative background of Bill C-3 and highlight the often ignored link between animal abuse and interpersonal violence. This is an incredibly important issue to which I hope to bring awareness as well as highlight the importance of incorporating training on the violence link in the design of the Canadian Judicial Council's educational seminars on social context.

The adoption of Bill C-3, a bill that aims to enhance the trust that survivors of sexual assault have in our judicial system, is timely and long overdue. It was initially introduced as Bill C-337 by the Honourable Rona Ambrose in February 2017 after she had noted a disturbing number of sexual assault cases that have shaken the public's confidence in our justice system.

Unfortunately, Bill C-337 died on the Order Paper of the Senate with the dissolution of Parliament in 2019. Following the election, it was reintroduced as Bill C-5, which again died on the Order Paper with prorogation of Parliament in 2020.

Colleagues, it is long past time that this legislation is passed into law in our country. We need to begin the important work of rebuilding survivors' trust in our judicial system, and I believe that starts with the passage of Bill C-3.

Taking into account the severity of sexual assault cases and their impact on the victims' lives, it is imperative that judges obtain the necessary training in matters related to sexual assault law and related to social context, including systemic racism and systemic discrimination. Sexual assault survivors who choose to come forward should feel confident that they will be heard and treated with compassion, respect, understanding and dignity, and that the decision rendered will be free of bias, stereotypes and myths.

Honourable senators, I support Bill C-3, both as a lawyer and as someone who has been a vocal advocate for Indigenous women who have been wronged by the medical and judicial systems. It's time the justice system meets the needs of sexual assault survivors.

During our committee hearings on the bill, we heard moving testimony from those who have experienced domestic violence and we heard from experts in the fields of justice and violence against women. Some witnesses highlighted the link between violence against animals and violence against women. In the committee's report on the bill, the committee included an important observation about this topic. The committee heard evidence on the violence link, which is the evidence-based link between violence towards people — interpersonal violence — and violence towards animals — animal cruelty. An understanding of this connection is needed to properly adjudicate certain offences under the Criminal Code, including offences related to bestiality.

An understanding of the violence link is also important to properly apply the new definition of "family violence" found in the Divorce Act, which includes threats to, or the killing or harming of, an animal.

Moreover, judicial training on the violence link can help dispel myths and stereotypes about the behaviour of victims. For example, the committee heard how companion animals can be used to silence victims; that animal abuse is associated with an increased risk of severe intimate partner abuse including sexual abuse; and that many victims delay leaving their partners due to concerns for their pet's safety. These factors can help with understanding the victim's behaviour and protecting them from further victimization.

For these reasons, the committee suggests that training on the violence link be included in the design of judicial education seminars on social context.

Numerous studies have established a direct link between acts of cruelty to animals and violence towards people, and this has been referred to as "the link." The understanding and recognition of the violence link are relevant and necessary for judges who are presented with sexual assault cases.

Evidence presented before the Standing Senate Committee on Legal and Constitutional Affairs demonstrated that pets can be used to silence victims, that animal abuse is associated with an increased risk of severe partner abuse and that many victims delay leaving their partner due to concerns for their pet's safety.

This is even more true in the case of Indigenous women, who often have deep cultural and spiritual connections with their animals. Indigenous and racialized women in Canada experience much higher rates of violence than non-Indigenous women, and for this reason it's imperative to acknowledge, understand and incorporate the violence link into the training that judges receive. These factors can help with understanding the victim's behaviour and how pets can be used as a method of control and a form of violence towards victims of sexual assault. Training on the violence link would assist judges in their adjudication, ensuring victims are treated respectfully, fairly and equally.

Bill C-3 is a critical and positive step forward in ensuring that new judges are provided the necessary tools, training and support to properly apply the laws that govern sexual assault cases.

Thank you, fellow senators. I urge each and every one of you to assist in passing this bill at its final reading so that our judicial system can begin the work of rebuilding trust with survivors. Thank you. *Marsee. Meegwetch.*

(On motion of Senator Martin, debate adjourned.)

• (1500)

ECONOMIC STATEMENT IMPLEMENTATION BILL, 2020

THIRD READING

Hon. Frances Lankin moved third reading of Bill C-14, An Act to implement certain provisions of the economic statement tabled in Parliament on November 30, 2020 and other measures.

She said: Honourable senators, it is my pleasure to speak to this bill. I don't intend to speak for a long time, but I would like to start by thanking some people. I thank the office of the Leader of the Government in the Senate for their work connecting me with the officials who provided me with the briefings that helped me to get an understanding of this bill. I would also like to thank the chair and the members of the Standing Senate Committee on National Finance and the staff who supports them for their work in reviewing this. Of course, thanks to the critic, Senator Marshall, whom I believe we will be hearing from today as well.

