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The Honourable RAYMONDE GAGNÉ,
Speaker

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THE SENATE

Wednesday, May 31, 2023

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

Prayers.

SENATORS' STATEMENTS

CONNIE WALKER

CONGRATULATIONS ON PULITZER PRIZE AND PEABODY AWARD

Hon. Marty Klyne: Honourable senators, today I rise to recognize Connie Walker, a Saskatchewan-born Cree journalist who was recently awarded a Pulitzer Prize for her podcast series “Stolen: Surviving St. Michael’s.” She also received a Peabody Award for this work, which has been described as an example of “. . . revelatory reporting and illuminating storytelling”

Walker grew up on Okanese First Nation, located about 118 kilometres northeast of Regina. This project, which began as a personal search for answers about Walker’s father’s experience at St. Michael’s residential school, turned into an investigation that uncovered the systemic abuse of hundreds of Indigenous children who were forced to attend St. Michael’s, including other members of Walker’s extended family.

Connie Walker’s podcast, with its meticulous research, powerful storytelling and deep-seated compassion, has given us another channel to bring to light the painful history of residential schools in Canada. Through her exceptional journalistic skills, Ms. Walker illuminated a dark chapter that was long shrouded in silence and denial. With each episode, she took listeners on a journey of discovery, allowing survivors to share their stories and bringing their experiences to the forefront of public awareness.

In celebrating Connie Walker’s achievement, we must acknowledge the courage and resilience of the survivors who shared their painful experiences. By trusting in Ms. Walker’s commitment to truth and justice, they have allowed their voices to be heard, often reliving traumatic memories in the hope of fostering understanding and creating a better future for generations to come. This award not only recognizes Connie Walker’s exceptional storytelling but also honours the bravery and resilience of those who have come forward to share their stories.

The inclusion of Indigenous perspectives in the media benefits all of us. By embracing these narratives, we open ourselves up to different ways of knowing, being and relating to one another. Indigenous stories have the power to inspire, educate and provoke meaningful conversations that transcend cultural boundaries. To achieve this, we need new, fresh and accessible ways to amplify Indigenous voices such as Ms. Walker’s. We must support and encourage Indigenous filmmakers, writers, journalists and content creators to share their stories. By investing in diverse perspectives, we can cultivate a media

landscape that is reflective of our diverse society. May Connie Walker’s achievement continue to inspire us all to listen, learn and take action.

Thank you and *hiy kitatamihin*.

Hon. Senators: Hear, hear.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Dr. Ian Bowmer. He is the guest of the Honourable Senator Ravalia.

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

Hon. Senators: Hear, hear!

DR. IAN BOWMER

Hon. Mohamed-Iqbal Ravalia: Thank you, Your Honour, and let me add my name to the list of congratulations to you. It’s wonderful to see you in the chair.

Honourable senators, I rise today with a deep sense of respect and gratitude as we recognize the remarkable achievements of Dr. Ian Bowmer, who is joining us today. A highly skilled clinician, medical educator, researcher and trailblazing leader, Ian has carved out a career that has influenced an entire generation of medical practitioners.

As an internist, infectious disease specialist and HIV/AIDS care provider and researcher for 40 years, Dr. Bowmer is recognized as an international authority and global expert in this field. He has held several pivotal positions throughout his career. He was elected president of the Royal College of Physicians and Surgeons of Canada in February 2019. Effective March of this year, he accepted the role in an interim position. His resolute and steadfast commitment navigated the Royal College through the turbulent waters of the recent pandemic. Ian has also served as executive director and CEO of the Medical Council of Canada for 11 years, retiring in October 2018. He is the recipient of several honours, including Canada’s One Hundred and Twenty-Fifth Anniversary of the Confederation of Canada Medal; election to the Royal College of Physicians of London, England; and the Senate One Hundred and Fiftieth Anniversary Medal for contributions to the community — just to name a few.

Beyond his professional accomplishments, Dr. Bowmer is known for his compassion and dedication to serving underserved communities. He has been actively involved in outreach programs, volunteering his time and expertise to help improve access to health care and reduce health disparities, making a significant impact on the lives of many.

My own career has been profoundly influenced by his vision and support of enhancing rural and remote medicine. Dr. Bowmer is professor emeritus and the former dean of medicine at the Faculty of Medicine at Memorial University. He appointed me to the faculty in 1992, meaning that, yes, he is indeed my former boss and someone who I continue to admire and respect. He laid the foundation for medical training in a longitudinal fashion outside of a tertiary care environment in my province. Ian has a deep passion for the arts and literature, superb culinary skills à la Gordon Ramsay and a truly altruistic and caring persona balanced by a mischievous sense of humour.

My colleagues in this chamber and I applaud you for your many contributions to our home province of Newfoundland and Labrador and to our country and for your global achievements.

Thank you. *Meegwetch.*

Hon. Senators: Hear, hear.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Founder Maggie Ip, Board Chair Terry Yung, Chief Executive Officer Queenie Choo and leaders of S.U.C.C.E.S.S. (B.C.). They are the guests of the Honourable Senators Martin, Woo and Oh.

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

Hon. Senators: Hear, hear!

S.U.C.C.E.S.S.

CONGRATULATIONS ON FIFTIETH ANNIVERSARY

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I am honoured to rise today to celebrate the fiftieth anniversary of the Society of United Chinese Community Enrichment Social Services, known as S.U.C.C.E.S.S.

S.U.C.C.E.S.S. was founded in 1973 by a group of visionaries who believed in the goodness of people and the importance of community service. They sought to help new Canadians of Chinese descent overcome language and cultural barriers. Maggie Ip, Jonathan Lau, Mei-Chan Lin, Pauline To and Linda Leong established S.U.C.C.E.S.S. half a century ago, and today it is one of B.C.'s most respected charitable organizations.

As one of British Columbia's largest multicultural, multi-service agencies, S.U.C.C.E.S.S. delivers services in the areas of newcomer settlement, employment, English-language training, health and senior housing as well as in the areas of business, auto insurance and economic, community and social development. S.U.C.C.E.S.S. also provides advocacy work in promoting positive social change.

[Senator Ravalia]

• (1410)

Today, with the leadership of CEO Queenie Choo and Board Chair Terry Yung, more than 900 professional staff and over 2,000 volunteers are assisting new immigrants at all stages of their Canadian experience at 30 locations across Greater Vancouver, Fort St. John and overseas in China and South Korea.

S.U.C.C.E.S.S.'s first overseas office was opened in Seoul, Korea, to offer services through the Active Engagement and Integration Project, or AEIP. AEIP aims to facilitate smooth transition for newcomers to Canada by providing services that promote community and labour market engagement in Korea prior to their departure to Canada.

The strength of diversity that exists today in B.C. and across Canada is in part because of pioneers, visionaries and leaders of organizations like S.U.C.C.E.S.S., who understand the central role that charities play in Canadian society.

