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Tuesday, April 5, 2022

The Honourable GEORGE J. FUREY,
Speaker

This issue contains the latest listing of Senators,
Officers of the Senate and the Ministry.

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THE SENATE

Tuesday, April 5, 2022

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

Prayers.

SENATORS' STATEMENTS

THE LATE HONOURABLE CLAUDETTE BRADSHAW, P.C., O.N.B.

Hon. Jane Cordy: Honourable senators, I want to begin by thanking the Canadian Senators Group for giving me their statement time today.

Maya Angelou has said:

I've learned that people will forget what you said, people will forget what you did, but people will never forget how you made them feel.

What an amazing power we possess to make the world a better place when we wield it for good. One such person who embodied goodness and spread it so generously to others was Claudette Bradshaw. Claudette sadly passed away on March 26, 2022, following a battle with cancer.

Claudette served as an MP from 1997 to 2006, representing the riding of Moncton—Riverview—Dieppe in New Brunswick. During her time on the Hill, she had been Parliamentary Secretary to the Minister for International Cooperation, Minister responsible for la Francophonie, Minister of Labour and Minister of State for Human Resources Development.

From 1999 to 2004, she was Federal Coordinator on Homelessness. It is a well-known fact that Claudette often opened her apartment in Ottawa to her constituents. She made herself available whenever possible to meet, to chat and to encourage others, particularly young people.

While working on a task force on women entrepreneurs in 2003, I recall attending several meetings with Claudette. She regarded the work of the task force to be very important and generally wanted everyone who came in contact with the work to feel as though they mattered and could contribute in a meaningful way. Many people have developed a lifelong love affair with public service and humanitarian outreach because Claudette, or others like her, made them feel as if they could make a difference just by being themselves.

This is perhaps Claudette's greatest legacy: the people she sent out into the world with a smile and one of her famous hugs to share and to spread love, making it multiply exponentially.

The project that was perhaps nearest and dearest to her heart was the Headstart program she founded in Moncton with her husband, Doug. This program has helped countless high-risk children and their families who struggle to meet their most basic needs, with early family intervention and support services. In the 50-plus years since the start of this initiative, I can only imagine

the lives that have been and continue to be impacted because of Claudette's vision of a brighter present that would hopefully lead to a better future.

In 2009, Claudette was appointed a member of the Order of New Brunswick, and in 2020 she received the New Brunswick Human Rights Award.

Honourable senators, Claudette Bradshaw was a bright light in this world. What is more, she did not keep that light to herself, but spent her energy lighting the candles of others so that they, too, would shine.

May we all shine so brightly. May we all care as deeply. May we all live as fully. Thank you, Claudette. My condolences to her family, friends and the many who loved her. Thank you.

[*Translation*]

VICTIMS OF PORTAPIQUE SHOOTING

Hon. Pierre-Hugues Boisvenu: Honourable senators, today I rise to pay tribute to the 22 victims of the shooting in Portapique, Nova Scotia, which was and still is the worst mass shooting in Canadian history.

The 22 women and men who lost their lives leave more than just their families in mourning. An entire community is being forced to endure this unspeakable tragedy. This beautiful part of rural Nova Scotia, where everyone knows everyone and where time has stood still since April 2020, is still in pain. Twenty-two innocent victims were shot or burned by a man who was known to have beaten his partner. In fact, it was following an episode of intimate partner violence on April 18, 2020, that the murderer roamed Portapique on a killing spree that lasted over 13 hours.

Public hearings into this tragedy are happening now, and I deplore the Government of Canada's treatment of the 22 families of the innocent victims. Over the past two years, these families were not invited to be an integral part of the inquiry. They have complained publicly about being kept in the dark as to how the inquiry would work. That shows a lack of respect for the family and friends of the 22 victims. It is also an unacceptable way to re-victimize them and make them suffer all over again.

They should never have been treated this way, because they are the ones most directly affected by this tragedy and therefore the ones who most deserve answers about the RCMP's responsibility in this matter.

The inquiry has already exposed multiple communication errors made by the RCMP, which was slow to give the public adequate warning to protect them. This would have helped stop the gunman's rampage sooner. This tragedy leaves wondering about the RCMP's preparedness and the resources that it must have in order to intervene faster and more effectively when faced with a possible mass killing. The Portapique tragedy must serve as an impetus for change; otherwise, we will have failed on all counts.

• (1410)

I therefore call on the federal government and the Minister of Public Safety to assume their responsibilities and act immediately to ensure that the RCMP is adequately equipped so that a tragedy of this nature can be better managed, or better still, prevented altogether. I hope these 22 women and men will never be forgotten. We must stand together in paying them a heartfelt tribute on this second anniversary. Our prayers and thoughts are with the victims' families. Thank you.

[English]

PAPAL APOLOGY

Hon. Dan Christmas: Honourable senators, there are seminal moments in life when time just stops and events become etched in your heart, your soul and your memory; points in life's incredible journey when the tectonic plates shift, and one realizes that something extraordinary is taking place that will bring about changes which will impact things for years to come.

One such moment occurred nearly 14 years ago when Prime Minister Stephen Harper rose in the House of Commons in June 2008. This apology, coming about 128 years after the introduction of residential schools, was nothing short of monumental and, indeed, earth-shaking. I know in the case of my peoples, the Mi'kmaq, we kept wondering and hoping that this means of conciliation and atonement would continue to move forward.

Last Friday, at the Vatican, it finally did. His Holiness Pope Francis made an apology to survivors for:

... the deplorable conduct of ... members of the Catholic Church, I ask for God's forgiveness and I want to say to you with all my heart, I am very sorry. And I join my brothers, the Canadian bishops, in asking your pardon.

Colleagues, this apology is an equally significant game changer. This is why it is so important that we embrace it, endorse it and actively promote its acceptance.

Already there are some who decry the sincerity of it being rendered, that it doesn't mean anything unless it is followed up by actions. But I'm not convinced that it represents how the survivors feel. Much of the commentary appears to come from the periphery. Let's not take that position for granted. Let's hear, instead, what some Mi'kmaq survivors are saying.

Magit Poulette, 79, is a survivor of Shubenacadie Indian Residential School, an elder from the We'koqma'q First Nation and a devoted Catholic and self-professed "prayer warrior." She said, "It was very good — I think it really came from his heart."

Another of the delegates representing Atlantic Canada was Phyllis Googoo, 79, also from We'koqma'q and a member of the community's support group for survivors. She spent 10 years in residential schools, from the time she was only 4-years-old. The apology left her feeling very happy and with a lump in her throat. It was clearly an emotional event for her.

I'll leave final comment of the Mi'kmaq to my community's leader — and my dear and trusted friend — Chief Terry Paul. He said:

Each and every day of my life for the last nearly 40 years as Chief of Membertou, I have carried the memories of the five-year-old boy who went to Shubenacadie Residential School all those years ago.

As I grew, I promised myself that my experiences at residential school would not hold me down. I would not allow the painful times in my life to define the possibility of what I could be, or do.

Honourable senators, I beg you to consider that for the survivors, this is less about justice rendered than it is about being released from the legacy of the unmitigated pain and suffering of the memory of residential school trauma.

Honourable senators, the apology is a gift that allows survivors to finally say, "Our chains are gone; we've been set free." *Wela'liog*, thank you.

Some Hon. Senators: Hear, hear.

Hon. Brian Francis: Honourable senators, I rise today to speak to the apology made by His Holiness Pope Francis to Indigenous peoples on the role of the Catholic Church in the residential school system.

I am a Catholic. I am also an Indian day school survivor. I can tell you that it was important for me to hear the Pope say he was "very sorry" for the conduct of some of its clergy. But I wish he had gone further. The Catholic Church must take full accountability for its role in instigating, supporting and defending the historic and ongoing genocide of Indigenous peoples in Canada — including in the Indian residential school and Indian day school systems, where hunger, neglect, abuse and death were rampant.

It must also condemn the Doctrine of Discovery and other undoubtedly racist and unjust narratives, which not only depicted Indigenous people as inferior or savages but also enabled the displacement and dispossession of our land and resources.

Colleagues, the partial apology came after a week of meetings in Rome requested by Indigenous delegates. It is a product of the courageous and persistent efforts of survivors and their descendants, who fought for decades to ensure the truth is known while still healing from their trauma.

It is, furthermore, a product of the domestic and international outrage over the discovery of thousands of unmarked graves at the sites of former Indian residential schools. Had it not been for these devastating, but not surprising, discoveries, who knows how much longer it would have taken for the Catholic Church to apologize.

In the next months, Pope Francis must respond to Call to Action 58 of the Truth and Reconciliation Commission, which requires that he come to Canada to issue an apology — one that must be robust and meaningful. In addition, the Catholic Church, which already failed to meet its obligations under the Indian

Residential Schools Settlement Agreement, must use its vast wealth to make substantive financial reparations. It must also turn over all Indigenous artifacts held by the Church and release all relevant documents and records. These next steps are non-negotiable.

To conclude, colleagues, to me a partial apology is important, but is simply not enough. If the Pope is really committed to the path towards truth, healing, justice and reconciliation, concrete actions and changes by the Catholic Church must follow.

The wrongdoings of the Catholic Church are not just in the past. Indigenous people continue to be impacted, including our children, who are overrepresented in the child welfare system at rates higher than at the height of the Indian residential school system. *Wela'lin*, thank you.

[Translation]

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

Hon. Michèle Audette: Honourable senators, my thoughts are with all of the souls who never returned to their lands from residential school.

As you know, last week, a delegation of First Nations, Métis and Inuit representatives met with Pope Francis to seek justice for the genocide perpetrated in the residential schools run by the Catholic Church, under the direction of the Government of Canada.

Residential schools were part of the deliberate assimilation efforts seeking to destroy our rich identities, cultures and languages and to wipe out our histories. Let me quote Grand Chief Mandy Gull-Masty of the Cree Nation, who was one of the representatives in the delegation that went to Rome.

[English]

“We cannot ignore the power of an apology,” she said, saying it can help spur forward efforts aimed at “transforming anger and hurt into a process of peace, love, and freedom.”

[Translation]

The Pope finally apologized to the delegation, but I am thinking of all those here in Canada. For some, this apology offered comfort. For others, it represented the beginning of true healing. But for many, the apology was meaningless, and for some people, it came too late.

We must allow everyone to accept or reject the apology. We must accept that survivors and their families have different healing journeys. We must walk alongside them, at their pace, free from judgment.

The Pope must also come here, to Canada, to apologize to all those who were not able to travel. This is where it all happened, where the harms were inflicted and the irreparable damage was done. On top of the apologies, the Pope must also agree to open the Vatican archives and provide the information that many of us

and many families are missing, so that these people can start a real grieving and healing process and recover their dignity and identity.

The First Nations, Métis and Inuit have always been here. Since time immemorial, they have been the inhabitants of this country we call Canada. The reconciliation process calls for the eradication of acts based on one group's dominance over another. That is why it is important to revoke the papal decree that gave rise to the Doctrine of Discovery and *terra nullius*.

• (1420)

As the Royal Commission on Aboriginal Peoples says so well in its report:

A country cannot be built on a living lie. We know now, if the original settlers did not, that this country was not *terra nullius* at the time of contact and that the newcomers did not ‘discover’ it in any meaningful sense. We know also that the peoples who lived here had their own systems of law and governance, their own customs, languages and cultures. They were not untutored and ignorant; they were simply cast by the Creator in a different mould, one beyond the experience and comprehension of the new arrivals. They had a different view of the world and their place in it and a different set of norms and values to live by.

Dear colleagues, reconciliation is achieved not through lip service, but through concrete action, such as celebrating the inclusion of the First Nations, Métis and Inuit in history books and establishing a university by and for First Nations that is rooted in the values, cultures, languages and knowledge of our great peoples, and that is also open to the world. I invite senators to embrace and promote the calls to justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls and the calls to action of the Truth and Reconciliation Commission. Together, we can do great things.

DENIS VILLENEUVE

Hon. Jean-Guy Dagenais: Honourable senators, it is very likely that the one thing you remember from the Oscars ceremony on March 27 is seeing actor Will Smith slap comedian Chris Rock.

However, I will remember those Oscars for another reason. It was a proud moment for me as a Canadian, a Quebecker and a francophone.

What an honour it was for all of us to watch Quebec filmmaker Denis Villeneuve win six Oscars for his movie *Dune*. He was honoured alongside several members of his team, who are also Canadian. Together, they took their place in the world of American cinema, which is dominated by anglophones.

With six Oscars, *Dune* tied with several other major blockbusters, including *Titanic*, which is no small feat.

Born in Bécancour on the south shore of Trois-Rivières, Denis Villeneuve has been making movies for more than 30 years. Since 2012, he has been a top filmmaker with such movies as

Incendies, *Arrival*, *Blade Runner 2049*, and now *Dune*, which had a budget of \$165 million and has already earned more than \$400 million at the box office.

We know that there will be a sequel to *Dune* and that it will be directed by Denis Villeneuve. Given his recent success, we have no doubt that Denis Villeneuve will continue to amaze us, because he is only 54 years old. Steven Spielberg is 75, Martin Scorsese is 79 and Francis Ford Coppola is 82. They are all still working.

I therefore want to pay tribute to Denis Villeneuve today and highlight the key role that francophone talent from Quebec plays in the U.S. entertainment industry. Some of our artists who are currently working in the U.S. include Céline Dion and Cirque du Soleil. What is more, the stages for the biggest theatres in New York and Las Vegas are designed by Montreal's Scéno Plus. The visual and sound effects for the biggest concerts and shows in the United States and around the world are also produced by Quebecers from Moment Factory. Finally, the LED wristbands that the audience wore during the Super Bowl halftime show were made by Montreal's PixMob.

Although the Americans may sometimes be reluctant when it comes to buying our wood and aluminum, they are quite open to the idea of importing our cultural talents. I am particularly proud of that.

Thank you, and I hope that Denis Villeneuve wins many more Oscars.

[English]

ROUTINE PROCEEDINGS

FROZEN ASSETS REPURPOSING BILL

SECOND REPORT OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE COMMITTEE PRESENTED

Hon. Peter Harder, Deputy Chair of the Standing Senate Committee on Foreign Affairs and International Trade, presented the following report:

Tuesday, April 5, 2022

The Standing Senate Committee on Foreign Affairs and International Trade has the honour to present its

SECOND REPORT

Your committee, to which was referred Bill S-217, An Act respecting the repurposing of certain seized, frozen or sequestrated assets, has, in obedience to the order of

reference of Tuesday, March 1, 2022, examined the said bill and now reports the same with the following amendments:

1. *Clause 2, page 2*: Replace line 14 with the following:

“(a) section 4 of the *Special Economic Mea*”.

2. *Clause 6, page 3*: Add the following after line 25:

“(a.1) a grave breach of international peace and security that resulted in or is likely to result in a serious international crisis;”.

Respectfully submitted,

V. PETER HARDER

Deputy Chair

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

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

[Translation]

SCRUTINY OF REGULATIONS

FIRST REPORT OF JOINT COMMITTEE PRESENTED

Hon. Yuen Pau Woo: Honourable senators, I have the honour to present, in both official languages, the first report of the Standing Joint Committee for the Scrutiny of Regulations, which deals with the work of the committee and other matters.

(*For text of report, see today's Journals of the Senate, p. 430-1.*)

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

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

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

SECOND REPORT OF COMMITTEE TABLED

Hon. Diane Bellemare: Honourable senators, I have the honour to table, in both official languages, the second report (interim) of the Standing Committee on Rules, Procedures and the Rights of Parliament entitled *Use of displays, exhibits and props in Senate proceedings* and I move that the report be placed on the Orders of the Day for consideration at the next sitting of the Senate.

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

• (1430)

[English]

PANDEMIC OBSERVANCE DAY BILL

FIFTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND
TECHNOLOGY COMMITTEE PRESENTED

Hon. Ratna Omidvar, Chair of the Standing Senate Committee on Social Affairs, Science and Technology, presented the following report:

Tuesday, April 5, 2022

The Standing Senate Committee on Social Affairs, Science and Technology has the honour to present its

FIFTH REPORT

Your committee, to which was referred Bill S-209, An Act respecting Pandemic Observance Day, has, in obedience to the order of reference of December 9, 2021, examined the said bill and now reports the same with the following amendment:

1. *Preamble, page 1:*

- (a) Replace line 4 with the following:

“Whereas March 11, 2021, was designated — by”;

- (b) add the following after line 10:

“Whereas it is important to acknowledge the multidimensional effects of the pandemic on every person in Canada;

Whereas this pandemic has worsened the various forms of inequality in Canada and has had a disproportionate impact on the vulnerable people within society and members of historically disadvantaged groups;

And whereas it is fitting that March 11 of each year be officially designated as “Pandemic Observance Day” in order to give the Canadian public an opportunity to commemorate the efforts to get through the pandemic, to remember its effects and to reflect on ways to prepare for any future pandemics;”.

Respectfully submitted,

RATNA OMIDVAR

Chair

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

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

QUESTION PERIOD

INFRASTRUCTURE AND COMMUNITIES

CANADA INFRASTRUCTURE BANK

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

Senator Gold, the Canada Infrastructure Bank was created by the Trudeau government and has been operational since the 2017-18 fiscal year.

In the five years since its creation, the Canada Infrastructure Bank has failed to complete one single project. A recent answer to the question on the Senate’s Order Paper shows that in 2021 alone, the Canada Infrastructure Bank paid out over \$5.7 million in short-term incentives to its 79 employees. This works out, Senator Gold, to a bonus of over \$73,000 per employee.

Leader, how could the NDP-Liberal government possibly think that these bonuses are appropriate?

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

I have no information about the circumstances under which these incentive payments, as you describe them, were made, so I’ll have to make inquiries and report back when I can.

Senator Plett: Thank you for that. I see no reason why you would have had the information at hand, so I expect that you will get back to us on that.

I think you would agree that a bonus of \$73,000 is more than the average Canadian family’s income was in 2020. The answer to my Order Paper question shows that in total since 2019, the Canada Infrastructure Bank has paid out over \$10 million in short-term and long-term bonuses to its employees, again, while zero projects were completed.

Leader, your Canada Infrastructure Bank is an expensive failure. You should agree with that. Senator Gold, I think you should have the answer to why Canadian taxpayers should continue to fund the Canada Infrastructure Bank. If you don’t have the answer to that, will you get us the answer to this: Will you scrap the Canada Infrastructure Bank?

Senator Gold: Though I have no knowledge of plans to scrap it, I will certainly make inquiries, and I will endeavour to report back to the chamber the activities and the rationales that were the subject of your question.

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, my question for the government leader also concerns the Canada Infrastructure Bank.

In April of 2021, the Parliamentary Budget Officer, PBO, released his most recent report on the Canada Infrastructure Bank. The PBO's analysis concluded that the Canada Infrastructure Bank was losing money, unlikely to deliver on its mandate and would miss its own infrastructure spending targets by over 50%. Yet the Canada Infrastructure Bank is very good at spending taxpayer dollars on bonuses, as Senator Plett has just mentioned.

Senator Gold, does your government disagree with the findings of the independent Parliamentary Budget Officer?

Senator Gold: Thank you for your question. The Government of Canada values the work of the independent Parliamentary Budget Officer and takes the work of that office seriously. That work informs their decisions going forward.

Senator Martin: When announcing the creation of the Canada Infrastructure Bank, the Trudeau government claimed it would attract four to five dollars in private capital for every tax dollar invested. In the five years of the Canada Infrastructure Bank's existence, this has never occurred or even come close. The Canada Infrastructure Bank's website currently shows that of \$19.4 billion invested so far, about \$7.2 billion is from private and institutional investors, and the rest appears to come from different levels of government — in other words, taxpayers.

In February, Minister LeBlanc acknowledged before a House committee that he was not satisfied with the Canada Infrastructure Bank's ability to raise funds from private investors. Isn't that grounds for scrapping the Canada Infrastructure Bank, leader?

Senator Gold: Thank you for your question. I think that, as for any program, government or private sector, ongoing evaluation is critical to make sure, whatever the intentions were at the beginning, that corrections are made where necessary.

In that regard, as you reported the minister reporting, these ongoing evaluations, I am confident, continue.

INDUSTRY

STATISTICS CANADA

Hon. Rosemary Moodie: My question is for the Government Representative in the Senate.

Senator Gold, disaggregated data is well understood to be key in crafting better social policies that are equitable and address various intersectionalities. Robust and modernized data collection was a significant line item in Budget 2021 at

\$250 million over five years, and it was part of the recommendations of the 2021 report from the National Advisory Council on Poverty.

Senator Gold, could you provide this chamber with an update on Statistics Canada's progress on this issue and their goals for the coming fiscal year, please?

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

The government is committed to using better data to drive better outcomes so every Canadian can reach their full potential, free of systemic barriers. That's why, building on previous federal investments, Budget 2021-22 proposes to provide \$172 million over five years, with \$36 million ongoing, for Statistics Canada to implement the Disaggregated Data Action Plan. I am advised this plan aims to provide Canadians with the detailed statistical data that is currently lacking to address gender gaps and systemic racism and bring fairness and inclusion to decisions that affect all Canadians.

• (1440)

The government has heard the call of many Canadians who are seeking the data they need to bring the social and economic impacts on marginalized groups into the heart of decision making, and the government is answering their clear call to action.

Senator Moodie: Senator Gold, what I'm asking for is an update on where things are at. Is it possible for you to provide this chamber with such an update? Thank you.

Senator Gold: Well, senator, thank you. In addition to the information I just provided, I'll certainly make further inquiries and report back as soon as I can.

FINANCE

CARBON PRICING

Hon. Mary Coyle: Honourable senators, my question is for the Government Representative in the Senate. Senator Gold, a recent PBO study looked at the effect of federal carbon pricing on the economy. It found that most households in the four provinces that are subject to the federal price on carbon are worse off financially.

The Parliamentary Budget Officer, Mr. Yves Giroux, noted:

Under the Government's HEHE plan, most households in Alberta, Saskatchewan, Manitoba and Ontario will see a net loss resulting from federal carbon pricing. That is, the costs they face—including the federal carbon levy, higher GST and lower incomes—will exceed the Climate Action Incentive rebate they receive.

The PBO study is based on the current situation, and we know that it doesn't take into consideration any new green technologies that may result in cost savings, nor does it take into consideration the overall costs of climate inaction.

Senator Gold, what is the government doing to address the concerns of Canadians about carbon pricing and to, at the same time, help educate the public on the real cost of climate inaction?

Hon. Marc Gold (Government Representative in the Senate): Thank you, senator, for your question. It's an important one.

First of all, the government thanks the Parliamentary Budget Officer for his work. That work actually confirms that the price on pollution has a progressive impact and gives 8 out of 10 families more back through climate action incentive rebates than they, in fact, pay.

As colleagues know, pricing carbon pollution is a central part of Canada's plan to reduce greenhouse gas emissions and drive clean innovation. It is widely regarded around the world as the most efficient policy to reduce emissions.

With regard to the second part of your question, colleague, the government has introduced a number of measures to educate Canadians on the importance of climate action, including the Climate Action and Awareness Fund, which will invest \$206 million in projects that build youth awareness, engagement and action; support community-based climate action; advance climate science and technology and support academia. I also note that the government has introduced measures to support Canadians in reducing their carbon use, including the Climate Action Incentive Fund, which helps fund energy-efficient retrofits and other projects to improve energy efficiency and productivity, reducing energy use and carbon pollution while saving money.

Senator Coyle: Senator Gold, we know that a level of certainty — in fact, a high level of certainty — in carbon pricing is needed to ensure critical future investments in clean technology.

It was announced in the 2030 Emissions Reduction Plan released last week that in order to enhance long-term certainty for investors, the government will be exploring measures that will help provide clarity on the future of carbon pricing. When will the government release more information on these new measures to provide certainty? And could you elaborate on the consultation process that will be undertaken if any such process is planned? Thank you.

Senator Gold: Thank you, again, for the important question. The 2030 Emissions Reduction Plan is an ambitious and, the government believes, achievable plan for Canada to reach its

climate targets. The plan has been in development for months, and it includes the input of over 30,000 Canadians and, as many colleagues know, a sector-by-sector pathway.

Additionally, I note that it does provide for consultations with respect to driving down carbon pollution from the oil and gas sector. Finally, it further outlines next steps to continue delivering on those priorities for Canadians.

AGRICULTURE AND AGRI-FOOD

SUPPORT FOR FARMERS AND PRODUCERS

Hon. Brian Francis: Honourable senators, my question is for Senator Gold.

Last November, following the detection of potato wart in two fields, the Canadian Food Inspection Agency banned the export of all potatoes outside of P.E.I., including to the United States and the rest of Canada. This decision shocked and devastated the industry, which is a major employer and economic contributor in our province.

Last Friday, the ban was finally lifted on the export of P.E.I. table, or eating, potatoes, but not seed or processing potatoes, which is not expected to resume until at least 2023. That could mean two more seasons of losses.

Senator Gold, what steps, if any, are the federal government taking to move up the timeline on lifting the ban on seed potatoes?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. The government is happy the work it has done has allowed the table potato export to continue, but clearly, more work needs to be done as you properly point out.

To your question, the government will continue to take what it calls a "team Canada" approach, working with the provinces, the sectors and the stakeholders and engaging at all levels to deal with the United States regarding their concerns, which they claim are based on science, in terms of the seed potatoes. That's the best chance, colleagues, that we have to complete the reopening of the potato market in the United States.

I note that the government is providing \$28 million in compensation to farmers and 290 million pounds of potatoes will be divested to processors, packers, dehydrators, food banks and other markets. Restoring complete market access for P.E.I. fresh potatoes to the United States and supporting P.E.I. farmers remain top priorities for the government.

