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(HANSARD)

Wednesday, December 8, 2021

The Honourable GEORGE J. FUREY,
Speaker

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THE SENATE

Wednesday, December 8, 2021

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

[English]

Prayers.

[Translation]

SENATORS' STATEMENTS

ROYAL ASSENT

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

RIDEAU HALL

December 8, 2021

Mr. Speaker,

I have the honour to inform you that the Right Honourable Mary May Simon, Governor General of Canada, signified royal assent by written declaration to the bill listed in the Schedule to this letter on the 8th day of December, 2021, at 10:49 a.m.

Yours sincerely,

Ian McCowan

Secretary to the Governor General and Herald Chancellor

The Honourable
The Speaker of the Senate
Ottawa

Bill Assented to Wednesday, December 8, 2021:

An Act to amend the Criminal Code (conversion therapy)
(*Bill C-4, Chapter 24, 2021*)

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, yesterday we heard from the two candidates for the position of Speaker pro tempore, and the Clerk provided all senators with information by email on to how to vote. This information was recirculated earlier today to all senators who had not yet voted.

I would like to thank all senators who have taken the time to vote and would remind senators who have not yet done so that you have until 6 p.m. today to do so. Furthermore, the Clerk will be in his office from shortly after adjournment today until 6 p.m. should you wish to contact him directly.

FOOD SECURITY

Hon. Robert Black: Honourable colleagues, I rise today to highlight the issue of food insecurity in Canada.

Despite living in one of the world's leading agricultural and agri-food nations, food insecurity is unfortunately not a new challenge for many Canadians. According to the PROOF team, an interdisciplinary research group at the University of Toronto, one in eight households were food insecure in 2018. This meant that 4.4 million people, including more than 1.2 million children, had difficulty accessing affordable and nutritious food across Canada.

The COVID-19 pandemic has further threatened families already at risk of food insecurity. In fact, according to a news release issued by Agriculture and Agri-Food Canada in August of this year, statistics show that one in seven Canadians have experienced food insecurity during the pandemic.

During these difficult and unprecedented times, the government did step up support for food banks and local food organizations that have been coping with higher demand and fewer resources. While they previously highlighted food insecurity as a top-of-mind issue, there was absolutely no mention of it when the time came for this year's Speech from the Throne.

However, it was not just the fact that food security was explicitly left out of the speech. There was not a single mention of the labour shortage in the agriculture and agri-food industry, nor the impacts of climate change on Canada's food supply. These issues are intrinsically linked to one another and, unless we start looking at fulsome solutions that address the bigger picture, I fear the issue of food security will only grow bigger.

As we approach the start of 2022, Canadians from coast to coast to coast can expect to see higher prices at our grocery stores. In fact, Canada's Food Price Report 2021 predicted that the annual food expenditures would go up by as much as \$695 when compared to 2020.

The 2022 edition of the report comes out tomorrow and will highlight that Canadians can expect food insecurity to become a growing issue in 2022 as the inflation rate and food prices continue to rise. The report states:

There will likely be more demand for and reliance on food programs or food banks if incomes do not rise to meet food expenditures and other basic needs.

While I'm proud to say that Canadians can continue to be confident in our food supply chain despite these rising prices, I am deeply concerned for those already facing challenges accessing the food they need.

I call on the government to begin addressing the necessary issues related to food security, including labour shortages in the agricultural sector and helping farmers as they work to make their operations more sustainable in the face of climate change.

The support of governments at all levels will be integral to making long-lasting changes that will help change the lives of Canadians for the better.

Honourable colleagues, as we approach the holiday season, I would like to encourage you, and all Canadians, to consider helping our less fortunate neighbours, friends and colleagues. You never know who may need a little extra support so, if you are able to do so, please support local food banks this holiday season.

Thank you, *meegwetch*.

• (1410)

[*Translation*]

SEX TRAFFICKING OF YOUTH

Hon. Pierre-Hugues Boisvenu: Honourable senators, at a press conference on Friday, the Government of Quebec announced a new action plan to fight the sexual exploitation of minors. The obvious conclusion is that we need much harsher treatment for pimps and johns, as well as more support for victims of sexual exploitation of minors.

Young girls, some just 12 or 13 years old, are having their lives destroyed by pimps who, in too many cases, get off with light sentences. In 2019 in Canada, 21% of all human trafficking cases involved girls under the age of 18.

In Montreal last week, a pimp was sentenced to nine years in prison for repeatedly raping a 15-year-old girl and forcing a 21-year-old woman into sexual slavery. Maybe you think nine years is harsh. Don't forget: This pimp will be eligible for parole in three years. The violence these two young women were subjected to was horrific and inhumane, and it is happening right here in Canada.

We cannot allow such cruel crimes to continue to be perpetrated over and over again and, above all, to be trivialized, given that the penalties imposed on pimps are far from being proportional to the seriousness of the crimes. It is high time that these unscrupulous criminals were taken off our streets for a long, long time and that the johns were sanctioned, too. It is important that the victims be adequately supported, so that they're not afraid to denounce their pimps.

Yet, despite the urgency and magnitude of the problem, there is one person who remains silent in the face of this scourge, and his name is Justin Trudeau.

[Senator Black]

The Deputy Premier of Quebec, Geneviève Guilbault, sent a clear message at her press conference: She wants tougher penalties in the Criminal Code, which is under federal jurisdiction.

The time is long overdue for the Prime Minister to stop worrying only about what happens to criminals in penitentiaries and to start protecting their victims.

While Bill C-452, which imposed harsh penalties on pimps, was passed with unanimous support in both Houses of Parliament in 2015, it hasn't been implemented because Mr. Trudeau considered harsh penalties to be inhumane for pimps. That's unacceptable. Isn't it inhumane for teenagers to have their lives ruined?

With that in mind, I would like to end my statement by quoting Minister Guilbault, who had the following message for the Trudeau government:

I'll tell him that I think sexual exploitation, of all the offenses, could be one of those that a party that is not necessarily repressive could afford to be. You can be progressive, but at some point, pimping disgusts everyone, even people on the left.

Mr. Trudeau, it's time to act.

Some Hon. Senators: Hear, hear!

FIREARMS CONTROL

Hon. Diane Bellemare: Honourable senators, I rise today in this chamber to pay tribute to the four teenagers who were killed on the streets of Montreal since the beginning of the year.

Hani Ouahdi, a young man just shy of his twentieth birthday, was killed last Thursday in Anjou. Thomas Trudel, age 16, was killed on November 14 in Saint-Michel. On October 18, Jannai Dopwell-Bailey, also age 16, was stabbed to death in front of his school, and last February, Meriem Bendaoui, an innocent bystander, was killed in a drive-by shooting. She was only 15 years old.

I extend my sincere condolences to the victims' families and friends.

As a mother and a Montrealer, I am very concerned and deeply troubled by all of this gun violence.

On November 19, the Union des municipalités du Québec unanimously called on the federal government to do the following, and I quote:

. . . quickly enact legislative changes to put an end to tragedies involving handguns while strengthening controls on illegal weapons crossing the Canada-U.S. border.

On Sunday, Quebec announced that it will invest \$52 million to do more to prevent this type of crime. Premier Legault is also calling on the Trudeau government to take action.

We need to work harder for gun control. People are losing their lives to gun violence not just in Quebec but also in many major Canadian cities.

I agree that this is a sensitive and polarizing issue. However, we have the right and the duty to call for meaningful action from our leaders. What I would like to see, in memory of the victims and on behalf of Canadians who are affected and appalled by this violence, is our governments taking the initiative to talk with each other. It is absolutely necessary to take action and immediately start focusing on this societal issue. A collaborative structure coordinating the efforts of all levels of government is absolutely essential to reducing gun violence in this country.

Finally, in these early days of December, I would be remiss if I did not mention the 1989 femicide at the Polytechnique, 32 years ago now. In memory of the 14 women who were brutally killed, PolyRemembers is lobbying to have handguns and assault weapons banned in Canada. I commend your courage and your perseverance over the years to advance this important cause. Let us never forget.

Thank you.

Hon. Senators: Hear, hear.

[*English*]

THE LATE RONALD DAVIS

Hon. Nancy J. Hartling: Honourable senators, I am speaking to you from the traditional unceded territory of the Mi'kmaq people.

Today I rise to pay tribute to Ron Davis from my community of Riverview, New Brunswick, who died on April 19, 2021, at 79 years of age, surrounded by his family. It's fitting to remember Ron this month, especially as December 6 is the National Day of Remembrance and Action on Violence Against Women, the day we remember so many women and girls who lost their lives because of gender-based violence.

Ron always greeted me with a smile and a calm presence, but under this pleasant exterior was someone who suffered deeply after losing their 16-year-old daughter Laura. Laura was murdered in 1987 while working at their family convenience store. The pain and suffering Ron and his family endured are unimaginable. This tragedy mobilized Ron to become an advocate for social justice, especially for victims' rights.

He often shared with me how stressful it was, as the parole hearings were fraught with difficulties — such as the continuous demands for victim statements — and financial hardship due to last-minute notices of upcoming parole hearings in another province. However, Ron continued to advocate for change for victims until the end of his life by travelling to hearings, writing letters and speaking publicly whenever he could. I deeply admired his courage and tenacity.