Let me start with what this bill actually does. The measures included in Bill C-14 implement several pieces of the Fall Economic Statement that was released last November. Bill C-14 proposes to provide immediate relief for low- and middle-income families with young children through a new Canada Child Benefit. It is a young child supplement. This will go to families

who are entitled to the Canada Child Benefit. Families with a net income at or below \$120,000 would receive this tax-free payment, totalling \$1,200 per child. Families with a net income above \$120,000 would receive tax-free payments totalling \$600 per child. This is temporary assistance that will directly benefit more than 1.5 million families and more than 2 million children at a time when, as we know, many are still grappling with the financial impacts of the pandemic. The January and April payments of this measure would flow within weeks of Royal Assent. It is an important provision and one that people are awaiting.

The bill would also help students by eliminating the interest on repayment of the federal portion of Canada Student Loans and Canada Apprentice Loans for 2021 and 2022. That will provide more than \$329 million in assistance to Canadians who are looking for work or are in the early stages of their careers.

Bill C-14 also raises the borrowing limit found within the Borrowing Authority Act from \$1.168 billion to \$1.831 billion. This increased ceiling includes room for the extraordinary borrowing from last spring to fight the pandemic. You may remember that when I spoke at second reading, I indicated that the money that had been set aside in response to or to provide for some of the previous COVID emergency bills was set aside separately. It is now being rolled under the borrowing authority, and there is a further increase of the expectations of provisions that are yet to be approved through the budget and any further emergency bills that may come forward.

You will know by now that this is an authority to borrow up to a limit and that the government still requires parliamentary approval for the actual spending of public funds, and that is done through budget implementation, and more specifically through estimates and supplementary estimates. We will have an opportunity to look at the specific provisions to approve spending before that spending is undertaken. I want to come back to that in a moment, because it is an issue in question as a result of one of the provisions in Bill C-14.

I won't go into the other measures of Bill C-14 in detail, but it improves business access to rent subsidies. You will recall that the initial proposal was to provide payment of the subsidy upon receipt of payment of the rent. There was a very large response from businesses and business associations that cash flow was such a difficult challenge for businesses right now, as they have suffered through this pandemic, that they would not be able to get much benefit from this provision. The government — correctly, I think — made the determination that upon receipt of the notice of rents due, this payment could be made, which is very important for business support.

There are also provisions that are attempting to prevent and/or manage shortages in the Canadian drug market, and topping up regional relief and recovery funds in the economic diversification funds that exist across the country. Funding crucial health measures — all related to the pandemic, but some of them related to research, others related to information to the public — there is a range of measures there, some of them relating to public supports and help lines, et cetera, on mental health and a range of other issues.

There are also a couple of provisions that relate to the settlement of payments that are part of what is now the completed Canada Emergency Response Benefit. Remember that CERB had an open date for people to apply. While CERB has come to an end and been replaced by other measures, there are still outstanding applications being reviewed; some of them under audit to assure the validity of them and others that required more information. A certain portion of this will need to be paid out, so this is a provision that allows for that.

I want to briefly talk about what we heard at the National Finance Committee. Again, I thank them for their work on this bill. For the awareness of all senators, a few points were raised in committee. Much of the committee conversation that we heard, I would say, has now been overtaken by the budget that has been tabled and the budget implementation bill. Nevertheless, a couple of very interesting points were brought up — they were all interesting, but I will mention a couple. Senator Duncan noted, for example, when considering the sorts of supports found in Bill C-14 and whether one size fits all, witnesses noted that ideally, new supports would not automatically have the same cut-off point across sectors. Some will take longer to bounce back. We heard a great deal from the tourism and hospitality sector. As Senator Plett and Senator Gold were talking about earlier this afternoon, all of us have a keen appreciation for the challenges that sector faces. Some will take longer to come back, such as hotels and other tourism-related businesses, compared to other sectors, so tailored cut-offs may be required.

We have seen, however, that in previous COVID emergency support bills that some measures have been extended when required, others have been brought to an end, and others have been replaced by something that is more appropriate to the factors and the evidence of today. That is a message that we certainly need to take. There is not a request for any change to this bill particularly, but something to keep in mind for the horizon of the recovery.

Senator Klyne asked about challenges faced by First Nations and the businesses there, regarding whether they have equal access to support, such as the rent subsidies that we just talked about. We heard that, despite complications being raised — and we heard that there are efforts to try to address those complications — specific programs like the Indigenous Community Business Fund have helped fill the gap, but there is more to be done.

Senator Marshall asked about the specific design of the rent subsidy. I spoke about that before and I want to delve into that a bit more. Before I do, let me say that the witnesses we heard from supported the adjustment of the application of this rent subsidy. One aspect they thought could be improved upon was the need for rent to be paid in full for the subsidy to be receivable, which might make it more difficult for commercial tenants to negotiate reductions and there is a potential saving of tax dollars there. That is something that was not anticipated in the current bill, but it has been brought to our attention and has been brought to the government's attention. We hope that there is a response to that.