Senator Francis: Thank you for your answer, Senator Gold. I'm concerned by the impact the ongoing ban will have on the Island industry and economy. Could you please let us know when

seed producers will receive financial compensation from the federal government and when other supports will be made available to those who wish to transition to other crops?

Senator Gold: Well, thank you. I'll have to make inquiries in terms of the anticipated schedule of payments. I'll report back.

FISHERIES AND OCEANS

PROTECTION OF ATLANTIC SALMON

Hon. David Richards: Honourable senators, my question is also for Senator Gold.

Senator Gold, I'm following up on Senator Poirier's question dealing with the closure of the production fish plants. Senator Gold, you mentioned the science involved in coming to this decision about species protection. However, on the Miramichi River, nothing has been done in the last 40 years to cull the seals at the mouth of the bay or harvest the striped bass that arrive in the tens of thousands in our waters and devastate salmon, smolt and smaller species of fish, both local and migratory. In fact, the stripers are allowed to navigate into all the tributaries of our rivers and are up by the Cains River in the main southwest and up into the headwaters of the northwest. Predators are on the salmon spawning ground. You only have to live on the Miramichi to know that the DFO is almost totally incompetent in dealing with this matter and has no right to speak of science as their major concern.

Hon. Marc Gold (Government Representative in the Senate): Thank you for bringing this again to the attention of the chamber. The government is aware of the issue, and work is being done to address it.

Senator Richards: What would it take to allow the province itself or the Miramichi Salmon Association, in conjunction with the First Nations peoples, to take over the salmon problem on the Miramichi and relieve the DFO of its concerns on this matter?

Senator Gold: I'm afraid I don't have the answer to that question. It's important that all interested parties, stakeholders, Indigenous groups and levels of government work together to address this important problem.

[*Translation*]

PUBLIC SAFETY

PUBLIC INQUIRY INTO PORTAPIQUE SHOOTING

Hon. Pierre-Hugues Boisvenu: My question is for the Government Representative in the Senate. Senator Gold, as I said in my statement, we are two weeks away from the anniversary of Canada's worst mass shooting, when 22 innocent victims in Portapique lost their lives.

[Senator Francis]

In February, I asked you about the families of the 22 victims, who had complained about the lack of information and especially the lack of cooperation over the past two years with respect to the public inquiry into the tragedy. Although the victims' families were satisfied with the commissioner's decision to call the killer's widow and the police officers who participated in the operation to testify, these families had to fight for that information, which is totally unacceptable. I would like to remind you, Senator Gold, that the Canadian Victims Bill of Rights, a supra-constitutional statute, states in section 7 that:

Every victim has the right, on request, to information about

(a) the status and outcome of the investigation into the offence

• (1450)

Have you obtained information about why the victims' families were not part of the public inquiry even though they should have been?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question and for reminding us of this recent tragedy. I will have to work on getting you that information because I don't have it right now. I will follow up.

ROYAL CANADIAN MOUNTED POLICE

POLICE SERVICES

Hon. Pierre-Hugues Boisvenu: In my statement a few moments ago, I touched on another very important issue, namely the disorganization at the RCMP. As we know, the RCMP is responsible for policing large parts of Canada's territory and provides community-based services that are equivalent to municipal police services.

We also know that the amount of time it took to locate the killer was partly due to this disorganization and a lack of communication. The killer was intercepted by a stroke of luck. If not for that, there could have been even more victims.

Can you tell us what the minister responsible for the RCMP, the Honourable Marco Mendicino, plans to do to strengthen the RCMP and make sure it has the response capabilities it needs in order to prevent such a tragedy from happening again?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. With regard to measures and initiatives the minister is considering and implementing, I will have to make inquiries and get back to you with that information.

INTERNATIONAL TRADE

PRIVATE INVESTMENT IN CANADA

Hon. Claude Carignan: My question is for the Government Representative in the Senate. Last week at the Standing Senate Committee on Banking, Trade and Commerce, David Dodge, the former governor of the Bank of Canada, said:

[*English*]

Since the great financial crisis, and particularly since 2015, we've had a miserable record of low levels of investment, weak productivity growth, both of which are well below most of our G7 counterparts and many of our OECD countries.

[*Translation*]

Can the Government Representative explain to us what has happened since 2015 that could explain why investments have declined so much?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. I don't have that information on investments. However, I would like to note that the Canadian economy in general is doing very well. We have returned to pre-pandemic levels with a 6.7% growth rate in the last quarter of 2021.

As far as investments are concerned, I will make some inquiries and come back with a response as soon as possible.

Senator Carignan: Can you also tell us how the new alliance with the NDP will help increase private investment in Canada?

Senator Gold: I would be happy to.

[*English*]

VETERANS AFFAIRS

SUPPORT FOR VETERANS

Hon. Rose-May Poirier: Honourable senators, my question is for the government leader in the Senate.

According to the information that predates the pandemic, the number of homeless veterans across Canada is estimated to be about 3,000. Last year's federal budget promised \$45 million over two years on a pilot project aimed at reducing homelessness amongst veterans, beginning with the 2022-23 fiscal year.

A recent answer to a Senate Order Paper question revealed that Infrastructure Canada and Veterans Affairs Canada are still working on the design of the program. They don't know how many veterans this program will serve.

Leader, when will this program be operational, and how many veterans will it help?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, and for underlining the important issue of providing proper supports — housing and others — to those who have served our country with distinction and with honour.

As soon as the answers to your questions are, in fact, available, I would be happy to report to the chamber.

Senator Poirier: Leader, the Government of Canada has made goals or promised deadlines to be met in any number of areas. For example, by 2035, the Trudeau government aims for a net-zero emissions electricity grid. It also promised to set a target for gender equality in sports at every level by 2035.

Yet the recent Order Paper answer from the Trudeau government refuses to say whether it would set a date or goal for ending homelessness amongst veterans; it simply referred to a program that has yet to be designed.

As I mentioned earlier, leader, why won't your government set a goal for eliminating homelessness amongst our Canadian veterans?

Senator Gold: Thank you for your question.

Goals serve many purposes and can be aspirational and motivational. With regard to the goals that you alluded to that have been set, it's the position of the government that these goals are realistic and achievable because there is a plan in place to achieve those goals.

As your question mentioned, plans are still being developed to address the important issue of homelessness amongst veterans. When that plan is in place, then the goals will follow.

FINANCE

CARBON PRICING

Hon. Donald Neil Plett (Leader of the Opposition): Leader, the NDP-Liberal government claims that even with the steady increase in the carbon tax from \$50 a tonne now to \$170 a tonne in 2030, Canadian households will be better off because of the rebates they will receive.

However, according to a recent report of the Parliamentary Budget Officer, Manitobans — even with the rebate — will be \$299 in the red this fiscal year, \$402 in the red the year after that, and by 2030-31 they will suffer an annual net loss of \$1,145. The results are similar in other provinces, and worse in Alberta.

Leader, who got it right, the NDP-Liberal government or the independent, non-partisan Parliamentary Budget Officer?

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

As I mentioned in my answer earlier, according to the Parliamentary Budget Officer, the great majority of Canadians, in fact, will receive more than they pay out, but clearly not all, as you have properly mentioned.

The important thing to underline, colleagues, is — and I go back to classical Economics 101 — putting a price on pollution is meant to increase the cost. It is meant to create incentives for all of us, businesses and individuals, to change our habits.

One hopes that the provinces that have not yet signed on to a meaningful plan to reduce greenhouse gas emissions will do so for the benefit of their citizens, for the benefit of the children of their citizens and for the benefit of the country and the planet.

• (1500)

Senator Plett: The Parliamentary Budget Officer predicts that most households in Canada — not some people, but most — will, under the backstop, see a net loss resulting from federal carbon pricing under the government’s plan in 2030-31.

Leader, will your government finally admit that Canadians are not actually better off under your carbon pricing scheme? Also, as the carbon tax went up again last Friday on April 1, which wasn’t an April Fool’s joke, what will your government do to provide Canadians some relief in these dire economic times of near runaway inflation?

Senator Gold: Thank you for the question.

The government has demonstrated over the past two years that it is attentive to providing relief to Canadians who suffer from consequences that are, in some cases, beyond their control, and from the consequences of decisions made by provincial governments, and sometimes the federal government, and has taken measures to address serious social issues, such as the pandemic, which we still seem to be living through, regrettably.

The government is also mindful of the impacts of its policies to address climate change and it has, over the past number of years, also provided assistance to both sectors and individuals. We anticipate with interest the budget that will be tabled in two short days, and we expect to have answers to some of your questions revealed at that point.

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Donald Neil Plett (Leader of the Opposition): Your Honour, I would like to stand on a point of order.

On Thursday of last week, when I wasn’t in the chamber, the leader of the government asked Senator Housakos a question after Senator Housakos’s very good speech given in the Senate regarding hybrid sittings — and, indeed, good arguments were made by many of my colleagues — that we needed to get back to this place and do our job here the way we were intended to.

[Senator Gold]

Of course, this moment is the first opportunity I have had to stand on this. I want to say at the outset, Your Honour and colleagues, that I’m not seeking any recourse; I simply want to put some things on the record as a point of order. I do that now. There is no recourse required from you, Your Honour, on this issue, as far as I’m concerned.

Senator Gold asked Senator Housakos a question, and this is from *Hansard*:

Our Rules, which are well established, do give both the government and the opposition a veto over whether a committee request to sit, notwithstanding that the Senate may be adjourned for over a week — they can approve or disapprove. Honourable senators will know that those requests have often been disapproved.

Senator Gold goes on to say:

I’m asking whether you would agree, in light of the legitimate concerns you’ve raised about the importance of the work we do, especially in committees, and representing the opposition as the leader — at least today — that those requests should in fact be acceded to such that committees could do the work with greater time and resources.

The words “. . . that those requests should in fact be acceded to . . .” imply that you just simply approve whatever request is made.

I wasn’t here to defend myself, Your Honour. When comments like “have often been disapproved” are made, I would take that not as an accusation, but at least as an assertion that I had rather flippantly not given approval to committees that wanted to sit on Mondays after the Senate had been away for more than a week.

I had a clerk of committees do some research for me and help me with this, and I would like to put on the record that there were a total of 13 requests made for 24 different committee meetings. I approved 18 of the 24 meetings. I’m not sure what “often been disapproved” means.

For the week of January 31 to February 4 of this year, there were five committees that had originally requested to meet. I withdrew approval for three of them because they were meeting on future business only. As I explained to the clerk, I did so in light of decisions made to extend the adjournment of the Senate to limit the number of staff on site because of the convoy in downtown Ottawa. I said that, because of what we were told were dangerous circumstances for people to come to work, the Conservatives would be withdrawing approval for committee meetings that did not have any business before them. For committees with no business before them, we withdrew approval for them to sit.

The two committees that did meet with our approval had witnesses invited, so it was important that they meet.

For the week of March 21, 2021 — a year ago — I, again, did not give approval for a meeting of the Legal Committee during a break week, which was a meeting on Bill C-3, because not all the steering members had been consulted.

Your Honour and colleagues, we have seen motions brought forward here that would give committees the opportunity to meet without consultation between the government leader and the Leader of the Opposition, and that is when we would have a runaway train.

There are reasons we have had rules in this place for 150 years — rules that have actually accommodated us quite well. There is a specific reason why it has been decided that the government leader and the Leader of the Opposition decide whether committees should meet at certain times. Generally, they gather all the facts and do not just simply, 30 seconds, or a minute and 30 seconds after a request is made — as we have seen on some occasions — reply with an email that reads, “I agree.” Rather, we think this through and see whether there may be problems.

Without question, colleagues, it is a problem with translation and setting up hybrid meetings. It is easy to have meetings when we are all here and meet in person. Yes, translation is needed, but we don’t need all the resources required for hybrid meetings. There are a limited number of committees that can meet at one time. That has to be considered.

The government casting aspersions on the opposition does not help with camaraderie. It does not help us to get along, negotiate and facilitate each other’s requests, and work in the spirit of unity. Too often, I believe, one side is being accused of not listening. Senator Housakos, who was in no position to know what meetings I had approved, had not approved and why they weren’t approved, gets asked in my absence, and a suggestion is made in my absence that these requests have often been disapproved.

• (1510)

I take issue with that. I take issue with the fact that the government is trying to put the opposition into a defence position. That’s not the way this chamber has worked in the past. The government needs to defend what they are doing.

Even though we are called the opposition, I believe that I and leaders of the opposition before me have tried to work in a collaborative way, and we would like to continue to do that. I quite frankly think that Senator Gold has the same desires and has done the same things. But when a senator is not here to defend himself or herself, to have a question like that put forward and to have a comment like that made when it is an absolutely untrue statement, I find troubling.

But I have put it on the record, Your Honour, and I would just as soon simply let it stand for the record, that we move on and that we, including myself, all try to do better in the future. Thank you.

Hon. Tony Dean: Honourable senators, on the same point of order, if I could briefly respond for the record and for context, because context is always important.

The context last week — and I was sitting here listening to the discussion — was one in which Senator Housakos spent a considerable period of time, Your Honour, insinuating that hybrid sittings and those who are supportive of them were in some way deleterious to the effective operations of the Senate.

I think a number of us sat here listening to that discourse and were rather offended by it. I know I certainly was. Some of the senator’s remarks signified to the public that senators were in some way shirking their responsibilities to Canadians. It’s not a stretch to say that. I’m not reaching to say that. I’m not digging deep to say that. That was the nature of the comments made — that somehow those who support hybrid sittings were not living up to their responsibilities.

Nothing could be further from the truth. This chamber and people on all sides of it, in the context of hybrid sittings, have given of their best, have processed government bills, processed government business and processed private members’ business; have made important statements; have been productive in every sense of the word; have lived up to their constitutional responsibilities. Suggestions to the contrary were, frankly, deeply offensive to many of us in this room. Actually, that’s one of the reasons that I’m grateful for the opportunity to comment on that right now.

Senator Housakos was certainly not speaking in the spirit of unity and commonality that Senator Plett exhorts us to do today. If that had been the case, perhaps those remarks would have been more evenly balanced. It was negative, it was critical and it was far from collaborative.

Your Honour, thank you for the time to say this. There was very little mention made of the health concerns associated with the reasons for hybrid sittings, for the devastation across this country and to people across this country, the devastation to relatives of some people in this chamber, the devastation to one particular person in this chamber who is no longer with us. That’s the backdrop to hybrid sittings.

Senator Plett: That is a low blow. Shame on you.

Senator Dean: I stand by my word. Please do not interrupt me, Senator Plett.

Senator Colin Deacon pointed out to us that there were other reasons to confront the possibilities and virtues of hybrid sittings, which related to the benefits of the use of digitization and digital technology for productivity that could contribute to the savings of costs as we do our work in this place, that could contribute to those who worry about their health as they travel from the coasts and to those who may, over time, be concerned about the environmental impact of long-term travel.

Hon. Leo Housakos: Your Honour, point of order.

Senator Dean: I could say more, but that is where I will end. Thank you for the opportunity to respond.

The Hon. the Speaker: Honourable senators, Senator Plett has raised what he deemed a point of order, and obviously rule 2-5(1) permits the Speaker to hear any interventions senators wish to make with respect to a point of order, but he also said it's not something he's raising for any recourse, so that takes it out of the realm of a point of order. I would consider it more of a point of information.

Senator Dean has spoken on what he considered at the time a point of order, and I believe Senator Housakos right now wishes to raise a point of order.

Senator Housakos: Your Honour, just to follow up on your comments, Senator Dean did not get up on a point of order. He got up on debate on an issue that's not right now on the Order Paper. He would be more than welcome to debate the issue of the hybrid motion, but I think colleagues have to understand when there is a debate on a point of order, they're obligated to speak to the point of order, not to deviate and go on to debate. Other than that, I will accept the comments of Senator Dean, but with all due respect, of course, I disagree. Thank you, Your Honour.

The Hon. the Speaker: Thank you for your comments, Senator Housakos, but, as well, I do not consider your comments a point of order but rather a point of information.

BILL RESPECTING REGULATORY MODERNIZATION

SECOND READING—DEBATE ADJOURNED

Hon. Yuen Pau Woo moved second reading of Bill S-6, An Act respecting regulatory modernization.

He said: Honourable senators, I'm pleased to be the sponsor of Bill S-6, An Act respecting regulatory modernization, and to speak to it at second reading.

Bill S-6 has been introduced in this chamber so that we can thoroughly study it on behalf of Canadians. I'd like to thank all of you in advance for your wise counsel on this bill, and I look forward to our collective deliberations.

[*Translation*]

Businesses are the backbone of Canada's economic success. They create the goods, services and wealth that have made our country so prosperous. As we emerge from the pandemic and look ahead to the economic recovery, Bill S-6 will help Canadian businesses by ensuring that the regulatory system evolves to keep pace with changing technologies and that it reflects today's realities.

[*English*]

This bill will make regulatory processes simpler and easier to navigate, moving paper-based or in-person processes online and ensuring Canadian regulations keep pace with international trends.

• (1520)

Specifically, Bill S-6 proposes to modify 29 acts through 46 amendments and it applies to 12 departments and agencies.

While the immediate impact of each proposal is relatively modest, all the proposals aim to eliminate legislative irritants and to reduce the overall administrative burden that have become barriers to innovation and economic growth. What's more, all of the proposals are cost-neutral and the associated risks are low to non-existent.

Taken together, these amendments represent meaningful change to the federal regulatory system and the need for continued commitment to its modernization.

[*Translation*]

Before I get into the details, allow me to provide some information on how this bill came about.

[*English*]

To begin with, the process to modernize regulations is part of the mandate of the President of the Treasury Board of Canada. In her mandate letter from the Prime Minister, Minister Fortier is asked to continue regulatory reform efforts in collaboration with her cabinet colleagues. This includes improving transparency, reducing administrative burden and harmonizing regulations that maintain high safety standards and improve the competitiveness of Canadian businesses.

The bill is meant to be a recurring legislative mechanism that allows the federal government to address overly complicated, inconsistent or outdated requirements and to keep the regulatory system relevant and up-to-date. It is designed to address legislative challenges raised by businesses and all Canadians through consultations and targeted regulatory reviews. Business stakeholders, including the Economic Strategy Tables and the Advisory Council on Economic Growth, have emphasized the importance of regularized mechanisms in order to review and update Canada's regulatory system.

In addition, the External Advisory Committee on Regulatory Competitiveness, made up of business, academic and consumer stakeholders, has recommended that there be continued efforts to reduce the administrative burden of regulations and to ensure that they are "future proofed," which means keeping pace with changing technologies and business realities.

By amending laws that are too inflexible, too specific or simply outdated, this bill is an important reminder of the need for ongoing regulatory review and legislation that stands the test of time.

The bill does just that, and it also helps address irritants in regulatory processes, ensuring that our regulatory system evolves with the times.

This bill is a key part of the government's plan to improve the regulatory system. Initiatives supporting regulatory reform were announced in four successive budgets beginning in 2017. In the 2018 Fall Economic Statement, the government announced that starting in 2019, it would introduce annual legislation to ensure

that the regulatory system evolves with changing technologies and reflects the current realities, challenges and opportunities faced by business.

Accordingly, the Budget Implementation Act 2019, No. 1 included a regulatory modernization component that modified 12 pieces of legislation. That bill included measures to digitize paper-based processes; enable innovation through regulatory sandboxes that allow exceptions from certain regulatory requirements to test new products; and to make rule changes in consideration of zero-emission vehicles.

The current Bill S-6 would have arrived in Parliament sooner but for the COVID-19 pandemic. It was, however, foreshadowed in Budget 2021 in which the government committed to table in Parliament the second Annual Regulatory Modernization Bill, which is Bill S-6.

Let me now turn to some of the key amendments proposed in this bill.

There is a change, for example, to the Canadian Food Inspection Agency Act that would allow the CFIA to deliver services and for businesses to interact with the agency using electronic means rather than having to rely solely on paper-based transactions. This will reduce the administrative burden for businesses and allow them greater flexibility in their interactions with government.

In addition, there are amendments to the Canada Transportation Act that would allow for new mechanisms to integrate changes more quickly to international safety standards. This would ensure that our transportation sectors are meeting the most up-to-date safety standards, keeping pace with changes in technology and innovation. The Standards Council of Canada, on whose board I served for a number of years, examined 34 Transport Canada regulations in 2021 and found that 41% of the standards referenced in those regulations are outdated.

There are also changes to the Department of Citizenship and Immigration Act to enable information-sharing to help administer any federal or provincial law for permanent and temporary residents. This would support collaboration between federal departments, provinces and territories and enable faster processing of applications to address labour market needs. Did you know that 50% of permanent residency applicants already have temporary residency applications approved and, hence, have already provided much of the information needed for their PR applications? This is not trivial, because some forms require the applicants to address more than 100 questions.

There are other amendments, for example, to the Canada Business Corporations Act, the Canada Not-for-profit Corporations Act and the Canada Cooperatives Act to simply change the term “annual return” so that it doesn’t create confusion to stakeholders.

Colleagues, if you are thinking what could be so confusing about the term “annual return” and asking yourself if it isn’t just the tax return that companies have to file every year, the answer is that it is not. If you figured that they were one and the same, you would be among the thousands of Canadian business owners who have been confused by this nomenclature.

In fact, the annual return that is referenced in the Corporations Act and related acts is not the same as the tax return that is administered by the CRA. Rather, it is an annual submission to provide updated information about the entity, shareholders, directors and officers. Not filing this information for a number of years can result in a company being dissolved, as well as expenses to revive the company.

A simple, possibly innocent, error due to confusing nomenclature can result in significant consequences, and the proposed amendment in Bill S-6 seeks to eliminate the likelihood of such errors.

Adding clarity through these amendments would reduce the risk of active corporations becoming dissolved because they did not file.

I would also mention the amendments to the Electricity and Gas Inspection Act to allow the use of different sampling methods to verify electric and gas meter measurements. Electric and gas meters are used by utility companies in residential and commercial properties to track energy usage for billing purposes. Allowing greater flexibility in the sampling and testing approach would help ensure that Measurement Canada — the agency responsible for regulation — only samples what is required to verify accurate readings, saving time and money.

• (1530)

There are also amendments to the Fisheries Act that would clarify that fisheries officers have the authority to use alternative measures in response to minor violations, which is an authority that was unclear in the existing legislation. This change could not only reduce the number of lengthy and costly court processes but also ensure that small violations don’t result in criminal records and the stigma and barriers that can come with it.

The use of such alternative measures has been supported by the fishing community and by Indigenous groups. In fact, all of the proposed amendments come from either the advice of multi-stakeholder groups that are involved in ongoing consultations or targeted regulatory reviews, or from the recommendations of our very own Standing Joint Committee for the Scrutiny of Regulations. I have been a member of the Scrutiny of Regulations Committee almost the entire time that I have served in the Senate, and I’m very pleased for the recognition that this bill gives to the important work of that committee.

Perhaps next time there is committee selection, there will be a rush of applicants to join the Scrutiny of Regulations Committee.

Since the amendments are both disparate and quite technical, I will not be able to address all of them in this speech nor likely even to address all of the questions you may have on very specific items in the bill, which is why I think the best place to study the specific amendments is in committee. I would encourage us to send the bill to the relevant committees as soon as possible so that they have sufficient time to do their work.

Honourable colleagues, these are just a few of the amendments included in the bill, but I think they give you a sense of the breadth and the potential impact of having it passed.

Looking ahead, the Treasury Board Secretariat is already considering proposals for the third Annual Regulatory Modernization Bill. A key theme of this next round of modernization will be how it might contribute to the response to COVID-19 and recovery efforts to that end. Businesses and all Canadian stakeholders will have the opportunity to share their views on improving the regulatory system. A consultation will take place this fall to collect ideas for potential amendments to be included in subsequent regulatory modernization bills.

Let me add that because this is meant to be an annual exercise with an Annual Regulatory Modernization Bill introduced each year, passing this Bill S-6 as a stand-alone bill will help establish a precedent for future bills and, I hope, establish the commitment that Parliament has to ongoing improvements to our regulatory system.

Colleagues, in addition to the Annual Regulatory Modernization Bill exercise, there are other ongoing initiatives to modernize our regulatory system. For example, there is a process of targeted regulatory reviews to reduce barriers to economic growth and competitiveness, and to advance novel regulatory approaches to support innovation.

Federal regulators are also implementing regulatory road maps for two rounds of reviews. Some of the areas of focus for these regulatory reviews have included agri-food and aquaculture, health and biosciences, transportation, clean technology and international standards to name just a few. Indeed, some of the changes proposed in Bill S-6 stem from the regulatory reviews that I just described.

There is also within government something called the Centre for Regulatory Innovation that promotes a whole-of-government approach to regulatory experimentation to support innovation and competitiveness, and help regulators and the regulatory system keep pace with technological advances.

Finally, Canada is actively engaging with partners in the United States and the EU, as well as with provinces and territories, to reduce unnecessary regulatory differences and eliminate duplicative requirements among jurisdictions.

Honourable senators, this bill is about modernizing Canada's federal regulatory system. It seeks to make the system more efficient and less burdensome, while maintaining protections for consumers, health, safety and the environment. I look forward to working with all of you on this bill, and I hope we can soon send it to the committees for their detailed scrutiny of the proposed amendments.

Thank you.

Hon. Jim Quinn: Would the Honourable Senator Woo accept a question?

Senator Woo: Yes, of course.

Senator Quinn: Honourable senators, I rise this afternoon on behalf of our honourable colleague Senator Robert Black who can't be with us this afternoon. The question is as follows:

For the past few years, there has been extensive work highlighting the importance of regulatory modernization to Canadian agriculture and, by extension, the Canadian economy. Starting with the Advisory Council on Economic Growth, the Barton Report, and followed by the Agri-Food Economic Strategy Table, this work culminated in the Agri-food and Aquaculture Roadmap and regulatory review that involved significant consultations with agri-food stakeholders.