Ron's life could be summed up in three passions: family and friends, service to his community and hockey. I believe what Ron loved and cared about most was his family: his wife of 59 years, Fran, and his children and grandchildren.

Ron suffered with many health issues, but nonetheless he contributed greatly to our community. He was elected to the town council, he was a lifetime member of the Kinsmen Clubs of Canada and a passionate supporter of youth in hockey, spending many years with the Moncton AAA Flyers. He attended St. Paul's United Church in Riverview. He enjoyed nothing more than to gather with his family and friends over barbecues and conversation.

Every December 6, Ron and his family participated in our candlelight vigil in Riverview to remember those who died in the Montreal massacre, as well as the many local girls and women including his daughter Laura who died by violent acts.

We won't forget Ron and his diligence in advocating for victims' rights through his tireless efforts. There is still much work to do, and I hope we will continue this important work as the journey isn't over.

When any of us lose a child it's difficult, but especially when through violent acts, it's even more difficult. Ron, we will carry your torch for you and your precious Laura and continue to work for change. Rest in peace.

CANADA'S MULTICULTURALISM POLICY— FIFTIETH ANNIVERSARY

Hon. Donna Dasko: Honourable senators, on October 8, 1971, Prime Minister Pierre Elliott Trudeau rose in the House of Commons to proclaim that Canada would adopt a policy of multiculturalism. This year we celebrate the fiftieth anniversary of a multicultural policy for Canada, which in my view is one of this country's greatest achievements.

Canada was always ethnically and racially diverse, but for most of our history this diversity was not valued or embraced. We don't have to go very far back to find a vast architecture of ethnic and racial stereotypes, discrimination and exclusion. It was a "vertical mosaic," in the words of sociologist John Porter. And yet, the post-war world was changing and so was Canada. Education levels in Canada were rising rapidly in the 1960s, and deference to authority was in decline. And just about every disadvantaged group — women, ethnic and race minorities, francophones, Indigenous people and others — was rejecting the exclusion of the past and demanding equality and respect.

• (1420)

Still, the announcement of the new policy in 1971 of ". . . multiculturalism within a bilingual framework" was not entirely expected and was not universally welcomed. But the concerns expressed at the time did not impede the progress of the idea, and from its inception in 1971 multiculturalism marched forward.

In 1982, the Charter of Rights and Freedoms recognized “. . . the preservation and enhancement of the multicultural heritage of Canadians,” while also guaranteeing equality and fairness to all without discrimination based on race, ethnic origin, sex and other criteria.

The Canadian Multiculturalism Act was passed by Brian Mulroney’s government in 1988, further entrenching its principles and again emphasizing the two elements of multiculturalism: the preservation of the multicultural heritage of Canadians while working to achieve equality in the institutions of Canada. Both the 1971 policy and the 1988 act marked Canada as the first country in the world to adopt these measures.

And most importantly, Canadians themselves have embraced the concept enthusiastically over time. Multiculturalism is viewed in a positive light by Canadians, and just this year an Environics Institute survey shows that multiculturalism is seen by far as the most important thing that makes Canada unique.

The twin goals of multiculturalism — that is, respect for diversity and for our differing backgrounds and experiences, along with the right to equality and fairness — are still worth pursuing today, 50 years later, and also into the future. Thank you.

ROUTINE PROCEEDINGS

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

REPORT PURSUANT TO RULE 12-26(2) TABLED

Hon. Ratna Omidvar: Honourable senators, pursuant to rule 12-26(2) of the *Rules of the Senate*, I have the honour to table, in both official languages, the first report of the Standing Senate Committee on Social Affairs, Science and Technology, which deals with the expenses incurred by the committee during the Second Session of the Forty-Third Parliament.

(For text of report, see today’s Journals of the Senate, p. 130.)

[Translation]

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 Monday, December 13, 2021, at 6 p.m.

[Senator Dasko]

[English]

THE SENATE

MOTION TO AFFECT TODAY’S SITTING ADOPTED

Hon. Diane F. Griffin: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I move:

That, notwithstanding any provision of the Rules, previous order or usual practice, today’s sitting continue until 4 p.m., unless earlier adjourned by motion.

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

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

QUESTION PERIOD

FOREIGN AFFAIRS

CANADA-CHINA RELATIONS

Hon. Leo Housakos (Acting Leader of the Opposition): Honourable senators, my question is for the government leader in the Senate. Senator Gold, on Monday the U.S. announced the diplomatic boycott of the upcoming Beijing Olympic Games in response to the ongoing genocide and crimes against humanity being committed by China’s communist regime in the Xinjiang region. The Australian and Lithuanian governments have followed suit, and this afternoon finally, after delay and hesitation, the Trudeau government also announced that it will be following the diplomatic boycott. This is better late than never, and certainly better at least a diplomatic boycott than no action at all.

I would like to know, government leader, why is it that when it comes to the Beijing regime and the constant infringement of human rights that this regime carries out against people, and very often its own people, the Trudeau government is hesitant in taking clear, concrete actions? Why, once again, are we following rather than leading in defending human rights and taking action against the regime in China?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. The Government of Canada, in its relationships with China and, indeed, generally, works with and in constant consultation with its allies. The government — and I’ve expressed this on many occasions, as

have ministers in the other place — remains deeply concerned about human rights violations in China and other breaches of international norms.

The government has announced the diplomatic boycott, joining its allies in this effort. This was a result of ongoing discussions held by the Minister of Sport with a number of our partners and allies as well as being in constant communication with the Canadian Olympic Committee.

Like many of our allies, Canada faces the same kinds of challenges dealing with our relationship with China. The government will continue to act in the best interests of Canada and in concert with its allies.

Senator Housakos: Senator Gold, our colleague Senator Richards recently asked you an excellent question in light of the Women's Tennis Association's suspension of all tournaments in China out of fear for player safety following the disappearance of player Peng Shuai. It's one that bears repeating, especially given the lack of clarity in response to similar questions from reporters at today's press conference. What are the Government of Canada's contingency plans if Canadian athletes are detained by Chinese authorities? We've seen the belligerent behaviour by this regime when it comes to detaining Canadians, as we experienced with the two Michaels. What are we going to do to ensure the safety of our athletes in these upcoming Olympics?

And the question that Minister Joly seemed to be fumbling all over the place on today is a very simple one: What are we doing to provide security for our athletes with regard to the inherent risk by going to Beijing and these Olympic Games? Are we going to have more RCMP officers dispatched to protect Team Canada and our Olympic athletes?

Senator Gold: The Government of Canada takes the security and well-being of its citizens — and its athletes in this particular case — very seriously and will be taking all appropriate measures to ensure their security.

VETERANS AFFAIRS

WORKLOAD OF CASE MANAGERS

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, my question is also for the government leader in the Senate. Last month, the Union of Veterans' Affairs Employees wrote to Minister MacAulay regarding the workload of case managers at the department. In 2015, the Trudeau government promised that the ratio of veterans to case managers would be 25 to 1. However, the union says that as of this fall only a handful of case managers had fewer than 30 veterans to manage. The average caseload for case managers was between 40 and 45, with some case managers reporting over 50 veterans on their list.

Leader, this situation is negatively impacting not just the veterans waiting to receive care, but also the Veterans Affairs employees themselves. When will your government live up to its promise to lower the caseload ratio at Veterans Affairs and give our veterans the service they deserve?

• (1430)

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

The challenges and problems facing our veterans are serious and important, and the government is committed to improving the situation. The government is experiencing an increase in demand for case managers, due to more veterans receiving rehabilitation and an increase in medical releases that have more than doubled the number of case managers since 2015. As the minister has said publicly, we know that more needs to be done in the coming months to ensure we meet the 25-to-1 ratio — veterans to case managers — to which you made reference, and the government has committed in its electoral platform to making the necessary investments.

The government places the highest priority on ensuring veterans and their families have the support and services when and where they need them.

TREASURY BOARD SECRETARIAT

PAN-CANADIAN DIGITAL TRUST FRAMEWORK

Hon. Colin Deacon: Honourable senators, my question is for the Government Representative.

Canadians are experiencing increasing cyber-threats, including identity theft, due to an acceleration of digitization during the COVID pandemic.

Senator Gold, five years ago, the Treasury Board Secretariat led the development of the Pan-Canadian Trust Framework. It laid out a national plan for implementing an interoperable, national Digital Identity system that would give Canadians much more control over who accesses and uses their private information. Not only would Digital Identity help limit cyber-threats, it would generate significant efficiency for consumers, business and government, and lower costs and errors for all involved. There are also significant social benefits as identified by Senator Miville-Dechêne last week.

Both Alberta and British Columbia have implemented this national framework, providing their citizens with access to Digital Identity. Yet, the federal government remains on the starting line. In September 2018, all federal, provincial and territorial CIOs agreed to an implementation strategy called the Whitehorse Declaration to get things restarted. Yet, three years later, we stand on the starting line still.