• (1510)

With respect to what we heard, the bill is not perfect, and neither is the full federal budget. Many of the things that people raised are addressed — sufficiently or not, I will not comment — in the budget implementation bill. There have been many expressions of support from civic and business groups alike.

I want to come back to the point that Senator Marshall raised in committee, and that's with respect to the change in administration and the timing of the payout of the rent subsidy. This is interesting because the original announcement of the government in the Fall Economic Statement and the original intent and design of the rent subsidy paid it out once businesses had submitted their rent to the landlords and they had proof of that.

The change, which has been applauded by many in the community, and in the business community in particular, was made and announced last November, I believe. Minister Freeland announced that this was an administrative workaroud until the legislation was passed to make the change that the rent subsidy would be paid when the rent is due — again, an important cash flow consideration for businesses. But it begs the question: How does the government proceed to implement an administrative solution when there isn't legislative authority?

We were informed in committee that this is a long-standing practice — maybe not a frequent practice but a long-standing practice. They gave us an example that goes back to 1985, I think it was. The point remains that we are now looking to get Royal Assent after passage of a bill whose provision has already been implemented.

So what is the parliamentary authority to give the executive the ability to move unilaterally on this? What does this mean to our parliamentary oversight? I am aware, just from my own experience and background in the Ontario legislature and cabinet, that it is frequent when budget bills come forward — for example, if there are major tax measures — that the budget is embargoed so that those things don't have an impact on markets and trading. Sometimes those provisions are implemented with a future date. Sometimes they are implemented immediately, again, for the same reasons that I just cited. So it is a practice that governments undertake, but we are not aware of any examination of this issue and where that might take us on this matter of parliamentary oversight, parliamentary governance and accountability of the executive branch.

I think everybody in the committee agreed with Senator Marshall that this is an important issue the committee accepted not to be addressed in this particular bill, but it is something that we should find the right place to potentially look at a mini study on this and how we would advise government to proceed in these matters: a change, no change, whatever.

Senator Marshall will speak more to this, and she is much more eloquent than I on these matters and her background gives her expertise that is important for all of us, so we appreciate her work on these kinds of finance and budget issues.

So I think that's something important for us to explore, but I would argue not part of the scope of this bill right now, and the committee agreed with that. This bill came through committee without any amendments moved, and it is before us today for your consideration, and I much appreciate the debate that will ensue from this. I look forward to hearing your remarks. Thank you very much, colleagues.

Hon. Elizabeth Marshall: Thank you very much, Senator Lankin, for your comments. Honourable senators, I will try not to be repetitive, but I won't avoid it in all cases. As Senator Lankin said, Bill C-14 proposes to implement some of the initiatives announced in the federal government's Fall Economic Statement, which was presented in the House of Commons at the end of November.

The bill consists of seven parts. I'm going to work backwards or start working backwards. My first comments relate to Part 7 of the bill because I feel that that part of the bill is the most controversial. This part of the bill proposes to significantly increase the limit of the Government of Canada borrowings from the current limit of \$1.168 trillion to \$1.831 trillion. So that's quite a significant increase over the next three years. It actually works out to 57%.

The increase will be established by amending the Borrowing Authority Act, and that act was established back in 2017. I was actually on the Finance Committee when that was done. The act permits the Minister of Finance to borrow money with the authorization of the Governor-in-Council. It establishes the maximum limit, or ceiling, on the amount to be borrowed.

Now, there are also provisions in the Borrowing Authority Act that permit the minister to borrow in certain circumstances, and those amounts do not count toward the maximum limit, but that's now being changed, as Senator Lankin indicated.

In 2017, a limit of \$1.168 trillion was established. That includes not just the central part of government but also all its Crown corporations. It is for a three-year period and it also provides for a 5% contingency amount.

In addition to establishing the borrowing limits under the Borrowing Authority Act, the government outlines its projected annual borrowings each year in its Debt Management Strategy. This is followed up by an annual Debt Management Report, which outlines actual borrowing activities.

In addition, the Borrowing Authority Act requires the minister to table a triennial report in Parliament disclosing specific information on the government's debt, along with an assessment of whether the limit on borrowings should be increased or decreased. Since there had not been a budget for two years, the government outlined its Debt Management Strategy in 2020-21 and its July Economic and Fiscal Snapshot, and again in November in its Fall Economic Statement.

I am mentioning this because, if you are interested in tracking what's happening with the government's debt, there is information out there. It is not complete, but it is a good start.

Included in the Fall Economic Statement, the government outlined its proposed amendments to the Borrowing Authority Act, but they also provide an analysis of how the new proposed limit of \$1.831 trillion was determined.