How does this bill, which touches on many critical pieces of legislation for Canadian farmers, relate to that road map and reflect the voices of Canadian farmers that informed that work?

Senator Woo: I thank you, and I thank Senator Black for being the originator of the question.

By my count, 22, possibly 23, of the amendments out of the 46 in the bill, apply to the agriculture and agri-food sector. Many of those amendments derive precisely from the regulatory efforts and consultations that you reference, both the agriculture and aquaculture regulatory review process, as well as the so-called Barton Report.

To give you some examples, number 17 on the Feeds Act and number 25 on the Seeds Act — feeds and seeds — will bring about changes in the legislation to allow for mutual recognition of feed and seed safety guidelines between Canada and a partner country — in what they call equivalents or mutual recognition agreements — in order for processes in seeds and fertilizers and other materials to be shared between the two countries without repeating the testing and approval processes. That is believed to be helpful to our industries and to augment and enhance trade between Canada and trading partners.

Another example would be amendment 30, which has to do with the control of breakouts of animal disease. The current legislation is a bit unclear in terms of what a control area is and whether a place that has an incidence of this disease would be considered to be subject to the regulations, even if it is outside the control area. The amendment makes clear that a so-called place that is designated would be subject to the same restrictions, even if it were not part of the so-called control area.

Hon. Denise Batters: Senator Woo, I actually had the privilege of being the joint chair of the Scrutiny of Regulations Committee in 2014 and 2015, prior to that election. I was a member for a couple of years before that, from the time that I came to the Senate. I certainly know and understand that it is a very important committee where this type of technical work gets done.

• (1540)

Stemming from my work for the Government of Saskatchewan, I saw it as a real benefit to have these types of regulatory statutes, which are brought forward quite often — in Saskatchewan, generally they try to do this every year or two —

where they tidy up these regulations and statutes. When I was joint chair, I suggested strongly that this be done by the federal government to ensure these types of corrections to statutes can be made in a timely way.

However, I don't think that has happened. Since the Trudeau government has been in power, I'm not sure how many times these types of regulatory statutes have been tidied up. Could you please answer that question?

Just yesterday the Scrutiny of Regulations Committee had its first meeting of this parliamentary session, already several months into it. Has that also been a problem, that we haven't had many Scrutiny of Regulations meetings? We used to have them every two weeks when I was joint chair.

Senator Woo: Thank you, Senator Batters, for the question. Let me start with the question about the committee's constitution.

We did, in fact, meet yesterday for the first time in this Parliament. I'm honoured to have been elected joint chair, together with MP Blake Richards from the House of Commons. We will meet every two weeks now until we rise for the summer and we hope to get as much work done as possible.

Some of the work of the Scrutiny of Regulations Committee can translate into immediate change on the part of the government if it doesn't require a change in legislation. You will know, since you were a former joint chair, that a number of the requests the committee has made to departments pointing out errors in their drafting of regulations has resulted in their making the changes. Sometimes it's like pulling teeth, you will remember. That kind of progress can be made without, in fact, changing the acts.

Of course, if errors spotted by the Scrutiny of Regulations Committee require changes in legislation, then we are into this kind of process here. Indeed, Bill S-6 contains at least a dozen measures that derive directly from the direct or indirect advice of the committee. I would be happy to provide more information on what specific advice was given. Those of us who have served on this committee should take pride that our observations in the committee — with the blessing of this chamber and the House — will result in changes to legislation.

However, Bill S-6 is much more than just cleaning up of regulations and laws based on the comments of the Scrutiny of Regulations Committee. The majority of changes in Bill S-6 derive from either the regulatory review process that is held with business and consumer stakeholder groups, which Senator Quinn referred to, or they derive from targeted Regulatory Reviews that the government has launched in particular sectors.

We have three streams of material that have fed into Bill S-6. We have the work of the Scrutiny of Regulations Committee, often of a technical nature and to do with the integrity of the bill; we have the regulatory review consultation process with stakeholders and, finally, we have the targeted Regulatory Reviews that are led by departments.

Senator Batters: Senator Woo, thank you for that. However, my question remains unanswered.

Perhaps you can answer this: Is this the first regulatory statute of this type from the Trudeau government during its six and a half years in power? If not, how many have there been? How many meetings did your committee have during the last parliamentary session, given that we are already several months into this session and we just had the first meeting?

Senator Woo: We call this the second Annual Regulatory Modernization Bill. The first one was part of the 2019 Budget Implementation Act. It was embedded within that bill but clearly spelled out as the first set of regulatory modernization activities. The short answer is that this is number two.

Insofar as Scrutiny of Regulations Committee meetings during the last Parliament, I believe we had one substantive meeting. The reasons are well known to all of us. It was lower in the pecking order in terms of priority time slots for committees to meet. Being a joint committee made it more complicated. There were delays in the nomination of the joint chair on the other side and, of course, there was a short parliamentary session.

However, as I mentioned, we now have some runway. With a bit of luck, we can get five meetings in before the end of June, and we hope to get a lot done.

Hon. David Richards: Senator Woo, would you take a quick question?

Senator Woo: Yes, of course.

Senator Richards: You mentioned in this regulations act the relaxation of fishery charges. Would you have information on which specific charges you are talking about? If you don't have the information at hand, could you send me an email about this, please?

Senator Woo: Thank you, Senator Richards. The best place to get those detailed answers is in committee. I look forward to detailed scrutiny. I think it's not so much a relaxation of rules but, rather, the ability for fisheries officers to legally use alternative dispute settlement mechanisms for minor infractions of the Fisheries Act.

Hon. Dennis Glen Patterson: I would like to ask Senator Woo a question.

Senator Woo, thank you for that informative speech. You have urged that the bill go to committee; however, it covers a broad area and a number of existing statutes. Do you see one committee being a main committee? How would committees of the Senate deal with such a broad piece of legislation? Thank you.

Senator Woo: Thank you, Senator Patterson. The question and the decision on which committee or committees the bill goes to are now beyond my pay grade. I know the leaders are discussing this issue. I believe they are contemplating sending the bill to multiple committees. I think we can roughly guess which committees are suited for which amendments.

I do agree with you — if, in fact, this is what you were suggesting — that there should be a master committee; again, I leave that decision to the leadership.

What I will say, though, colleagues, is that if we agree that regulatory modernization is a good thing and that we should do it on a regular basis — sort of like housecleaning, right? — if we have to do spring cleaning every year, let's think about how best to do it in the Senate and how best to organize ourselves so that we don't have to debate which broom to use and which mop is the most efficient.

Personally, I would like to see us play a leadership role in the broader issue of regulatory reform for this country and to provide some leadership in Parliament in terms of pushing forward this agenda on a regular basis, regardless of the government in place. This bill will give us the opportunity to think about what some best practices might be.

(On motion of Senator Martin, debate adjourned.)

• (1550)

**STUDY ON MOTION TO RESOLVE THAT AN AMENDMENT
TO THE CONSTITUTION (SASKATCHEWAN ACT) BE
AUTHORIZED TO BE MADE BY PROCLAMATION
ISSUED BY THE GOVERNOR GENERAL**

FOURTH REPORT OF LEGAL AND
CONSTITUTIONAL AFFAIRS COMMITTEE—DEBATE

The Senate proceeded to consideration of the fourth report of the Standing Senate Committee on Legal and Constitutional Affairs, entitled *Report relating to Government motion 14 (taxation of the Canadian Pacific Railway in Saskatchewan)*, presented in the Senate on March 31, 2022.

Hon. Mobina S. B. Jaffer moved the adoption of the report.

She said: Honourable senators, I am rising to speak today on what was said during the Standing Senate Committee on Legal and Constitutional Affairs study of Motion No. 14 regarding the taxation of the Canadian Pacific Railway in Saskatchewan.

Due to time constraints, the committee was not able to prepare a detailed report of our study, and I believe it is important that you all hear a bit of what was said by each witness we heard from. My purpose is also that this may not be the only time we will be studying this issue. We may have the same issue come from the Government of Alberta and the Government of Manitoba.

With that said, during the week of March 21, the committee undertook a study of Motion No. 14. This motion is related to the proposed constitutional amendment to The Saskatchewan Act. To date, this motion has received unanimous support in the Legislative Assembly of Saskatchewan and in the other place.

On March 23, the committee held two meetings over the course of eight hours, during which it heard from 12 witnesses with varying perspectives on this matter.

During the first meeting, the following people attended: Honourable Gordon Wyant, Louise Baird, Daniel Bourgeois, Michelle Lang, Warren Newman, Nancy Othmer, Merrilee Rasmussen and Michael Vandergrift.

Mr. Vandergrift is the Deputy Minister of Intergovernmental Affairs, Privy Council Office. He reminded the committee that the potential for a bilateral constitutional amendment, while rare, is certainly not unprecedented. Indeed, he said:

Saskatchewan's request is that the houses of Parliament pass parallel resolutions authorizing the repeal of section 24 of the Saskatchewan Act in accordance with the section 43 amendment procedure in the Constitution Act, 1982. Should another provincial legislative assembly adopt a resolution for a bilateral constitutional amendment of a similar nature, be it Alberta, Manitoba or any other province, the Government of Canada would study and consider the proposed amendment as we did in this case. While this proposal for a bilateral constitutional amendment is a rare occurrence, it's not unprecedented. The bilateral amendment procedure has in fact resulted in seven constitutional amendments since 1982, each of which amended provisions of the Constitution of Canada that applied to a single province.

The next witness was Nancy Othmer, Assistant Deputy Minister, Public Law and Legislative Services at Canada's Department of Justice. Ms. Othmer provided us with a detailed reminder of the procedure under any constitutional amendment as well as two standout historic examples of constitutional amendment proposals. She said:

... there are five amending procedures. Two of them have been widely publicized, the general procedure and the unanimous consent procedure. The general procedure, under section 38 of the Constitution Act, 1982 requires the authorization of both this house and the House of Commons and at least 7 of the 10 provincial legislative assemblies representing 50% of the provincial population. Only one constitutional amendment has been made under this 7/50 procedure, and that was in 1983, to strengthen the rights of Indigenous peoples under section 35 of the Constitution Act, 1982.

The unanimous consent procedure is set out in section 41, and it applies to a limited number of subjects. It requires the approval of 2 federal houses as well as all 10 provincial assemblies. Both the Meech Lake and the Charlottetown Accord packages were constitutional proposals subjected to this stringent standard.

The next witness we heard from was the Honourable Gordon Wyant, MLA and Minister of Justice and Attorney General for the Government of Saskatchewan. I want to say that Minister Wyant was an exceptional witness. I found the minister to be very welcoming of the committee's questions and equally forthright in his responses.

Minister Wyant eloquently articulated the position of the Saskatchewan government:

Section 24 . . . restricts the taxation powers of the people of Saskatchewan and gives a strong competitive advantage to one of Canada's most successful and profitable businesses, Canadian Pacific Railway.

In our view, section 24 is bad tax policy. It would mean that one business corporation is a free rider, entitled to take the benefits of all the services and infrastructure that Saskatchewan provides but which is not required to contribute its fair share in taxes.

Tax fairness means that every resident and business corporation pay their fair share

But Minister Wyant indicated that CPR says it doesn't have to pay its fair share, and he went on to say that:

In our opinion, that's a slap in the face to the residents and the people of Saskatchewan, who do pay their fair share.

We then heard from Merrilee Rasmussen, a lawyer. Ms. Rasmussen outlined her own professional experience with Motion No. 14. She recalled:

. . . my involvement with the proposal . . . began in the early 1990s . . . in Saskatchewan's Intergovernmental Affairs department. . . . We prepared at that time a proposed resolution, but it was not taken up by the government of the day. I would speculate the reason for that is because, as Minister Wyant has pointed out, there was no practical concern with the issue of CPR taxation, because the CPR had paid taxes since Saskatchewan became a province in 1905.

We then heard from Warren Newman, Senior General Counsel, Public Law at Canada's Department of Justice. In Mr. Newman's opinion:

. . . we're talking about an amendment to the Constitution of Canada. You heard earlier from fellow witnesses about the amendments in Newfoundland in relation to the denominational schools. There were three of those amendments. One of those amendments was made in 1997, and it was, again, a variation on the term — term 17 — relating to denominational schools, and litigation arose under that amendment. The province turned around and put forward another amendment to abolish the guarantees altogether in 1998, and that constitutional amendment went through both the House of Assembly of the province and the federal legislative houses. There was subsequent litigation on the basis of that, which I have alluded to, as well. The court upheld the validity of the amendment.

Daniel Bourgeois is a Senior General Counsel, Tax Law, at Canada's Department of Justice. Mr. Bourgeois shared with the committee his opinion on the relationship between the ongoing court matters and this motion:

This constitutional amendment procedure, which seeks to repeal section 24 of the Saskatchewan Act, will have no impact on the federal litigation or on the contractual obligation that is there, so no, this process will have no impact on the arguments raised in the Federal Court litigation.

Witness Louise Baird, Assistant Deputy Minister, Intergovernmental Affairs in the Privy Council Office, and Michelle Lang, Chief of Staff for the Honourable Gordon Wyant, Minister of Justice and Attorney General for the Government of Saskatchewan were instrumental in their support of Minister Wyant, and we are appreciative for their appearance.

• (1600)

Over the course of our second meeting, we heard from James Clements, Dwight Newman, Benoît Pelletier and Patrick Taillon. James Clements is the Senior Vice-President, and is responsible for strategic planning and technology transformation at Canadian Pacific. Mr. Clements encouraged the committee to consider the historical context of the commitments entered into by Canadian Pacific and the federal government. In his words:

. . . the Parliament of Canada passed the 1881 CPR Act. That legislation provided for both a series of incentives to assist in getting the railway financed and built and a series of obligations on CP, including building the railway and, uniquely at the time, the obligation to operate it forever.

One of those incentives was an exemption to allow part of CP's operations to be forever free from taxation, known as Clause 16.

Honourable senators, the following witnesses were experts in constitutional law. The first constitutional law expert we heard from was Benoît Pelletier, a professor at the University of Ottawa. I would like to share with all of you one of Mr. Pelletier's responses to my question regarding whether, if this motion passed, it would affect the ongoing lawsuits. Specifically, would the lawsuits which are seeking reimbursement of taxes previously paid still be able to proceed and not be considered interfered with? Mr. Pelletier's response was meaningful, clear and exemplary of his expertise. In his own words:

. . . that question of retroactivity is not a simple question. In this case, we talk about taxation, which is a subject that is not highly sensitive for most people. But let's assume that we are talking, however, about human rights. Let's assume that we talked about a situation where the constituent decided to deprive someone retroactively of his or her human rights. That question of retroactivity is not something that could be simply solved. It's a question of legitimacy, not of legality or constitutionality. I make a difference between both. In this case, there is a question of legitimacy and fairness. However, I came to the conclusion that on the

constitutional aspect of the question, the motion is valid and the amendment would be valid if passed by the Senate, the House of Commons and the legislature of Saskatchewan.

Next, the committee heard from Dwight Newman, Professor of Law and Canada Research Chair in Indigenous Rights in Constitutional and International Law at the University of Saskatchewan. Mr. Newman shared his expertise of constitutional law with the committee. In Mr. Newman's opinion:

There has been overwhelming democratic support within Saskatchewan for the constitutional amendment before you.

The amendment at issue is, in many ways, a simple adaptation of constitutional text to respond to modern circumstances with a correction and clarification of that text quite consistent, in many ways, with patterns of use of this amending formula.

[*Translation*]

The last witness we heard from at the first meeting was Patrick Taillon, a professor and co-director of the Centre for Constitutional and Administrative Law Studies at Laval University.

Mr. Taillon shared his opinion on the motion and said:

. . . the Saskatchewan resolution is very important. It provides a better understanding of why sometimes we succeed on the constitutional front and sometimes we fail. Like other amendments made through the bilateral procedure under section 43 of the Constitution Act, 1982

[*English*]

The Hon. the Speaker pro tempore: Senator Jaffer, I am sorry, but your time has expired.

Senator Simons, your microphone is not on. Honourable senators, it seems that the console system has an issue, so we will take a break for a few minutes.

(The sitting of the Senate was suspended.)

(The sitting of the Senate was resumed.)

• (1620)

The Hon. the Speaker pro tempore: Honourable senators, I am informed that the console is now functioning. It is not an issue of our hybrid sitting, to make sure you understand the technical issue.

FOURTH REPORT OF LEGAL AND CONSTITUTIONAL
AFFAIRS COMMITTEE—DEBATE ADJOURNED

On the Order:

Resuming debate on the motion of the Honourable Senator Jaffer, seconded by the Honourable Senator LaBoucane-Benson, for the adoption of the fourth report of the Standing Senate Committee on Legal and Constitutional

[Senator Jaffer]

Affairs, entitled *Report relating to Government motion 14 (taxation of the Canadian Pacific Railway in Saskatchewan)*, presented in the Senate on March 31, 2022.

Hon. Paula Simons: Honourable senators, I want to start today with some history. In 1880, the Government of Canada signed a contract with the Canadian Pacific Railway, or CPR, granting to the railway the right, in perpetuity, to be exempt from paying taxes along its proposed route through the Canadian Prairies.

In 1880, let's remember, the provinces of Saskatchewan and Alberta did not exist. It had only been in 1869, just 11 years before, that the Hudson's Bay Company sold the territory it called Rupert's Land to the government of the new nation of Canada for the fire sale price of £300,000 or \$1.5 million — although you could argue that the Hudson's Bay Company got a pretty good deal since the land in question didn't actually belong to them. The land had never been conquered by the British Crown. It was Hudson's Bay Company trading territory, but it had been, until that moment, the territory of the First Nations and the Métis Nation, who called it home.

Eventually there would be treaties that covered the land where the CPR would lay its rails, but those treaties weren't signed until years after the land sale: Treaty 4 in 1874; Treaty 6 in 1876; and Treaty 7, not signed until 1877, just three years before the government signed its deal with the CPR.

It was an act of no small colonial hubris for the government of Sir John A. Macdonald to award Canadian Pacific Railway the eternal freedom from paying taxes on land it had been given by the Crown for its right-of-ways. Yes, that's right — the CPR got the land for free and an everlasting tax holiday, too.

That same colonial spirit was strongly at play when Saskatchewan and Alberta finally entered Confederation in 1905, not as full-fledged provinces with the same rights as the others, but with slightly second-class status when it came to the governance of their own lands and natural resources. That same central Canadian colonial mindset helps to explain why the CPR tax exemption was written right into The Alberta Act and The Saskatchewan Act, and thus into the British North America Act itself.

I mean, it is absurd, when you think about it. We actually wrote a corporate subsidy — a perpetual tax holiday — for one private company right into our Constitution, our nation's supreme piece of legislation. And we left it right there in 1982 when we repatriated our Constitution, making the taxpayers of Alberta, Saskatchewan and Manitoba, too, perpetual second-class citizens, perpetually on the hook, committed to subsidizing the cost of Sir John A. Macdonald's crony capitalism forever and ever, amen.

Perhaps the reason this issue didn't come up 40 years ago when we brought the Constitution home is because the CPR actually started paying its taxes on the Prairies voluntarily in 1966. Perhaps that's why no one dealt with this oddball anachronism in 1982 when we opened up the Constitution for review and restructure.

Indeed, this whole matter might have been consigned to the history books if the CPR hadn't sued the three Prairie provinces in 2008, demanding the return of the taxes they had already voluntarily paid, or, to be more precise, for six years of back taxes, the most they could claim under the statute of limitations.

Their logic was based on a 2007 Supreme Court of Canada decision called *Kingstreet Investments Ltd. v. New Brunswick (Finance)*. In that case, the Supreme Court held that restitution should be generally available for the recovery of monies collected under legislation that is subsequently declared to be ultra vires because it would be fundamentally wrong for a government to retain taxes it collected under a regime that was beyond its legal powers. To use a non-Latin phrase, CPR's interpretation of *Kingstreet* stirred up a hornet's nest.

Today, we are specifically discussing a motion to end Canadian Pacific Railway's tax-free status in Saskatchewan, but let's note that the CPR sued Alberta, too, filing its statement of claim against my province on August 13, 2008. That was back when Ed Stelmach was Alberta's premier.

Though the case has yet to go to trial, or even to proceed to examinations for discovery, that lawsuit has stayed active throughout the premierships of Ed Stelmach, Alison Redford, Jim Prentice, Dave Hancock, Rachel Notley and Jason Kenney. Indeed, the CPR filed an updated statement of claim against Alberta in December 2020, demanding that it be exempt from paying carbon and fuel taxes, too.

• (1630)

So I'm speaking today very much as an Alberta senator and an Alberta taxpayer with a keen interest in ensuring that other Alberta taxpayers are getting their own fair deal from Confederation.

With that framing in mind, let me make three points.

First, despite the wording of The Alberta Act and The Saskatchewan Act, and despite the incorporation of this never-ending corporate subsidy into the Constitution, the deal is not written in stone, and legal authorities seem to agree that the Parliament of Canada has the right and power to amend it. Parliament, after all, is sovereign, and no parliament, one could argue, has the power to bind a future parliament in this perpetual way, because no one parliament — even one led by Sir John A. Macdonald — is superior to another.

This isn't a fairy tale from *The One Thousand and One Nights* or the Brothers Grimm, where a kingdom is cursed because its king signed some kind of blood contract with a jinni or Rumpelstiltskin. We have the power to break this spell.

This was a business deal inked in 1880, in a completely different world — one where Saskatchewan and Alberta didn't even exist and where no one imagined that CP would be changing its name to Canadian Pacific Kansas City Limited or be running trains all the way to Mexico. How logical is it for such an agreement to be binding 142 years later?

Second, there is, at the same time, a question of procedural fairness and what you might call natural justice. CP and the Government of Saskatchewan have been locked in an active legal dispute over this issue since 2008. For the Government of Saskatchewan and the Parliament of Canada to short-circuit that legal process by changing the rules so radically in the middle of the game isn't exactly sporting. To use an 1880 colonial idiom, it is "hardly cricket."

Now, maybe you don't feel particularly badly for CP. After all, they opened this can of worms when they sued back in 2008. They might have anticipated that Saskatchewan, rather than pay back millions in taxes, might use this nuclear option. Also, given that CP reported \$8 billion in revenues for 2021, maybe you're not feeling deeply sympathetic.

But I feel uneasy at the thought of amending the Constitution retroactively, as this motion proposes, backdating this change to 1966. The Constitution is the moral code and the DNA for our country. It has to be treated with respect and with the understanding that our actions have long echoes. For a government to reverse a constitutional entitlement in this *ex post facto* way sets a problematic precedent. What other constitutional rights or entitlements might a future government attempt to antedate in this fashion?

In its 1988 ruling in *Ford v. Quebec*, the Supreme Court of Canada held that the Constitution's "notwithstanding" clause could not be applied retroactively but only as an act of prospective derogation. I am no expert in constitutional law, although many here are, but from a common sense perspective, I can't help but wonder if a parallel philosophical argument for prospective derogation might not apply here also. I am happy to argue that we should change this deal going forward for the benefit of Saskatchewan's future. I am considerably less comfortable with a motion that seeks to time travel some 56 years into the past, not just to rewrite the Constitution but to rewrite history. It may be valid, but I'm not sure it's good public policy.

Here is my third concern: This is a stand-alone deal for Saskatchewan, a constitutional carve-out for one province, but Saskatchewan is flanked by Alberta and Manitoba, two provinces that share the same CP conundrum. Does it make sense to amend the Constitution for the benefit of only one province when two other provinces are in the same boat — or a rail car? There's an old expression, "That's no way to run a railroad." I can't help but feel that adage applies here.

Amending the Constitution in this patchwork, piecemeal way leaves us with an uneven and uneasy Confederation. As an Albertan, I'm upset that my own province has been left at the station, as it were, shunted to the side. This is not fair to Albertans, and it's an imbalance that cannot be allowed to stand.

I have attempted to reach out to the Alberta government to discuss this, and I'd be very willing to work with the province to see what can be done to address this imbalance. That might well include volunteering to move a motion in the Senate to ensure that Albertans get their just deserts.

In the meantime, I'm concerned that by doing these amendments bit by bit, we're missing a chance for a more coherent examination of these constitutional irregularities. I fear, too, that we're forfeiting the chance to address the role and the rights of Indigenous peoples through whose traditional lands in Alberta the CP main line runs, including the five nations of Treaty 7: the Siksika, the Kainai, the Piikani, the Stoney-Nakoda and the Tsust'ina.

Thank you for giving me, as an Alberta senator, this opportunity to speak up for the rights of all my fellow Albertans. It is long past time to correct a legal anachronism that denies the three Prairie provinces their constitutional right to levy and collect taxes on their own territories. We can't be a modern Confederation while Alberta, Saskatchewan and Manitoba are still treated like second-class colonies. I just wish we were tackling this problem in a somewhat different way.

Thank you, *hiy hiy*.

Some Hon. Senators: Hear, hear.

Hon. Kim Pate: Honourable senators, I thank my colleagues for their speeches on this matter.

I speak today to urge that we work together to uphold one of our most important duties as senators. As we well know, we share a responsibility to ensure that all perspectives are heard. Far too often, the perspectives of those most marginalized seem to be intentionally ignored. Today, we have an opportunity to ensure they are not.

Here are some important facts.

The 1881 agreement between the Government of Canada and CP Railway provided CP Railway access to traditional territories of First Nations peoples, both unceded lands and treaty lands. Clause 12 of the contract between CP Railway and the Government of Canada states:

The Government shall extinguish the Indian title affecting the lands herein appropriated, and to be hereafter granted in aid of the railway.