Today I have the honour of co-hosting, along with Senator Yuen Pau Woo, MP Marc Dalton, MP Jenny Kwan, MP Taleeb Noormohamed, S.U.C.C.E.S.S. on the Hill in the Sir John A. Macdonald Building from 4 to 6 p.m. I invite all honourable colleagues to join us in celebration of the fiftieth anniversary of S.U.C.C.E.S.S. Together we can work to expand the vision of S.U.C.C.E.S.S. and provide essential services and resources for newcomers to Canada, seniors, families and individuals in need.

Honorable senators, please join me in commending S.U.C.C.E.S.S. for 50 years of dedicated service.

Hon. Senators: Hear, hear.

[*Translation*]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Christine St-Pierre, Maria Mourani, Marie-Michelle Desmeules and members of the All Party Parliamentary Group to End Modern Slavery and Human Trafficking. They are the guests of the Honourable Senator Miville-Dechêne.

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

Hon. Senators: Hear, hear!

EXPLOITATION AND TRAFFICKING IN PERSONS

Hon. Julie Miville-Dechêne: Honourable senators, I want to pay tribute to my guests, all of whom have helped fight sexual exploitation in Quebec. The All Party Parliamentary Group to End Modern Slavery and Human Trafficking, which I co-chair, organized a riveting panel on this issue today at noon in Parliament.

First of all, I want to pay tribute to Marie-Michelle Desmeules, a survivor who lived through this hell. For 10 years, she endured unspeakable violence at the hands of a pimp. She estimates that she was raped 25,000 times and she now suffers from post-traumatic stress disorder. We thank you for testifying, Ms. Desmeules.

The Government of Quebec has amended its policy since 2016. Prostitution is now considered sexual exploitation in most cases.

Geneviève Albert, director of the award-winning film *Noémie Says Yes*, does a brilliant job of explaining that. Contrary to what some people might think, just saying yes is not giving consent. We cannot condone prostitution by hiding behind the misleading argument of consent. Only a very small minority of those who sell sexual services come out unscathed.

Unfortunately, there is no public information campaign to drive home the point that the purchase of sexual services is exploitation, and so the mentality around this issue is not really changing.

Former Quebec minister Christine St-Pierre sat on the Select Committee on the Sexual Exploitation of Minors. Yes, the exercise gave a bit more money to the police and support groups, but that is still not nearly enough to deal with the urgent needs and the normalization of this phenomenon, which has been exacerbated by social media.

Obviously there is consensus to denounce child pornography. However, what happens when these girls, who are entrapped, turn 18? This is when all the contradictions in how we view prostitution crystalize, because the exploitation continues, in many cases, in a context of manipulation and financial, psychological or physical coercion.

Victims such as Marie-Michelle Desmeules inspired criminologist and former federal independent MP Maria Mourani to legislate and to add human trafficking to the list of offences to which the forfeiture of proceeds of crime applies. This was a very long battle, in which she was championed in the Senate by none other than Senator Boisvenu.

The new promising initiatives in Quebec include courts specializing in sexual violence to better support victims and a kind of school for the clients of prostitutes, or “John School.”

Officer Ghyslain Vallières, from the Longueuil police service, got involved in a pilot project designed to change the behaviour of men arrested for paying for sexual services. These clients pay a fine and avoid court on the condition that they agree to take part in a day of awareness raising and survivor testimonials.

In closing, I want to paraphrase our filmmaker: It does not have to be this way; prostitution has a solution and it is a political one. Thank you.

[English]

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Vanessa Casiong. She is the guest of the Honourable Senator Patterson (*Nunavut*).

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

Hon. Senators: Hear, hear!

THE LATE DOROTHY E. KNOWLES, C.M.

Hon. Pamela Wallin: When I arrived in New York as consul general in the wake of 9/11, conversation, understanding were sorely needed. We were regularly invited to see our American neighbours, and we invited them back to our official Canadian home to share stories at the dinner table. I looked for a special piece of art to display on the dining-room wall, as art often sparks easy conversation. A stunning landscape by Dorothy Knowles did just that. *Road to the West* it was called. It turned heads and connected strangers. Her expansive paintings always captured the feel of the place, not just the geography.

Dorothy was born on a farm near Unity in 1927. Growing up in the Dirty Thirties, the brutality and the beauty of the land were imprinted, perhaps seared, on your soul as an artist.

The hardscrabble life shaped the way people looked at life and the land. We call it “next-year country,” a place where hope survives but realism reigns. Life is hard; determination is needed. It inspires art that is rooted in place. It was Dorothy’s signature style. Her paintings always made you feel as if you were looking through an open window. You know the old saying: In Saskatchewan you can watch your dog run away for two days.

Her landscapes were indeed breathtaking, but she produced still life and portraits. She was a relentless gardener on old homesteads that she shared with her artist husband, William Pehudoff, and she sewed for daughters, even for their Barbie dolls.

Dorothy had set out to study biology, but a friend persuaded her to take an art course at the famous Emma Lake. The workshops there were catnip to artists everywhere, the U.S. and Europe. Academics, painters, poets all flocked to Saskatchewan, finding the northern beauty and the intensity of the artists’ community simply irresistible.

Dorothy became a powerful force, an influencer before we used the moniker, giving young artists the courage to paint. For her success, she has Saskatchewan’s Order of Merit and the Order of Canada, and I had the honour of presenting her with the Senate One Hundred and Fiftieth Anniversary Medal. Yet, Dorothy Knowles remained incredibly humble and unpretentious.

Of her prolific career, she confessed:

I just want to pour that out on the canvas: My love for the landscape, my love for the trees and the wonderful radiance of the skies.

When asked for her advice on what to paint, Knowles said:

. . . set up facing the most traditionally picturesque vista you could find, then turn around and paint whatever was behind you.

Dorothy Knowles died peacefully last Tuesday at the age of 96. She was still putting brush to canvas. Her work will always be a touchstone for me and for many more. Thank you.

Hon. Senators: Hear, hear.

[*Translation*]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Magali Portier. She is the guest of the Honourable Senator Moncion.

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

Hon. Senators: Hear, hear!

[*English*]

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Ingrid Sahu. She is the guest of the Honourable Senator Omidvar.

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

Hon. Senators: Hear, hear!

• (1420)

[*Translation*]

QUESTION PERIOD

(Pursuant to the order adopted by the Senate on December 7, 2021, to receive a Minister of the Crown, the Honourable Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety, appeared before honourable senators during Question Period.)

[Senator Wallin]

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, we welcome today the Honourable Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety. I wish to remind colleagues that questions to the minister must relate to his ministerial responsibilities.

Pursuant to the order adopted by the Senate on December 7, 2021, senators do not need to stand. Questions are limited to one minute and responses to one-and-a-half minutes. The reading clerk will stand 10 seconds before the expiry of these times. Question Period will last one hour.