As I indicated in my speech at second reading, the analysis, which shows the calculation of the new debt ceiling in the Fall Economic Statement, is somewhat confusing. The minister, when she testified in the House of Commons, kept referring to that. I think it is on page 141, but it is rather confusing because it uses the debt right in the middle of the fiscal year, in October, as a starting point, rather than at the beginning of the fiscal year. So it was really difficult to track it. In addition, the composition of some of the numbers used to build up to the new limit was difficult to follow.

The \$663 billion increase in the debt ceiling includes an \$87 billion contingency amount based on 5% of all of the debt up to the proposed debt ceiling; not just the increase but the entire government-projected debt. So why government would include a 5% contingency on debt already incurred has not been explained. I did ask that question to the Department of Finance official in committee and I didn't get what I thought was a reasonable explanation.

The 5% contingency was already provided on the initial debt ceiling back in 2017, so why is the same 5% contingency amount being provided for a second time on the same debt? So it should have been applied only to the incremental portion, the \$663 billion, and that would amount to \$33 billion, not the \$87 billion. So the \$87 billion contingency and the \$663 billion projected ceiling actually works out to 13%. So it is really quite a generous contingency in the government's calculation, and I felt that the government was probably padding its numbers. On the other hand, perhaps they will need it, but it is quite a substantial contingency, that \$87 billion.

So the other issues concerning the significant increase in the debt ceiling need to be addressed by the government. For example, how much of this increased debt will be purchased by the Bank of Canada? Finance officials told us that, thus far since the beginning of the crisis, the Bank of Canada has bought \$240 billion of the government's debt. In addition, the Bank of Canada recently indicated they will now reduce the purchase of government debt to \$3 billion a week. This is interesting because the government has indicated its budgetary balance for 2021-22 will be \$155 billion. That works out to \$3 billion a week. So the question is: Is the Bank of Canada going to be purchasing all of this incremental debt?

• (1520)

Senator Lankin mentioned that the information has sort of been overshadowed now by what's in Budget 2021. But when I looked at Budget 2021 it indicates that the borrowings estimated for the fiscal year are now higher than that projected in the November Fall Economic Statement. If you want to track the numbers, you will see they are growing. For example, the

November statement indicated that \$121 billion will be borrowed for the budgetary balance, but now Budget 2021 disclosed that it has been increased to \$155 billion.

In addition, Finance officials at our Finance Committee meeting last week were asked to update that analysis on page 141 of the Fall Economic Statement that the minister kept referring to. They were asked if they could just rework that schedule to reflect current numbers. And when we worked the numbers, they indicated that the debt ceiling would actually be \$5 billion higher than the amount proposed in Bill C-14. So the numbers are moving higher. They are not moving lower and they are not remaining static. They are increasing.

There has been a lot of discussion about the increased debt and the much higher proposed debt ceiling. We've also discussed it along with the risks associated with the possibility of rising interest rates. The Bank of Canada and others have indicated that interest rates are likely to remain low, but these are forecasts. There are no guarantees. In fact, interest rates have increased — a small amount, but nonetheless they have increased — since the Fall Economic Statement. These increases are apparent when you compare forecasted public debt charges in November's Fall Economic Statement to the forecasts of public debt charges in Budget 2021. You have to remember that these projected increases have occurred over a very short time frame: effectively four and a half months.

Budget 2021 also indicates that the increase in predicted public debt charges in the budget reflect higher interest costs on interest-bearing debt due to higher interest rates and a revised financial requirement. We haven't had any meetings yet on the budget, but I'm thinking that the "revised financial requirement" means that the government is going to have to borrow earlier than what they had projected.

Just to give you an idea of the magnitude of the amounts involved when you talk about forecasted interest, I have the numbers for the five years that the government included in Budget 2021. I will just mention a couple of years. The year we're in now, they initially estimated that the debt charges would be \$20.3 billion and that has now gone up to \$22.1 billion, so that's an increase of \$1.8 billion. If you look at the fiscal year two years hence, 2023-24, the amount has gone from \$25.7 billion to \$30.5 billion; an increase of about \$4.8 billion.

While the interest rate increase might be small, because of the magnitude of the debt the numbers are in the billions of dollars. They are significant increases, so we have to be aware that that is a risk associated with the increased debt.

In addition to the risk of rising interest rates, there are other pressures on the debt ceiling. Program expenses projected in the Fall Economic Statement have increased in Budget 2021. For example, in the year we are in now it was initially estimated to be \$421 billion. Now it has been increased to \$475 billion, and that's because some of the stimulus money appears to have been pushed to the front.

While the program expenses are projected to decrease next year from \$475 billion to \$403 billion, business leaders who testified at the National Finance Committee last week indicated that COVID financial supports, many of which will terminate in

September, will be required into the 2022-23 fiscal year and maybe even beyond. Senator Lankin mentioned that in her remarks.