This blatant disregard for the rights of Indigenous peoples underpins and forms crucial context for Motion No. 14.

The lands transferred between CP Railway and the Government of Saskatchewan are governed by three treaties — 4, 6 and 10 — signed with the Cree, Saulteaux, Chipewyan, Ojibwe and Assiniboine. These were agreements negotiated in good faith between the Crown and Indigenous peoples but that have not been honoured by the Canadian government.

Tempting as it is to try to list the depth and breadth of all these broken promises, time today does not permit it so, for additional details, I will urge anyone interested to review the documents of the Royal Commission on Aboriginal Peoples, the Truth and Reconciliation Commission and the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls.

In order to provide you with just a taste of the sorts of issues involved, however, I feel it is important to give a few examples.

The first breach concerns the settlement on an area known as the "treaty ground," a place that was agreed to be set aside to conduct treaty business. It was the site where Treaty 4 was signed and where Indigenous peoples received their annual treaty compensation.

In 1882, Treaty 4 peoples were told to receive their payments on their reserves instead of on the ground. Although this decision was met with resistance by the First Nation, Indian Affairs unilaterally transferred the treaty ground to the Department of the Interior in 1894. It took more than a century for Treaty 4 peoples to get this land back.

Treaty 6 was signed when the Cree were in constant threat of starvation, as the bison population, their main source of food, was being hunted to extinction by arriving settlers. This was such a serious issue to the Indigenous peoples that they included a "famine and pestilence clause" in the treaty. Despite negotiating that provision, successive governments have failed to ensure First Nations enjoyed food or health security. Indeed, these, as well as economic insecurity, remain serious issues, with food insecurity alone ranging from the horrific average rate of 48% to the genocidal figure of 60% in too many First Nations communities.

Treaty 10 was not signed until 1906 — 25 years after the agreement between CP Railway and Canada. Even then, this treaty was nearly immediately breached with both the Canoe Lake Cree First Nation and English River First Nation not being given the full amount of reserve land promised.

There are also further concerns. Although, according to the government, treaties extinguished Indigenous land "ownership," all the First Nations involved maintain that they agreed to share, not sell, their lands.

There are also disputes about the nature and extent of the rights covered by these treaties. It is well recognized that during their negotiation, government representatives made oral promises that were not then reflected in the written versions of the agreements, otherwise known as the treaties.

• (1640)

The Supreme Court of Canada in *R. v. Badger* created the principles to govern treaty interpretation in light of these facts. Furthermore, Justice Sopinka wrote that even when the written version of an agreement was faithful to the oral promises, there were still linguistic and cultural barriers and unfamiliarity with the common law system that created an obligation to examine treaties in a special light. Treaties must be interpreted in the sense that they would naturally have been understood by Indigenous peoples at the time of signing.

These facts may be uncomfortable for Canadians to hear and learn. However, Canadians agreed to grapple with this difficult past in pursuit of a brighter future. Canada has adopted the United Nations Declaration on the Rights of Indigenous Peoples, many articles of which focus on remedying past colonial wrongs and rely on the good-faith negotiation of nation-to-nation relationships with Indigenous peoples. The government has

committed to implementing the Calls to Action of the Truth and Reconciliation Commission and the Calls for Justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls.

Most recently, Canada's commitment to reconciliation with Indigenous peoples was tabled as a top priority for the Canadian government and is included in the mandate letters of all 36 current members of the cabinet. Part of reconciliation requires that Canadians know, understand, acknowledge and work to rectify the truths of our racist colonial past that were for so very long ignored. Only then can we move on in the spirit of reconciliation.

This motion deserves this contextualization and more, dear colleagues, and I thank you for your time.

Meegwetch. Thank you.

Hon. Peter Harder: Colleagues, I'm going to invoke Senator George Baker, who often said, "I'm going to be brief." But, unlike Senator Baker, I will be brief.

But I did want to intervene in this debate to make a couple of points to, as Senator Pate said, contextualize our discussion. We wouldn't be having this debate if it weren't for Senator Tannas and his motion to refer this item to the committee for hearings.

As other speakers have made clear — the debate, such as it was in the legislature of Saskatchewan, two speeches, no witnesses, no committee; the other chamber, no witnesses, an opposition day debate and a unanimous motion — it was only in the Senate of Canada that we not only had a debate but we also heard witnesses.

And the contextualization of this motion, this constitutional amendment, that you have heard today and as we heard in committee, and indeed as we heard when the motion was first presented, I think, is a tribute to at least a Senate that won't be railroaded — pun intended.

But I think it also behooves us to ask what our role is in the Senate on such a motion. My view, which I would like to share with you, is that we have to assure ourselves that the motion is constitutionally appropriate and that we are exercising our role as prescribed in the Constitution for amendment purposes appropriately.

I want to assert that we have exercised our constitutional role and this motion, and the amendment it reflects is a constitutionally appropriate mechanism and a constitutionally appropriate conclusion.

But why do I want to speak?

I want to speak because I regret that in the report of the committee there were not observations that also reflected the concerns that we heard, quite apart from whether it is constitutional, which is our primary question. But there were

policy concerns raised in the hearings and confirmed in the questioning by senators and, indeed, you have heard some of them today.

I want to put on the record that those are appropriate policy concerns to raise as context, but they are not appropriate to determine whether you support the legislation. I know that's a fine point, but I'm going back to what the role of the Senate is with respect to constitutional amendments originating in a province.

Senators from Alberta and Manitoba, should your provinces choose to initiate a constitutional amendment as Saskatchewan did, you would be treated the same way. It's up to the province to initiate this.

And, by the way, the Senate only has a suspensive role, not a determinative one, in these amendments.

So when you hear the context of the debate today, and perhaps other days this week, remind yourself of what our role is and what our obligation is as a Senate. Please support the amendment. But also recognize that the policy issues of retroactivity, of engaging in amendments in the context of litigation, is not done without some degree of trepidation, at least on my part, and I'm sure on others.

Thank you.

(On motion of Senator Duncan, debate adjourned.)

NATIONAL RIBBON SKIRT DAY BILL

THIRD READING—DEBATE ADJOURNED

Hon. Mary Jane McCallum moved third reading of Bill S-219, An Act respecting a National Ribbon Skirt Day.

She said: Honourable senators, I rise today to speak to third reading of Bill S-219.

I would first like to thank my honourable colleagues for their support in having this bill sent to committee. In doing so, you helped to facilitate and hold space for youth.

This case concerns a young First Nations girl named Isabella Kulak. We hold space for her and, in doing so, we also hold space for other youth. This is so for two reasons: The first is to explore and understand why that violence occurred. The second is to focus on Isabella's responses, of which there were two: Shame initially, followed by a swift movement toward peace and conciliation.

I would like to begin my remarks today by explaining why I say that a violent act was committed. The gender violence committed was, and continues to be, transmitted through to future generations.

In her PhD entitled *A Feminist Poststructural Analysis of Aboriginal Women's Positioning in a Colonial Context: Nehinaw Iskwewak E-pikiskwecik*, or "Cree women's speak," author Dr. Marlene Elizabeth McKay stated:

This group of women was interviewed to give them an opportunity to share how they see their lives being produced for them. Aboriginal women's marginalization has become normalized through the systems, practices, and institutions that have materialized through the *Indian Act*, Christianity, Indigenous knowledges, and colonial relations with non-Aboriginal society. Discursive practices located in these structures establish and maintain ideas of how and who these women are supposed to be. How these women are positioned is largely a product of our Canadian colonial history.

• (1650)

The work of Michel Foucault informed this research. Foucault's rules and norms served as a lens to demonstrate how Aboriginal women are produced as unimportant and inferior. The notion of rules and norms is a social production that requires effort, and in this way these rules and norms are continuously being reproduced.

This socialization is learned and reproduced and therefore, appears normal and natural. . . .

. . . the outright daily racism that is imposed on them as a result of the social production that they do not matter, are unimportant, or are disposable. . . .

The discourse of the "dirty squaw" has become a dominant marker of Aboriginal women's identities.

Honourable senators, this is the reality that we are born into as Indigenous girls. We are marked even before we are born. Young Indigenous girls have to overcome the perception of the dehumanized Aboriginal woman as a dirty squaw. Intergenerational trauma experienced by First Nations girls and women is unique and it is violent.

I know this first hand, because I have had to deal with it all my life and continue to face it to this day.

As Dr. McKay states:

The political implications of producing the Aboriginal subject as subordinate have been immense, leaving Aboriginal people with the task of undoing the damage done by colonialism.

That is why Isabella's response is remarkable and points to the progress made by her parents, elders and the community. Women have continuously resisted oppressive systems to work toward a better future for themselves and their children. It speaks to the unrelenting power and spirit of First Nations women.

Colleagues, holding spaces is a concept that has been long practised and modelled by my people. For generations, holding spaces allowed children to learn from the land and nature with

the ability to do so with fluidity, safety and purpose. It allowed children to learn traditions and life skills through land-based teachings and to learn collective laws.

Some of these teachings from Elder D'Arcy Linklater include the following: *wakotowin*, or social capital; *Nehetho Tipethimisowin*, the exercise of sovereignty, belonging to yourself and the responsibility of decision-making roles that come with this exercise; and *Kistethichikewin*, the idea that the conduct of a person must be based on the sacred responsibility to treat all things with respect and honour.

I was taught by my elders, in the past and today, to be intentional about the conversation brought forward in these spaces. I have also been taught to encourage the asking of big questions and to sit with brokenness and discomfort, but also with joy and resolution. I would like you to join me and do the same as we create space for youth through this bill to give them voice at the national stage.

Honourable senators, Donald Winnicott is quoted in author Heather Plett's book *The Art of Holding Space: A Practice of Love, Liberation, and Leadership* where he states:

. . . "holding" is what teachers and parents do when they create safe and supportive environments for children to learn while not jeopardizing the autonomy and individuality of those children.

Colleagues, while holding space was developed in a teaching and home environment, we, as senators, also have a vital role to play in bringing the voices of the marginalized to Parliament. This is, at times, a complex and difficult proposition. We are part of a public institution that is currently holding space to spotlight deep-rooted prejudice and racism. As a Senate whose role is, in part, to speak for the marginalized, we need to look at ways of addressing and challenging the ongoing victimization of women and girls in a timely and responsible manner.

Honourable senators, I would now like to bring forward a matter that was raised during this bill's study at the Standing Senate Committee on Aboriginal Peoples. Specifically, it was brought forward that the ribbon skirt is not regalia common to all First Nations, Métis, Inuit and non-status women and girls, as well as the LGBTQ community across Canada.

I would like to address this issue by saying that we must remember the focus of the bill, that being to highlight, then combat, gender violence while also promoting reconciliation and familiarity with Indigenous culture and tradition. It was never the goal of Bill S-219 to try to accommodate all of the various regalia worn across the country. That would be an impossible task. Attempting to do so would fundamentally alter the bill and detract from its initial intents: to understand the impact of violence against Indigenous women and girls, to celebrate the family's subsequent actions toward inclusion and to facilitate dialogue between Indigenous and non-Indigenous citizens of Canada to encourage small and large acts of reconciliation and relationship building.

I would like to stress that I am not trying to convey the message that the ribbon skirt is pan-Canadian regalia. Conversely, it would be encouraged for other Indigenous nations, communities and groups to use January 4 as a day to bring forward their own forms of dress and regalia and to educate Canadians on their origins, use and importance.

This is what happened this past January 4, 2022, when Isabella Kulak was joined by a young Ukrainian schoolmate who also modelled her country's own regalia. What better way to demonstrate reconciliation? Isabella and her family helped to create space and mentorship to allow other youth to do the same. We cannot stand by and fail to support her and other youth in their journey toward self-determination, which this bill aims to do.

Isabella is facing her and other Indigenous girls' difficult history of colonialism, and in doing so, she is writing a different ending. She is entering a different world, one I could never have imagined was possible when I was her age. Isabella's individual right to self-determination was supported by the collective determination that is the leadership, family and community that rallied around her and helped to turn a contentious issue into a positive movement. They embraced this issue and have used it as a tool for teaching and connecting with the surrounding non-Indigenous community.

Moreover, it should be remembered that culture is dynamic across Canada and throughout the world. It is not stagnant. We were made aware by Senator LaBoucane-Benson that First Nations adopted the scarf as part of the regalia from the Ukrainian community. People, for generations, have embraced and celebrated other cultures as will continue to happen.

Said to have its roots in the 18th century, the symbol of womanhood tells a story of adaptation and survival – showing that tribal communities have adopted western culture and made it their own.

Several museums report the materials used to make ribbon skirts aren't Indigenous in origin, "but the method of applique done to create the folded look of the ribbon has become a visual marker of identity for centuries."

Honourable senators, there are many intersectionalities that exist with the regalia of ribbon skirts. Race and gender are closely connected to self-care and self-determination. It is critical to understand that the liberation of oppressed peoples begins with the critical understanding of how they are oppressed.

In her 2012 article entitled "Self-Determination and Indigenous Women's Rights at the Intersection of International Human Rights," author Rauna Kuokkanen states:

Self-determination (both individual and collective) and gendered violence are among the most important and pressing issues for indigenous women worldwide.

• (1700)

She further contends that for Indigenous self-determination to be successful, it must also "address the question of violence against Indigenous women" and girls.

This violence hasn't been addressed in Canada but continues to infiltrate into the lives of our women and, of greater consequence, our youth. Left unaddressed, this violence will continue to impact negatively and cumulatively on the future of their civil, political and cultural rights.

Colleagues, violence is a health issue. Health is a basic human right and is an enabling right that, when respected, allows for the fulfillment of other human rights, including self-determination.

In her 2016 article entitled, "Red Intersectionality and Violence-informed Witnessing Praxis with Indigenous Girls," author Natalie Clark states:

... I have joined the voices of other Indigenous scholars ... in calling for a more complex understanding of policy and programming as it affects Indigenous girls. Carolyn Kenny describes the impact of what she calls the "double bind" ... in the lives of Indigenous women and girls of being silenced in key decisions and policies that have an impact on their lives while, at the same time, their participation is essential to social change, leadership, and healing in their communities.

Honourable senators, Isabella Kulak made a "key decision" to wear her ribbon skirt and that is an act of self-care. Being silenced in this "key decision," made in her private life, had the potential to lead to being silenced in public and political life. We have witnessed the silencing of Indigenous voices on issues that impact health and self-determination in our own committees. We must not continue to be complicit, as silencing will eventually filter to the intergenerational group.

Author Natalie Clark continues:

Furthermore, any social justice action or outcomes must be situated within a framework that holds onto tradition and intergenerational knowledge while making meaning of modern Indigenous struggles. ...

To this point, the solutions that Chief and Council of Cote First Nation — Isabella's home community — devised were rooted in the community and in their traditions. This was affirmed in Chief Cote's committee testimony wherein he said the community's hope is to:

... teach non-First Nations the identity of the Anishinaabe people in our territory and also learn about the other cultures that our young First Nations students are going to meet when they go to the non-First Nations schools.

In this way, Cote First Nation is already modelling what this bill seeks to accomplish — valuing and practising tolerance, acceptance and understanding of cultures and traditions that are different from your own.

Colleagues, author Natalie Clark also speaks about violence and safety as it relates to Indigenous girls, writing:

Community-based approaches, such as models of . . . ceremonies, are important since they provide spaces in which girls can be seen in the circle, and because they allow us to understand their experiences of violence, as well as naming and situating their resistance to such experiences. . . .

The author continues:

. . . the so-called trauma industry has continued a colonial legacy of labeling and pathologizing Indigenous girls that manages their behavior through criminalization, medication, and talk therapy programs which ultimately serve “to reinforce a sense of powerlessness and undermine women’s ability to resist”.

Honourable senators, I cannot help but wonder if Isabella and her family had not dealt with the shame she felt, could it have been internalized as a festering wound that would have resulted in the need for medication and counselling in the years to come? It might seem a small incident to some, but I will tell you that the cumulative impacts of racism and violence from a young age do lead to soul wounding. Such disproportionate impacts have the capability of having long-term and far-reaching consequences if not addressed.

In Isabella’s situation, her family and community were proactive, which deserves acknowledgment and celebration. At the same time, we also need to highlight and bring the perspective of the youth who are less supported because they have fewer resources. Bill S-219 provides an opportunity to promote gender equality and a more inclusive society, with women and girls at the centre of this effort. The earlier that girls and boys understand equity, equality and inclusiveness, the better for their future as well as the future of Canada.

Colleagues, inequity is one of the most pervasive problems in Canadian society. Inequity has a multitude of causes with the result that it creates differences in access to schooling, health, opportunity, food, water, housing, geography, self-determination and quality of life. Equity is very important in understanding and practising self-care and self-determination.

These inequities do not occur naturally. They are the result of laws and policies that do not consider equality and equity. When youth find little meaning in social policies, they tend to disengage from the system. If we do not act accordingly to address this serious issue that affects youth throughout Canada, our systems will be doomed to continue to reproduce social and economic inequity, further disenfranchising large segments of Canada’s youth population.

Society is used to seeing and hearing about the Indigenous youth who suffer the most inequity, that is, they have few or no resources or supports to be able to think and act positively, let alone to do what Isabella did. These youth have undergone and continue to undergo a different history and hence a different trajectory in their lives.

There have been countless reports on Indigenous youth, whether they focus on children in care or in juvenile centres. There have been many reports, inquiries and commissions on Indigenous women — reports that were built on their bodies. While these reports have had varying degrees of publicity, whatever knowledge and awareness they have raised have not resulted in timely, meaningful policy reform. Moreover, the subject of juvenile justice for these Indigenous youth has largely gone ignored. Such inaction positions Indigenous youth, including Indigenous girls, in a severe deficit. All the while, our laws and policies refuse to address the root cause, namely the legacy of colonial structures, whether they be legal or otherwise.

Honourable senators, history tells us that Indigenous peoples needed to be tamed from their savage ways. This was accomplished by Christian missionaries who blatantly refused to accept the legitimacy of Indian culture and religion. As a child going into residential school, for the 11 years I was there, all our clothing and property were removed when we entered on our first day. We were given clothing that would take away our uniqueness. We were all dressed the same with the same bowl haircut. We were forced to adopt a foreign language. We were meant to see ourselves as invisible, with no history, no culture, no traditions.

• (1710)

Something as simple as removing your right to dress in a way that expresses and celebrates yourself does have lasting impacts. It starts that road towards dependence, blind obedience, shame and learned helplessness. In reality, government and religious organizations took children with rich culture and unilaterally created impoverished cultures.

Colleagues, this bill celebrates the resistance to violence and the promotion of peace in its stead. Within the December 2020 news article “‘It’s like armour’: A look at the resurgence of ribbon skirts” by Kathleen Martens, Ms. Isabella Kulak states:

I didn’t want it to turn into ugly hate for the (educational assistant). She’s a person. Maybe she made mistakes with what she said. I’m sure she regrets it.

Isabella’s father said his family was invited to help improve the education-system knowledge of First Nations issues, including clothing.

In the same article, Helene Cote of Kamsack states:

As an educator I know the importance of accepting students for who they are. . . Empowering students and building confidence is what molds successful students.

Grandmother Ketchemonia-Cote said, “What happened shouldn’t have happened. But let’s see something good come of it.”

Colleagues, I have spoken to many people and heard of their initiatives directed at the ribbon skirt and in support of Isabella. Some of these include ribbon skirt classes held at a Turtle Island business where they teach six women at a time the wisdom behind the ribbon skirts; ribbon skirts being made for choir members and the choir mistress for an upcoming arts festival this

spring in Prince Albert, Saskatchewan; and ribbon skirts for a bride and her grandchildren; and a Canadian university's Indigenous people's centre initiated by women will look at this bill and discuss the spiritual components of the ribbon skirt.

Honourable senators, holding space for Isabella Kulak and other youth has been a multi-layered endeavour for me. All who spoke, commented on or questioned Bill S-219 inside and outside of the Senate added a layer to the collective understanding of the impacts Canadian history has had on Indigenous youth. In doing so, we thereby develop compassion and move towards reconciliation and conciliation. These conversations added contour, depth, colour and clarity to this issue through both second reading and committee study as well as through the debate and vote yet to come.

I would like to close by reiterating that the goal of Bill S-219 is to bring people together and not to divide. The bill names the ribbon skirt because that was the regalia used as a conduit of violence against young Ms. Kulak and by extension against all Indigenous women and girls who proudly wear and honour their own cultural dress. The intent now is to use this one moment of prejudice, racism and discrimination as a springboard from which we can encourage understanding, respect and reconciliation. We thank Isabella, her family, the leadership and community for their strength and determination to turn this challenge into a positive experience.

Kinanâskomitin. Thank you.

Hon. Brian Francis: Would the honourable senator take a question?

Senator McCallum: Yes.

Senator Francis: Senator McCallum, I note that in the previous iteration of your bill, which was introduced last Parliament, there was a clause that is no longer found in the current bill. That clause explicitly stated that the National Ribbon Skirt Day is not to be considered a legal holiday or non-judicial day. Would you be able to explain why this clause is not found in Bill S-219?

Senator McCallum: Thank you for this question, Senator Francis. This clause was removed by the office of the Law Clerk and Parliamentary Counsel when they prepared this bill for reintroduction into this current Parliament. As we were informed by the Law Clerk's office, it was removed because it has no legal effect. "For greater certainty" clauses serve to resolve ambiguities in legal texts. These clauses do not actually have any substantive legal effect. They simply reiterate the law as it already exists.

This is the case here. National Ribbon Skirt Day is not a legal holiday or non-judicial day. Legislation establishing a holiday is very explicit that it is creating a legal holiday — the Holidays Act being a prime example — or else it modifies relevant statutes directly to produce the effects of a holiday.

For example, the recent legislation to establish the National Day for Truth and Reconciliation amended the Canada Labour Code to make that day a holiday for federally regulated workers. The prevailing view in the Law Clerk's office is that if the bill

does not amend anything else or explicitly state that it is a legal holiday then there is no reason to believe the legislation would create a legal holiday.

As for the meaning of non-legal or non-judicial days, these are days that do not count for the purpose of determining deadlines for court filings. As an example, weekends are non-judicial days as are legal holidays like Canada Day or Victoria Day. A National Ribbon Skirt Day would not fall under this category.

Additionally, there is precedent in federal statutes that create special days without using this type of for-greater-certainty clause. These include the Holocaust Memorial Day Act and the Merchant Navy Veterans Day Act, and it appears that nobody has been confused as to whether these establish legal or non-judicial days, which they do not.

As my office has been advised by the Law Clerk's office, they, along with their counterpart in the House of Commons as well as the Department of Justice, work under the principle that legislation should say no more than is necessary for them to operate. This reduces the possibility of ambiguity or error when people read a bill, but it also saves us senators time at committee and in the chamber as there is less to review and less to vote on or possibly amend. As such, in this case, the Law Clerk's office is starting to remove this clause as it has no impact on the bill and does not add any requisite clarity.

As a final relevant point, you will note that this clause is also missing from two other day bills in this session, Bill S-227, An Act to establish Food Day in Canada and Bill S-209, An Act respecting Pandemic Observance Day. It is my hope that this provides clarity to your question.

(On motion of Senator Hartling, debate adjourned.)

CRIMINAL CODE

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Boisvenu, seconded by the Honourable Senator Plett, for the second reading of Bill S-205, An Act to amend the Criminal Code and to make consequential amendments to another Act (interim release and domestic violence recognizance orders).

Hon. Hassan Yussuff: Honourable senators, I rise to speak in support of Bill S-205. We all want a world without domestic violence, where supports and systems are in place to prevent men from committing abuse and to assist women in leaving relationships easily if they feel threatened with abuse.

This will be the world we aspire to. In the meantime, we must try to deal with the imperfect world we have, a world where 4 out of 10 women have experienced some form of intimate partner violence in their lifetime; where roughly every six days a woman in Canada is killed by her intimate partner; where every night almost 6,000 women and children sleep in shelters because it's not safe for them to sleep at home; and where thousands are not able to access shelter because space is not available.

• (1720)

I speak as the father of a young daughter, as a husband and as a legislator who has the power to make a difference not only in my daughter's future but in the lives of thousands of women and girls who are experiencing domestic violence right now.

This discussion is not about whether a person supports measures to help reduce the chances of domestic violence, such as the measures proposed by Bill S-205. It does not mean that other measures to address the root problems of domestic violence cannot be developed as well. We must keep the focus on the victims of domestic violence who are living it right now, and give them every tool available to help stop or reduce the chances of continued abuse or death.

According to the 2017 Department of Justice report, gender-based violence against women is identified worldwide as one of the most pressing social human rights challenges. The root causes of domestic violence include coercive control, defined as a pattern of controlling behaviour used to instill fear or intimidation; the underfunding of shelters and housing, or the lack of resources for prevention; and the role of police in investigating domestic violence.

The problem of domestic violence has been exacerbated during COVID. The United Nations calls the pandemic's impact of violence against women a shadow pandemic in which the isolation and financial precarity resulting from the lockdown tether mainly at-risk, female-identifying people to abusive situations. If gender-based violence against women is one of the world's most pressing social human rights challenges, should we not use every tool possible to combat it?

Many protections and supports are needed for victims of domestic violence. Domestic violence can carry over into the workplace, threatening women's ability to maintain economic independence. During my time at the Canadian Labour Congress, I was part of a campaign to create paid leave for the domestically abused, culminating in the federal legislation in 2017 that provided 10 days off, 5 paid, per year for victims of domestic violence. I have to say, today, right across this country, in every jurisdiction across Canada, including the three territories, legislation now exists to provide for paid leave for victims of domestic violence — except Alberta, which is the only place where they are yet to get paid leave. We're continuing to work on that.