[*English*]

MINISTRY OF PUBLIC SAFETY

NATIONAL SECURITY AND INTELLIGENCE COMMITTEE OF PARLIAMENTARIANS

Hon. Donald Neil Plett (Leader of the Opposition): Thank you, and welcome, minister. My question concerns the National Security and Intelligence Committee of Parliamentarians, or NSICOP. I asked Senator Gold about this at Senate Question Period yesterday and I didn't get a good answer. I hope you will give me a better one today.

The membership of this committee is supposed to have three senators, but two of those seats have been vacant for a month. The last two times this committee was set up, the Prime Minister refused to appoint a senator from the official opposition. Now it appears he is doing the same thing all over again.

Minister, if NSICOP is so important to the Prime Minister, why hasn't he filled the vacant seats? Why do you think he continually refuses to appoint a senator from the official opposition? Do you believe the official opposition in this chamber should be represented on the committee, yes or no?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: Thank you for the question, senator.

I want to thank the members of this chamber for allowing me the opportunity to be here to take your questions.

Senator, in direct response, I believe firmly in the significance of the work of the National Security Intelligence Committee of Parliamentarians. This is a committee that was set up and established by our government for the purposes of working across partisan lines with all parliamentarians, including senators from this chamber.

The work of this committee has produced concrete recommendations which I had been acting on expeditiously including the creation of a national coordinator to fight foreign interference, as well as moving forward with the creation of a foreign agent registry, but in the right way given some of the concerns expressed to me directly vis-à-vis diaspora communities and the like.

With regard to your specific concerns around the makeup of that committee, I do commit to relaying your concerns to the government, but I do agree that it needs to have broad representation as was originally envisioned when we set up this committee.

Senator Plett: Thank you, minister. Certainly a better answer than I got yesterday, though not as complete as what I would like.

The Canadian Security Intelligence Service, or CSIS, has told a former leader of the Conservative Party of Canada that he and his parliamentary caucus were targeted by a sophisticated misinformation and voter suppression campaign orchestrated by Beijing before and during the 2021 election.

CSIS told Erin O'Toole that the Communist regime paid for specific products of misinformation against him. Yet your boss, the Prime Minister, and his made-up rapporteur are still telling Canadians that NSICOP is sufficient to investigate Beijing's interference. You say a secret committee is better than a public inquiry. That would be a joke, minister, if Beijing's interference wasn't so serious.

The Trudeau government doesn't care enough about NSICOP to fill its vacancies quickly — and although you answered my question partly — to include a senator from the official opposition or to act upon the committee's report and recommendations.

I can only conclude that you and the Prime Minister are desperate to hide something. What is it, minister?

Mr. Mendicino: Thank you, Madam Speaker. I want to begin by underlining how seriously our government takes the threat of foreign interference. That is why our government passed Bill C-59, which gave new threat reduction powers to CSIS. But while we introduced those new authorities, we also understood that to bring Canadians along, we had to raise and strengthen the bar around transparency.

The creation of the National Security Intelligence Committee of Parliamentarians was one way in which we could do that, but the other thing we did at the same time was to create the National Security and Intelligence Review Agency, NSIRA, which is currently chaired by a former Supreme Court of Canada justice, Madam Justice Marie Deschamps.

Together, those initiatives reflect the sobriety with which we understand foreign interference poses a risk to our national security landscape. I assure you, senator, and all of the members that the path forward is through the engagement of Canadians, which we believe the public hearings process that Mr. Johnston has prescribed will facilitate as an objective.

FOREIGN INTERFERENCE

Hon. Leo Housakos: Minister, here we are again, the exact same spot as one year ago. I asked you then about my bill for a foreign agent registry. You said it was a good idea, but clearly you kicked the can down the road. I suspect, minister, we will be

here again next year this time still kicking this can down the road given the fact that you committed to tabling legislation only in the fall.

You claimed months ago that the RCMP had shut down illegal People's Republic of China police stations in Canada. Two stations in Montreal actually remain open, and we now know they received funding from your own government. Why were we led to believe those stations had been shut down? Did the RCMP lie to you, minister, or did you take creative licence with the truth? Is it incompetence on behalf of the RCMP or does the incompetence lie with you?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: Thank you, senator, nice to see you again in this chamber. I do recall my appearance from a year ago. I am more optimistic than you in the progress we have made around the creation of a foreign agent registry.

As you have seen, we have been conducting robust public consultations on how best to create that new legal instrument to promote transparency around what is legitimate diplomatic activity while at the same time deterring and ferreting out any foreign activities which go beyond the conventions of legitimate diplomacy and may spill over into foreign interference.

It is my sincere hope that as a result of the consultations in which I observed a strong consensus on the need for the creation of this bill that we are able to create it in a way that is consistent with the concerns that have been expressed to me by diaspora communities who are the targets of foreign interference and consistent with the principles of the Charter.

Tracing back to our first exchange, senator, I think we have made significant progress, and I believe that next year at this time we will have a registry in place.

EXPUNGEMENT OF CRIMINAL RECORDS

Hon. Kim Pate: Welcome, minister. Recently, you reiterated your laudable support for the automatic expungement of criminal records and the implementation of such a model.

Could you please update us on the progress of your work to implement an automated pardon system, including how you're considering: one, historical convictions, for instance soliciting, which disproportionately impacts women and which is currently missing from the list of historical convictions; and two, the impacts and contributions of records to the continued overrepresentation in our criminal, legal and prison systems of the poor, those with disabling mental health issues and racialized people, especially Indigenous women who now make up 50% of the federal prison population, many of whom have also been convicted of violent offences largely in response to their experiences of violence?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: Senator Pate, I want to begin by thanking you for not only your advocacy but your collaboration on this important issue. I believe that the point of departure for this discussion centres around the disproportionate interactions between racialized Canadians, Indigenous peoples and our law enforcement institutions including correctional institutions which

fall under the purview of the federal government, which is why once they have completed their sentence, there should be a pathway that allows them to reintegrate fully into the community. The pardon regime is one way in which we can achieve that objective.

What I have done, as you will know, is significantly reduce the fees from what used to be approximately \$600 down to \$50, which is a substantial reduction in the financial burden. I acknowledge we can and will do more.

Second, by helping those who are applying for a pardon to navigate the system so that it is as seamless and free from barriers as possible.

• (1430)

I will say that I am well aware of the private member's bill that you are sponsoring. You and I have had some productive conversations. I believe there is broad alignment in what we are trying to achieve, but we have to take those next steps.

The last thing I would say, Senator Pate, is that, as you will know, with the work of the NDP through my colleague Minister Lametti's Bill C-5, a bill that helped make reforms around the repeal of mandatory minimum penalties, we were able to achieve an automatic sequestration regime, albeit for a small subset of offences touching on drug offences.