For example, Susie Grynol, who is President of the Hotel Association of Canada, told us that while there is optimism that vaccines will bring the economy back to normalcy by the end of the fiscal year, she said this won't happen for her members before the fall of 2022 at the earliest and many project their recovery will not be until 2024-25. She said that the COVID programs are ending for everybody in September. The way she put it was that this cannot fundamentally be, because there will be a complete collapse of the hotel and travel industries.

Dan Kelly of the Canadian Federation of Independent Business also testified at the National Finance Committee and said that even when customers return and businesses can reopen and start to resume normal operations, they will have to deal with the legacy of their COVID-related debt. He said many of their members have incurred debt over \$100,000, and that will have to be repaid and will be a challenge.

So while the government has laid out their spending and borrowing plans for this year and beyond, there will be pressure for more COVID-related spending, and this will probably affect the level of debt and the proposed debt ceiling.

Then how will we pay for all this new debt? I guess with increased taxes. Government has introduced some tax increases in Budget 2021, which is their pre-election budget, but with a new mandate Canadians should be prepared to pay further taxes.

Those are my comments on the debt ceiling. I'm going to move now to Part 1 of the bill, and I will go through Parts 1, 2 and 3. I will be brief with most of my comments until I get to the issue with regard to the parliamentary oversight that Senator Lankin mentioned in her remarks.

The first part of Bill C-14 provides additional support to families that qualify for the Canada Child Benefit if they have children under the age of 6 years. I commented on this part of the bill in my second reading speech, and Senator Lankin explained it quite capably a few minutes ago, so I don't have any additional comments on that part.

Part 1 also amends the Canada Emergency Rent Subsidy program so that an expense can qualify as a qualifying rent expense when it becomes due rather than when it is paid. I did want to go back and give you a bit of history about the program and bring you up to speed, because the program has had problems since its inception. I always refer to it as having a "troubled" history. The initial rent subsidy program was announced last April. It was administered by CMHC, and the objective was to lower the cost of rent for small businesses. The original estimate for the program at the time was \$3 billion, but the uptake was very slow. At that time, the Canadian Federation of Independent Business — they are very critical of the program — said the program was too complicated, too reliant on landlords to administer and too restrictive as to the income reduction to be experienced by businesses before they could qualify.

So we knew last summer that there were problems with that program. When Bill C-20 came before the Senate last July to extend the wage subsidy program, it didn't address the problems with the rent subsidy program. I can remember speaking to that bill and saying that it was a missed opportunity for government because they had the opportunity then to amend that program.

Then in December Bill C-9 addressed some of the problems associated with the program. But it soon became apparent that there were problems with that bill also, and that businesses would have to pay their rent before they could claim it and receive their money from the government. This was a major problem for businesses that had no cash to pay their rent in advance. So this amendment to the Income Tax Act allows the government to reimburse business owners for their rent before it is actually paid.

Dan Kelly of the Canadian Federation of Independent Business said that while the rent subsidy program has been helpful to some, the entire program has been a real struggle. He said only a quarter of businesses that are members of their association have used the rent subsidy program. He said even with this amendment in Bill C-14 there is still a problem. He said to obtain the subsidy the business has to show that the entire rent is being paid. So if the subsidy pays 50% of the rent, the other 50% has to be paid at the same time. If the landlord is willing to reduce the rent by 50% or defer payment of the other 50%, that's not allowed under the program. Mr. Kelly said the business has to pay the full rent if it is to receive the rent subsidy, and this a problem for the cash flow of the companies applying for the subsidy.

The Canada Revenue Agency now administers the rent subsidy program. As I mentioned, CMHC initially did but now it's the Canada Revenue Agency. Officials provided some interesting testimony at the Finance Committee.

• (1530)

They told us that while the amendment has yet to be passed by Parliament, the amendment has already been implemented even though it hasn't been passed by Parliament. We were also told that it's common practice when it comes to tax legislation to administer the legislation in draft form, and what was meant by that was before it gets approved by Parliament.

The Minister of Finance confirmed that it is government policy to implement proposed tax legislation before it's approved by Parliament. And that's an interesting concept now. I was surprised when the officials said that at the Finance Committee, and then I thought, well, we're going to get a Budget Implementation Act and that's going to have proposed tax changes. So I'm waiting to see now which of the tax changes in the Budget Implementation Act are going to be implemented and passed in the budget implementation bill.

Really, what we were told is that parliamentary approval isn't required to implement proposed tax legislation. Put simply, proposed tax legislation is implemented by the government

without parliamentary approval but with the expectation that Parliament will, to use a term, "rubber-stamp" the legislation. Senator Lankin used the term "administrative workaround." I must remember that phrase, but I always refer to it as rubber-stamping.