As part of the campaign, the Canadian Labour Congress partnered with researchers at the University of Western Ontario and conducted the first ever Canadian survey on domestic violence and the workplace. Some 8,429 workers were asked if they experienced domestic violence. One third said yes. Of those, 82% said the violence negatively affected work performance.

Almost 40% said it kept them from getting to work. For almost 10%, it meant losing their jobs. More than half said the violence continued at their workplace in the form of harassing emails, calls and texts, stalking or physical violence.

Paid domestic violence leave is one support, one tool, just like the measures in Bill S-205 are different supports for victims of domestic violence. What is Bill S-205 trying to achieve? It attempts to put the victims first. What does it not do? It will not address the root problem of domestic violence. It will not stop the initial abuse. It is not 100% effective in stopping every abuser from hurting their victim.

Bill S-205 is intended to give victims some space to make a safety plan, to reassess their relationship and their options for the future, to increase the safety and freedom of victims by reducing the levels of harassment and stalking, to make the victims more visible in the justice system by requiring them to receive more information on the release of the accused, to provide judges more ability to require the accused to get treatment and to help mitigate victims' feelings of fear.

One woman who took part in a U.S. study on the use of electronic monitoring devices said:

I always felt he was going to come out from nowhere and cut my throat or shoot me.

Before he was put on [electronic monitoring], I went down to 96 pounds . . . I couldn't eat from nerves, worrying if he was just going to break into my home, (or) where he's going to show up. He would stalk me, he would drive down (to) my home, he would show up in places—if I would go out he would show up.

Violations and presumptions of innocence apply to those accused of a crime under a peace bond. So there are some criticisms of the bill, and I want to address that, also.

Electronic monitoring neither deals directly with the most common root cause of domestic violence nor does it provide, of course, preventive solutions for women not to have to deal with domestic violence in the first place. For example, economic, racial and gender inequalities must be addressed. These play a part in violence and a person's ability to escape it.

For the victims, the electronic monitoring system, EMS, can provide a false sense of security. It is not 100% foolproof, neither in the technology, the response time by police nor in remote areas where technology may not be effective or reliable.

I don't necessarily disagree with any of these criticisms or concerns. We do not live in a world where we can have a perfect policy solution. This legislation isn't perfect; none is. It is our job to provide a proper balance — a balance between the safety and security of victims and the rights of the accused.

There are a number of countries that have implemented GPS tracking devices to address domestic violence, including Australia, England, France, Portugal, Spain and the United States. I believe we need to be guided by the evidence of electronic monitoring from those countries.

There is not a lot of quantitative research on the effectiveness of electronic monitoring for accused perpetrators of domestic violence who are on bail or under a peace bond. However, there are many reliable quantitative studies that have suggested that the use of EMS is victim-centric; it improves the victim's perception of safety and allows victims to feel better informed and better engaged in the justice system. Evidence of breaches is more easily shown by electronic-monitoring technologies. Victims may feel more supported to report breaches.

A national survey of practitioners from the U.S. provided that 75% of criminal justice professionals working with electronic-monitoring methods felt the victims were more empowered by such systems. It can restore a victim's faith in the justice system. The same survey found that the majority of electronic-monitoring practitioners were positive about its use in domestic cases, stating that it improved the quality and efficiency of monitoring perpetrators and holding them accountable. The majority believed that electronic monitoring effectively deterred perpetrators from initiating in-person contact with the victims.

Interviews in a 2012 research study showed that, prior to the use of electronic monitoring, perpetrators were able to continue to abuse victims more or less undetected, with impunity. Once perpetrators were subjected to electronic monitoring, victims reported feelings of increased safety and freedom and reduction in the levels of harassment and stalking.

Other U.S. research notes that domestic violence cases have higher levels of dismissal than other crime types due to the unique dynamics of domestic violence abuse and pressures on the victim. Empirical research from the U.S. has shown an increased level of victims' attendance at court and a decreased likelihood of dismissal of cases that were continued over a long period of time, as compared to the cases where the perpetrators were released on bail without electronic monitoring.

Finally, Spain, which pioneered electronic monitoring, has been mentioned already in this debate. They have used electronic monitoring there in domestic violence cases since 2009. One researcher who studied Spain's system extensively has determined that, after a decade of growing use of EM in Spain, restraining orders appear to be more successful.

• (1730)

Colleagues, I want to conclude. I agree that more should be done to address the root cause of domestic violence. By putting the victim first, we should use every tool possible to tackle the problem from every single angle. Electronic monitoring should not be considered a silver bullet to prevent domestic violence. The positive impact of electronic monitoring is enhanced in this

bill with complementary intervention, such as mandatory treatment strategies, but must also make sure that electronic monitoring includes rigorous surveillance and case management through probation or correctional services. Electronic monitoring provides a structure and can be ritual-breaking by keeping offenders away from the place, people and activities that lead to offending.

I believe this strikes a balance between the rights of the accused and the protection of victims. It also provides for treatment should a judge feel it would be of help.

I will support this bill to get to committee so that more fulsome study can be done to make sure its measures are best to make a difference in the protection of victims. Thank you so much.

[Translation]

Hon. Pierre-Hugues Boisvenu: Senator Yussuff, thank you so much for your speech. I can tell you've done some very in-depth research that will really help us define the scope of this measure.

You talked about more support for women who are victims of intimate partner violence. You are correct. A woman in hiding is a woman in poverty, because she will likely have to leave her job, her family and her home. Those are economically unacceptable conditions.

In 2013, I succeeded in passing Bill C-44 to give the parents of missing or murdered children up to 35 weeks of benefits in addition to 16 weeks of EI, which is a total of 52 weeks.

Senator, would you want to work with me to modify the program so that women who are victims of violence and have to go into hiding can get benefits for six or eight months, so they don't succumb to poverty after reporting their abuser?

[English]

Senator Yussuff: Thank you for your question, Senator Boisvenu. The reality of domestic violence is a societal issue, and society has to bear the full cost of domestic violence. It can't be women in this country and throughout the world who have been at the forefront of this struggle — it's fundamental that the state take responsibility to address domestic violence. Senator Boisvenu's point of using the EI system to ensure women can access income during this period of difficulty is fundamental to bringing quality to the suffering of domestic violence.

(On motion of Senator Duncan, debate adjourned.)

[Translation]

**DECLARATION ON THE ESSENTIAL ROLE OF ARTISTS
AND CREATIVE EXPRESSION IN CANADA BILL**

SECOND READING—DEBATE

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-208, An Act respecting the Declaration on the Essential Role of Artists and Creative Expression in Canada.

Hon. René Cormier: Honourable colleagues, today I rise at second reading of Bill S-208, An Act respecting the Declaration on the Essential Role of Artists and Creative Expression in Canada.

I want to acknowledge that the land on which I am speaking to you today is part of the unceded territory of the Anishinaabe Algonquin nation. I strongly agree with the Canada Council for the Arts that the arts contribute to the healing and decolonization process, a process in which we must all engage together.

[English]

I would like to congratulate Senator Bovey for introducing this ambitious bill on November 24. With the Minister of Canadian Heritage preparing to hold a national summit on the recovery of the arts, culture and heritage sectors, now is the time for an important and long-awaited discussion on the place and role of the arts and culture in Canadian society.

I would also like to thank Senator Atallahjan for shedding light on the precarious working conditions of artists and cultural workers in her speech at second reading, which is a subject matter that also concerns me a lot.

Bill S-208 creates a declaration on the essential role of artists and creative expression and provides a framework for its implementation in the form of an action plan. The action plan is to be developed by the Minister of Canadian Heritage following consultations with other federal ministers and stakeholders, including but not limited to those listed in the bill.

Although I applaud the bill's overarching objectives, I want to share with you, colleagues, my thoughts and concerns about the following aspects, which could be addressed in committee.

These aspects are the lack of attention in the bill to the collective dimension of Canadian culture and the importance of protecting and promoting the diversity of Canadian cultural expressions; the place of this bill within federal jurisdiction; the link that this bill could make between culture and sustainable development; the challenges of developing the proposed action plan and holding consultation to ensure its implementation; and the merits of this bill at a time when artists are facing great uncertainty.

[Translation]

Let me say at the outset that I think it is vital to recognize that a declaration on the essential role of artists and creative expression across Canada must take into account the cultural ecosystems in which artists practise their art, and the social groups to which they belong. In other words, taking into account the collective dimension of Canadian culture and its plurality is essential to understanding the issues affecting artists in Canada. However, I believe the current version of the bill does not properly take this dimension into account.

Allow me to remind the chamber of UNESCO's definition of this dimension of culture, and I quote:

. . . in its widest sense, culture may now be said to be the whole complex of distinctive spiritual, material, intellectual and emotional features that characterize a society or social group. It includes not only the arts and letters, but also modes of life, the fundamental rights of the human being, value systems, traditions and beliefs . . .

Beyond that definition, by ratifying UNESCO's 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions, Canada has committed to creating an environment that encourages individuals and social groups "to create, produce, disseminate, distribute and have access to their own cultural expressions." To this end, Canada is committed, and I really want to emphasize this, to paying due consideration to the various social groups, including persons belonging to minorities and Indigenous peoples.

[English]

As you know, colleagues, the Canadian identity is anything but homogeneous. It is the product of culturally different social groups, majorities and minorities, all coexisting in this country. It stems from our historical context, the evolution of Canadian society, the cultural development of our vast territory and the choices we make.

In that sense, I am pleased that Bill S-208 pays special attention to Indigenous peoples in its preamble and consultation provisions. The preamble specifically states that:

. . . any measures to implement the Declaration in Canada must take into account the diversity of Indigenous peoples and, in particular, the diversity of the identities, cultures, languages, customs and practices of First Nations, the Inuit and the Métis and of their relationships to the land and their Indigenous knowledge, all of which find expression in rich artistic traditions . . .

Yet, I wonder whether this clause in the preamble and the consultation provisions with Indigenous artists and organizations prior to developing the action plan are enough. We ought to hear the views of our Indigenous colleagues in the Senate, especially as we work to advance Indigenous self-determination, which is recognized in the United Nations Declaration on the Rights of Indigenous Peoples.

• (1740)

[*Translation*]

With respect to the declaration itself, I see the intention to include the individual cultural diversities and backgrounds of all Canadians, which is very positive on the face of it. All the same, when this bill is implemented, I wonder how it will be able to address each of us and especially how it will embody our collective cultural dimension in all of its plurality and complexity. For example, how will the action plan simultaneously respond to the needs of the Indigenous peoples, the Acadian people, the Quebec people, official language minority communities and ethnocultural minorities? Each of these cultural entities that embody the Canadian identity has its own cultural expression and must be promoted and protected.

What is more, each of these entities within which artists create and meet their audiences comes with its own interconnected and inseparable set of cultural infrastructure, organizations and businesses, which have to be taken into account if we want to meaningfully improve the status of artists and access to their works. In my opinion, this bill should do more to recognize the collective and plural dimension of Canadian culture, as complex as it is, reiterate the importance of protecting and promoting the cultural expressions of the different social groups that make up our country, and set out a clear obligation to work on that.

[*English*]

Bill S-208 must also be examined through the lens of jurisdiction within the Canadian federation. Cultural matters — including access, participation and learning — generally fall under the legislative authority of the provinces and territories, with some exceptions.

With that in mind, and given that the bill affects rights that fall under provincial and territorial jurisdiction — for example, the right to learn any art form or the right to access creation spaces — I wonder how this bill will be received by the provinces and territories.

Although clause 4 of Bill S-208 provides for consultations with provincial representatives, what will be the true nature of this collaboration? How will the federal government improve on what these legislatures have already put in place in terms of policies, while considering the specific cultural development of each province and territory? These questions need further assessment.

[*Translation*]

Colleagues, I am not suggesting that the federal government has less of a responsibility towards culture than the provinces and territories do. It is clear that broadcasting, copyright, intellectual property, support for our major national cultural institutions and several other sectors fall under its jurisdiction. However, I believe that the federal government's efforts with respect to culture within these areas could be better targeted in terms of sustainable development, in order to respect the commitment it made in ratifying the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

In its current form, Bill S-208 does not clearly establish this link between culture and sustainable development. If it were to do so, it could provide real value added to our Canadian cultural policy, which would help promote culture more widely within the federal government.

I remind senators that Article 13 of the UNESCO convention states, and I quote:

Parties shall endeavour to integrate culture in their development policies at all levels for the creation of conditions conducive to sustainable development and, within this framework, foster aspects relating to the protection and promotion of the diversity of cultural expressions.

Esteemed colleagues, as you know, the term “sustainable development” refers to the ability to meet the needs of the present without compromising the ability of future generations to meet their own needs. Under this approach, any decision about growth should take the economic, environmental and social pillars into account. The UNESCO convention adds that although culture is not a pillar of sustainable development, it is a vector for it, and we must try to better integrate it into our policies to improve sustainability. I also want to point out that this is a mutual relationship, in that culture without a doubt contributes to sustainable development, but sustainable development also allows culture to flourish.

Canada has so far introduced a wide range of laws, regulations, programs, subsidies and other financial incentives for the arts and culture sector. In 2017, the government even introduced a cultural policy was designed to stimulate economic growth in the digital age. However, it is difficult to find any sort of umbrella framework in Canada that covers all of these initiatives and provides a clear cross-cutting view of Canada's arts and culture sector as a vector for sustainable development that benefits artists and Canadians.

[*English*]

In that sense, I agree with Senator Bovey's remarks in her speech at second reading that Canada should better integrate arts and culture into all its policies, programs and investments, and that it is time for us to refocus on various international conventions, including the UNESCO Convention for the Protection and Promotion of the Diversity of Cultural Expressions.

How will Bill S-208 contribute to the realignment of Canadian cultural policy with the UNESCO convention in terms of protecting the diversity of cultural expressions and integrating culture into sustainable development? That is less clear to me right now.

Bill S-208 contains many promising and inclusive clauses, which I applaud, but it does not clearly identify strategic areas of sustainable development to which culture could contribute and benefit. In my view, the bill could be strengthened by explicitly adding these considerations in its text.

[Translation]

I would now like to talk about the challenges associated with developing the proposed action plan and consultation process, for which the Minister of Canadian Heritage has central responsibility. While I appreciate the laudable intentions mentioned in Senator Bovey's speech at second reading, when she said that the declaration would be the foundation for ongoing policy development in multiple ministries, I have to wonder about the feasibility of such an objective at this point.

I am concerned that the mechanism of Bill S-208, which centralizes responsibility solely in the hands of the Minister of Canadian Heritage, will simply perpetuate the process already in place. Since we know that that department has no authority to impose actions on other departments, it seems to me that we need to think outside the box in this particular instance.

[English]

The arts and culture sectors are interwoven areas and cannot be considered in complete isolation from one another. In this sense, and from a sustainable development perspective, is it not time for a paradigm shift where a shared cultural responsibility could be given to several strategic federal departments in collaboration with major cultural institutions, such as the Canada Council for the Arts?

Instead of a consultation process as set out in the bill, should we not take a more innovative approach of co-creation and proactive partnerships? There is a lot to think about here.

[Translation]

I would like to close, colleagues, by reiterating the basic principle that the vitality of the arts and culture sector relies on the artists and workers who make it tick. To state the obvious, there is no art without artists. The precariousness of their working conditions is very real. Calls for the creation of a better social safety net for artists and cultural workers are growing and speak to the urgent need to take action.

Unfortunately, this reality is not new. In a 1980 recommendation concerning the status of the artist, UNESCO was already acknowledging the troubling situation of artists and prescribing a series of measures to its member states to improve their professional, social and economic status. That recommendation shares many similarities with the rights of the artist listed in the Declaration on the Essential Role of Artists and Creative Expression in Canada created by Bill S-208. I sincerely thank Senator Bovey for reminding us of these rights.

That being said, as certain organizations and individuals I consulted pointed out, the question is whether a new declaratory tool like the one Bill S-208 proposes is what artists actually need at this time to reiterate their right to employment equity and economic security. The question is whether implementing Bill S-208 and its action plan will genuinely provide better social protection to artists. That is another question to explore further in committee.

[Senator Cormier]

[English]

All that said, colleagues, despite my concerns and thoughts about some aspects of the bill today, I strongly believe that Bill S-208 should be thoroughly studied in committee, and I am really looking forward to it. We could hear from important witnesses — such as the Minister of Canadian Heritage, provincial representatives, Crown corporations and organizations representing artists — so that we can get their insights and expertise.

Senator Bovey has done a tremendous —

[Translation]

The Hon. the Speaker: I am sorry, senator, but your time is up. Are you asking for five more minutes?

Senator Cormier: Yes, if possible.

[English]

The Hon. the Speaker: Senator Cormier is asking for five more minutes. If you are opposed, please say “no.”

• (1750)

Senator Cormier: This gives me the occasion to thank Senator Bovey, who has done a tremendous amount of work in identifying the measures that need to be taken to make sure the essential role of artists and creative expression is fully recognized and taken into account in our country. I would like to conclude by thanking her again for her dedication, passion and courage in introducing this ambitious bill. I appreciate her sincere intentions, which reflect her deep commitment to the arts, culture and heritage in Canada.

[Translation]

I want to thank her for drawing our attention to the place that arts and culture occupy in Canada.

With this bill, Senator Bovey is initiating a passionate and necessary debate that is worthy of the upper chamber's interest and assiduous efforts. We should send it to committee promptly.

Thank you, *meegwetch*.

The Hon. the Speaker: Senator, would you entertain questions?

Senator Cormier: Absolutely.

[English]

Hon. David Richards: Thank you very much. Senator Cormier, I am a Maritimer, as you know. It took me years to get my work recognized outside of the Maritimes. You know, I'm sure, of Acadian, English and First Nation Maritimers who have suffered under this kind of stigma for a long time.

I think as long as the government is involved, there are going to be gatekeepers. I'm very worried about this marginalization of certain people that ideological gatekeepers will impose on artists.

Maybe you could reflect on that a bit. Terence, the great Roman philosopher who actually was an African slave said, “I am human, and I think nothing human is alien to me.” When Richard Wagamese, a great First Nation writer, wrote to me and said he started writing because he admired my work, it meant a great deal to me. I think the work transcends all of this. I think it transcends ideology and any other thing — identity politics and other such things we might put to it. So I ask you, will this come into play if there are new government regulations?

Senator Cormier: Thank you very much for the question, Senator Richards. Actually, what I am speaking about is not at all ideology and politics. What I’m speaking about here is a consideration of the ecosystems in which the artists are working, no matter where they are on the Canadian territory. I think it’s important in that context that we keep that in mind.

In terms of policies and strategies from the federal government, in terms of taking into account what type of ecosystems the artists are working in — and there are different ecosystems depending on where you live in Canada; it’s not ideology, it’s more the context in which they are working — I think it’s important that we take that into account.

I have been working in the cultural sector for 40 years, and I think that although the federal government can be generous to artists, sometimes our policies don’t take enough into account the different realities in this country.

I applaud the content of the bill that speaks about the rights of the artist to express themselves, do the work they want to do and express themselves as they wish to do, but in this type of bill I think it would be great to take into consideration the context and help the Minister of Canadian Heritage to be aware of that. Although I can trust the minister, I think that in terms of federal policies — especially in culture because, as you know, culture is from provincial and territorial jurisdictions. That is where culture is in Canada. I think that’s what I mean by that. But I want to reassure you, Senator Richards, I would be the first person to rise and say, “No ideology for the artists.” The artists have to be free to create, and they have to receive the right tools. To receive the right tools, we have to make sure that —

The Hon. the Speaker: I’m sorry, Senator Cormier. Your time has expired.

Senator Richards: Thank you for the answer.

[Translation]

The Hon. the Speaker: I apologize, senator, but I will have to interrupt you at six o’clock.

[English]

Hon. Diane Bellemare: I want to add, equally, my voice in favour of Bill S-208 because I believe the arts are necessary in our individual and collective lives.

[Translation]

Dear colleagues,

Artists . . . are indispensable for the survival of humanity in this electronic age, which, through technology, overloads the senses, creating a maelstrom. Art serves as radar, penetrating the indiscernible.

Unfortunately, this quote, which was reported by journalist Marie-Ève Charron in *Le Devoir*, does not come from me, but from Baruch Gottlieb, the guest curator of an exhibit being held at Montreal’s Fonderie Darling, which brings artists and thinkers together on the subject of media theorist Marshall McLuhan.

This idea of art being vital to the survival of humanity gives us something to think about today, in the era of climate threats and international conflict.

It touches on the essence of the concerns expressed by our colleague, Senator Bovey, who has presented a very important bill to foster the artistic expression of Canadians in all forms.

I would like to thank Senator Bovey for all the work she has done on Bill S-208. The depth of the bill attests to the extensive consultations she undertook and her reflections over a professional lifetime dedicated to artistic expression.

I encourage you to carefully read her bill and the extraordinary speech that she gave in this place on December 9.

This bill deserves our full attention.

Art, in all its forms, is essential to humanity, and Senator Bovey’s remarks addressed many different aspects of this truth, which some people tend to forget or overlook in favour of pragmatic concerns about effectiveness and efficiency.

I will not repeat her remarks, which were so beautifully presented. I invite you to go back and read her speech.

I rise today in support of this bill and urge you to pass it at second reading so that it can be studied in committee.

My speech will be brief. I simply want to share some reflections for consideration at second reading.

I encourage the committee to study this bill seriously and to invite witnesses from a variety of backgrounds. To use a theatre expression, this bill needs to have a spotlight shone on it. I am on the fence at the moment as to whether it needs to be amended. I am certain of one thing, however: The effectiveness of this bill depends in part on the light it receives in the public sphere.

Allow me to explain.

While many are aware of the importance of art in our lives on a personal, psychological, social, economic and political level, there is certainly no consensus on how to encourage artistic expression and give artists an economic status that allows them to devote themselves to their art.

At a time when our economy is much more focused on the individual, many people believe that art must have commercial value to exist. That was not true in the past and cannot be true today or tomorrow. If commercial transactions were behind all the forms of artistic expression around us, we would not be able to appreciate the many sculptures and works of art adorning our parks and cities. We would not be able to appreciate the songs, poems or even films and live shows that move us. Philanthropists have played a major role everywhere and at all times in helping art flourish. However, the sector cannot rely solely on philanthropy or on commercial transactions. Art is more than just a thing to be bought or sold. Art is also at the heart of our cultural identity. This is one more reason to support this bill, which explicitly recognizes that the status of art and artists must be a collective concern and that governments have a role to play.

Bill S-208 is very ingenious. It has three parts: a preamble, a declaration on the essential role of artists and creative expression in Canada, and an action plan for the Government of Canada's implementation of the declaration.

What is novel about this bill is the fact that adopting the action plan will help confer legal status on the Declaration on the Essential Role of Artists and Creative Expression in Canada.

• (1800)

[*English*]

The Hon. the Speaker: Honourable senators, pursuant to rule 3-3(1) and the order adopted November 25, 2021, I am obliged to leave the chair unless there is leave that the sitting continue. To avoid the double negative about the clock, I will ask one simple question: If you wish the sitting to be suspended for one hour, please say "suspend."

An Hon. Senator: Suspend.

The Hon. the Speaker: I hear a "suspend." The sitting is suspended for one hour.

(The sitting of the Senate was suspended.)

(The sitting of the Senate was resumed.)

• (1900)

[*Translation*]

SECOND READING—DEBATE CONTINUED

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-208, An Act respecting the Declaration on the Essential Role of Artists and Creative Expression in Canada.

Hon. Diane Bellemare: I will pick up where I left off.

[Senator Bellemare]

Bill S-208 is very ingenious. It has three parts: a preamble, a declaration on the essential role of artists and creative expression in Canada, and an action plan for the Government of Canada's implementation of the declaration.

What is novel about this bill is the fact that adopting the action plan will help confer legal status on the Declaration on the Essential Role of Artists and Creative Expression in Canada.

The declaration, which is the culmination of our colleague Senator Bovey's work and consultations, is the cornerstone of this bill. The committee will have to take the time to carry out another round of consultations with individuals, groups and local and provincial governments to ensure they are aware of this declaration. The committee will have to find out whether there is consensus around the declaration and whether it can be improved.

It is important for the provinces to participate in the work of the committee that gets this bill in order to promote synergy and individual collaboration with each province.

Reading this bill raised a lot of questions. First, since the declaration in the schedule is integral to the bill and, to my knowledge, it can only change in the context of a review of the legislation, the committee will have to determine whether it is complete. The declaration mainly concerns aspects related to access to art and artistic expression, as well as the ability of artists to take full advantage of the value created by their art. Are there elements that should be added? I believe so, particularly when it comes to the economic status of the artist.

My second question is the following: Like my colleague Senator Cormier said, could the Canada Council for the Arts not play a more active role in articulating and implementing the action plan? Would it not be more effective to amend the legislation governing the Canada Council for the Arts in order to give it a direct role in promoting the declaration?

Third, since the declaration is mum on the economic status of the artist, would it be appropriate to tie the declaration to the content of the Status of the Artist Act? I do not have the answer to that question, and maybe there is no consensus on this.

Finally, I am particularly pleased about paragraph 4(3)(g) of the bill, which states that we must "encourage greater investment in all areas related to artists, the arts and creative expression in Canada."

Quebec has set a great example for Canada to follow. For over 50 years, Quebec has had a policy on integrating art into the architecture and environment of government and public buildings and places.

In 1961, Quebec adopted a government policy stating that approximately 1% of the budget for the construction of a building or the development of public place must be reserved for the creation of works of art specifically designed for it.