[*Translation*]

INDIGENOUS POLICE SERVICES

Hon. Renée Dupuis: Welcome, minister. For decades, many First Nations have been asking the federal government for adequate police and public safety services.

For example, I am thinking of the James Smith Cree Nation in Saskatchewan, where tragic events have led to the death of community members. This community has asked the government to put in place Indigenous police services.

I am also thinking of the legal action taken, including by the First Nation of Pekuakamiulnuatsh, in Quebec, against the federal government. A decision by the Canadian Human Rights Tribunal confirmed that inadequate funding constitutes discrimination.

In the 2023-24 departmental plan, a joint plan that you submitted with the Minister of Emergency Preparedness, you indicated that promoting public safety approaches led by Indigenous peoples remains an absolute priority.

Minister, what is your action plan and what deadlines does your department have for eliminating this discrimination against First Nations and putting in place police services under the authority of each First Nation?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: Thank you for the question, senator.

[Mr. Mendicino]

The road to reconciliation is truly challenging. We have a plan founded on relationships with Indigenous communities and based on good faith. I think we need to continue with a plan of engagement that will result in meaningful initiatives.

Take, for example, the Aboriginal Community Safety Planning Initiative. We have already announced the reopening of Indigenous police services in the James Smith Cree Nation in Nunavut and in the Siksika Nation in Alberta, so there are precedents on which we can build future initiatives.

The government also intends to introduce a new bill to recognize that Indigenous police services are an essential service, just as they are in non-Indigenous communities. I am working with Indigenous leaders on that.

FIREARM VIOLENCE

Hon. Jean-Guy Dagenais: In the last six months, nine police officers have been killed in the line of duty in Canada. None of these murders could have been prevented by the nature or the content of your Bill C-21. The violence responsible for the many shootings across the country in no way relates to the restrictions in your bill. These are criminals using unregistered firearms to kill.

When the violence isn't linked to organized crime, the murders are being committed by people suffering from mental illness who are out on the streets when they should be in institutions.

If you take the time, as I have, to examine the origins of the violence, don't you find it discouraging to see how much time public servants are spending trying to classify firearms rather than looking for immediate solutions to this violence? I'm talking about judicial remedies, law enforcement and medical solutions.

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: First of all, I want to say that I share your concerns. Yes, it is very difficult time for the policing community. I attended the funerals of all those who lost their lives in the line of duty.

I am really touched by their sacrifice; it is what motivates both me and the government. In my opinion, the only way we can reduce gun violence is with a comprehensive plan that includes three pillars. The first consists in strong borders, and we have already invested \$450 million in that. The second is a prevention strategy, and we are investing \$250 million to build community services in order to address social determinants. And finally, the third consists in strong laws, like Bill C-21, that will facilitate the implementation of a national ban on assault weapons.

I hope you, and all the senators, will take advantage of the technical briefing on this subject tomorrow.

[English]

FOREIGN INTERFERENCE

Hon. Andrew Cardozo: Thank you, Minister Mendicino. Welcome to the Senate. Thank you for being here to answer our questions.

My question is with regard to foreign interference. I want to suggest a third option. There are two options that are being discussed publicly, the public inquiry and certainly the process that Mr. Johnston has suggested. But I think each has its strengths and weaknesses, and certainly we have a bit of an impasse over in your chamber.

I would like to suggest a third option that would combine the two, which would look at a public inquiry led by a judge but still have an active role for NSICOP and NSIRA to review the materials at the beginning and at the end of such a process.

I think it's also important for the inquiry to look at interference of all kinds, be it political, economic or social, and from all countries. It's a problem that has existed for a while. Would you consider such a third option at this point?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: Thank you very much for the thoughtful question, senator. I would begin by underlining that foreign interference impacts every aspect of life: our economy, our democratic institutions — including some of the profoundly concerning reports that we've heard around parliamentarians — and, equally, communities themselves. The degree to which we are seeing transnational repression impact for the purposes of discouraging members of the communities from fully participating in their communities is one of the singular motivations that has seen us create new authorities and new mechanisms of transparency.

It is that last value that I want to take a quick moment to expand on. Even as the debate continues on what the best path forward is, for me, and based on the conversations that I have had with Canadians, we have to put them at the centre of this exercise. I believe that by having public hearings that engage Canadians directly and thoughtfully on the tools we need to equip our establishment with to protect ourselves from foreign interference is the way to refine these tools to ensure we are dealing with and reducing foreign interference and building the confidence of Canadians in our institutions.

Hon. Denise Batters: Minister, with every avenue your government employs to fix this Beijing interference scandal, all roads lead to the Trudeau Foundation. The Prime Minister chose Morris Rosenberg to report on foreign election interference. He was the Trudeau Foundation CEO at the time of the infamous Beijing donation. His conclusion? Nothing to see here.

The Trudeau Foundation was invisible in Special Rapporteur David Johnston's 55-page report. Johnston, himself a Trudeau Foundation member, concluded he'd replace the public inquiry Canadians want with more "Special Rapporteurship." To counter questions about his close ties to PM Trudeau, Johnston sought an independent legal opinion from another Trudeau Foundation alumnus, Frank Iacobucci. And the two security committees

tasked with this scandal? NSIRA has two Trudeau Foundation alumni, including the chair, while the lone senator on NSICOP is also a Trudeau Foundation alumnus.

Given this pattern, why should Canadians trust they will get the answers they deserve on this shocking interference scandal?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: Canadians can trust that they will get the answers they deserve on foreign interference because it is our government that has created the NSICOP and NSIRA. It is our government that has appointed a Special Rapporteur to shine a light on the way in which this government is dealing with and combatting foreign interference.

The trouble that I have with the Conservative Party of Canada's position on this issue is that while we have offered time and again the Leader of the Conservative Party of Canada, Pierre Poilievre, an opportunity to be briefed at the highest classified levels, thus far, he has refused to take the briefing. Our suggestion is that he take the briefing so he can be equipped with the information he needs to have a thoughtful conversation about how we can fight foreign interference together.

[Translation]

CANNABIS REGULATIONS

Hon. Claude Carignan: Minister, in 2018, you legalized the use of cannabis. Then just about everything you were told would happen did happen. The black market still exists, it is competing with the legal distribution network and consumption among youth has increased.

• (1440)

Studies show that one third of Canadians surveyed who have used cannabis in the past year reported having driven while under the influence of the drug. There were 541 children hospitalized across the country for cannabis poisoning between January and September 2021. You were warned about all these types of incidents.

The Competition Bureau of Canada now wants to stimulate consumption, foster innovation and ask for higher THC limits.

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: Madam Speaker, I share the honourable senator's concerns about the challenges that individuals face when dealing with mental health and substance use issues, including drugs.

In the context of the federal government's approach, the work being done by Carolyn Bennett, Minister of Mental Health and Addictions, focuses on public health and mental health services to help those who need it.