That raises another interesting point because this was said in the context of proposed tax changes, but when the official told us that, I started to remember back to Supplementary Estimates (C). We usually look at Supplementary Estimates (C) for the month of March near the end of the year. I can remember on a couple of occasions when Supplementary Estimates (C) were being studied around March 20. I would ask the officials if they were sure they would be able to implement this change in this fiscal year, and now, on reflection, I'm thinking, oh, well, maybe they had already done so. Maybe they had already spent the money. So it is an area we need to look at with the Finance Committee, and I will be sure to ask Department of Finance officials whether those proposed tax changes have been implemented already, and I will definitely be asking Treasury Board officials if they're spending Supplementary Estimates (C) money before it's approved.

In summary, I felt the policy was very concerning and it undermines the authority of Parliament.

I'm going to go ahead now and talk about Parts 2, 3 and 4. Those parts of the bill propose to reduce student debt by waiving interest on the federal portion of Canada Student Loans and Canada Apprentice Loans for the current fiscal year. I spoke briefly to those amendments in my speech at second reading.

The Fall Economic Statement estimates this measure will cost approximately \$329 million. To put it into perspective, the Canada Student Loan portfolio at the end of last year — that's March 31, 2020, because I don't have the 2021 numbers — was \$22 billion, while the Canada Apprentice Loans portfolio was \$271 million. Officials from Employment and Social Development Canada testified that they expect write-offs to decrease this year, given the additional support provided by the government in this bill and by other support programs. And I think there are some other support programs outlined in Budget 2021. This should be evident when Parliament requests a supplementary supply bill this year requesting the write-off of student loans. Last year, Parliament approved the write-off of \$188 million in Canada Student Loans when it approved the supplementary supply act, Bill C-26, and this is what the National Finance Committee usually focuses on.

I've always maintained that there's another area we haven't looked at, and we need to look at other write-offs and other amounts forgiven in order to get a complete picture as to what's happening with the Canada Student Loans portfolio. For example, there was an additional \$26 million written off in 2019-20 under the authority of the Financial Administration Act and there was actually \$371 million forgiven under the authority of the Canada Student Financial Assistance Act. In the Finance Committee we looked at \$188 million, but we never looked at the \$371 million that was forgiven under another piece of legislation.

Then, as I say, our Finance Committee historically focuses on Canada Student Loans written off under the authority of appropriation bills, but we need to have a complete picture of the

entire portfolio — all of the amounts written off and forgiven — as well as the financial impacts of any additional support programs provided by the government.

I'd like to make a brief comment on Part 5 of the bill. Senator Lankin mentioned it in her speech at second reading. It's a bit different from the other sections because it's a regulatory measure. It deals with preventing or alleviating shortages to Canadian food, drugs, devices or cosmetic products and, when passed, it will necessitate individuals and organizations to provide information to the Minister of Health if deemed necessary. Those clauses were initially included in Bill C-13, but that legislation has been rescinded so this amendment will provide the legislative authority on a permanent basis.

I'm now up to Part 6 of the bill. That provides funding for a number of initiatives and they've categorized them into three areas. The first is for the Regional Relief and Recovery Fund for the six regional development agencies in the amount of \$206 million. We had a lot of discussion on that. It's a program that started out at \$962 million and then it was increased to \$1.5 billion in October, and now it was further increased in the Fall Economic Statement to \$2 billion. The demand for the program exceeded its availability so it was quite a popular program and the program is not expected to be extended.

The second purpose of Part 6 is to provide funding for a number of health-related programs, including long-term care, mental health and substance abuse, virtual care and medical research. With respect to the funding for long-term care, officials indicated that discussions with the provinces and territories thus far is not tying the funding to long-term care standards. I was somewhat surprised by that comment, which was made at the Finance Committee.

The third purpose of Part 6 requests \$500 million for payments of the Canada Emergency Response Benefit, or CERB, as we call it. CERB ended on October 3 of last year and applicants can apply up to December 2. Some legitimate claimants have seen their applications delayed, so the \$500 million is supposed to pay for the remaining applications.

Before I finish up, I want to mention to my colleagues that the Parliamentary Budget Officer released a report this morning on Budget 2021. I'm now reading from an article in *The Globe and Mail* by Bill Curry, which says the Liberal budget underestimates the size of federal deficits, which will lead to decades of higher debt. I just want to indicate that we'll be tracking those numbers to see which direction they move.

Honourable senators, this concludes my comments at third reading of Bill C-14. Many of these issues will reappear during our study of Budget 2021 and the Budget Implementation Act. I again extend my appreciation to Senator Lankin and to my colleagues on the National Finance Committee for their excellent questions during our meetings, and also to our officials who make these meetings possible during these very difficult times.

Thank you very much.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

(Motion agreed to and bill read third time and passed, on division.)