More than 3,700 works have been created and placed in public spaces in Quebec under this policy of integrating art into architecture.

Honourable senators, I urge you to quickly pass this bill at second reading so it may be referred to a committee. Thank you.

(On motion of Senator Martin, debate adjourned.)

[English]

CRIMINAL CODE

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Jaffer, seconded by the Honourable Senator Forest, for the second reading of Bill S-213, An Act to amend the Criminal Code (independence of the judiciary).

Hon. Tony Dean: Honourable senators, I rise today to speak to Bill S-213, An Act to amend the Criminal Code (independence of the judiciary). I would like to thank Senators Jaffer and Pate for their perseverance in pursuing this important issue, session after session.

I spoke in support of Senator Pate's Bill S-251 back in the Forty-second Parliament, and I will speak in support of Senator Jaffer's bill today, which shares many of the same features of Bill S-251. We have heard many colleagues and Senator Pate in particular speak about mandatory minimums and the harms they cause. I will not repeat those comments, but I do want to offer my own thoughts on how we have moved the issue along since then.

Over the past decade, colleagues, the Supreme Court of Canada has struck down a number of drugs and firearms mandatory minimum penalties, or MMPs, and ruled them unconstitutional. This includes MMPs for the first-time offence of unlawfully possessing a loaded or easily loaded prohibited or restricted firearm, contrary to section 95 of the Criminal Code. That offence carried a mandatory term of imprisonment of three years, and five years for repeat offenders.

The Supreme Court also struck down the one-year mandatory minimum for an offender with a previous conviction for the offence of possession of drugs for the purpose of trafficking. The 2016 court case *R. v. Lloyd* acknowledged the frequent correlation between possession and trafficking of drugs with that of addiction and other mental health issues.

In *R. v. Lloyd*, the majority decision noted:

At one end of the range of conduct caught by the mandatory minimum sentence provision stands a professional drug dealer who engages in the business of dangerous drugs for profit, who is in possession of a large amount of drugs, and who has been convicted many times for similar offences. At the other end of the range stands the addict who is charged

for sharing a small amount of drugs with a friend or spouse, and finds herself sentenced to a year in prison because of a single conviction for sharing marihuana in a social occasion nine years before. Most Canadians would be shocked to find that such a person could be sent to prison for one year.

The majority decision goes on to state that although the completion of a drug treatment program provides an exception to the one-year mandatory sentence, it is limited to specific programs that might not be accessible to all individuals. In addition, in order to be admissible to those programs, the individual must usually plead guilty and forfeit their right to a trial. Finally, the requirement that an individual successfully completes the program might not be realistic for those with serious addictions challenges.

Colleagues, we know harsher penalties do not reduce crimes, and for those struggling with addictions and mental health issues, receiving a prison sentence makes it even more difficult for them to access the resources they need.

Many other senators have also spoken at length on the disproportionate impacts that mandatory minimums have on disadvantaged persons and members of minority groups. The same is true of Indigenous peoples. Mandatory minimums do not allow judges to consider the social context of the offender in criminal sentencing, and as a result, vulnerable people may be adversely and disproportionately affected by mandatory minimums.

Larry Chartrand, Professor Emeritus of Law at the University of Ottawa, argued that the application of minimum imprisonment penalties on Aboriginal peoples is contrary to the stated penal objectives of the Supreme Court of Canada in *R. v. Gladue*, which recognizes that a different analysis and approach are required by judges when sentencing Indigenous offenders, "which may specifically make imprisonment a less appropriate or less useful sanction."

Racialized Canadians are also overrepresented in prisons. CBC reported in 2021 that Indigenous adults make up more than 30% of the prison population despite representing less than 5% of the general population, while Black adults represent 3% of the population but more than 7% of federal offenders. These disproportionate impacts perpetuate systemic racism in our justice system and may impede efforts towards equality in many other aspects of our society.

• (1910)

Unlike jurisdictions with mandatory minimum penalties, Canada does not have a safety valve. It doesn't have a provision for judicial discretion in certain instances. These safety valves can allow judges to use alternatives to mandatory minimums in those cases where they feel that mandatory minimums cannot be fairly or justly applied. The idea of a safety valve is important as it permits the acknowledgment of variation in the severity of criminal conduct at the time of sentencing.

I'm pleased, colleagues, that the government has acknowledged that mandatory minimums do not reduce crime and, in fact, cause significant social harms to convicted individuals and their families. We applaud Bill C-5, which

eliminates mandatory minimums for drug-related offences and gives discretionary powers to police and prosecutors to allow them to make alternative sentencing decisions such as requiring the individual to undergo treatment and rehabilitation instead of punishing them with a prison sentence. This is an important first step and one which I support. However, Senator Jaffer's bill would give judges discretionary power to choose alternative sentencing for all mandatory minimums.

I know some colleagues believe this is a step too far, especially when it comes to sentences for offences such as a murder. I want to highlight one case in particular which convinces me that it's necessary to give judges such discretion to decide on all offences. You've heard about this before, and it's the case of Helen Naslund.

In 2020, Ms. Naslund pleaded guilty to killing her husband, who was verbally and physically abusive. In 2011, after 27 years of enduring domestic abuse, Ms. Naslund reached breaking point and shot her husband in the head while he was sleeping. She was sentenced to 18 years in prison on a manslaughter charge. The court had not taken into account the fact that she had been a victim of domestic abuse. However, in January of this year, the Alberta Court of Appeal ruled that her sentence should be reduced to nine years, in a landmark decision.

In the majority decision, Justice Sheila Greckol said the original sentence was unduly harsh because it failed to take into account Ms. Naslund's abusive marriage. In the decision, she states the following:

The sentencing judge suggested that Ms. Naslund had "other options" open to her, implicitly the option to walk out the door. . . .

For the sentencing judge to suggest that battered women have "other options" is to invoke a stereotype that a battered woman stays in a situation of domestic violence by choice. . . .

And further:

It is beyond time for this Court to explicitly recognize that cases of battered women killing abusive partners involve unique circumstances that must be considered by the sentencing judge, particularly where "battered woman syndrome" is involved. . . .

Observers have noted, colleagues, that the mandatory minimum sentence for murder — a life sentence — has negative implications for cases similar to Ms. Naslund's. Individuals may be under pressure to plead guilty to manslaughter despite the fact that they have a legitimate defence of self-defence. The Court of Appeal's decision is, therefore, an important step in recognizing that the social context of an offender must be taken into consideration in the sentencing. Providing for judicial discretion on mandatory minimums would allow judges to consider all aspects of the crime and the offender's history.

Colleagues, one of our key responsibilities in this place, in the Senate of Canada, is to examine the unintended consequences of legislation, but also sometimes the impact of the intended consequences of legislation — tough-on-crime legislation —

where that has been found wanting or overreaching, with horrendous consequences for those like Ms. Naslund, who have been victims of long-term abuse and violence, or those who have a history of mental illness or other trauma. This is one of those cases, and it cries out for our attention.

This is where we are called upon to be at our very best in exercising our own judgment, our own experience, in some cases our knowledge of the law — and we have lots of that in this place — and the sometimes overly sharp edges of the law and our sense of justice and fairness. In this case, as in many others, this place and we in it are a place of last resort. We can't turn away from that, colleagues. Senator Jaffer and Senator Pate have drawn these issues to our attention, and I'm convinced that they have found an appropriate and balanced approach.

For that reason, I support their bill and, colleagues, I ask you to consider doing this too. Thank you.

Hon. Pierre J. Dalphond: Would you take a question, Senator Dean?

Senator Dean: Yes.

Senator Dalphond: What do you think of the government bill that has been introduced in the House of Commons last week, Bill C-5, which deals with similar issues? Don't you think we should start focusing on the government bill and try to study it now to see how it is a better response to the issues we have here and a response that has a better chance to make it to the end of the process?

Senator Dean: Thanks very much for the question. It's obviously a very pertinent one. Senator Dalphond, in my remarks, I did choose to recognize the government's bill, and I applaud that bill and will support it. As far as I'm concerned, it should move apace.

I'm also of the view, though — and I said this, too, in my remarks — that it is wanting in some respects. I think that Senator Jaffer and Senator Pate before her and now the two senators together are drawing our attention to some of the shortcomings in that bill, and I believe for that reason this bill deserves serious consideration. It deserves rigorous debate, and it's something that we should consider pushing all the way. But at the same time, absolutely I agree. I will do nothing to stand in the way of moving the government bill, because it would represent a significant improvement.

I see absolutely no reason why in this place we can't consider the two bills in parallel, and I think we should, to the extent that we have the time and opportunity available to do that. Thank you for the question.

(On motion of Senator Martin, debate adjourned.)

**NATIONAL FRAMEWORK FOR A GUARANTEED
LIVABLE BASIC INCOME BILL**

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Pate, seconded by the Honourable Senator Dean, for the second reading of Bill S-233, An Act to develop a national framework for a guaranteed livable basic income.

Hon. Nancy J. Hartling: Honourable senators, I am speaking to you from the unceded territory of the Mi'kmaq people in my home in New Brunswick.

Today, I rise to support Bill S-233, An Act to develop a national framework for a guaranteed livable basic income, or GLBI, one of the most critical bills that I have seen come before us. I will focus my remarks on poverty, women and New Brunswick.

• (1920)

I was appointed to the Senate, to this place, in 2016, following a 34-year career as the director of a non-profit agency in Moncton, New Brunswick, where I worked with single parents and vulnerable people, most of whom lived in poverty and who may also have experienced abuse and violence. I bring my experience and their voices here today to help us understand what living in the margins really means.

I am an optimistic person who tries to look at the positive side of what social justice activities can change. Two noteworthy studies that have come out of the Senate include the Croll Report — the 1971 Report of the Special Senate Committee on Poverty, which details the devastating impact of poverty in Canada — and the 2006 Kirby report — Out of the Shadows at Last, which revealed the interconnection between mental health and poverty.

When we met with former senators Art Eggleton and Hugh Segal, and listened to their wisdom and expertise on poverty and basic income, I felt encouraged and optimistic. Eggleton's 2018 book *The Poverty, Inequality, and Job Challenge: The Case for Basic Income in Canada* confirmed that the time is right to pursue legislation for guaranteed livable basic income.

In Canada, poverty reduction strategies have been talked about for decades. One positive move was legislation that enacted the Canada child benefit which assists thousands of families so they may better provide for themselves and their children. According to Statistics Canada, the child poverty rate decreased from 15% to 8% between 2012 and 2018, largely because of this transfer.

I witnessed, like many of you, the creation of the first food banks — mine in Atlantic Canada — in the 1980s. They were only meant to be a temporary measure. Food banks have not only grown, but many families now depend on them as everything around them has become unaffordable. According to Food Banks Canada's HungerCount 2021 report, food bank use had experienced sharp growth prior to the pandemic, but it exploded by 20% since the arrival of COVID-19. The top reasons cited for using them were the high cost of food, social assistance being too low and the cost of housing. It is worth mentioning that many of those who visit food banks are working but cannot make ends meet.

Across New Brunswick, rents have been increasing at a rapid rate. In the past months, some seniors and families faced eviction due to rent increases of up to \$500 per month. For example, Moncton saw two-bedroom rentals increase on average by 9.1% in 2020, the highest increase in Canada.

Temporary rent control has just been implemented for the province, but will cap at a 3.8% increase for this year only. Then, what? As a result, some people are forced to choose between heating, eating or being homeless.

What has the pandemic done to exacerbate these problems? It's been the most difficult for those who are marginalized and who already had income challenges: families, racialized people, people with disabilities, seniors, people with mental health or addiction issues and those who face violence and homelessness. We need to remember the intersectionality of the most vulnerable in our society.

The pandemic directly affected the economic security of many individuals. Many businesses had to shut down due to COVID health restrictions. Government financial aid programs were rolled out quickly to help, like the Canada Emergency Response Benefit, wage subsidies, lockdown benefits, sickness benefits and caregiving benefits to name a few. Now, to be clear, not everyone was able to access these programs, often because they did not qualify for support. The most vulnerable remained vulnerable.

The impacts of COVID-19 have not been gender-neutral. As a result, women were likely to shoulder the disproportionate share of unpaid labour, experience poverty, be employed in minimum wage jobs, receive less in pensions and other benefits and experience gender-based violence or abuse. More than 56% of Canadian women are employed in work that we call the five C's: caring, clerical, catering, cashiering or cleaning. These are the people who took on the most health risks, were at the highest risk of losing their jobs and are too often paid the least.

Recently, Senator Bernard and I hosted a panel with the Canadian Association of Social Workers for National Social Work Month. The discussion turned to how people who live in poverty are viewed that somehow it's their fault they are poor, homeless, don't have good jobs, have mental health issues or are trapped in intimate partner violence. Attitudes are still prevalent about the poor being undervalued people in our society. Could that be why public policies like guaranteed livable basic income aren't seen as important? Do such people really deserve this money?

Senator Bernard said, astutely:

I think the way the government responded to Covid-19 with CERB was phenomenal and it was my hope and expectation that they would make a bold move to introduce a national strategy for a Guaranteed Livable basic Income.

The word “bold” struck me as it means accepting and acknowledging that the most vulnerable people deserve to have their basic needs met and live with dignity.

However, here we are 50 years after the 1971 Croll Report, and one in seven Canadians live in poverty according to the low-income measure. One in five racialized Canadians live in poverty. People living with disabilities are twice as likely to live below the poverty line, and 21% of single mothers raise their children while living in poverty. The statistics are even starker for Indigenous and northern communities. In New Brunswick, 30,000 children, or 21.8%, live in poverty. In one part of Moncton, that number is 39%. Most Indigenous communities in my province have child poverty rates exceeding 50%.

During my career, I had many opportunities to listen to the voices of those most affected by poverty. Between 2007 and 2011, our agency initiated a project called Photovoice to capture those voices. It was led by Dr. Lynne Duffy, a professor at the University of New Brunswick’s nursing school, who obtained a Social Sciences and Humanities Research Council grant to undertake this project. We recruited women from our agency and the community to carry out a participatory community health assessment based upon, and from, a woman’s perspective and experience using Photovoice. Each participant was given a camera, and each week they were asked to take a photo that reflected their everyday challenges and the barriers they felt held them back. Several themes emerged, including finances, stress, transportation, support, personal development and, especially, abuse and intimate partner violence. The women created posters that shared their photos and their challenges, and made several public presentations.

We got to know these women deeply, as well as how that intimate partner violence impacted their lives and often led to poverty. Their struggle to make ends meet was like being at war — always trying to survive. They struggled to attend appointments in the justice system or family court, or attend counselling for themselves or their children. Many of the women had an education, but trying to work, find child care and transportation while dealing with mental health issues linked to the abuse and violence they had suffered was difficult.

I want to note that tonight I have heard two speeches referring to intimate partner violence. I’m pleased to have heard from two men in our chamber. These issues all intersect. For me, basic income is a part of the solution for helping people who live in intimate partner violence.

However, to go back to the women’s photos, they were often riveting. For example — I don’t have the picture, but you’ll understand the image I describe — there was a photo of two litres

of milk alongside two litres of pop. The milk was triple the price, making it difficult to purchase. Other photos showed apartment rooms with mould around the floor, and there were photos of food banks with the caption, “It’s not a supermarket, you get what you are given.” One that remains with me is a photo of a cracked mirror with a caption reading, “Shattered lives.” Then, there were blank photo sheets labelled, “The pictures that aren’t: Too personal. Too painful.”

This not only created awareness, but also empowered the women to discuss with each other some of the issues they experience.

Therefore, honourable senators, today, I am sharing my experiences of these women so you will understand why a guaranteed livable basic income is imperative: because living in poverty traps people and forces them to live in substandard conditions without the basic needs of food, clothing and shelter and without the access to resources, such as counselling. After leaving a violent relationship, those are even more critical. This impacts their health with long-term costs for them and our systems.

I believe that guaranteed livable basic income can be an effective solution to lift Canadians out of poverty. GLBI is an unconditional and universal income granted to individuals to ensure that no person’s income falls below what is necessary for health, life and dignity. It is not EI or social assistance, although it could build on the existing social safety network rather than replacing it altogether. GLBI is available to everyone, subject only to residency and income. It is enough for a person to live securely and with dignity. GLBI is free of stigma while respecting the ability of recipients to choose to spend it how and where they feel is best, just as we do. It would be responsive to changing circumstances, being only gradually reduced as other income increases.

• (1930)

It is critical to ensure that the punitive and prescriptive methods used in the administration of other existing social assistance programs are not a part of the GLBI.

Canada has two great examples that demonstrate how effective basic income can be. The most notable is the 1974 Manitoba Basic Annual Income Experiment, or Mincome, and the 2017 Ontario Basic Income Pilot Project. The results of Mincome were promoted most effectively by economist Evelyn Forget, a professor at the University of Manitoba. Time does not permit me to go into detail on the implementation; however, many recipients reported improvements in their physical and mental health, labour market participation, education, food security, housing stability, financial status and social responsibility.

For women, the impact can be even more dramatic. For example, a GLBI would provide a source of income for unpaid work that is undertaken predominantly by women, such as child rearing and caregiving. It would provide better opportunities for

safe housing and it would provide a stable source of income for women and their children who may be fleeing from intimate partner violence. A GLBI could be a stepping stone to better opportunities, such as providing opportunities to leave a low-paying or unsafe job to start a business, or to give the space needed in order to obtain a higher education.

In areas of Canada where poverty rates tend to be higher and where employment is often precarious and seasonal, a GLBI could stabilize incomes, reduce stress and increase opportunities for those looking for a better education or more secure jobs.

Senator Griffin explained to us the report of the Legislation Assembly of Prince Edward Island's Special Committee on Poverty in PEI, which had buy-in from all parties in Prince Edward Island. Their major recommendation was the creation of a basic income for the province. Premier King even noted the positive impact it was expected to have on labour participation, putting to rest the fears that many have about such a program.

I commissioned a report on the impact of the Canada Emergency Response Benefit and similar supports on labour participation. Our findings revealed that labour shortages were systemic in nature, predated the pandemic and were not correlated to financial supports. This reflected the findings of the P.E.I. report. We need to keep watching P.E.I. because they are pushing forward for GLBI and it would be a good example for us to look at.

There are many supporters of GLBI, including former senators Eggleton and Segal; The Very Reverend the Honourable Lois Wilson; former MPs Bruce Stanton, Wayne Easter and Jean Crowder; 50 of us from this chamber; many national organizations, including Coalition Canada Basic Income, Basic Income Canada Network, Basic Income Canada Youth Network, UBI Works, The United Church of Canada; and many Canadian businesses.

In conclusion, I ask for your support for this important bill. Social justice means pushing beyond charity and making social policy changes that will impact future generations. As Senator Segal said, putting a floor under people by providing a basic income so they can live without worry and plan a life they deserve is the least we can do.

GLBI is an effective, just and evidence-based approach to create income security and directly address poverty. It would also offer women more choices and opportunities in many significant domains of their lives. As such, it is an important step forward in the pursuit of gender equality and in recognizing the role of women through specific public policy initiatives.

As I remember and honour the women's voices from the Photovoice project, I sincerely believe this is a way forward. Thank you.

(On motion of Senator Duncan, debate adjourned.)

RADIOCOMMUNICATION ACT

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Hon. Dennis Glen Patterson moved second reading of Bill S-242, An Act to amend the Radiocommunication Act.

He said: Honourable senators, I rise today to speak to Bill S-242, An Act to amend the Radiocommunication Act — or, as I call it, “the use-it-or-lose-it bill.” This bill would amend Canada's spectrum policy to ensure that this public resource is used to connect Canadians and not as a speculative vehicle for billionaires.

Canadians in rural, remote and northern communities deserve connectivity. Senators know that I have long railed against Canada's spectrum policy, which prioritizes urban competition over rural connectivity. Communities anywhere from 15 minutes outside of Calgary to those in the Far North — such as Grise Fiord, Nunavut — are deprived of connectivity. While there are many factors that contribute to the lack of connectivity, one reality is that some communities lack access to sufficient internet connectivity thanks to spectrum that remains unused.

What is spectrum? Senators, spectrum refers to the airwaves that telecommunications companies use to deliver wireless services, like cell services or wireless broadband. These companies need enough spectrum to deliver high-quality wireless services.

I want to take a second to note that when I say “companies,” I don't just mean the big telcos, like Rogers, Bell and TELUS. When I say “companies,” I mean anyone that uses spectrum. This could be the big telcos, but it could also be small companies like the many mom-and-pop wireless broadband companies that are present in so many rural communities.

Access to spectrum is particularly important as we move towards 5G. We hear frequently about the promises of 5G — which I'll address in a minute — but one of the most important developments is the high-quality wireless broadband that will be available.

Spectrum is first and foremost a public resource. The government often auctions it off to make it more available to Canadians to improve connectivity. That's why spectrum is so important — the more you have, the better your services can be. This is incredibly important because without enough spectrum, no company can offer a good service, be it cellphone service or wireless broadband. What it means is that without using spectrum efficiently, we cannot expect to connect all Canadians. Given that the government has the goal of connecting all Canadians by 2030, this is a substantial and material policy problem.

What is the current policy? Spectrum policy today is focused on encouraging competition in urban Canada. While this goal is laudable, competition alone is not enough. Competition means little to those Canadians who are not connected.

The policy today revolves around how the government carries out spectrum auctions, the next being scheduled in 2023. These auctions cost companies billions of dollars — and the government, to encourage urban competition, sometimes sets aside up to 60% of the spectrum available for smaller players. While this is great for urban competition, it means that a lot of spectrum sits idle outside those urban cores. That spectrum could be used to connect rural, remote and northern communities all across Canada. Instead, what happens is the companies who receive subsidized spectrum turn around and sell it for hundreds of millions of dollars.

• (1940)

In 2017 — and this is only one example and maybe the most egregious, dear colleagues — Pierre Karl Péladeau's Videotron sold subsidized spectrum for a profit of \$243 million over what was paid for it. This was spectrum that was supposed to support Videotron's expansion into Toronto and the rest of Ontario. Instead, the taxpayer subsidy was funnelled directly into the pockets of a very wealthy family.

In an effort to increase competition, the government has been deeply discounting spectrum for smaller regional carriers who consistently fail to deploy it. In every geographic region across Canada, there are areas sitting unserved by broadband because of limited access to spectrum resources. That spectrum is a scarce public resource but has been squandered because it has been licensed to regional carriers who prefer to flip it for profit rather than use it to improve the lives of Canadians.

Did you know that less than 20% of rural spectrum has been deployed nationally by regional carriers? That matters because that other 80% is held by companies that often do not have the resources to deploy it.

Senators, we must create a policy environment where spectrum squatting, as I call it, and speculation should not be permitted. This is especially important in the context of the auction rules that set aside lots of spectrum and allow some players to obtain the spectrum at subsidized costs without a meaningful timeline for deployment. It is safe to say that set-aside-eligible companies have received over half a billion dollars of cash by selling spectrum that they originally purchased at a deep discount thanks to Canadian taxpayers. There must be a policy of "use it or lose it." This is responsible long-term policy-making that will protect Canadians. We all agree the end goal is to drive the best outcomes for Canadians, so we should agree that companies should have to deploy the spectrum that they purchase. That's what it's there for.

The second thing we need to consider is the cost of spectrum. A dollar on spectrum is a dollar not spent on expanding connectivity. Other countries appear to have learned this lesson.

The governments of Japan and South Korea both have provided spectrum to their carriers for free. Smaller economies like Ireland and the Czech Republic both charged an average of 4 cents per each unit of spectrum for the same unit U.S. carriers paid on average \$1.19. Meanwhile in Canada, national carriers paid more than 2.8 times as much as the U.S. for 5G spectrum. Canada's latest auction, the most expensive in the world, drove close to \$9 billion in revenue for the Canadian government. This is important because it would take that same \$9 billion to fully close the rural connectivity gap and provide full 50/10 megabyte per second download/upload service to every single Canadian household. This comes from a study from the Institute of Fiscal Studies and Democracy at the University of Ottawa using data from the CRTC that estimated it would cost between \$6 billion and \$10 billion to provide 50/10 Mbps service to the 14% of Canadian households currently underserved.

Senators, we must seriously consider how wise it is for us to endorse a policy that outright prevents companies from building in rural Canada.

Here is another number that might surprise this chamber. Through cellphone bills, a typical family of four now pays \$400 annually — or \$100 per person — for the cost of spectrum. This is up 12.5% since the latest auction. That's essentially two months of wireless bills every year per customer that goes straight back to the government.

Senators, there is an opportunity cost to having the highest spectrum prices in the world. First and foremost, it's preventing our goal, which is universal access. Second, it's driving slower economic growth. In fact, the GSMA, the global mobile industry standard-setting body, estimated that bringing 5G spectrum policies in Canada in line with international best practices would deliver well in excess of a total of \$30 billion in additional GDP growth for the entire 2020-2040 period.

The third consideration around spectrum is a bit technical, but it actually might be the simplest to fix. We need to make sure that providers with a successful track record of deployment have enough spectrum to achieve the best networks. Even in the early stages of 5G deployment, carriers will need access to spectrum to satisfy the needs of consumers, businesses and the public sector, including for cellphone services and wireless broadband. Experts agree that the maximum benefit of 5G comes with 100 megahertz channels. However, ISED allocated much less than this in the most recent 5G auction and then set aside a significant amount for regional carriers. The result was that the most expensive spectrum auction in the world was one that didn't allocate enough spectrum to launch next-generation networks.

Senators, I need not remind you that these networks are the key to rural, remote and northern connectivity. For the next spectrum auction — which, as I say, is scheduled to take place in 2023 — the goal must be to ensure that coming out of it, every carrier has access to 100 megahertz of 5G spectrum as long as they are ready to put it to use. It's the only way that we can continue to offer world-leading networks to Canadians.