[English]

LE SERVICE À LA FAMILLE CHINOISE DU GRAND MONTRÉAL

Hon. Yuen Pau Woo: Good afternoon, minister. The so-called Montreal police stations that Senator Housakos has maligned is the Service à la Famille Chinoise du Grand Montréal, an organization that has been providing community services to Chinese Canadians in Montreal for nearly 50 years. You have said the so-called police station at the centre has been shut down, but you have not provided any information about when it operated, what it did, what was objectionable about what it did, who was involved and, most importantly, how the centre can recognize such activity so that it does not happen again. Minister, when will you clear the good name of the Service à la Famille Chinoise du Grand Montréal so they can continue to do the good work they have been doing for nearly 50 years?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: I want to thank you, senator, for the question. The first and most important principle I would underline is that — and I hope this is a sentiment that we all share — any foreign interference should be both held accountable and condemned, as it is contrary to the Canadian national interest. Our government has put into place the tools that are necessary to deal with that scourge as it becomes increasingly pervasive and complex.

My job as the Minister of Public Safety is to advocate for the new tools that our security establishment is advocating for, as well as ensure that we bring along Canadians who may be marginalized or stereotyped — because it is they who, at times, have been the victims of foreign interference. I want to assure you, as I have in the past, that we will continue to have that dialogue going forward.

In regard to the so-called police stations and the foreign interference activities that have been reported in relation to them, as you know, the RCMP has made public statements that they have disrupted those activities in the past. In any ongoing investigations going forward, questions should be directed to them because they are conducting those operations in a manner that is independent from the elected government — consistent with constitutional principles.

FIREARMS LEGISLATION

Hon. Pat Duncan: Minister Mendicino, thank you for your attendance today. In January, you travelled to the Yukon, and met with the Canadian Rangers, the Yukon Fish and Game Association and gun owners, as well as the Yukon government and the First Nations government. You also went out on the land and stated to the Yukon media that you were “able to experience . . . how firearms are used safely and responsibly.” You concluded your quote to the local media by saying that you learned a lot.

Minister, in my efforts as the senator representing my region, would you tell me how this learning experience — what you heard from Yukoners — is reflected in Bill C-21?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: That was, perhaps, one of the most educational and enriching experiences that I have had as the Minister of Public Safety — and as someone who comes from the big city of Toronto. I was able to go to the Yukon and take a trip on the Dawson Overland Trail with people who are gun owners — people who are not only engaging in a hobby because, for them, this is a pastime. It’s part of the fabric of who they are.

I was there to see how they carry out this pastime in a way that is safe and secure, as well as how they use legal firearms to hunt, trap and, in some cases with First Nations communities, protect themselves from the wildlife that is there. I assured them that Bill C-21 is not about targeting law-abiding gun owners, as we often hear by the Conservative Party, but rather going after the AR-15-style firearms that have been used and could be used again in the future in mass shootings.

As you know, the Mass Casualty Commission from Nova Scotia called on our government to strengthen the national ban against those AR-15-style firearms. We took that action, and we did it with a broad consensus of three of the four major recognized parties in the House of Commons, but also in a way that is respectful of life in the North. That will continue to be the way in which we do this work.

[Translation]

Hon. Jean-Guy Dagenais Minister, I want to come back to Bill C-21. Do you think it will prevent crimes committed by street gangs in Vancouver, Toronto or Montreal, when the bill will simply hurt law-abiding citizens who take the time to register their firearms?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: Yes, Senator, I’m sure that when the bill comes into force it will save lives. A national freeze on handguns will prevent other shooting tragedies. Handguns are the type of guns used in the vast majority of homicides. The statistics prove it. A national freeze on handguns will reduce handgun violence.

We also need to boost the resources at the Canada Border Services Agency. The government is working on that. Finally, we also need to address the problem at the source through a prevention plan in partnership with local organizations that understand the situation better than we do in this chamber and better than any parliamentarian. They are the ones who understand the risks on the ground. Thanks to this initiative, we could prevent incidents of violence in the future.

[English]

INDIGENOUS POLICE SERVICES

Hon. Marty Klyne: Minister, your mandate letter includes continued work with First Nations partners to co-develop a legislative framework for First Nations policing, and to continue to engage with the Inuit and Métis on policing matters.

You previously indicated your hope to table such legislation in fall 2022. However, last month, The Canadian Press reported uncertainty about when — and if — the government will table a First Nations policing bill this year, including to recognize First

Nations policing as an essential service. I note that Budget 2021 made significant funding commitments for the co-development process. Minister, in terms of delivering the subject legislation, when can Canadians expect the bill's introduction?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: Thank you for the question, senator. It has to be as quickly as possible, but it has to be in the right way. That is the enduring lesson of reconciliation. I assure you that we have been working around the clock with Indigenous leaders, including Regional Chief Teegee and Regional Chief Picard, both of whom sit on the joint task force for Indigenous policing with the Assembly of First Nations, or AFN, but equally with rights holders and title holders directly in their communities, to ensure that we are building this legislation in a manner that is consistent with the principles of co-development.

In the meantime, we have allocated a historic level of funding under the First Nations and Inuit Policing Program, which we are rolling out at an accelerated rate — \$860 million. This is resulting in concrete progress, like the announcements we have made with Siksika Nation, with James Smith Cree Nation and in Nunavut, as well as the work we are doing in the Mohawk territory, including in Akwesasne, where just last week we made another global announcement of \$12.1 million in partnership with Chief Abram Benedict. That is the proof that we are making progress, but we still have work to do on the legislation; we are committed to doing it.

• (1450)

[Translation]

CANADIAN VICTIMS BILL OF RIGHTS

Hon. Pierre-Hugues Boisvenu: Minister, you will surely remember that when you appeared before the Senate on March 30, 2022, you answered my question by stating that the RCMP was not above the Canadian Victims Bill of Rights.

As a reminder, my question was about the story of Francesca Savoie, a young 17-year-old who tragically lost her life in 2007 when her vehicle was hit head-on by a drunk driver who was being pursued by an RCMP vehicle. Francesca's family has been waiting for 16 years for the RCMP to inform her of the circumstances of the accident that took the life of their only daughter.

In addition, I sent you two letters about this matter, dated April 13, 2022, and May 8, 2023, without receiving a reply or acknowledgement of receipt. Minister, why did you not answer my two letters and the appeal by the Savoie family, which is currently listening to us?

Will you do your duty as minister and meet with the parents of Francesca Savoie to ensure that the RCMP respects their right to information, which is enshrined in the Canadian Victims Bill of Rights?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: Let me first say that my thoughts are with the Savoie family. Any time a family loses a loved one, it's an unspeakable and unjust pain, even if there is a process in place based on good faith and on the values of the Canadian Victims Bill of Rights.