• (1540)

**HIS LATE ROYAL HIGHNESS THE PRINCE PHILIP,
DUKE OF EDINBURGH**

INQUIRY—DEBATE ADJOURNED

Hon. Marty Deacon rose pursuant to notice of Senator Gagné on April 20, 2021:

That she will call the attention of the Senate to the life of His late Royal Highness The Prince Philip, Duke of Edinburgh.

She said: Honourable senators, it's an honour and with a smile that I rise to pay tribute to Prince Philip, the Duke of Edinburgh, husband of Queen Elizabeth and the longest-serving royal consort in British history. If I'm seeking light, in and amongst our challenging times, thinking about the Duke of Edinburgh makes me smile.

We've touched on some weighty issues recently in the chamber, so I'm excited to contribute to these celebrations of a life well lived today.

In my career, I was lucky enough to meet Prince Philip on a few occasions. My first meeting, the most memorable, was in 1994. I can tell you the exact time. It was 3:55 p.m. I was in Victoria, British Columbia, coaching my first Commonwealth Games. These games were noteworthy because South Africa had recently returned to the Commonwealth Games to mark the end of apartheid, and Hong Kong was soon to leave. I share this because there were more international political dignitaries than usual.

The time of the day was important because it was my responsibility to submit our written and signed team lineup for the team medal round of these games. There was no internet or email yet, so these needed to be delivered by hand to a small sports office in the athletes' village by 4 p.m. exactly. Failure to do so would result in team disqualification.

As I went racing to get them in, the door to the sports office was closed with a barricade of sorts. With some desperation, I knocked somewhat vigorously and enthusiastically on the door. Fortunately, the door opened. I looked up in the glare of the sun to see it was the Duke. He was standing a few paces back and said to me with a sparkle in his eye, "I think this lady from Canada needs some assistance." What I did not know at the time, of course, was that the Queen, the Duke and Prince Edward were receiving a tour of the building as part of their VIP athletes' village tour. In front of me was a large national contingent of VIP guests, all so beautifully dressed. I was not.

My first instinct was to crawl into the corner. I tried to straighten up. I thought it might be appropriate to curtsy — anything to acknowledge them with respect as I looked about. Fortunately, their host, Mr. Robert Fergus, knew me. He introduced me with a bit of a smile and said, “Perhaps Ms. Deacon can tell you through her coaching experience the important role this office and the volunteers provide at every Commonwealth and Olympic Games.”

Though I was a little tongue-tied, I was able to describe the complexity and the needs of each sport, the importance of the Commonwealth and the many volunteers that work to put it together. It was here that I learned more about the Duke’s great interest in Canada, his own fitness in sport, in carriage racing, the outdoors and certainly in building up our young people.

It was also at this time that I noticed the Duke of Edinburgh would carry a certain stance, always a few feet behind the Queen, usually a left shoulder slightly forward with one leg bent, as if to provide the space demanded by protocol while always being engaged and aware of what was going on.

We met again a few days later in a more formal environment and carried on our conversation. We talked about the importance of finally having para athletes for the first time at the Commonwealth Games and how important it was to ensure more gender equity and diversity in sport. One thing that stayed with me from those first conversations, all of these years later, is that leadership and knowledge is not always found in the front row.

The Commonwealth and Olympic Games provided me with several more opportunities to carry on our conversations. When the opportunity arose, I always tried to make sure, within protocol, that our young athletes had a chance, after visiting with the Queen, to speak with Prince Philip directly. He loved talking to young people. He would use this opportunity to describe in detail, and with a spark in his eye, his own fitness regime, which he credits to and took from the Royal Canadian Air Force many decades earlier.

What was clear to me in those lucky instances was that Prince Philip placed a keen emphasis on physical fitness and well-being. It was a message he delivered in our country early and often.

As far back as 1959, he used his reception speech at the first meeting of the Canadian Medical Association at the Royal York Hotel in Toronto to encourage Canadians to improve their fitness and mental well-being. To the chagrin of many doctors in attendance, he spoke candidly about the state of health and activity in Canada, which he thought could use some good improvement. He said four things would be necessary to improve the situation: proper physical education in schools; adequate recreational facilities for all ages and sections of the community; an extension of the work of youth organizations in both scope and age; and finally, an organization to promote recreational sports and encourage people to take part.

That was 1959. These are admirable and achievable goals still to this very day.

[Senator Deacon (Ontario)]

In our conversations, Prince Philip was also often keen to share his passion and commitment to the Duke of Edinburgh’s International Awards. It was a program I became very familiar with over the course of my career as an educator. In this program, students are challenged to reach their goals in four areas of the program: community service, skills, physical recreation and adventurous journey. I always loved listening to students use the term “adventurous journey,” knowing how important those words were to the Duke of Edinburgh.