Now, to my question: Other than the fact that the cost of implementing the national Digital Identity framework is too small to garner the bureaucratic and political attention needed, can the Government Representative please provide insight as to why — especially in the context of the rapid growth in digitization and cyber risks during COVID — the five-year-old Pan-Canadian Digital Identity strategy has not been prioritized and implemented? When exactly — by which I mean by what date — can we expect the federal government to act on their own advice, giving Canadians greater protection and control over their personal information?

Hon. Marc Gold (Government Representative in the Senate): Thank you, senator, for raising this issue.

The Government of Canada understands very well the importance of delivering levels of service to Canadians that they expect in this digital age. It is of note that there are currently 33 federal departments managing over 270 government online programs and services where identity verification is required. The Digital Identity project, which aims to improve the security and ease of use of existing federal Digital Identity services, as well as supporting provincial services, is under way and advancing. It is ongoing. I have been assured it will continue.

With regard to a specific implementation timeline, I will be pleased to make inquiries and report back to the chamber.

Senator C. Deacon: Thank you for your response, Senator Gold.

It is interesting to note that according to a survey in 2020, 9 out of 10 Canadians want to have access to Digital Identity once they understand how it increases their personal security and control. Could you ask the government to explain why they have not prioritized this foundational legislation in the last five years? Please bring back to us a date by which they intend to cause this to occur — simply acting on their own five-year-old strategy. Thank you.

Senator Gold: I will undertake to do so.

The Hon. the Speaker: My apologies. I understand Senator Martin had a supplementary question.

VETERANS AFFAIRS

WORKLOAD OF CASE MANAGERS

Hon. Yonah Martin (Deputy Leader of the Opposition): Leader, just before Remembrance Day, Minister Lawrence MacAulay gave an interview in which he promised once again that the Trudeau government would hire more staff at Veterans Affairs to deal with the high caseload at the department. However, the minister did not say how many workers would be hired or when. Almost a month has gone by and there are still no specifics from the Trudeau government. I know you've acknowledged that the caseloads have increased and that hiring is one of the priorities.

Leader, has Minister MacAulay or anyone from your government responded to the letter from the Union of Veterans' Affairs Employees? What was the response? Could you find out how many of the temporary workers who were hired to deal with the backlog are scheduled to be let go by March 2022, which is only a few months away?

Hon. Marc Gold (Government Representative in the Senate): Thank you, honourable senator, for your questions. I will have to make inquiries and report back to the chamber.

[Senator Gold]

IMMIGRATION, REFUGEES AND CITIZENSHIP

AFGHAN REFUGEES

Hon. Ratna Omidvar: Honourable senators, my question is for the Government Representative in the Senate.

Senator Gold, I have been persistent in my questions to you about the Afghanistan file, and I have been persistently critical of the government's handling of the situation. But I'm a fair person, and fair is fair. I was delighted to learn about the chartered flight last week and the arrival of 250 Afghan refugees. Of course, I was doubly delighted to learn that they would be resettled in Canada with the help of private sponsors.

Behind the headlines, I can see that many public servants likely worked around the clock night and day to make this happen. My commendations to them, the government and our public servants.

So you can expect what my question is: When can we expect the next flight to arrive?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and your comments. Thank you to all in the private sector who have facilitated or helped with the arrival of this first plane.

I also appreciate having been given some notice of this question, which allowed me to make inquiries. Alas, I have not yet received an answer. When I do hear back, I will be happy to report.

Senator Omidvar: Senator Gold, yesterday we heard from Senator Simons about private sponsors being ready, willing, able, on standby and waiting for refugees to arrive. The issue is the caps on privately sponsored refugees that are put on by the government. In the last Syrian refugee crisis, the government lifted that cap.

Will the government also allow these caps to be lifted this time around? People are on standby and refugees are in need of help. It seems to be a simple, magical solution. Over to you, Senator Gold.

Senator Gold: Honourable senator, it is an important question. I will certainly add this to the inquiry I've already made. I will try to get an answer as quickly as I can.

PRIVY COUNCIL OFFICE

INTERGOVERNMENTAL AFFAIRS

Hon. Marty Klyne: My question is for the Leader of the Government in the Senate.

Senator Gold, it is important for any federal government today to consult with and serve Canadians in all provinces, territories and Indigenous jurisdictions. Without any member of Parliament from Saskatchewan in the cabinet, what is the government

planning to do to bridge the absence of a regional minister in Saskatchewan and to ensure Saskatchewan's engagement and inclusion in this country's economic and environmental future?

Hon. Marc Gold (Government Representative in the Senate): Thank you, senator, for the question. The government takes very seriously all issues that are raised, regardless of the region and by whom. It is here to serve Canadians.

I want to note, for example, the important initiatives undertaken by both the federal government and the Province of Saskatchewan — notwithstanding being in the midst of a worldwide pandemic — on making life more affordable with the agreement on reduced child care fees. I also know that the Minister of Intergovernmental Affairs and several senior ministers continue to exercise good bilateral relationships with their provincial counterparts in Saskatchewan on a considerable range of public policy initiatives.

The recently announced Cabinet Committees on Economy, Inclusion and Climate mandated to look at issues including the environment, the post-pandemic recovery and economic development, also include several ministers from Western Canada.

I should also state the obvious that there are five Saskatchewan senators across four distinct Senate groups. We just welcomed a new senator from that province. These provincial voices in our chamber can contribute in a significant manner, individually and through committee studies, on government legislation.

Finally, as a representative of the government, I offer my services as a conduit for these concerns to ensure that the views of Saskatchewan are transmitted through my office to the government.

• (1440)

Senator Klyne: In the last session, there was a high-ranking minister in cabinet and another representative in the West who were tasked with bridging that gap, smoothing the road over and working collaboratively, doing some advanced consultation, helping to look forward to building on Saskatchewan's strengths and help them cultivate their competitive advantages and being part of an inclusive economy. I am a senator from Saskatchewan. I have a pretty broad business network. I was never contacted by anybody. I didn't see any presence of any ministers that were tasked with such appointments.

Senator Gold: Yes, thank you. There is no minister specifically tasked in that regard. However, I do repeat my offer. I will reach out to you and other Saskatchewan senators. Perhaps we can meet and figure out a way — in the absence of a minister as such — to make sure that your concerns and the expertise of you and your colleagues are properly transmitted to the government.

HEALTH

OPIOID CRISIS

Hon. Vernon White: Honourable senators, my question is for the Leader of the Government in the Senate. A few months ago, I stood in the chamber to make a statement on the opioid crisis and then I had the opportunity to ask a question of the government relating to a plan to take necessary steps to save lives.

Prior to the pandemic, we were averaging just over 10 deaths per 100,000 people in Canada. During 2020, it reached 16 people per 100,000, directly related to synthetic opioids. The reality today is that we are seeing approximately 20 deaths every day. Government reporting advises 90% of the deaths are from non-pharmaceutical, counterfeit synthetic opioids.

The real facts; locally, one specific supervised consumption site in downtown Ottawa has an average of four overdoses per day inside the site and are seeing five and a half daily overdoses in the community. For context, pre-pandemic, they saw one daily on average.

In the safe supply program they are piloting, they have had no overdosing of the safe supply-only users after more than a year. My question is: When will the government finally see the need for safe supply, alternative drug therapy and bring forward a plan to grow a program that is saving lives?

Hon. Marc Gold (Government Representative in the Senate): Thank you, senator, for raising this very important public health issue. Although it is true that problematic substance use and abuse can be tackled through treatment, the government acknowledges that there must be new tools to address the problem, in particular those related to drug supply tainted by lethal drugs like fentanyl.

I've been advised that the government has invested over \$33 million to expand access to a safe supply of prescription opioids. It has also increased access to life-saving naloxone across the country, including making it available to remote and isolated Indigenous communities. Finally, I have been assured that the government will continue to use every tool at its disposal to attempt to turn the tide on what is clearly a national public health crisis.

Senator White: I appreciate the response, Senator Gold, but the reality is we're seeing places like Cape Breton Island, Halifax, some rural communities — and not just major cities — that are being hit hard by overdose deaths. During the pandemic, instead of fentanyl being the number one overdose drug used, it is actually carfentanil which is 100 times more potent.

I would challenge that the government, although expressing concern about an issue, has not actually taken steps to alleviate some of the challenges we are seeing and actually increase the safe supply programs that we are seeing in cities like Ottawa and Vancouver which have proven to save lives every single day.

I would appreciate if perhaps something more formal would come from the government through your office to identify to us the potential program or planning that they are moving forward with. Thank you.

Senator Gold: Thank you, senator. I will make inquiries and try to provide you with an update on what government plans may be going forward.

FISHERIES AND OCEANS

FISH HARVESTER BENEFIT AND GRANT PROGRAM

Hon. Rose-May Poirier: Honourable senators, my question is for the government leader in the Senate. In August, the federal government began sending letters to just over 4,000 fishers across Atlantic Canada seeking to claw back almost \$26 million in COVID-19 emergency relief that they received last year under the Fish Harvester Benefit and Grant Program. The federal government is asking about 300 fishers in the province of New Brunswick to repay \$1.5 million.