I agree with you, Senator Boisvenu, and I will continue to believe that the RCMP is not above the principles of the Canadian Victims Bill of Rights. I am always willing to work with all Canadians, including the families of victims and the Savoie family, and to offer them my support during these painful times.

[English]

FAR-RIGHT EXTREMISM

Hon. Ratna Omidvar: Thank you, minister, for being with us today. I would like to query you about the rise of far-right extremist movements in Canada. We saw some of this spill over in real time when some members of the "Freedom Convoy" terrorized the residents of Ottawa for three weeks. What is the government doing to track this? Specifically, are you tracking how these extremists are influencing politicians in Canada? Are intelligence agencies briefing parliamentarians who are being targeted by the far-right extremist movements? I know the talk is all about foreign interference, but what about domestic interference?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: I want to thank you, senator, for that question. Like you, I am deeply concerned about the rise of far-right extremism, a movement and a phenomenon that is based on ideologically extreme motivations. We have seen it take many different shapes including in the illegal blockades a little more than a year ago.

To be clear, what we are talking about is a very small but hardened subset of the individuals who participated in that — to use the words we've now heard publicly reported from the cell at Coutts — to "go down" for their cause. We all need to be very much sober about what that threat is.

At the same time, the government has taken concrete action, listing entities like the Proud Boys, which is a notorious White supremacist group based largely out of the United States. We need to continue to be vigilant in giving the tools to our establishment so that they can look at the intelligence and analyze it, but do it in the right way. This is what we're doing on the accountability and the enforcement side.

The other thing the government needs to do, though, is to engage with Canadians to look at the root causes of these movements and address them through strategies of dialogue that address disinformation and make sure we are reducing those risks as we go forward. That's work we're doing with the G7, Five Eyes and others.

The Hon. the Speaker: Thank you, minister.

[Translation]

INDIGENOUS POLICE SERVICES

Hon. Michèle Audette: Minister, I have two questions about working with Indigenous leaders. The bill responds to a Call for Justice from the National Inquiry into Missing and Murdered Indigenous Women and Girls. Among the Aboriginal leaders participating in the drafting of the law, are there also groups of Indigenous women living in the communities who could propose initiatives or share important messages, knowing that our communities are in crisis — including my own, Uashat mak Mani-Utenam?

With the growing problems of drug trafficking and violence, police officers are running out of steam. Do you have any immediate solutions?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: Thank you for your question. My message is simple. We will continue to work in collaboration with the Indigenous communities. That's why I went to Akwesasne a few weeks ago to announce a \$12.1-million initiative to enhance the capacity of Indigenous police services in Mohawk communities and to strengthen cooperation with other police services in Canada and the United States. This initiative also aims to support local agencies by relying on Indigenous traditions, history, culture and values.

This is a mark of respect for the principle of reconciliation and a way to better protect our Indigenous communities.

[English]

CANADIAN SECURITY INTELLIGENCE SERVICE

Hon. Yonah Martin (Deputy Leader of the Opposition): Minister, *The Globe and Mail* recently reported that, before he was demoted within cabinet, your predecessor, Minister Bill Blair, delayed giving approval to a CSIS warrant for surveillance for four months. *The Globe and Mail* reported that this warrant was related to foreign interference in our country, and the delay occurred in the months leading up to the 2021 federal election.

Minister, on average, how long does it take for you to approve warrant requests from CSIS? What's the longest amount of time it's taken you to approve a CSIS warrant? And have you ever delayed a warrant request from CSIS for four months?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: As I answer that question, I do think it's important to shine a light on the significance of the work and the function of the office that I occupy as Minister of Public Safety when it comes to signing CSIS warrants. These are among the most powerful tools of surveillance that the service uses to keep our country safe, which is why it is incredibly important that, in my role as minister, I look very carefully at those warrants to be assured that they comply with all of the rigours of the law. That is a part of the way in which we strike a balance between ferreting out threats to national security but doing it in a way that is consistent with the values of the Charter, so that each of us can continue to enjoy our rights as individual citizens.

Yes, there is urgency to this work, but it is also not a rubber-stamp process. That is one of the most important responsibilities that I exercise in this office.

[Translation]

RESILIENCE OF FORESTS TO FIRES

Hon. Marie-Françoise Mégie: Thank you for being with us today, minister. My question has to do with community safety. In your December 21, 2021, mandate letter, you are asked to do the following, and I quote:

. . . make our communities safe and increase forest resilience to wildfire, including training 1,000 new community-based firefighters, investing in equipment . . . to reduce risks from wildfire . . .

How many new firefighters have you trained and what new equipment has been acquired? As senators know, Canada manufactures excellent water bombers.

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: Thank you for your question. That is a really important and essential subject, particularly given the fires that are currently raging in Nova Scotia. Our thoughts are with Canadians in Nova Scotia and New Brunswick.

In Budget 2022, the federal government invested \$516 million to train 1,000 new firefighters. That shows our dedication to strengthening firefighters' ability to fight fires. Finally, I would like to add that, with climate change, there is an increased risk of wildfires that must be managed through additional investments for firefighters.

• (1500)

[English]

DISPROPORTIONALITY OF INDIGENOUS PEOPLE IN INCARCERATION

Hon. Brian Francis: Welcome, minister.

A report from November 2022 by the Correctional Investigator of Canada found that the federal government has made little progress to address the overrepresentation of Indigenous people in the last decade, with some facing even worse conditions today. The report also highlighted that healing lodges, which help support successful rehabilitation and reintegration, continue to be underfunded and underused across the country. In Atlantic Canada, for instance, there continue to be no beds available at healing lodges, although the incarcerated Indigenous population in our region has increased by nearly 90% in the last 10 years.

Has the number of Indigenous people, particularly women, decreased at all in the last year? What are the current occupancy rates in the existing 10 healing lodges funded and/or operated by the Correctional Service Canada, or CSC? Are there any plans to build Indigenous-run healing lodges in Atlantic Canada or elsewhere? If so, where and when?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: Thank you, senator, for the question. To foreshadow where I am going, we will get you those exact numbers and provide them to you and your colleagues in this chamber.

In order to address the chronic overrepresentation of Indigenous peoples in their interactions with the law enforcement institutions across this country, we need to do some very concrete things. First, we obviously need to be sure that we are training law enforcement members across every level of policing in ways that are culturally sensitive and relevant when it comes to Indigenous traditions, culture and history.

Second, we have to make sure that we are empowering Indigenous communities to lead when it comes to public safety initiatives. I think I have provided some very concrete examples of how we are doing that. I recently had a very positive and constructive engagement in Eskasoni not too long ago, senator, a community that you will be very familiar with.

Third, and most important, the relationship has to be based on trust and respect. There's no shortcut to that. It requires direct engagement, and it requires ensuring that we create the space that is necessary for Indigenous peoples and communities to lead these reforms and change themselves. That is precisely the work that I am committed to doing.