I spoke recently to one former student named Fiona who described her adventurous journey as doing a multiple-day bike trip with her mother in rural Ontario while camping along the way, something she may not otherwise have done. She particularly loved the flexibility of the program, which allows participants to cater to their interests.

Bluevale Collegiate Institute in Kitchener, Ontario, has built the Duke of Edinburgh Awards into a curricular program called Choose To Lead. I had the privilege to meet and listen to many students in this program. I’m in awe of their passion and the difference they’re going to make throughout their lives. This program had a bronze, silver and gold level to strive for. The ultimate honour was to achieve the gold level, which resulted in meeting Prince Philip or another member of the Royal Family.

We thank Prince Philip for his important legacy and will always remember his compassion and commitment to his family and sense of humour. Thank you. *Meegwetch.*

[*Translation*]

Hon. Josée Forest-Niesing: Honourable senators, I am honoured to rise today to join the many colleagues who have paid tribute His Royal Highness Prince Philip, Duke of Edinburgh, who died on April 9.

[*English*]

What an admirable example of devotion and duty he was. Born on the island of Corfu on the west coast of Greece to Princess Alice of Battenberg and Prince Andrew of Greece and Denmark, he was a royal long before his marriage to Queen Elizabeth II in 1947. Blessed with great intelligence, he was a devoted trilingual student, speaking English, French and German, as well as a dutiful navy cadet, later becoming one of the youngest first lieutenants in the history of the navy at the age of 21.

In order to marry Princess Elizabeth, he became a naturalized British citizen. He discharged his royal duties with honour and respect, holding several titles in addition to the Duke of Edinburgh. He also held the titles of Earl of Merioneth, Baron Greenwich in the County of London, Knight of the Garter, Privy Councillor, and until 1999, he was actually a member of the British House of Lords, although he never took his seat out of regard for the need that the Queen be seen as politically neutral.

[*Translation*]

Those who knew him well said that he did not suffer fools gladly and sometimes had a hard time biting his tongue. However, as the founder of many awards and institutions, he was proud and happy to celebrate the victories and achievements won in the pursuit of knowledge. During his royal career, Prince Philip served as patron or president of more than 700 organizations. By the time he retired in 2017, he had carried out more than 22,000 official engagements and given more than 5,500 speeches.

His 73-year marriage to Queen Elizabeth is the longest royal marriage in history. His unflinching love and devotion to his queen were a testament to his warm heart and strong sense of duty. Those are admirable qualities. The thoughts and prayers of all Canadians are with the Royal Family and the people of the United Kingdom.

In my parents' home, there is a room filled with photographs, ceremonial plaques and achievement awards that my father accumulated over the course of his professional life and in recognition of his community involvement. In that room, there is one photograph my father was particularly proud of. Picture a sunny autumn scene in a forest, on a path strewn with fallen leaves. In the middle of the scene, there is a group of people, with a few spectators lining the path. At the head of this group we see His Royal Highness Prince Philip, accompanied by Sir John Daniel, the then president of Laurentian University, and my father, the then chair of the university's board of governors.

• (1550)

[*English*]

What was the occasion, you wonder? It was 1984, and my home city of Sudbury was graced with the visit of Queen Elizabeth and Prince Philip. On the day before the photograph was taken, the royal couple officially opened our beautiful and now world-renowned Science North, and they were treated to a beautiful concert by La chorale du Collège Notre-Dame, of which I am a proud alumnus.

The following day, the Duke of Edinburgh visited the magnificent Laurentian University campus, situated within the territory of the Robinson-Huron Treaty of 1850 and on the traditional lands of the Atikameksheng Anishnawbek and in proximity to the Wahnapiatae First Nation. It is incredibly beautiful, lush with trees and bushes and incredible nature trails. This landscape served as inspiration for an arboretum that the prince took great interest in visiting. At the time, the Duke of Edinburgh was the international president of the World Wildlife Fund and was clearly interested in the arboretum displays relating to research in conservation and land rehabilitation for which Sudbury is so well known.

My father recalled with pride how the prince paused at each display and asked very pertinent questions, revealing his deep understanding of biology, science and the environment. He was also interested in knowing more about the university's history and programs and, along with the university president Dr. Daniel, my father, Normand Forest, proudly seized the opportunity to boast about the burgeoning institution, which even had a campus in the South of France and was truly the pride of our city. And so, this photograph of the Duke of Edinburgh walking along a wooded trail on an October day in 1984 still hangs on the wall in my parents' home.

[*Translation*]

Unfortunately, every time I look at this photograph now, it is a stark reminder of loss. My father died very suddenly last June, Laurentian University filed for bankruptcy in February, and His Royal Highness Prince Philip passed away just recently on April 9.

Each one of these losses was painful and will be forever mourned.

Thank you.

(On motion of Senator Gagné, debate adjourned.)

(*At 3:55 p.m., the Senate was continued until tomorrow at 2 p.m.*)

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