The Canadian Independent Fish Harvester's Federation has said people were given incomplete and incorrect information when they applied for the assistance last year and that the government failed to design the program based on how taxes are filed in the fishing industry.

Leader, will your government do anything to help the fishers who desperately needed assistance keep their benefits under the Fish Harvester Benefit and Grant Program?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for raising this important issue. I don't have the details of the programmed response that the government may implement. I will certainly make inquiries and try to provide an answer as quickly as I can.

Senator Poirier: It has been about four months since thousands of fishers began receiving letters from the Trudeau government demanding this repayment, yet we're no closer to the resolution on their behalf. Leader, we've seen many structural and qualification changes take place in the various relief programs offered by your government since the pandemic began. Fisheries and Oceans Canada, Canada Revenue Agency and Service Canada are all involved in this program.

Will you please ask these departments to sit down together and come to an agreement on how to treat the fishers fairly under this program?

Senator Gold: I will certainly be pleased to communicate your concerns and your requests to those instances.

Senator Poirier: Thank you.

[Senator White]

PUBLIC SAFETY

CANADA BORDER SERVICES AGENCY—PANDEMIC RELATED TRAVEL RESTRICTIONS

Hon. Leo Housakos (Acting Leader of the Opposition): Honourable senators, my question is for the government leader in the Senate.

Senator Gold, my question is in regards arriveCAN. It can be a very beneficial tool for Canadians as they arrive at the border, but unfortunately this tool has proven to be discriminatory because it discriminates against people that don't have smartphones, like our more senior citizens. What happens to Canadians who are travelling and the app crashes, for example? It is these kinds of inconsistencies that have been creating havoc at the border.

Now it seems that Canadians appear to have the option to bring information to Canada Border Services Agency, or CBSA, officers in person, but again the policy seems to be a little discombobulated and unclear. I'm looking for some clarity from you that is indeed the case: Can you assure us that Canadians will no longer be forced into quarantine at the border for failure to use that app, and that airlines will stop refusing those looking to board as a result of it?

What happens now to Canadians, many of whom are seniors, who are already forced into quarantine prior to your government's reversal — or seemed reversal — on this issue? Are they required to remain under quarantine? Can we have some clarity from the government on that?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the questions. There were many.

The government is aware that there are some challenges with the technology designed to keep Canadians safe. I have been informed that, over the weekend, Minister Mendicino spoke with the CBSA on these and related issues to ensure that proper and additional guidance is provided to front line officers.

With regard to your other questions, I will have to make inquires and report back.

[Translation]

Senator Housakos: Government leader, COVID-19 was discovered more than two years ago, although that sometimes feels far longer. There were two things that the Trudeau government was known for during the pandemic: inconsistent messaging and poor communications. Both of these issues are evident in this fiasco.

Canadians deserve better. Leader, when the quarantine is lifted, will your government communicate with everyone who has been caught up in this mess to inform them that their quarantine is over?

As I said, many of these people are seniors. Some of them don't have smart phones or mobile data. How will you communicate with these people to let them know that the policies have changed yet again and that they can now stop quarantining?

• (1450)

Senator Gold: Thank you for your question.

The Government of Canada recognizes that seniors and all Canadians are struggling with the problems brought about by both the pandemic and the measures implemented by the government to keep them safe, and it takes these problems very seriously.

The government is also aware of the communication challenges that exist in this and other areas. It will do its best to ensure that all Canadians are informed of any changes to the procedure or rules in a timely manner.

[English]

TRANSPORT

SHIPPING DELAYS

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, this summer, the board of trade in Burnaby, British Columbia reported that its members were experiencing challenges dealing with incredible increases in container shipping costs, which are up by 400% since January. As a result of the pandemic, congestion at the Port of Vancouver has been a problem for quite some time, but the recent catastrophic flooding and landslides in B.C. have made a bad situation much worse.

Leader, the Burnaby Board of Trade asked your government to undertake several initiatives, including ones to investigate the inflation and accessibility challenges facing shipping in Canada and to work with the Vancouver Fraser Port Authority on efficiency. What will your government do to help ease congestion at the Port of Vancouver?

Hon. Marc Gold (Government Representative in the Senate): Thank you for raising this important question. The Port of Vancouver is a critically important port and has been badly affected by both the worldwide supply chain disruptions due to the pandemic and, of course, the catastrophic flooding that has hit your province, senator. The Government of Canada continues to work closely with its provincial counterparts and others to respond in a responsible and timely fashion to the requests that are being made of it.

Senator Martin: As you say, the disruption to the global supply chain is a growing issue. In fact, I want to draw your attention to the recent words of a small business operator in your home city of Montreal whose lighting company has been waiting for three containers of product stuck in the Port of Vancouver. They told CTV News Vancouver that their products have already cleared Customs, but they cannot get it out of the port due to supply chain issues. This small business now has to pay storage

fees of about \$7,000. Sadly, this is not an isolated story. It can be repeated many times over by other small businesses right across Canada.

Leader, what will the Trudeau government do to help small businesses dealing with the impact of congestion at our ports? Why haven't you brought forward a plan to fix this situation for everyone?

Senator Gold: Thank you, senator. I'm aware of these challenges. They affect everyone in Canada who relies upon goods shipped through the Port of Vancouver or through other ports in Canada. Again, the government takes its responsibilities to work alongside provincial and territorial governments seriously and, where appropriate, other bodies such as port authorities, to try to improve the situation, which is regrettably, in some respects, beyond any government's control.

ORDERS OF THE DAY

THE SENATE

NOTICE OF MOTION TO RESOLVE INTO COMMITTEE OF THE WHOLE TO CONSIDER SUBJECT MATTER OF BILL S-2 WITHDRAWN

On Government Business, Motion, Order No. 8, by the Honourable Marc Gold:

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

1. the Senate resolve itself into a Committee of the Whole at 4:00 p.m. on Thursday, December 9, 2021, to consider the subject matter of Bill S-2, An Act to amend the Parliament of Canada Act and to make consequential and related amendments to other Acts, with any proceedings then before the Senate being interrupted until the end of Committee of the Whole;
2. if the bells are ringing for a vote at the time the committee is to meet, they be interrupted for the Committee of the Whole at that time, and resume once the committee has completed its work for the balance of any time remaining;
3. the Committee of the Whole on the subject matter of Bill S-2 receive the Honourable Mark Holland, P.C., M.P., Leader of the Government in the House of Commons, accompanied by no more than three officials;
4. the Committee of the Whole on the subject matter of Bill S-2 rise no later than 65 minutes after it begins;

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

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, pursuant to rule 5-10(2) I ask that the government notice of motion number 8 be withdrawn.

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

Hon Senators: Agreed.

(Notice of motion withdrawn.)

[Translation]

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

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of December 7, 2021, moved:

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

1. *Parliamentary Employment and Staff Relations Act*, R.S., c. 33(2nd Supp.):
-Part II;
2. *Contraventions Act*, S.C. 1992, c. 47:
-paragraph 8(1)(d), sections 9, 10 and 12 to 16, subsections 17(1) to (3), sections 18 and 19, subsection 21(1) and sections 22, 23, 25, 26, 28 to 38, 40, 41, 44 to 47, 50 to 53, 56, 57, 60 to 62, 84 (in respect of the following sections of the schedule: 2.1, 2.2, 3, 4, 5, 7, 7.1, 9, 10, 11, 12, 14 and 16) and 85;
3. *Comprehensive Nuclear Test-Ban Treaty Implementation Act*, S.C. 1998, c. 32;
4. *Public Sector Pension Investment Board Act*, S.C. 1999, c. 34:
-sections 155, 157, 158 and 160, subsections 161(1) and (4) and section 168;
5. *Modernization of Benefits and Obligations Act*, S.C. 2000, c. 12:
-subsections 107(1) and (3) and section 109;

6. *Yukon Act*, S.C. 2002, c. 7:

-sections 70 to 75 and 77, subsection 117(2) and sections 167, 168, 210, 211, 221, 227, 233 and 283;

7. *An Act to amend the Canadian Forces Superannuation Act and to make consequential amendments to other Acts*, S.C. 2003, c. 26:

-sections 4 and 5, subsection 13(3), section 21, subsections 26(1) to (3) and sections 30, 32, 34, 36 (with respect to section 81 of the *Canadian Forces Superannuation Act*), 42 and 43;

8. *Budget Implementation Act, 2005*, S.C. 2005, c. 30:

-Part 18 other than section 125;

9. *An Act to amend certain Acts in relation to financial institutions*, S.C. 2005, c. 54:

-subsection 27(2), section 102, subsections 239(2), 322(2) and 392(2);

10. *An Act to amend the law governing financial institutions and to provide for related and consequential matters*, S.C. 2007, c. 6:

-section 28;

11. *Budget Implementation Act, 2008*, S.C. 2008, c. 28:

-sections 150 and 162;

12. *Budget Implementation Act, 2009*, S.C. 2009, c. 2:

-sections 394, 399 and 401 to 404;

13. *An Act to amend the Transportation of Dangerous Goods Act*, 1992, S.C. 2009, c. 9:

-section 5;

14. *Payment Card Networks Act*, S.C. 2010, c. 12, s. 1834:

-sections 6 and 7; and

15. *An Act to promote the Efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act*, 2010, c. 23:

-sections 47 to 51 and 55, 68, subsection 89(2) and section 90.