Honourable senators, several of you have spoken in this place about the need for new thinking when it comes to spectrum policy. Namely, we must think hard about whether past policies are working in our interests. I would posit they are not. For the upcoming auction, I would propose we abandon the current policy — set-asides — entirely in favour of an internationally recognized alternative: caps. Caps ensure carriers get the spectrum they need while making sure costs stay under control. A recent study found that most OECD countries use caps in their auctions and did not see the same prices we saw here in Canada. So we know this policy works. In the upcoming auction, there is enough spectrum to go around. Let's not have a repeat of the last auction. Instead, let's focus on the goals that really matter: connecting Canadians.

Honourable senators, we must see spectrum for what it is: the key to future productivity, core to economic development and a catalyst for innovation. Most importantly, it is a tool to connect and enable our vision for Canada. In the North, increased connectivity means we can access better medical services and do more procedures in the territory. It means we no longer have to travel as much or as far in the administration of justice. As I mentioned in my second reading speech on Bill S-4, better connectivity in Nunavut means students can connect with world-class institutions and take online courses, and it means something as simple as being able to apply online for services and grants.

Honourable senators, we all want the same thing: for Canada to be the world leader in productivity, quality of life and sustainability. For this to happen, we must have ubiquitous access to fast and reliable networks. If we can reach this vision, we will unlock untold potential for growth, innovation and prosperity. I want to use an industry we're all familiar with to illustrate the economic importance of broadband: agriculture.

It's estimated that next-generation 5G connectivity will add as much as \$40 billion to Canada's GDP within five years, and another \$500 billion in value could be added to the global gross domestic product if connectivity is successfully implemented in the agriculture industry. The lack of reliable connectivity in rural communities leaves farmers behind. Farmers, as we know, are the backbone of our economy, working hard to feed Canadians and the world. So let's help our farmers produce more food and produce it sustainably by giving them better access to connectivity.

• (1950)

As technology develops and as connectivity becomes more prevalent in rural, remote and northern communities, thousands of sensors will enable real-time decision making on farms based on data from those devices to produce more, maximize inputs and further increase sustainability across the supply chain. Connectivity will help farmers automate precision agricultural

technologies to produce more wheat, canola and other crops while optimizing inputs and time, creating a more sustainable product without cutting their yield.

Looking ahead, we unlock the possibilities of data-driven agriculture to get an even deeper understanding of how to best raise crops. With automation, our farmers will be able to use data to practise the four R's: right time, right place, right rate and right source. In particular, 5G will also literally drive semi-autonomous to fully autonomous tractors. A multitude of sensor devices, augmented reality and real-time decision making on farms will be based on data from those devices. Smart tractors and robotics are a viable option for many remote agricultural operations that struggle to find workers, but they need to be connected.

We're also seeing a rise in advanced livestock sensors, whereby large herds can be connected to sensors that monitor every aspect of what is going on with the animal, such as heart rate, to ensure that they can receive the best and healthiest treatment possible. To enable these technologies, connectivity is the key.

Improved connectivity on the field will allow for easily accessible cloud computing and responsiveness to data that is gathered and used in precision agriculture, and help unlock the potential of ag-tech innovations. Connectivity through 5G will help future-proof the sector as tech develops to higher capacities. To make sure we don't leave our farmers behind as 5G rolls out across Canada, we need to make sure companies make good use of spectrum they receive through auctions and deliver for all Canadians, not just urban Canadians.

Fundamentally, this bill is about making sure those that buy spectrum actually use it. When you buy a public resource, especially at a significant discount, you should be buying an obligation to connect Canadians. This bill does two important things. It clarifies the minister's powers to ensure the minister takes away licences when companies refuse to connect at least 50% of Canadians in a given licence area, and it allows Canadians to sue companies that under invest in connectivity. If the minister takes away a licence, and the former licensee cannot find someone to continue connectivity, the former licensee becomes liable for damages.

The first element is key because while the minister technically has this power implicitly, it has never been formally set out in law. By creating this provision in law, the minister will have a clear mandate to withdraw licences when it becomes clear that the company that bought the spectrum has no intention of using it. Then it can go to another company or group that will actually deploy the spectrum to connect Canadians. This is a policy that balances the industry's need for rules that governs fair spectrum use with Canadians' need for connectivity. If passed, "use it or lose it" would apply to all spectrum licences. I expect that would create an incentive for companies to build quickly — a positive thing — before the government can take away licences once the grace period expires.

The second element here is the liability of a company to a community that loses connectivity. It's possible that if a company is providing connectivity to one community, but not the rest of the communities in the licence area, the loss of the licence could mean a community is disconnected. This is obviously unacceptable. The solution is elegant: mandate the company to find another company to take over the licence, or pay massive penalties to the community.

Honourable senators, I believe this will be enough of a disincentive to prevent any company from actually disconnecting a community, and instead work hard to build the infrastructure needed to connect all Canadians. The bill is important because it sets the stage for a modern connectivity policy, one that is rooted in increasing Canada's economic productivity and ensuring that Canada has the highest quality of life globally. This bill is important because it means that Canadians will be connected faster to better broadband to build the future we all envision.

Honourable senators, we were all appointed to represent views that are not always present in the other place. We're constitutionally obliged to represent minority perspectives. In this case, it is the perspectives of rural, remote and northern Canadians who have been deprived of connectivity for so long. This is an issue that I believe transcends party lines; "use it or lose it" was present throughout the Conservative Party platform in 2021. I know it's also present in Minister Champagne's mandate letter, so I hope I can count on all of your support and your help in moving this bill to committee. It is imperative that we hear not just from experts on this matter, but also from communities affected by poor or no connectivity. I'm ready to work collaboratively with all of you to improve connectivity across Canada. Thank you. *Qujannamiik*.

Hon. Yonah Martin (Deputy Leader of the Opposition): Will the senator answer a few questions?

Senator Patterson: Gladly.

Senator Martin: Thank you, Senator Patterson. This is such an essential service that we take for granted in urban Canada. We're complaining about the connectivity if it's not within seconds of us touching a key. You raise some really important points of how the North and rural communities are impacted.

In terms of what you said, the government has a goal to have everyone connected by 2030. That's eight years away. Would you further expand on this statement and whether your bill will help address this to speed up the process?

Senator Patterson: Thank you for the question. Yes, this is a stated objective of the government. It has been well presented and lauded in official government proclamations and promises. The problem is that the spectrum policy has not been reviewed for years. It has not kept up with successful nations, and we all know that cell phones and broadband are cheaper in other parts of the world. Canadians are often complaining about these extremely high costs. The reason we have not been able to

successfully lower costs and deploy broadband to regions of the country, especially the remote regions, is because we have outdated policy, and because the government has treated the spectrum option, dare I say, as a significant source of revenue — I think it was \$9 billion in the last spectrum auction — instead of deploying it in ways that promote good public policy.

We need to change the spectrum policy, and we will have a chance of reaching these laudable goals of connections in all parts of this great country by 2030.

Senator Martin: I have one more question, then. It seems that this is something the government should be focusing on to achieve such a goal. I am wondering if you have had conversations with the minister's office. Perhaps this is something the government should be putting forward.

Senator Patterson: As I said, no, I haven't had an opportunity to speak to the minister about it, Senator Martin. But it's in his mandate letter, so I want to help him achieve his mandate. There are many other things, no doubt, on his plate. I think we can help him achieve his mandate with this bill. It's precisely what the mandate letter says, and what other parties' policies say. I like the phrase "use it or lose it." I think it has meaning. Let's help the minister achieve one of the bullets in his mandate letter. I will speak to him about this at your suggestion. Thank you.

Hon. René Cormier: Senator Patterson, I truthfully support the intention of your bill. I have a very simple question; maybe it's too simple. When I read the bill, I see the holder must deploy the spectrum to provide service to at least 50% of the population within the geographic area covered by the spectrum licence within three years of the licensee's insurance. How did you come to that 50%? The needs are so important in rural regions. How did you get to that percentage?

• (2000)

Senator Patterson: That's open to study in the bill, and it may have been an arbitrary figure, but I have been in consultation with industry folks, and that was the recommended goal. It would do a lot to improve connectivity in our rural regions. Let's study the bill, and, no doubt, it could be improved.

(On motion of Senator Martin, debate adjourned.)

[*Translation*]

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

FIRST REPORT OF COMMITTEE—DEBATE ADJOURNED

The Senate proceeded to consideration of the first report (interim) of the Standing Committee on Rules, Procedures and the Rights of Parliament, entitled *Amendments to the Rules — Speaker pro tempore*, presented in the Senate on March 29, 2022.

Hon. Diane Bellemare moved the adoption of the report.

(On motion of Senator Martin, debate adjourned.)

[English]

THE SENATE

MOTION TO RECOGNIZE THAT CLIMATE CHANGE IS AN URGENT CRISIS—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Galvez, seconded by the Honourable Senator Forest:

That the Senate of Canada recognize that:

- (a) climate change is an urgent crisis that requires an immediate and ambitious response;
- (b) human activity is unequivocally warming the atmosphere, ocean and land at an unprecedented pace, and is provoking weather and climate extremes in every region across the globe, including in the Arctic, which is warming at more than twice the global rate;
- (c) failure to address climate change is resulting in catastrophic consequences especially for Canadian youth, Indigenous Peoples and future generations; and
- (d) climate change is negatively impacting the health and safety of Canadians, and the financial stability of Canada;

That the Senate declare that Canada is in a national climate emergency which requires that Canada uphold its international commitments with respect to climate change and increase its climate action in line with the Paris Agreement's objective of holding global warming well below two degrees Celsius and pursuing efforts to keep global warming below 1.5 degrees Celsius; and

That the Senate commit to action on mitigation and adaptation in response to the climate emergency and that it consider this urgency for action while undertaking its parliamentary business.

Hon. Pat Duncan: Honourable senators, I rise today grateful to the Creator for this day and for the privilege of speaking from the traditional territory of the Algonquin Anishinaabe and respectfully serving Canada and Canadians with all of you.

Today, I'm speaking to Senator Galvez's motion that describes the climate in a state of urgent crisis. Senator Mégie most eloquently described how our planet, which supports life, needs intensive care without further delay.

What constitutes an emergency? An emergency is a threat to life. Our climate, life on the planet as we know it, has been threatened with extreme weather everywhere. In Canada, we have borne witness to floods, fires, droughts, record snowfall, and we have lost Arctic ice — ice that forms the icebergs in Newfoundland and Labrador's Iceberg Alley. An emergency is a threat to the security of the person. An absence of shelter, especially in extremes of weather, is an emergency.

No longer being able to access food and a subsistence lifestyle your culture has depended upon for thousands of years is a threat to the security of the person and culture. It's an emergency.

The decision to describe a situation as an emergency, especially for governments — for leaders — is not an easy decision arrived at lightly, nor is it easily accepted. We have witnessed recent debates on this very subject earlier this year.

In 2018, strategy discussions amongst the Assembly of First Nations Regional Chief Kluane Adamek, her team and Yukon chiefs coined the phrase "A Yukon that leads" to describe our region and the First Nations leadership and their advancement.

The regional chief granted me permission to share this with you. I spoke of this in a tribute to the late First Nations Yukon leader Paul Birckel. We lost a leader. Fortunately, we have not lost our way. "A Yukon that leads." I cannot think of a better phrase to describe a variety of Yukon First Nation initiatives.

A notable example is Chief Dana Tizya-Tramm of the Vuntut Gwitchin First Nation. On May 19, 2019, Old Crow, the home of the Vuntut Gwitchin, declared a climate emergency in their community. Climate change is drastically changing the landscape and the lifestyle in this remote community, the only community not accessible by year-round road in the Yukon.

I will return to the discussion of roads in a moment.

Honourable senators, I would like to share with you this quote from the Chief Tizya-Tramm. He said:

It's going to be the blink of an eye before my great grandchild is living in a completely different territory, and if that's not an emergency, I don't know what is.

The emergency — the urgent crisis — is upon us, as Senator Galvez has outlined. It's not the first time Canadians have been given this message. The 2019 Government of Canada report, *Canada's Changing Climate Report*, noted:

Northern Canada is defined as the geographical region north of 60° north latitude, encompassing Yukon, Northwest Territories, most of Nunavut, and parts of Nunavik (northern Quebec) and Nunatsiavut (northernmost Newfoundland and Labrador). In this region as a whole, annual mean temperature has increased by 2.3°C from 1948 to 2016, roughly three times the warming rate of global mean temperature.

Senator Black, in his address on this motion, outlined that he would speak from what he knows best — addressing climate change and agriculture. Senator Anderson spoke most eloquently of the changing climate in the North that she knows. Today, I speak of what I know — the changing climate in the Yukon.

In my lifetime, colleagues, I've borne witness to warmer winters. Yes, we still experience perhaps a week of extreme cold, yet not the weeks of minus 40 degrees Celsius that I remember walking to school.

As a young adult, I worked for Parks Canada Youth Conservation Corps in Kluane National Park at the base of Sheep Mountain, where the Kaskawulsh Glacier graced the landscape and fed the majestic Kluane Lake.

Honourable senators, I invite you to read the dramatic story of climate change in the North entitled *A River Ran Through It*, published on June 24, 2019, by Ainslie Cruickshank. It says in part:

Climate change has gripped the North. In a dramatic display of its power, a receding glacier stole the river that feeds this lake and the consequences have rippled throughout the watershed.

She was referring to the Kaskawulsh Glacier and Kluane Lake. "Now the Kluane First Nation is being forced to adapt."

The motion by Senator Galvez describes climate change as an urgent crisis and the resulting climate events as catastrophic, particularly for Canadian youth.

The motion says climate change is an urgent crisis, and, if left unaddressed, the consequences for our youth are profound. Yes, there are lauded and laudable youth who have led and are leading, recognizing the urgency of the situation and the need for change, but the consequences of climate change continue.

I mentioned earlier that Old Crow is a fly-in community. Periodically over the years, when a new school or a health facility was constructed, an ice road would be built to the community of Old Crow. This year, the trucks were unable to traverse the ice road for a period of time due to warmer temperatures. The ice road to Old Crow, when it's in use, is temporary, essential infrastructure.

The impact on permanent infrastructure, such as the highway network throughout the Yukon, is significant. These highways include the Alcan or the Alaska Highway, a major transportation route from the Lower 48 in the United States to Alaska, as well as Diefenbaker's "Roads to Resources," the Dempster Highway, a critical link for the communities of Inuvik and Tuktoyaktuk in the Northwest Territories.

The thawing permafrost on these roadways is estimated to have increased the highways' annual maintenance costs by hundreds of thousands of dollars per year since 2005. Hundreds of thousands of dollars may not mean much to provincial budgets

of millions of dollars and the budget we're looking forward to of billions of dollars, but when you're considering a relatively small budget of a territorial government, it's a lot of money.

The discussion of transportation, climate change and solutions like electric buses in the city of Edmonton are as important as all the steps, large and small, to address climate change.

Honourable senators have often heard me say that one size does not fit all. Recognition and acceptance of the need for change and the urgency of this situation are not everywhere. It's perhaps most evident in some of the younger population. There is a generation that grew up playing with big trucks that loudly went "vroom, vroom" and who dreamed of owning that F-150 truck or the GMC Denali with big tires. Now, as young adults, they love snowmobiling and driving four-wheelers in the back country of our provinces and territories.

• (2010)

The consequences for these young people is to say that all those things you thought you knew, the world you thought you were growing up in, doesn't exist anymore. The lifestyle and adventures of your family, the generation that preceded you, are not yours to share.

We have all become deeply conscious of the divisions in our country. I believe our debates on emergencies such as this must also include discussions of understanding how painful these life-changing decisions are for some.

We cannot forget, and we must also express our understanding for rural Canada, places where transit systems powered by electricity — or even transit systems — are not the norm. In small rural communities, you hop on a four-wheeler to go to the store, and the pickup or the Suburban is your office, team transportation to the rink and the family trip to the nearest major centre for all manner of groceries and supplies.

Switching from fossil fuels is a challenge. Yes, we're seeing the advancement of electric vehicles. Just yesterday on the news, there was an announcement of investment by governments in an electric vehicle plant. We must adapt to changes, not only in the area of climate. We have to adapt our lifestyles, our expectations and ensure that the transition is not a forced and one-size-fits-all approach.

Honourable senators, speaking to adapting to change, Kluane First Nation's Chief Bob Dickson is quoted in *A River Ran Through It*. There is a lesson for all of us in his words. The article quotes him as saying, "We have to relearn our traditional knowledge all over again because things are changing."

The article continues:

And it's not just the lower lake level. The winters are getting warmer, there's more rain, and the moose rut — mating season — is happening later in the fall.

Chief Dickson is quoted again:

We'll live with it. When they created a national park they moved us here and we adapted to that. I think we're going to adapt to this, just the same.

In discussing this emergency and the way forward, I believe we must be mindful of the differing circumstances, and we must approach the discussion in a way to deepen the understanding and not the divide, as seen in Senator Coyle's inquiry on climate change solutions, and hope for the future. I hope to speak to that later this session.

Honourable senators, if there's something good that can be said of everything, perhaps in our search for solutions for a changing climate and moving away from fossil fuels, there is also opportunity. The Yukon, as Senator Dasko shared in a statement recently, has witnessed the largest growth in the country. The demand for electric power has far outstripped the production capability of the hydroelectric facilities in the Yukon, especially in Whitehorse, to the point that diesel generators have been augmenting the supply for several winters.

In Old Crow, after declaring a climate emergency, Yukon's northernmost community announced the completion of an ambitious project, delayed, as so many other projects have been, due to the pandemic. Sree Vyah is a solar energy project consisting of 2,160 single-sided monocrystalline panels, configured to maximize solar generation during the long summer daylight hours. It will reduce the community's current reliance on diesel generators by 189,000 litres of diesel per year. It's a drastic change for a fly-in community. Funding for the project came from several federal programs, the First Nation and the Yukon government's development corporation.

Another innovative First Nation-owned project announced last month is Yukon Energy's Electricity Purchase Agreement with Tlingit Homeland Energy Limited Partnership, a company that is 100% owned by the Taku River Tlingit First Nation, who will build and own the Atlin Hydro Expansion Project. Atlin is actually in British Columbia. This will add eight megawatts to the Yukon grid, eliminating the need for four rental diesels each winter. It will generate about 31 gigawatt hours of electricity each winter: approximately enough to power 2,500 Yukon homes annually.

Honourable senators, in my short time in the Senate, I've had the opportunity to learn more about Canada's nuclear industry. I have become especially interested in the small nuclear reactors as a possibility for power generation in the North. The Canadian Nuclear Association has stated that the uranium needed in the industry will create and sustain jobs, especially for First Nations in northern Saskatchewan. Ontario Power Generation, Bruce Power, New Brunswick Power and SaskPower have developed a pan-Canadian initiative to develop and deploy small modular nuclear reactors. These are just some of the Canadian solutions and opportunities that I look forward to discussing in Senator Coyle's inquiry.

Honourable senators, I hope that my participation today has confirmed for you that the climate crisis is real in the Yukon, the territory I represent, and that it has significant negative, destructive effects on human health, life, food security and infrastructure, permanent and temporary, and that there is a real financial cost to climate change.

However, as seen in my examples, a cookie-cutter approach isn't the way. The transition needs to be locally adapted. It needs to be community-led and sufficiently supported by all orders of government: federal, provincial and territorial, Indigenous and municipal.

We need to be mindful of the differences throughout the territory and of the opportunities.

I look forward to discussing the climate emergency as well as the solutions in coming days. Thank you, *mahsi'cho, g'ıná'tchish*.

(On motion of Senator Martin, debate adjourned.)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE ASSISTED HUMAN REPRODUCTION LEGISLATIVE AND REGULATORY FRAMEWORK—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Moncion, seconded by the Honourable Senator Simons:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on the Canadian assisted human reproduction legislative and regulatory framework and any other related issues deemed relevant by the committee, when and if the committee is formed; and

That the committee submit its final report on this study to the Senate no later than October 31, 2023, and that the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

Hon. Judith G. Seidman: Honourable Senators, I rise today in support of my colleague Senator Moncion's motion to authorize the Standing Senate Committee on Social Affairs, Science and Technology to examine and report on the Canadian assisted human reproduction legislative and regulatory framework, and any other related issues deemed relevant by the committee.

I would like to thank Senator Moncion for her leadership on this important issue. Throughout her tireless advocacy, she has remained focused on the health, safety, and dignity of Canadians who wish to grow their families with the assistance of reproductive technologies and processes, and the surrogate mothers who help them do so.

The Assisted Human Reproduction Act, Canada's legal framework on assisted human reproduction, became law in 2004. The framework was built on the work done by the Royal

Commission on New Reproductive Technologies, which was established in 1989 to study the ethical, social, research and legal implications of new reproductive technologies in Canada.

The original Assisted Human Reproduction Act was meant to be a comprehensive and transformative framework. It prohibited and criminalized certain activities, while simultaneously permitting and regulating others. It also established the Assisted Human Reproduction Agency of Canada, a federal regulatory agency responsible for enforcing the act.

However, the aspirations of the framework were short-lived. Many of the provisions of the act remained dormant for years. Intended parents, health care professionals, lawyers, and ethicists were left in the dark about the legal parameters of assisted human reproduction. As an example, the federal government released regulations related to reimbursement only in June 2019 — 15 years after the law was passed.

Additionally, shortly after the Assisted Human Reproduction Act received Royal Assent in 2004, the Government of Quebec challenged the constitutional validity of certain provisions of the act. A decision made by the Supreme Court of Canada struck down a number of provisions of the act, including the establishment of the agency, which shut down its operation in 2013.

Today, surrogacy and gamete donation programs in Canada lack oversight, are unregulated and unlicensed. The regulation, as well as the licensing of fertility clinics, is a responsibility left to the provinces and territories. Data collection is also inconsistent and fragmented, and most of it is anecdotal in nature.

• (2020)

Over the years, there have been reports of fertility clinics and agencies engaging in unlawful behaviours. While the stories are few, they are concerning. This is all due to the lack of standards and oversight of surrogacy in Canada, which leaves prospective parents, surrogates and donors vulnerable to harm.

Honourable senators, there is no question that a national conversation about Canada's assisted human reproduction laws is long overdue. In my second reading speech on Bill S-202, An Act to amend the Assisted Human Reproduction Act, I suggested that rather than proceeding with a private member's bill, we should first conduct a comprehensive study of the subject matter. I argued that this approach would allow us to understand the unintended consequences of changing the current framework and suggest options for other frameworks, which could ultimately be addressed in a separate piece of legislation.

As I stated in that second reading speech:

A debate on this proposed piece of legislation would restrict our hearings to only the scope of the bill, with broader questions necessitating fulsome evidence collection on assisted human reproduction beyond our reach.

Now, a Senate study on this subject matter would provide a necessary and timely opportunity for us to learn from health and legal experts who are actively engaged in the field. Also, it would allow Canada to draw upon the expertise of other countries, such as the United States, the United Kingdom, India and others who have crafted programs on assisted human reproduction and utilize best practices from their studies over the years. It is for these reasons that I fully support Senator Moncion's motion and once again thank her for her leadership.

Almost two decades have gone by since the passage of the Assisted Human Reproduction Act. A fulsome study conducted by the Standing Senate Committee on Social Affairs, Science and Technology would play an important and timely role in modernizing and shaping Canada's legislative and regulatory framework on assisted human reproduction. It would also respond to the urgent need to pay attention to the health and safety of all those involved.

Honourable senators, this really does matter. Thank you.

(On motion of Senator Duncan, debate adjourned.)

THE SENATE

MOTION TO AMEND SECTION 2 OF CHAPTER 4:03 OF THE *SENATE ADMINISTRATIVE RULES*—DEBATE ADJOURNED

Hon. Sabi Marwah, pursuant to notice of March 24, 2022, moved:

That section 2 of Chapter 4:03 of the *Senate Administrative Rules* (SARs) be amended by adding the following after subsection (2):

“(3) During periods of prorogation and dissolution, the senators who were members of the Subcommittee on Agenda and Procedure of the Committee of Selection on the day on which Parliament was prorogued or dissolved may exercise collectively the powers of the Committee of Selection under subsection (2).

(4) If a senator referred to in subsection (3) retires, resigns or otherwise ceases to be a member of a particular recognized party or recognized parliamentary group for any reason during a period of prorogation or dissolution, he or she simultaneously ceases to be a member of the Committee of Selection for the purposes of subsection (3), with the resulting vacancy to be filled by the leader or facilitator of the party or group to which the senator had belonged.”

He said: I think this is a very simple motion, Senator Martin. As you know, right now if the Senate is prorogued, there can be a position, whereby if senators are appointed during the dissolution period, there is no office that can be given to them. We normally need to have workarounds to give them an office, because the Selection Committee is not sitting. All this motion really does is it allows the Selection Committee and the steering members of the Selection Committee to sit during the dissolution period for the sole purpose of providing an office to the senator who has

been appointed during that period. That is the essence of the motion. If a member of the Selection Committee is replaced, then they can only be replaced by the leaders of that particular group.

I would be glad to take any questions.

(On motion of Senator Martin, debate adjourned.)

(At 8:26 p.m., the Senate was continued until tomorrow at 2 p.m.)