MANDATORY MINIMUM PENALTIES

Hon. Donald Neil Plett (Leader of the Opposition): Minister, crime is now at a record level in Winnipeg, as it is across the country. Winnipeg saw a record of 53 homicides in 2022, and 30% of them were committed with firearms.

In Bill C-5, the Trudeau government eliminated eight mandatory minimum penalties involving the use of a firearm in crime, including robbery with a firearm, extortion with a firearm, discharging a firearm with intent, using a firearm in the commission of offences and four others.

You seem to think that creating more gun laws is the answer.

Minister, how did the Trudeau government's elimination of mandatory penalties involving the use of firearms help combat the rise in violent crime?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: As the honourable senator will know, Bill C-5 was a direct response to a number of Supreme Court of Canada decisions that had systematically struck down mandatory minimum penalties, which had stripped the judiciary of their independence and constituted overreach by violating the Charter. Conversely, our government has looked at putting in place important gun-control laws, like Bill C-21, which will reduce gun violence because it strengthens the ban against AR-15-style firearms and puts into place a national freeze on handguns. Those are initiatives that the Conservative Party has committed to repealing, and the result of that would be to relegalize those guns, which have no legitimate recreational purpose.

I would conclude by saying that when it comes to the Winnipeg Police Service, they have acknowledged that the government's investments, including the \$390 million that I just

recently announced, will help them do the job on the ground. That is work we will continue to do in partnership with all provinces, territories and municipalities, as well as the police that work in those respective jurisdictions.

PROGRESS OF LEGISLATION

Hon. Paula Simons: Minister, at this time last year, you will recall that we were seized with the issue of Bill S-7, An Act to amend the Customs Act and the Preclearance Act, 2016. We were told it was essential that we pass the bill as quickly as possible here because of a court case in Alberta that had struck down certain provisions of the law as unconstitutional and created a disequilibrium so the law was applied differently in Alberta and, subsequently, in Ontario than in the rest of the country.

We were encouraged not to amend the act, but we did so nonetheless and got it done by the end of June. Now, I cannot help but note that Bill S-7 was introduced at first reading last October and has not moved any further down your Order Paper.

So just out of curiosity, why were we rushing, and what's going on in your house?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: To begin with, we have Bill C-21, which is life-saving gun-control legislation; Bill C-20, which is legislation that I just testified before the Standing Committee on Public Safety would create a new public complaints and review commission for the RCMP, enhancing independent review and oversight of the RCMP and, for the first time, the Canada Border Services Agency; and there was the introduction of Bill C-26 to ensure that we are enhancing the security of our critical cyberinfrastructure network. Given all the exchanges I have had around foreign interference and other threats to our national security, I am sure that members in this chamber would see the value of that initiative as well.

But I also want to take a moment to thank you, senator, and the other senators who participated in the study of that bill. Rest assured that I am committed to seeing that passed as well, and I have given thoughtful consideration to the manner in which that bill was reported back to the House of Commons.

IMPACTS OF ARTIFICIAL INTELLIGENCE

Hon. Andrew Cardozo: Minister, I have one more question for you. It is on the larger topic of artificial intelligence, or AI.

You will be aware that yesterday, for the second time in a few weeks, a group of major experts and public figures put out a statement that read, in 22 words:

Mitigating the risk of extinction from AI should be a global priority alongside other societal-scale risks such as pandemics and nuclear war.

This obviously has concerns for your portfolio in terms of law and order as well as being government-wide concerns.

What are your thoughts about what's happening with AI and what we should be concerned about? It seems to be out of control, and the owners and developers are asking for government to intervene and help out. What are your thoughts?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: The senator poses perhaps one of the most thought-provoking questions that we are confronted with, in addition to climate change and other global phenomena.

It is something I am seized with, as is the Government of Canada. I think our vision has to be that Canada will be the safest and freest country in the world, where people can live out their lives in digital and virtual space. That obviously has an interplay with artificial intelligence.

There is an important role and a conversation in the way in which the government is going to work with innovators in that space. There are important legal questions. There are ethical questions. There are practical questions about the impacts of artificial intelligence on jobs and the economy. We all have to be united in making sure that Canada is at the leading edge of that debate because we have the most talented workforce in the world. We can and will play a formative role in those discussions.

FOREIGN INTERFERENCE

Hon. Leo Housakos: Minister, it's clear that the way I measure progress on foreign interference and the way you measure progress are very different. The truth of the matter is there is a piece of legislation in this chamber — a chamber that is filled with government appointees. You know that if there were a political will to move that legislation to committee, review it, amend it and get it back to the House, it could be done very quickly.

This is just another example of why the government is dragging its feet when it comes to foreign interference.

I will ask two simple questions, which reiterate the fact that the government is dragging its feet. When will the illegal Beijing police stations operating in Canada, confirmed by the RCMP, be shut down? By what date will we have a foreign registry put in place in this country? Hopefully, it is before the end of 2023.

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: With regard to any foreign-interference activities, whether in regard to the so-called police stations run out of Beijing or any other materialization of foreign interference, those are, as you know, questions that are best put to the RCMP, senator. I would say this: There is \$49 million in Budget 2023 which will give them additional resources to help protect communities from that. The Conservative Party should support the budget. They don't.

[Senator Cardozo]

• (1510)

The second thing is that, regarding the registry, as I had already explained, we are taking decisive action on that front and will pass the piece of legislation as quickly as possible, but we have to bring Canadians along, including diasporas who are victims of and targeted by foreign interference.

The last thing I'll say is that we are moving forward with the reforms that are necessary to fight foreign interference. You know that I just signed off on a ministerial directive to ensure we are getting properly briefed on the elected side of government. That is a step we took that, frankly, the Conservatives did not take the last time they were in government; they also did not take any of the other steps I have highlighted in the way we are fighting foreign interference.

[Translation]

FORCED LABOUR AND CHILD LABOUR

Hon. Julie Miville-Dechéne: Minister, as you know, Bill S-211, which I sponsored, seeks to fight against forced labour. It recently received Royal Assent. I would like to thank you for having supported it.

Since the passage of this bill, businesses and individuals have contacted me with very specific questions, such as the following: How are total revenues calculated? Will the legislation apply to family farms?

My office tried to answer them as best as possible, but, in fact, the answers to these questions fall to your department, which is responsible for the regulations and for implementing the legislation by January 1, 2024.

Minister, your department knew well in advance that Bill S-211 would be passed. Do you plan to create a website, a phone line or explanatory documentation that businesses could consult to get answers to their questions on the legislation?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: I thank the honourable senator for her leadership on this bill and her collaboration.

The short answer is yes. We will make the necessary investments to ensure the implementation of this bill. We are currently holding discussions and we will move forward as soon as possible.

PORTAPIQUE SHOOTING—SUPPORT FOR VICTIMS' FAMILIES

Hon. Pierre-Hugues Boisvenu: Minister, I was in Truro on March 31 to meet with all the families in Portapique who lost loved ones in the massacre.