She said: Honourable senators, today I rise in support of the motion on the adoption in the House of a resolution that the act and provisions of 14 other acts listed in the motion not be repealed on December 31.

I am asking the Senate to ensure that this act and these provisions, which have not come into force since their enactment, are not repealed pursuant to the Statutes Repeal Act.

[*English*]

Honourable senators, before I continue, I want to bring your attention to an email my office sent to yours yesterday. Since I cannot possibly offer all the details behind the Statutes Repeal Act and the provisions of 14 other acts in my allotted speaking time, my office has prepared a document explaining the purpose of the act.

The document includes an annex that lists the government ministries that have recommended the deferral of repeals, including the reasons for the recommended deferrals. I hope this will give both our new and seasoned senators a better understanding of this annual statute repeal process. This being said, let me offer the chamber some general information about this year's Statutes Repeal Act.

[*Translation*]

Bill S-207, the Statutes Repeal Act, received Royal Assent on June 18, 2008, and came into force two years later. The act is an administrative measure that tidies up federal legislation by regularly pruning provisions that have not been brought into force within 10 years.

Section 2 of the Statutes Repeal Act requires that the Minister of Justice table an annual report before both Houses of Parliament on any of the first five sitting days in each calendar year. This report lists the acts of Parliament or provisions of acts of Parliament not yet in force that were enacted nine years or more before December 31 of the previous calendar year.

However, these acts and provisions can be saved from automatic repeal if they are brought into force before December 31 or if one of the Houses of Parliament adopts a resolution exempting them from repeal.

This is the eleventh annual report under the Statutes Repeal Act. It was tabled on January 26, 2021, in the House of Commons and on February 8, 2021, in the Senate.

Since the tabling of the report, the Department of Justice has contacted the departments responsible for the act and provisions listed in the report to verify whether they should be saved from repeal.

This year, some provisions of An Act to amend the law governing financial institutions and to provide for related and consequential matters will be repealed on December 31 by operation of the Statutes Repeal Act, because the minister responsible has not recommended that their repeal be deferred.

The reason for the repeal is that these provisions are no longer needed and their repeal has no impact.

In total, 11 ministers recommended that repeal of the provisions for which they are responsible be deferred.

[*English*]

The Minister of Public Safety and the Minister of Transport have each recommended a deferral of repeal for one provision of one act. The Minister of Innovation, Science and Industry, the Minister of Northern Affairs and the president of the Queen's Privy Council for Canada have each recommended deferral of repeal for certain provisions of one act under their responsibility.

With respect to the Minister of Northern Affairs, I want to highlight how the first deferral of repeal recommendation concerns sections 70 to 75 of the Yukon Act. These provisions allow the Yukon government to appoint its own auditor general and cease to use the services of Canada's auditor general. The Yukon government needs to establish a position of auditor general before these provisions can be brought into force.

- (1500)

The other provisions of the Yukon Act for which a deferral of repeal is recommended are consequential amendments to other acts that should be brought into force when the federal Yukon Surface Rights Board Act is repealed and the Yukon legislature enacts legislation in its place.

The Minister of National Defence, the Minister of Public Services and Procurement and the President of the Treasury Board are each recommending a deferral of repeal for certain provisions of two acts each under their responsibility.

The Minister of Foreign Affairs is recommending deferrals of repeal for one act. The deferral recommendation concerns the Comprehensive Nuclear Test-Ban Treaty Implementation Act.

Finally, the Minister of Finance and the Minister of Justice and Attorney General are each recommending a deferral of repeal for certain provisions of three acts under their responsibilities.

Now, the reasons for deferring repeal include: an external event must occur before the legislation can be brought into force or repealed, such as the coming into force of an international treaty or the enactment of legislation by provinces and territories; proposed legislation repealing, replacing or bringing into force the not-in-force provisions is currently under way; additional time is required to deal with matters currently being adjudicated; additional time may be required to obtain the approvals necessary for bringing the provisions into force or to complete regulations; additional time is required to complete the necessary policy work or consultations; and failure to defer repeal could have a negative impact on international relations, relations with Indigenous peoples or with the provinces and territories.

[*Translation*]

Once again esteemed colleagues, you will find more details about the provisions being repealed in the document that my office emailed to you yesterday.

The Statutes Repeal Act specifies that repeal deferrals are valid for one year only, and any act or provision whose repeal is deferred this year will appear in the next annual report.

We must adopt the resolution before December 31, 2021. Otherwise, the entire act and the provisions of other acts listed in the motion will be repealed on December 31, 2021, pursuant to the Statutes Repeal Act. If the resolution is not adopted by then, the result could be gaps in federal legislation. Repealing certain provisions could even cause tension between the federal government and the provinces and territories. It could also affect Canada's international relations.

Furthermore, if the resolution is not adopted in time, federal departments will have to introduce new bills to address the gaps in legislation that will occur if these provisions are repealed. These bills will have to go through every stage of the legislative process, from policy formulation to Royal Assent. It is a long and costly exercise.

In closing, I am asking you to support this motion and vote in favour of the resolution that the entire act and the legislative provisions listed in the motion not be repealed on December 31 of this year pursuant to the Statutes Repeal Act.

Thank you.

The Hon. the Speaker: Senator Gagné, would you take a question?

Senator Gagné: I would.

[*English*]

Hon. Percy E. Downe: Honourable senators, I'm not opposed to the motion, but I'm curious. Many of these things return to us for years and years, and I'm referencing in particular the Canadian Forces section of your proposal. I'm trying to understand the meaning where the government said a deferral repeal is recommended since additional time is required to complete the regulation and obtain the necessary approval to bring them into force.

The act that you're speaking about was passed in November 2003. Why hasn't anything been done in 18 years?

Senator Gagné: Thank you for your question — it's an excellent one. I will certainly ask the government about the reasons behind this delay, if I can say that, and I will certainly get back to you as soon as I can.

Senator Downe: Thank you for the answer, and I look forward to hearing what you find out.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[Senator Gagné]

PARLIAMENT OF CANADA ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Bovey, seconded by the Honourable Senator Cordy, for the second reading of Bill S-202, An Act to amend the Parliament of Canada Act (Parliamentary Visual Artist Laureate).

Hon. Salma Ataullahjan: Honourable senators, I rise today to speak to Bill S-202, An Act to amend the Parliament of Canada Act (Parliamentary Visual Artist Laureate). I stand here in support of this bill and ask that this chamber unanimously pass this bill once again.

Let me begin by thanking the sponsor of the bill, Senator Bovey, for her outstanding commitment and determination. This is the fourth iteration of this bill, and Senator Bovey has very eloquently articulated the importance of incorporating the universal language of the arts into our parliamentary sphere.

I would also like to take this opportunity to thank former Senator Moore who first introduced this bill in 2016. Even after he retired in 2017, Senator Moore continued to fight for the bill at the committee stage.

I would also like to recognize the efforts of Senator Eggleton, Senator Cormier, Senator McIntyre and Senator Harder who have also spoken in previous sessions of Parliament to support this bill.

For colleagues who are not familiar with the Parliamentary Visual Artist Laureate Bill, it simply establishes a position for an office of the library whose job is to promote the arts in Canada through Parliament. The visual artist laureate will foster knowledge, enjoyment, awareness and development of the arts. This new position will bring contemporary artwork into this institution and provide us with new perspectives while preserving Parliament's history through the visual arts.

The challenging but exciting work of a parliamentary visual artist laureate is to use their unique talent to challenge, question and present social issues. Thus, a visual artist laureate will assist in presenting policy and legislation to Canadians from a different perspective. At the same time, we will gain a greater understanding of various societal aspects, as artists can express their concerns virtually and can communicate messages through different mediums, reaching far more people than we ever could alone.

Artists often have the capacity to break down complex issues and present them in an accessible manner, which transcends linguistic barriers.

The position would also be a way to highlight the Canadian cultural sector's contribution to society. Let us not forget that nearly 800,000 Canadians were employed in cultural occupations

in 2017, which represents 4% of all employment in Canada. Furthermore, cultural establishments represented over 3.8% of all establishments in the Canadian economy in 2017.

By passing this bill, we publicly acknowledge the importance of artists and are better able to promote their talents. Therefore, honourable senators, I humbly ask that you support this bill. Thank you.

• (1510)

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

BILL TO AMEND—THIRD READING

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

Hon. Patricia Bovey: Honourable senators, with leave of the Senate, I ask that the bill be read the third time now.

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

Hon. Senators: Agreed.

The Hon. the Speaker: Do you agree, honourable senators, that this bill be read the third time now?

Hon. Senators: Agreed.

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

FEDERAL FRAMEWORK ON AUTISM SPECTRUM DISORDER BILL

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Housakos, seconded by the Honourable Senator Smith, for the second reading of Bill S-203, An Act respecting a federal framework on autism spectrum disorder.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

(On motion of Senator Wells, for Senator Housakos, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.)