THE SPEAKER

The Honourable George J. Furey

THE GOVERNMENT REPRESENTATIVE IN THE SENATE

The Honourable Marc Gold

THE LEADER OF THE OPPOSITION

The Honourable Donald Neil Plett

FACILITATOR OF THE INDEPENDENT SENATORS GROUP

The Honourable Raymonde Saint-Germain

THE LEADER OF THE CANADIAN SENATORS GROUP

The Honourable Scott Tannas

THE LEADER OF THE PROGRESSIVE SENATE GROUP

The Honourable Jane Cordy



OFFICERS OF THE SENATE

INTERIM CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS

Gérald Lafrenière

LAW CLERK AND PARLIAMENTARY COUNSEL

Philippe Hallée

USHER OF THE BLACK ROD

J. Greg Peters

THE MINISTRY

(In order of precedence)

(April 1, 2022)

The Right Hon. Justin Trudeau	Prime Minister
The Hon. Chrystia Freeland	Minister of Finance
	Deputy Prime Minister
The Hon. Lawrence MacAulay	Minister of Veterans Affairs
	Associate Minister of National Defence
The Hon. Carolyn Bennett	Minister of Mental Health and Addictions
	Associate Minister of Health
The Hon. Dominic LeBlanc	Minister of Infrastructure and Communities
	Minister of Intergovernmental Affairs
The Hon. Jean-Yves Duclos	Minister of Health
The Hon. Marie-Claude Bibeau	Minister of Agriculture and Agri-Food
The Hon. Mélanie Joly	Minister of Foreign Affairs
The Hon. Diane Lebouthillier	Minister of National Revenue
The Hon. Harjit S. Sajjan	Minister of International Development
	Minister responsible for the Pacific Economic Development Agency of Canada
The Hon. Carla Qualtrough	Minister of Employment, Workforce Development and Disability Inclusion
	Minister of Indigenous Services
The Hon. Patty Hajdu	Minister responsible for the Federal Economic Development Agency for Northern Ontario
The Hon. François-Philippe Champagne	Minister of Innovation, Science and Industry
The Hon. Karina Gould	Minister of Families, Children and Social Development
The Hon. Ahmed Hussen	Minister of Housing and Diversity and Inclusion
The Hon. Ginette Petitpas Taylor	Minister of Official Languages
	Minister responsible for the Atlantic Canada Opportunities Agency
The Hon. Seamus O'Regan	Minister of Labour
The Hon. Pablo Rodriguez	Minister of Canadian Heritage
The Hon. Bill Blair	President of the Queen's Privy Council for Canada
	Minister of Emergency Preparedness
	Minister of Economic Development
	Minister of International Trade
	Minister of Small Business and Export Promotion
The Hon. Filomena Tassi	Minister of Public Services and Procurement
The Hon. Jonathan Wilkinson	Minister of National Resources
The Hon. David Lametti	Minister of Justice
	Attorney General of Canada
The Hon. Joyce Murray	Minister of Fisheries, Oceans and the Canadian Coast Guard
The Hon. Anita Anand	Minister of National Defence
The Hon. Mona Fortier	President of the Treasury Board
The Hon. Steven Guilbeault	Minister of Environment and Climate Change
The Hon. Marco Mendicino	Minister of Public Safety
The Hon. Marc Miller	Minister of Crown-Indigenous Relations
The Hon. Dan Vandal	Minister responsible for Prairies Economic Development Canada
	Minister responsible for the Canadian Northern Economic Development Agency
	Minister of Northern Affairs
The Hon. Omar Alghabra	Minister of Transport
The Hon. Randy Boissonnault	Minister of Tourism
	Associate Minister of Finance
The Hon. Sean Fraser	Minister of Immigration, Refugees and Citizenship
The Hon. Mark Holland	Leader of the Government in the House of Commons
The Hon. Gudie Hutchings	Minister of Rural Economic Development
The Hon. Marci Ien	Minister of Women and Gender Equality and Youth
The Hon. Helena Jaczek	Minister responsible for the Federal Economic Agency for Southern Ontario
The Hon. Kamal Khera	Minister of Seniors
The Hon. Pascale St-Onge	Minister of Sport
	Minister responsible for the Economic Development Agency of Canada for the Regions of Quebec

SENATORS OF CANADA

ACCORDING TO SENIORITY

(April 1, 2022)

Senator	Designation	Post Office Address
The Honourable		
George J. Furey, <i>Speaker</i>	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Jane Cordy	Nova Scotia	Dartmouth, N.S.
Mobina S. B. Jaffer	British Columbia	North Vancouver, B.C.
Pierrette Ringuette	New Brunswick	Edmundston, N.B.
Percy E. Downe	Charlottetown	Charlottetown, P.E.I.
Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire, Que.
Terry M. Mercer	Northend Halifax	Caribou River, N.S.
Larry W. Campbell	British Columbia	Vancouver, B.C.
Dennis Dawson	Lauson	Sainte-Foy, Que.
Sandra M. Lovelace Nicholas	New Brunswick	Tobique First Nations, N.B.
Stephen Greene	Halifax - The Citadel	Halifax, N.S.
Michael L. MacDonald	Cape Breton	Dartmouth, N.S.
Percy Mockler	New Brunswick	St. Leonard, N.B.
Pamela Wallin	Saskatchewan	Wadena, Sask.
Yonah Martin	British Columbia	Vancouver, B.C.
Patrick Brazeau	Repentigny	Maniwaki, Que.
Leo Housakos	Wellington	Laval, Que.
Donald Neil Plett	Landmark	Landmark, Man.
Claude Carignan, P.C.	Mille Isles	Saint-Eustache, Que.
Dennis Glen Patterson	Nunavut	Iqaluit, Nunavut
Elizabeth Marshall	Newfoundland and Labrador	Paradise, Nfld. & Lab.
Pierre-Hugues Boisvenu	La Salle	Sherbrooke, Que.
Judith G. Seidman	De la Durantaye	Saint-Raphaël, Que.
Rose-May Poirier	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent, N.B.
Salma Ataullahjan	Ontario (Toronto)	Toronto, Ont.
Fabian Manning	Newfoundland and Labrador	St. Bride's, Nfld. & Lab.
Larry W. Smith	Saurel	Hudson, Que.
Josée Verner, P.C.	Montarville	Saint-Augustin-de-Desmaures, Que.
Jean-Guy Dagenais	Victoria	Blainville, Que.
Vernon White	Ontario	Ottawa, Ont.
Diane Bellemare	Alma	Outremont, Que.
David M. Wells	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Victor Oh	Mississauga	Mississauga, Ont.
Denise Batters	Saskatchewan	Regina, Sask.
Scott Tannas	Alberta	High River, Alta.
Peter Harder, P.C.	Ottawa	Manotick, Ont.
Raymonde Gagné	Manitoba	Winnipeg, Man.
Frances Lankin, P.C.	Ontario	Restoule, Ont.
Ratna Omidvar	Ontario	Toronto, Ont.
Chantal Petitclerc	Grandville	Montreal, Que.
Yuen Pau Woo	British Columbia	North Vancouver, B.C.
Patricia Bovey	Manitoba	Winnipeg, Man.
René Cormier	New Brunswick	Caraget, N.B.
Nancy J. Hartling	New Brunswick	Riverview, N.B.
Kim Pate	Ontario	Ottawa, Ont.
Tony Dean	Ontario	Toronto, Ont.
Wanda Elaine Thomas Bernard	Nova Scotia (East Preston)	East Preston, N.S.
Sabi Marwah	Ontario	Toronto, Ont.
Howard Wetston	Ontario	Toronto, Ont.
Lucie Moncion	Ontario	North Bay, Ont.
Renée Dupuis	The Laurentides	Sainte-Pétronille, Que.

Senator	Designation	Post Office Address
Marilou McPhedran.....	Manitoba	Winnipeg, Man.
Gwen Boniface.....	Ontario	Orillia, Ont.
Éric Forest.....	Gulf	Rimouski, Que.
Marc Gold.....	Stadacona	Westmount, Que.
Marie-Françoise Mégie	Rougemont.....	Montreal, Que.
Raymonde Saint-Germain	De la Vallière	Quebec City, Que
Dan Christmas.....	Nova Scotia.....	Membertou, N.S.
Rosa Galvez	Bedford.....	Lévis, Que.
David Richards.....	New Brunswick.....	Fredericton, N.B.
Mary Coyle.....	Nova Scotia	Antigonish, N.S.
Mary Jane McCallum.....	Manitoba	Winnipeg, Man.
Robert Black.....	Ontario	Centre Wellington, Ont.
Marty Deacon.....	Waterloo Region	Waterloo, Ont.
Yvonne Boyer	Ontario	Merrickville-Wolford, Ont.
Mohamed-Iqbal Ravalia.....	Newfoundland and Labrador.....	Twillingate, Nfld. & Lab.
Pierre J. Dalphond.....	De Lorimier	Montreal, Que.
Donna Dasko.....	Ontario	Toronto, Ont.
Colin Deacon.....	Nova Scotia.....	Halifax, N.S.
Julie Miville-Dechéne	Inkerman	Mont-Royal, Que.
Bev Busson	British Columbia	North Okanagan Region, B.C.
Marty Klyne	Saskatchewan	White City, Sask.
Patti LaBoucane-Benson	Alberta.....	Spruce Grove, Alta.
Paula Simons	Alberta.....	Edmonton, Alta.
Peter M. Boehm	Ontario	Ottawa, Ont.
Brian Francis	Prince Edward Island	Rocky Point, P.E.I.
Margaret Dawn Anderson	Northwest Territories	Yellowknife, N.W.T.
Pat Duncan	Yukon.....	Whitehorse, Yukon
Rosemary Moodie	Ontario	Toronto, Ont.
Stan Kutcher.....	Nova Scotia.....	Halifax, N.S.
Tony Loffreda	Shawinigan	Montreal, Que.
Brent Cotter.....	Saskatchewan.....	Saskatoon, Sask.
Hassan Yussuff.....	Ontario	Toronto, Ont.
Bernadette Clement.....	Ontario	Cornwall, Ont.
Jim Quinn.....	New Brunswick.....	Saint John, N.B.
Karen Sorensen	Alberta.....	Banff, Alta.
Amina Gerba	Rigaud	Blainville, Que.
Clément Gignac.....	Kennebec.....	Lac Saint-Joseph, Que.
Michèle Audette.....	De Salaberry.....	Quebec City, Que.
David Arnot.....	Saskatchewan	Saskatoon, Sask.

SENATORS OF CANADA

ALPHABETICAL LIST

(April 1, 2022)

Senator	Designation	Post Office Address	Political Affiliation
The Honourable			
Anderson, Margaret Dawn	Northwest Territories	Yellowknife, N.W.T.	Progressive Senate Group
Arnot, David	Saskatchewan	Saskatoon, Sask.	Independent Senators Group
Ataullahjan, Salma	Ontario (Toronto)	Toronto, Ont.	Conservative Party of Canada
Audette, Michèle	De Salaberry	Quebec City, Que.	Independent Senators Group
Batters, Denise	Saskatchewan	Regina, Sask.	Conservative Party of Canada
Bellemare, Diane	Alma	Outremont, Que.	Independent Senators Group
Bernard, Wanda Elaine Thomas	Nova Scotia (East Preston)	East Preston, N.S.	Progressive Senate Group
Black, Robert	Ontario	Centre Wellington, Ont.	Canadian Senators Group
Boehm, Peter M.	Ontario	Ottawa, Ont.	Independent Senators Group
Boisvenu, Pierre-Hugues	La Salle	Sherbrooke, Que.	Conservative Party of Canada
Boniface, Gwen	Ontario	Orillia, Ont.	Independent Senators Group
Bovey, Patricia	Manitoba	Winnipeg, Man.	Progressive Senate Group
Boyer, Yvonne	Ontario	Merrickville-Wolford, Ont.	Independent Senators Group
Brazeau, Patrick	Repentigny	Maniwaki, Que.	Non-affiliated
Busson, Bev	British Columbia	North Okanagan Region, B.C.	Independent Senators Group
Campbell, Larry W.	British Columbia	Vancouver, B.C.	Canadian Senators Group
Carignan, Claude, P.C.	Mille Isles	Saint-Eustache, Que.	Conservative Party of Canada
Christmas, Dan	Nova Scotia	Membertou, N.S.	Independent Senators Group
Clement, Bernadette	Ontario	Cornwall, Ont.	Independent Senators Group
Cordy, Jane	Nova Scotia	Dartmouth, N.S.	Progressive Senate Group
Cormier, René	New Brunswick	Caraquet, N.B.	Independent Senators Group
Cotter, Brent	Saskatchewan	Saskatoon, Sask.	Independent Senators Group
Coyle, Mary	Nova Scotia	Antigonish, N.S.	Independent Senators Group
Dagenais, Jean-Guy	Victoria	Blainville, Que.	Canadian Senators Group
Dalphond, Pierre J.	De Lorimier	Montreal, Que.	Progressive Senate Group
Dasko, Donna	Ontario	Toronto, Ont.	Independent Senators Group
Dawson, Dennis	Lauzon	Ste-Foy, Que.	Progressive Senate Group
Deacon, Colin	Nova Scotia	Halifax, N.S.	Independent Senators Group
Deacon, Marty	Waterloo Region	Waterloo, Ont.	Independent Senators Group
Dean, Tony	Ontario	Toronto, Ont.	Independent Senators Group
Downe, Percy E.	Charlottetown	Charlottetown, P.E.I.	Canadian Senators Group
Duncan, Pat	Yukon	Whitehorse, Yukon	Independent Senators Group
Dupuis, Renée	The Laurentides	Sainte-Pétronille, Que.	Independent Senators Group
Forest, Éric	Gulf	Rimouski, Que.	Independent Senators Group
Francis, Brian	Prince Edward Island	Rocky Point, P.E.I.	Progressive Senate Group
Furey, George J., <i>Speaker</i>	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Non-affiliated
Gagné, Raymonde	Manitoba	Winnipeg, Man.	Non-affiliated
Galvez, Rosa	Bedford	Lévis, Que.	Independent Senators Group
Gerba, Amina	Rigaud	Blainville, Que.	Progressive Senate Group
Gignac, Clément	Kennebec	Lac Saint-Joseph, Que.	Progressive Senate Group
Gold, Marc	Stadacona	Westmount, Que.	Non-affiliated
Greene, Stephen	Halifax - The Citadel	Halifax, N.S.	Canadian Senators Group
Harder, Peter, P.C.	Ottawa	Manotick, Ont.	Progressive Senate Group
Hartling, Nancy J.	New Brunswick	Riverview, N.B.	Independent Senators Group
Housakos, Leo	Wellington	Laval, Que.	Conservative Party of Canada
Jaffer, Mobina S. B.	British Columbia	North Vancouver, B.C.	Independent Senators Group
Klyne, Marty	Saskatchewan	White City, Sask.	Progressive Senate Group
Kutcher, Stan	Nova Scotia	Halifax, N.S.	Independent Senators Group
LaBoucane-Benson, Patti	Alberta	Spruce Grove, Alta.	Non-affiliated
Lankin, Frances, P.C.	Ontario	Restoule, Ont.	Independent Senators Group

Senator	Designation	Post Office Address	Political Affiliation
Loffreda, Tony	Shawinegan	Montreal, Que.	Independent Senators Group
Lovelace Nicholas, Sandra M.	New Brunswick	Tobique First Nations, N.B.	Progressive Senate Group
MacDonald, Michael L.	Cape Breton	Dartmouth, N.S.	Conservative Party of Canada
Manning, Fabian	Newfoundland and Labrador	St. Bride's, Nfld. & Lab.	Conservative Party of Canada
Marshall, Elizabeth	Newfoundland and Labrador	Paradise, Nfld. & Lab.	Conservative Party of Canada
Martin, Yonah	British Columbia	Vancouver, B.C.	Conservative Party of Canada
Marwah, Sabi	Ontario	Toronto, Ont.	Independent Senators Group
Massicotte, Paul J.	De Lanaudière	Mont-Saint-Hilaire, Que.	Independent Senators Group
McCallum, Mary Jane	Manitoba	Winnipeg, Man.	Non-affiliated
McPhedran, Marilou	Manitoba	Winnipeg, Man.	Non-affiliated
Mégie, Marie-Françoise	Rougemont	Montreal, Que.	Independent Senators Group
Mercer, Terry M.	Northend Halifax	Caribou River, N.S.	Progressive Senate Group
Miville-Dechéne, Julie	Inkerman	Mont-Royal, Que.	Independent Senators Group
Mockler, Percy	New Brunswick	St. Leonard, N.B.	Conservative Party of Canada
Moncion, Lucie	Ontario	North Bay, Ont.	Independent Senators Group
Moodie, Rosemary	Ontario	Toronto, Ont.	Independent Senators Group
Oh, Victor	Mississauga	Mississauga, Ont.	Conservative Party of Canada
Omidvar, Ratna	Ontario	Toronto, Ont.	Independent Senators Group
Pate, Kim	Ontario	Ottawa, Ont.	Independent Senators Group
Patterson, Dennis Glen	Nunavut	Iqaluit, Nunavut	Canadian Senators Group
Petitclerc, Chantal	Grandville	Montreal, Que.	Independent Senators Group
Plett, Donald Neil	Landmark	Landmark, Man.	Conservative Party of Canada
Poirier, Rose-May	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent, N.B.	Conservative Party of Canada
Quinn, Jim	New Brunswick	Saint John, N.B.	Canadian Senators Group
Ravalia, Mohamed-Iqbal	Newfoundland and Labrador	Twillingate, Nfld. & Lab.	Independent Senators Group
Richards, David	New Brunswick	Fredericton, N.B.	Canadian Senators Group
Ringuette, Pierrette	New Brunswick	Edmundston, N.B.	Independent Senators Group
Saint-Germain, Raymonde	De la Vallière	Quebec City, Que.	Independent Senators Group
Seidman, Judith G.	De la Durantaye	Saint-Raphaël, Que.	Conservative Party of Canada
Simons, Paula	Alberta	Edmonton, Alta.	Independent Senators Group
Smith, Larry W.	Sauvel	Hudson, Que.	Conservative Party of Canada
Sorensen, Karen	Alberta	Banff, Alta.	Independent Senators Group
Tannas, Scott	Alberta	High River, Alta.	Canadian Senators Group
Verner, Josée, P.C.	Montarville	Saint-Augustin-de-Desmaures, Que.	Canadian Senators Group
Wallin, Pamela	Saskatchewan	Wadena, Sask.	Canadian Senators Group
Wells, David M.	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Conservative Party of Canada
Wetston, Howard	Ontario	Toronto, Ont.	Independent Senators Group
White, Vernon	Ontario	Ottawa, Ont.	Canadian Senators Group
Woo, Yuen Pau	British Columbia	North Vancouver, B.C.	Independent Senators Group
Yussuff, Hassan	Ontario	Toronto, Ont.	Independent Senators Group

SENATORS OF CANADA
BY PROVINCE AND TERRITORY

(April 1, 2022)

ONTARIO—24

Senator	Designation	Post Office Address
The Honourable		
1	Salma Ataullahjan.....Ontario (Toronto)	Toronto
2	Vernon White.....Ontario	Ottawa
3	Victor Oh.....Mississauga	Mississauga
4	Peter Harder, P.C. ....Ottawa	Manotick
5	Frances Lankin, P.C.....Ontario	Restoule
6	Ratna Omidvar.....Ontario	Toronto
7	Kim Pate.....Ontario	Ottawa
8	Tony Dean.....Ontario	Toronto
9	Sabi Marwah.....Ontario	Toronto
10	Howard Wetston.....Ontario	Toronto
11	Lucie Moncion.....Ontario	North Bay
12	Gwen Boniface.....Ontario	Orillia
13	Robert Black.....Ontario	Centre Wellington
14	Marty Deacon.....Waterloo Region	Waterloo
15	Yvonne Boyer.....Ontario	Merrickville-Wolford
16	Donna Dasko.....Ontario	Toronto
17	Peter M. Boehm.....Ontario	Ottawa
18	Rosemary Moodie.....Ontario	Toronto
19	Hassan Yussuff.....Ontario	Toronto
20	Bernadette Clement.....Ontario	Cornwall
21	.....
22	.....
23	.....
24	.....

SENATORS BY PROVINCE AND TERRITORY

QUEBEC—24

Senator	Designation	Post Office Address
The Honourable		
1 Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire
2 Dennis Dawson	Lauzon.....	Ste-Foy
3 Patrick Brazeau	Repentigny	Maniwaki
4 Leo Housakos	Wellington.....	Laval
5 Claude Carignan, P.C.....	Mille Isles.....	Saint-Eustache
6 Judith G. Seidman.....	De la Durantaye.....	Saint-Raphaël
7 Pierre-Hugues Boisvenu	La Salle	Sherbrooke
8 Larry W. Smith	Saurel	Hudson
9 Josée Verner, P.C.....	Montarville.....	Saint-Augustin-de-Desmaures
10 Jean-Guy Dagenais	Victoria.....	Blainville
11 Diane Bellemare	Alma.....	Outremont
12 Chantal Petitclerc.....	Grandville.....	Montreal
13 Renée Dupuis.....	The Laurentides.....	Saint-Pétronille
14 Éric Forest.....	Gulf	Rimouski
15 Marc Gold.....	Stadacona	Westmount
16 Marie-Françoise Mégie.....	Rougemont	Montreal
17 Raymonde Saint-Germain.....	De la Vallière	Quebec City
18 Rosa Galvez	Bedford.....	Lévis
19 Pierre J. Dalphond.....	De Lorimier.....	Montreal
20 Julie Miville-Dechêne.....	Inkerman	Mont-Royal
21 Tony Loffreda	Shawinegan	Montreal
22 Amina Gerba.....	Rigaud	Blainville
23 Clément Gignac	Kennebec.....	Lac Saint-Joseph
24 Michèle Audette.....	De Salaberry.....	Quebec City

SENATORS BY PROVINCE—MARITIME DIVISION

NOVA SCOTIA—10

Senator	Designation	Post Office Address
The Honourable		
1 Jane Cordy	Nova Scotia	Dartmouth
2 Terry M. Mercer	Northend Halifax	Caribou River
3 Stephen Greene	Halifax - The Citadel	Halifax
4 Michael L. MacDonald	Cape Breton	Dartmouth
5 Wanda Elaine Thomas Bernard	Nova Scotia (East Preston)	East Preston
6 Dan Christmas	Nova Scotia	Membertou
7 Mary Coyle	Nova Scotia	Antigonish
8 Colin Deacon	Nova Scotia	Halifax
9 Stan Kutcher	Nova Scotia	Halifax
10 .....	.....	.....

NEW BRUNSWICK—10

Senator	Designation	Post Office Address
The Honourable		
1 Pierrette Ringuette	New Brunswick	Edmundston
2 Sandra M. Lovelace Nicholas	New Brunswick	Tobique First Nations
3 Percy Mockler	New Brunswick	St. Leonard
4 Rose-May Poirier	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent
5 René Cormier	New Brunswick	Caraquet
6 Nancy J. Hartling	New Brunswick	Riverview
7 David Richards	New Brunswick	Fredericton
8 Jim Quinn	New Brunswick	Saint John
9 .....	.....	.....
10 .....	.....	.....

PRINCE EDWARD ISLAND—4

Senator	Designation	Post Office Address
The Honourable		
1 Percy E. Downe	Charlottetown	Charlottetown
2 Brian Francis	Prince Edward Island	Rocky Point
3 .....	.....	.....
4 .....	.....	.....

SENATORS BY PROVINCE—WESTERN DIVISION

MANITOBA—6

Senator	Designation	Post Office Address
The Honourable		
1 Donald Neil Plett	Landmark	Landmark
2 Raymonde Gagné.....	Manitoba	Winnipeg
3 Patricia Bovey.....	Manitoba	Winnipeg
4 Marilou McPhedran	Manitoba	Winnipeg
5 Mary Jane McCallum.....	Manitoba	Winnipeg
6		

BRITISH COLUMBIA—6

Senator	Designation	Post Office Address
The Honourable		
1 Mobina S. B. Jaffer	British Columbia	North Vancouver
2 Larry W. Campbell	British Columbia	Vancouver
3 Yonah Martin.....	British Columbia	Vancouver
4 Yuen Pau Woo.....	British Columbia	North Vancouver
5 Bev Busson	British Columbia	North Okanagan Region
6		

SASKATCHEWAN—6

Senator	Designation	Post Office Address
The Honourable		
1 Pamela Wallin.....	Saskatchewan	Wadena
2 Denise Batters	Saskatchewan	Regina
3 Marty Klyne.....	Saskatchewan	White City
4 Brent Cotter	Saskatchewan	Saskatoon
5 David Arnot	Saskatchewan	Saskatoon
6		

ALBERTA—6

Senator	Designation	Post Office Address
The Honourable		
1 Scott Tannas.....	Alberta.....	High River
2 Patti LaBoucane-Benson.....	Alberta.....	Spruce Grove
3 Paula Simons	Alberta.....	Edmonton
4 Karen Sorensen.....	Alberta.....	Banff
5		
6		

SENATORS BY PROVINCE AND TERRITORY

NEWFOUNDLAND AND LABRADOR—6

Senator	Designation	Post Office Address
The Honourable		
1	George J. Furey, <i>Speaker</i>	Newfoundland and Labrador St. John's
2	Elizabeth Marshall	Newfoundland and Labrador Paradise
3	Fabian Manning	Newfoundland and Labrador St. Bride's
4	David M. Wells	Newfoundland and Labrador St. John's
5	Mohamed-Iqbal Ravalia	Newfoundland and Labrador Twillingate
6	.....	.....

NORTHWEST TERRITORIES—1

Senator	Designation	Post Office Address
The Honourable		
1	Margaret Dawn Anderson	Northwest Territories Yellowknife

NUNAVUT—1

Senator	Designation	Post Office Address
The Honourable		
1	Dennis Glen Patterson	Nunavut Iqaluit

YUKON—1

Senator	Designation	Post Office Address
The Honourable		
1	Pat Duncan	Yukon Whitehorse

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