[*Translation*]

CRIMINAL CODE

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Boisvenu, seconded by the Honourable Senator Wells, for the second reading of Bill S-206, An Act to amend the Criminal Code (disclosure of information by jurors).

Hon. Pierre J. Dalphond: Honourable senators, I rise today to take part in the debate initiated last week by our colleagues Senators Boisvenu and Moncion on Bill S-206, which proposes an exception to the criminal offence committed by jurors who fail to meet their obligation to keep the jury's deliberations secret.

I would like to begin by discussing the importance of trial by jury in criminal law. The principle whereby serious charges must be decided by members of the community dates back to ancient Greece. In Athens, a person could only be sentenced to death or exiled from the city following an assembly held before more than 1,000 citizens, who were then called upon to vote by placing a token in an urn. They would cast either a token with a hole in it or one without, depending on whether they thought the accused was guilty or not.

Rome had a similar institution. In England, the role and composition of the jury evolved over the centuries. The concept of a jury composed of 12 people and led by a judge was imported from England as soon as Canada became a British colony.

The jury system thus existed long before Confederation in 1867. The first Criminal Code of Canada, adopted in 1892, codified the various criminal laws and practices and, of course, recognized the right to trial by jury for the most serious charges. It even decreed, in certain cases, the obligation of holding a trial by jury.

In a 1980 report entitled *The Jury in Criminal Trials*, the Law Reform Commission of Canada, a commission many of us would like to see reconstituted, recommended maintaining the jury

system, which it described as, and I quote, “. . . a fundamental institution, a veritable ‘rock of ages’ in our system of criminal justice in Canada.”

The commission looked at studies and investigations and concluded that juries have a good understanding of the cases before them, even when these cases are complex, and that a jury is a good way of infusing community values into a trial, to ensure that the enforcement of laws is just in certain cases. Take, for example, the decisions of four different juries in the cases associated with *Morgentaler* that led to the legalization of abortion in Canada.

It should come as no surprise that, in 1982, the constituents chose to include, in section 11 of the Canadian Charter of Rights and Freedoms, the right to trial by a jury when the maximum penalty is at least five years.

[English]

Honourable senators, in practice the majority of criminal cases in Canada are tried by one judge alone, mostly a provincial judge. However, trial by a judge of a superior court and a jury is a right of the accused for the most severe criminal offences. The accused in those cases may opt out of a trial by judge and jury and choose to be judged by a judge alone — an election done most of the time for various reasons.

Moreover, jury trials are mandatory for offences mentioned in section 469 of the Criminal Code, which include murder, conspiracy to commit murder, treason, intimidating Parliament or a legislature and other offences. Unless both the Attorney General and the accused consent, the trial must be one with a jury.

To those listening to us today, I would like to say that jury service is a critical component of our judicial system. If one day you are summoned to attend the courthouse for jury selection, please seriously consider this important public service.

The task might appear daunting and you may initially be unhappy or reluctant about being summoned for jury service, but please consider that, according to research conducted in 2016 by Professor Cheryl Thomas from the School of Judicial Studies at University College in London, U.K., the overwhelming majority of persons who served on a jury found jury service to be a positive, not negative, experience.

When she appeared before the House of Commons Justice and Human Rights Committee in the course of its study on the jury system on February 8, 2018, Professor Thomas further explained:

When asked to describe their experience of jury service, the highest results were for such positive descriptions as educational, interesting, and informative. The lowest results were for such negative descriptions as depressing, confusing, boring, and worrying. Only a minority said that the experience was stressful.

Furthermore, her research shows that 81% of those who served on the jury said they would be happy to serve again if summoned.

[Senator Dalphond]

[Translation]

I now want to talk about section 649 of the Criminal Code, which this bill would amend.

The 12 people selected to preside over the fate of the accused — or 6 people, in Yukon and the Northwest Territories — are placed into an unfamiliar system, and when they are presented with the evidence, they are often presented with a real human tragedy. Once everything has been said, including the lawyers’ arguments, these individuals are sequestered to deliberate the fate of the accused. These discussions are held behind closed doors and can sometimes last several days. At the end of the process, a guilty verdict can only be reached if the 12 members of the jury arrive at a unanimous decision.

• (1520)

Pursuant to section 649 of the Criminal Code, enacted in 1972, what is said in camera must be kept secret, under punishment on summary conviction, which may lead to a term of imprisonment of up to two years less a day or a fine of not more than \$5,000, or both. However, everything presented to the jurors in open court is public and can be discussed with a health care professional.

Commenting on the secrecy rule for jury deliberations, the Supreme Court of Canada had this to say in 2001 in *R v. Pan*:

The common law rule of jury secrecy, which prohibits the court from receiving evidence of jury deliberations for the purpose of impeaching a verdict, similarly reflects a desire to preserve the secrecy of the jury deliberation process and to shield the jury from outside influences.

As for the main policy consideration raised to justify maintaining the secrecy of jury deliberations, the Supreme Court gives the following explanation:

. . . confidentiality promotes candour and the kind of full and frank debate that is essential to this type of collegial decision making. . . . This rationale is of vital importance to the potential acquittal of an unpopular accused, or one charged with a particularly repulsive crime.

Our colleagues, Senators Boisvenu and Moncion, have proposed adding an exception to the prohibition that would allow jurors to discuss the entirety of their experience during a trial, including the deliberations with their 11 colleagues, with a health care professional, and only a health care professional, a person bound by professional secrecy.

I fully support this proposal, which is based on one of the recommendations issued by the House of Commons Standing Committee on Justice and Human Rights in its unanimous May 22, 2018, report entitled *Improving Support for Jurors in Canada*.

I would add that an identical bill introduced by MP Michael Cooper was passed by the House of Commons but did not make it to the Senate until April 2019, where it died on the Order Paper.

I'll turn now to support available to jurors once they have completed their assignment. As I indicated earlier, the right to a jury trial exists only for the most serious offences, including crimes against the person, such as sexual assault, serious injury and murder.

Our colleagues emphasized the fact that jurors can be traumatized by the pieces of evidence in these cases, which may be — in fact, almost always are — gruesome. That's undeniable. I myself, as an appeal court judge, had to handle hundreds of criminal cases. The facts in some of those cases were so disturbing that I will never forget them.

I recall in particular the case of a 6-year-old child who was tortured and killed by his father's new partner while the father was away for two weeks. The autopsy report, the photographs, the paramedics' reports and some of the testimony was so shocking that I had to take breaks while reading the file. I experienced moments of horror, and I cried several times.

[*English*]

I completely understand that trauma may result from being exposed to days of disturbing evidence.

Many of you will remember the 1995 jury trial presided over by Justice Patrick LeSage of the Ontario Superior Court, which led to a sentence of life imprisonment for a man convicted of the kidnapping, torture and murder of teenagers in St. Catharines, Ontario.

In 2016, then-retired Justice LeSage said in an interview:

I had been a judge for many years by the time that trial had started, but I still find it disturbing, so I thought many others who haven't had the experience that I've had will find it disturbing.

He added that he sought counselling after the case and believes that it should be an option for all jurors. As a matter of fact, in that trial he ordered the Province of Ontario to provide such assistance to the jurors.

Under our constitution, the provinces are responsible for the administration of justice, including criminal justice, while Parliament has exclusive jurisdiction on criminal law, including criminal procedure. The constitution of lists of potential jurors and their compensation fall under the jurisdiction of the provinces.

While serving on a jury, jurors are entitled to financial compensation and lodging when sequestered. These measures vary from province to province. For example, in New Brunswick, jurors are compensated at the rate of \$40 a day. In Quebec, it is \$103 per day.

The issue of post-trial support for jurors also falls within the provincial jurisdiction. Here again there are variations across Canada. For example, in Ontario, jurors can receive up to four one-hour counselling sessions for free after they complete jury duty through the Juror Support Program. In Quebec, regulations allow the presiding judge to order access to psychological support for up to six consultations at the rate of \$65 per hour. In

each province, things vary. Maybe the time has come to get a national scheme or program to bring some uniformity to the support offered to jurors.

In conclusion, I invite you, colleagues, to support this bill and send it to the legal committee before we adjourn for the winter break. It does not address all the challenges jurors face post trial, but it will remove one barrier of access to proper professional assistance when needed. Thank you. *Meegwetch*.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

BILL TO AMEND—THIRD READING

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

[*Translation*]

Hon. Pierre-Hugues Boisvenu: I would like to ask Senator Dalphond a question, if I may.

[*English*]

The Hon. the Speaker: Senator Dalphond's time is up. If he wants to ask for more time and we have leave to go back, you can. If you are opposed to leave, honourable senators, please say no. Leave is granted. Did you want to ask for more time, Senator Dalphond?

Senator Dalphond: I guess so, yes.

The Hon. the Speaker: Five minutes. If you're opposed to leave, please say no. Leave is granted.

[*Translation*]

Senator Boisvenu: Thank you very much, colleagues.

Senator Dalphond, everyone knows that this is a very important bill that concerns a pillar of the judicial system, namely jury duty by citizens who give their time and often compromise their health to ensure that we have the most equitable and fairest justice system possible.

This bill was passed unanimously in the other place. It is a bill that for three or four years has been at the mercy of the political winds in the legislature. Will senators agree to proceed to third reading of the bill this afternoon?

Senator Dalphond: I would personally be prepared to proceed to third reading, but I do not want to impose it on my colleagues. What needed to be said was well said by both Senator Boisvenu and Senator Moncion. I believe that my comments may have been helpful to those who did not understand exactly what was at stake.

Senator Boisvenu: Honourable senators, with leave of the Senate, I move that the bill be read the third time now.

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

Hon. Senators: Agreed.

The Hon. the Speaker: Do you agree, honourable senators, that this bill be read the third time now?

Hon. Senators: Agreed.

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

• (1530)

[*English*]

PROTECTING YOUNG PERSONS FROM EXPOSURE TO PORNOGRAPHY BILL

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Miville-Dechêne, seconded by the Honourable Senator McCallum, for the second reading of Bill S-210, An Act to restrict young persons' online access to sexually explicit material.

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I'm pleased to speak as the critic of Bill S-210, An Act to restrict young persons' online access to sexually explicit material. This bill, formerly Bill S-203, is one that I think we can all agree, in principle, is an important bill that will protect our children and youth.

The Honourable Senator Linda Frum spoke as critic in the last Parliament and congratulated Senator Miville-Dechêne:

. . . for introducing this important bill and for the thoughtful effort she put into crafting it. . . . pornography that if consumed at a young and immature age has the potential to do irreparable harm to the mental and spiritual health of the viewer.

I echo her comments. I once again thank Senator Miville-Dechêne for her tireless work for many children, youth and families who will be protected by this bill.

The preamble of Bill S-210 states that:

Whereas the consumption of sexually explicit material by young persons is associated with a range of serious harms, including the development of pornography addiction, the reinforcement of gender stereotypes and the development of attitudes favourable to harassment and violence — including sexual harassment and sexual violence — particularly against women;

As a former educator and mother of a daughter, I know firsthand how impressionable young minds are and how important it is to teach and protect children from a young age. For them and for future generations, we as parliamentarians can play a vital role in shaping their future and ensure that, above all, we protect them from harm.

Bill S-210, when enacted, will make it an offence for organizations to make porn available to young persons on the internet. It will also enable a designated enforcement authority to take steps to prevent porn from being made available to young persons on the internet in Canada.

As Senator Miville-Dechêne explained so eloquently in her speech last week, Bill S-210 is an improved version of Bill S-203 and will restrict the scope of the regime and further clarify its intention. The objective of this bill, as outlined in clause 4, is to “protect the mental health of young persons” and more broadly to “protect Canadians — in particular, young persons and women — from the harmful” repercussions of porn.

Clause 5 of the bill sets a maximum fine of \$250,000 for a first offence of making sexually explicit material available to a minor for commercial purposes. This new bill narrows the scope of the criminal offence to exclude individuals and only targets organizations as defined in section 2 of the Criminal Code. This ensures that individuals, such as sex workers on various porn platforms, will not be in violation of this bill. This narrowed scope makes it possible to directly target commercial distributors of porn.

This question then remains: How can we protect our children from the rapidly growing online world of porn? Unlike the real world, the online world is much more complex. Given the past two years, when much of the world has shifted to online platforms and means of communication, we must ensure there are rules in place to control and protect what is accessible online, especially for children. There still seems to be uncertainty as to how websites should check the age of their visitors before they access pornographic material.

The same rules should be in place online as well as in the real world. For example, accessing explicit material from a store, for a minor, is illegal and heavily enforced by store owners, requiring proof of identification. An age-verification process would provide that layer of protection and a wall to block minors from being exposed to pornography. At the same time, it will still allow pornography to remain accessible to adults in Canada after completing the age-verification component.

This bill aims to create consistent standards, which would then be followed by the regulators who determine the appropriate forms of identification. Bill S-210 would prohibit websites from making porn available to minors by requiring them to implement an age-verification process. Failure to comply with this order would result in a fine, and it could also result in a blocking order against the offending site.

In the previous Parliament, the bill was referred to the Legal and Constitutional Affairs Committee. The committee carefully studied the bill and heard from witnesses on the merits of, and the need for, this bill.

Laila Mickelwait, who holds a Master of Public Diplomacy, founder of Traffickinghub, Justice Defence Fund, said:

Studies have shown that child exposure to pornography is most often unwanted. The Kaiser Family Foundation has reported that well over two thirds of 15- to 17-year-old adolescents have seen pornography when they did not want to or intend to access it, with nearly half reporting being very or somewhat upset by it. Unwanted sexual experiences are what we call sexual assault. . . . when a child witnesses porn through unwanted exposure or even by curiously stumbling upon it, unaware of what it would contain, it can become a serious and traumatic event in the life of that child.

And Emily Laidlaw, Canada Research Chair in Cybersecurity Law and Associate Professor, Faculty of Law at the University of Calgary, said:

The impacts of children viewing pornography can be profoundly harmful. Arguably, children have a human right to be free from exposure to pornography But we do have to be mindful that, for adults, viewing pornography is legal and protected expression. . . .

The goal is to reduce the exposure of children to pornography that they should not have access to.

The bill passed third reading in the Senate and was sent to the House of Commons but it died on the Order Paper, like many other bills, when the election was called.

Honourable senators, while I do not feel qualified to offer expertise on the technical merits of the digital age-verification processes associated with Bill S-210, as a woman, mother, former educator of 21 years and as a legislator, I believe Bill S-210 is an important step forward, above all, to do what we can by law to protect our children, young people and women through limited but specific measures.

Therefore, I stand firmly today with Senator Miville-Dechéne and others who have spoken in the past and who will look at this carefully at the Legal Committee and hopefully return it to the chamber quickly this time around. I ask all of our colleagues to support this strengthened bill so that we can send Bill S-210 to the Legal and Constitutional Affairs Committee for further review.

In an increasingly digitized world, with the proliferation of porn sites — far too many, as cited by Senator Miville-Dechéne — that are too easily accessible to everyone, including minors, I believe we need this bill passed into law — and the sooner the better. Thank you.

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

Some Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

(On motion of Senator Miville-Dechéne, bill referred to the Standing Senate Committee on Legal and Constitutional Affairs.)

• (1540)

[*Translation*]

FIGHTING AGAINST FORCED LABOUR AND CHILD LABOUR IN SUPPLY CHAINS BILL

SECOND READING—DEBATE

Hon. Julie Miville-Dechéne moved second reading of Bill S-211, An Act to enact the Fighting Against Forced Labour and Child Labour in Supply Chains Act and to amend the Customs Tariff.

She said: Honourable senators, I rise today at second reading of Bill S-211, the Fighting Against Forced Labour and Child Labour in Supply Chains Act. This is the third time I have introduced this bill. Let's hope the third time is the charm. Although the essence of the bill is the same, much has changed in recent months, making it more relevant than ever for Canada to enact legislation to end modern slavery.

There are four things I want to discuss. First is the pandemic and, more specifically, the pressure it put on public and private supply chains. The pandemic opened our eyes to some personal, social and economic realities. It highlighted the limits of our system and its inequities, and it reminded us just how connected we are to the rest of the world, which we rely on for so many goods and services we consume every day, from our phones and our clothing to a large number of our food products.

Forced labour and child labour are among the problems that have been exacerbated by the pandemic. For example, we know that the Government of Canada awarded \$220 million in contracts for disposable gloves to a subsidiary of the Malaysian company Supermax. Former Supermax workers said that they did back-breaking work for 12 hours a day, 7 days a week, and were not even permitted to take washroom breaks when needed. They were also never able to pay off their debts.

Despite the fact that these allegations of forced labour came to light as early as January 2021, Canada continued to receive deliveries until October. Canada waited for our American neighbours to ban the entry of Supermax products into the U.S. before taking action.

Let's not forget that the United States can ban merchandise if "the information available reasonably but not conclusively indicates" production by forced labour, while Canada can intervene only if a much higher standard is met. That standard requires "legally sufficient and defensible evidence" of production by forced labour. Given that it is extremely difficult to document in detail forced labour practices abroad, Canada's decision in this regard means that in practice we very rarely intervene. That is unfortunate.

According to UNICEF, the number of children involved in child labour worldwide had been shrinking for years, but it has now started to rise again. In 2020, 160 million children were involved in child labour, an increase of more than 8 million in four years. That could climb by an additional 9 million by the end of 2022. It is estimated that there were 25 million victims of forced labour in 2016 compared to 21 million in 2012.

[English]

Although the pandemic may have aggravated the problem in an exceptional way, we should recognize that the issue of forced labour has always existed. It is a complex phenomenon fuelled by poverty, discrimination and inequality. There are many ways to make a person fall into the trap of forced labour: endless debt repayment, confiscation of identity documents, threats to report to immigration authorities, intimidation, violence and so on. Several cases are sadly well known: children exploited in certain mines in Africa; fishermen and migrants imprisoned on fishing boats in Asia; foreign workers in Dubai. Consumers in rich countries also participate in this system — most often unintentionally — by always seeking the cheapest products possible. But low prices can come at a human cost that is too high.

These cases are not exceptional. Forced labour and child labour have long permeated our everyday consumption. Generally, it is not the Canadian companies that are directly involved, but rather their subcontractors as well as their suppliers of raw materials and agricultural products. Therein lies the main risk: supply chains.

It is exceedingly difficult for consumers to know which products have been produced by children or by adults working under duress. Not all fair trade certifications are created equal and industry self-regulation has obvious limitations. It was estimated that \$34 billion worth of goods imported into Canada could have been manufactured, in whole or in part, through forced labour or child labour. One thousand two hundred companies imported at least one of these high-risk goods into Canada.

In recent months and years, non-governmental organizations and media reports have shone the spotlight on this uncomfortable reality. A recent World Vision survey revealed that nearly \$4 billion worth of agricultural products imported into Canada could be the product of forced labour or child labour, particularly from Mexico. That's about 10% of all Canadian food imports and the equivalent of \$264 per Canadian household. This is also a 63% increase in imports of risky products in a decade. Among the worst foods: coffee, fish, cane sugar, tomatoes and cocoa. Common products for many of us.

[Senator Miville-Dechéne]

Just a few weeks ago, we learned that Canadian authorities had, for the first time, seized a shipment of clothes from China. Even more recently, there have been reports of child labour in Congo's cobalt mines where some of the materials needed to make electric cars are sourced, which are most often sold in wealthy countries in Europe and North America.

Even if most cases of forced labour are identified abroad, we should not assume that this reality does not exist here. The Global Slavery Index estimates that 17,000 people are believed to be living in conditions of modern slavery in Canada. Our temporary agricultural workers are particularly at risk. Over the years, there have also been other cases of illegal practices in Canada. For example, in 2019, 43 workers of Mexican origin were released by Ontario police. These men had been trafficked to Canada to work as maintenance workers in hotels.

The practices of forced labour and child labour are violations unworthy of our humanity and the principles that we put forward. We cannot fight them only with virtuous speeches. We must act.

[Translation]

With that in mind, I would like to take a closer look at the plight of the Uighur Muslim minority in China's Xinjiang region. The plight of the Uighurs is probably the most obvious example these days of the methods used by an autocratic regime to subdue an entire people.

For years now, there have been more and more allegations of forced labour in re-education camps and in tomato and cotton fields. Several credible sources have reported this, which is why the House of Commons even described the situation as "genocide."

A recent CBC investigation revealed that many of the processed tomato products we consume in Canada originate from the Xinjiang region and can be found on our grocery store shelves under labels such as Del Monte, Nestlé, Unilever and La Doria.

Should we ban all products from Xinjiang province, as my colleague Senator Housakos is proposing? We'll have that debate, but in the meantime, I would like to emphasize that our two bills are not in conflict. My bill, Bill S-211, amends the Customs Tariff to prohibit the importation of goods manufactured or produced by either forced labour or child labour. Senator Housakos, in turn, is proposing to systematically ban all imports from Xinjiang.

The good news is that there is no time like the present to finally start taking action. A few months ago, Canada's Minister of International Trade signed a G7 joint statement committing herself and her counterparts to take action on modern slavery.

From the beginning, I have been grateful to have the support of the All-Party Parliamentary Group to End Modern Slavery, which is made up of members from the House and the Senate of all political stripes. More recently, during the last election campaign, both the Liberal Party and the Conservative Party committed to fighting forced labour.

• (1550)

On page 67 of their platform, the Liberals promised to do the following, and I quote:

Introduce legislation to eradicate forced labour from Canadian supply chains and ensure Canadian businesses that operate abroad are not contributing to human rights abuses.

In their platform, the Conservatives committed to dramatically revise supply chain legislation to meaningfully enforce Canada's commitment not to import products made with slave labour.

In that respect, the political parties are in tune with public opinion. If a 2015 World Vision survey is to be believed, a staggering 87% of Canadians want the government to require companies to assess the risk of child labour in their supply chains.

According to a 2013 survey, 89% of Canadians are actually ready to pay more — up to 23% more, on average — for products free of child labour.

Lastly, according to the Schulich School of Business, even in the business world, three quarters of respondents believe that a supply chain transparency law could help drive change and benefit their company.

Canada has relied on self-regulation and corporations' social responsibility for too long. Companies don't always have the means or the economic incentive to take significant action, so it is high time our actions mirrored our words.

What does Bill S-211 propose? As was the case with previous versions, this is first and foremost a tool for transparency. Bill S-211 would require federal institutions and large companies that do business in Canada to produce an annual report detailing the measures taken to prevent or mitigate the risk of forced labour or child labour in their supply chains. The important thing is that these reports will have to be made public. The legislation sets out fines of up to \$250,000 for offenders, for those who make false or misleading statements.

I want to state from the outset that the obligation is to issue a report, not to end forced labour in a single stroke. The bill is a step in the right direction, but it does not claim to eradicate human rights violations committed during the production of the goods we consume. Several systemic causes maintain modern slavery. Still, this is a start, and as our American friends say, sunlight can be the best disinfectant.

We have had the chance over the past few months to make a few significant improvements to the bill. I will mention four key ones today.

We broadened the scope of the bill to include federal institutions, namely the departments and more than one hundred public institutions that purchase or distribute goods in Canada or elsewhere.

There are two main reasons for this important change. First, as we saw with orders of medical supplies during the pandemic, the federal government also runs the risk of importing goods made with forced labour. Second, as a major economic actor, the federal government has a certain duty to be consistent and to set an example. It seems that the least the government can do is apply to its own machinery the standards it wants to apply to the private sector.

With respect to private businesses, the new version of the bill has not changed the compliance criteria, which are identical to those of the Extractive Sector Transparency Measures Act. The law would therefore apply primarily to businesses that have at least \$20 million in assets, that have generated at least \$40 million in revenue, or that have at least 250 employees. The bill is aimed primarily at large businesses. It is a pragmatic choice, at least initially.

[English]

As a third improvement, we have sought to harmonize contents of the reports with comparable international legislation, and we have also aligned the certification standard with the one applicable to financial statements.

So we changed the content of the report to add explicit references to supply chains, an explicit reference to the due diligence processes put in place by companies and an assessment of the effectiveness of the company's efforts.

Bill S-211 also changes the standards for improving and certifying the report under the new section 11. Reports on the risk of forced labour must be approved by the company's governing body; in the case of business corporations, this is the case of the board of directors. We have harmonized this rule with those provided for in the Canada Business Corporations Act for the approval of the company's financial statements.

These changes not only allow for a single standard for corporate reporting but it is in line with the contemporary trend to require an equivalent degree of corporate approval for financial and non-financial disclosures.

Finally, Bill S-211 proposes an amended definition of child labour which, in my opinion, better corresponds to the ideals and aspirations of Canada, while also being more realistic and representative of the international reality. The new definition incorporates the definition of child labour of the International Labour Organization, that is to say, labour or services that are provided or offered to be provided by children under circumstances that are:

. . . mentally, physically, socially or morally dangerous . . .
or

interferes with their schooling by: depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.

Compared to the predecessor bill, these definitions avoid the application of Canada's standards abroad. It also defines child labour more broadly than simply referring to the worst form.

[*Translation*]

Here are a few international examples, if I have time to talk about them. Canada is lagging behind, so it is even more important that we take action to end modern slavery.

Six years ago, the United Kingdom passed the Modern Slavery Act, transparency legislation that targets companies with at least \$60 million Canadian in business revenue. An independent review recommended that the act be amended to add sanctions and that the companies' reports be included in the annual reports provided to shareholders. These two recommendations are included in our Bill S-211.

In 2017, France passed its corporate duty of vigilance law. This strict legislation requires companies to prevent serious violations of human rights and fundamental freedoms. However, the French law applies only to major corporations with more than 5,000 employees in France or 10,000 employees worldwide.

Australia followed the example of the United Kingdom and made improvements to its legislation, for example, by making it applicable to public organizations and by creating a public centralized registry.

In 2019, the Netherlands passed a very worthwhile bill. It is very innovative in that it applies not only to companies that have facilities in the Netherlands but also to those that only do business online.

Germany, the last country, passed its own due diligence legislation with respect to supply chains six months ago.

How does Bill S-211 compare to these international examples?

Subject to your comments and observations, esteemed colleagues, I believe that the bill we are debating is reasonable, pragmatic and measured. It is modelled mainly after the legislation of Britain and Australia — which have regimes similar to the Canadian system — but also proposes some improvements.

As is the case with any type of legislation, some would like us to go further, in particular by following certain European examples, while others would like us to include more businesses by lowering the threshold for application of the legislation. Still others, in contrast, would like to limit the scope of the bill.

In the end, I sought to find a compromise that would lead to a certain consensus by reminding myself that politics is the art of the possible. My hope is that this legislation will be a first step in the right direction for Canada, and that we will be able to improve it over the years and as the global situation evolves.

The Hon. the Speaker: Excuse me, Senator Miville-Dechéne, but I have to interrupt you.

(At 4 p.m., pursuant to the order adopted by the Senate earlier this day, the Senate adjourned until 2 p.m., tomorrow.)

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