Apparently, you were there too. Why haven't you or the Prime Minister met with the families? Why do these families, still to this day, have to bear all the expenses related to their loved ones being murdered? Your government hasn't offered any financial assistance. Why haven't you met with the families, and why aren't you helping them financially?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: With all due respect, senator, I'm pretty sure I spoke directly with the families from Portapique when I was in Truro. I think I was one of the first ministers in the federal government to meet with the families in person to express my condolences. I know this is an extremely difficult time for these families.

I was there to support the families when the Mass Casualty Commission published its final report. That's why, earlier today, I announced the creation of a Progress Monitoring Committee. I have full confidence it will ensure that the final report's recommendations are fully implemented. We have appointed retired Justice Linda Oland, a person with a great deal of experience in the judicial field and a resident of Nova Scotia. With her leadership, and together with the other stakeholders, we can fulfill the vision of the Mass Casualty Commission, because the time has come to reform the RCMP.

[English]

GENDER-BASED VIOLENCE

Hon. Mary Coyle: Welcome to the Senate, minister. Minister, as you have just mentioned, today you announced the appointment of Justice Oland as chair of the committee that will monitor and report on the implementation of the recommendations of the Nova Scotia Mass Casualty Commission. We welcome this move. My question for you is this: Will the government support the calls of the final report of the Mass Casualty Commission and the inquest into the Renfrew County killings to declare gender-based violence an epidemic-level crisis in Canada and, most importantly, create a comprehensive strategy at the federal level to address this problem?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: I want to thank you, senator, for recognizing the significance of the announcement and the appointment of Justice Oland as the chair of the committee that will oversee and coordinate the implementation of the recommendations of the final report, in particular, for the families.

I do agree that we have to deal squarely with the incredible and alarming challenges around gender-based violence which the committee thoughtfully touched on. This is work I am doing in partnership with a number of other colleagues including, I would point out, Minister Marci Ien, who is rolling out an over \$600-million national gender-based violence strategy to work closely with women's groups on the ground so we can take a trauma-informed, victim-centred approach to reduce barriers.

I think you will agree one of the most challenging aspects of this work is to encourage women to come forward and report, and the concern I have heard is that they are worried that the voice on the other end of the line will not believe them, or will not treat them with respect. That is what has led to tragedy and loss. I assure you that as we implement the recommendations of the Mass Casualty Commission we will work with Justice Oland, with the Nova Scotia government, victims and survivors from that tragedy and all women who have suffered that trauma in the past.

NATIONAL INQUIRY INTO MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

Hon. Donald Neil Plett (Leader of the Opposition): Saturday will mark four years since the release of the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls. Indigenous families want to know what happened to their loved ones, minister, just as any other family in Canada would. These families deserve answers and it is high time that the Trudeau government treated all victims of crime with respect. In both 2021 and 2022, I asked the Trudeau government what progress was being made by the RCMP in resolving these cold cases. I did not receive a satisfactory response but, frankly, that's not surprising. Minister, what specific progress has been made in resolving the cold cases since the final report was released in 2019, and have any RCMP reviews resulted in arrests, charges laid or convictions?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: First, Senator Plett, I want to begin by saying that I share your concern and the concern of everyone around any cold case because those women and those young girls deserve justice. And that was the reason why we created the MMIWG commission, which was a commission that had not been previously struck but one we did strike because we want justice for those victims and survivors.

As to the most recent status of any outstanding investigation and cold cases, obviously, those are questions best put to the RCMP or any other police jurisdiction who has the responsibility for carrying them out, and I'm happy to work with you, senator, to get the latest update on that. I know that our time is coming to a close here, but I do hope, Senator Plett, you will take the technical briefing on Bill C-21, which we have offered. It is important that we do this work together so we can save lives through responsible gun control legislation.

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

Hon. Donald Neil Plett (Leader of the Opposition): Well, since you asked me about the technical briefing, minister, let me ask you a question. Yesterday, Senator Gold's parliamentary secretary, Mark Gerretsen, tweeted, "I'm calling on Senator @DonPlett to stop stalling & get tough on crime by passing C-21." The bill has not been introduced in this chamber, minister. The Senate received Bill C-21 two sitting days ago. The sponsor has not spoken. I find it strange that he has been the parliamentary secretary in the Senate for a year and a half and he doesn't have a clue how this chamber conducts its business. Why did Mark Gerretsen accuse me personally of stalling a bill that the government sponsor has not moved yet at second reading? Do you think this unfounded personal attack is warranted?

Hon. Marco E. L. Mendicino, P.C., M.P., Minister of Public Safety: If the Government Representative in the Senate has a parliamentary secretary, that is news to me. I assure you, senator, that we will work very closely with you, and with everyone in this chamber, to ensure a thoughtful debate about Bill C-21.

• (1520)

I want to take a moment to underline that there is good policy in that bill in the form of the strengthened ban of an AR-15-style firearm; in the form of a national freeze on handguns; in the form of raising maximum sentences against hardened gun traffickers; and in the form of introducing red and yellow flag protocols so that we can reverse the trend in the connection between domestic abuse and gun violence. There is a lot of good in that bill, senator. My only request is that we work together to see it come into force so that we can save lives as quickly as possible.

The Hon. the Speaker: Honourable senators, the time for Question Period has expired. I'm certain all senators would like to join me in thanking Minister Mendicino for joining us today.

[Translation]

We will now resume the proceedings that were interrupted at the start of Question Period.

[English]

ROUTINE PROCEEDINGS

ADJOURNMENT

NOTICE OF MOTION

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

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, June 6, 2023, at 2 p.m.

OFFICIAL LANGUAGES

NOTICE OF MOTION TO AFFECT COMMITTEE MEMBERSHIP

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

That, notwithstanding any provision of the Rules or previous order, the Honourable Senator Gagné be replaced as a member of the Standing Senate Committee on Official Languages by the Honourable Senator Audette.

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, pursuant to rule 4-13(3), I would like to inform the Senate that as we proceed with Government Business, the Senate will address the items in the following order: consideration of the thirteenth report of the Standing Senate Committee on Legal and Constitutional Affairs, followed by all remaining items in the order that they appear on the Order Paper.

JUDGES ACT

BILL TO AMEND—THIRTEENTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE ADOPTED

The Senate proceeded to consideration of the thirteenth report of the Standing Senate Committee on Legal and Constitutional Affairs (*Bill C-9, An Act to amend the Judges Act, with amendments*), presented in the Senate on May 18, 2023.

Hon. Brent Cotter moved the adoption of the report.

He said: The Judges Act applies to federally appointed judges, as many of you will know, who are often called superior court judges. This applies to judges, for example, of the Supreme Court of Nova Scotia or to the Court of King's Bench of Saskatchewan, the Tax Court of Canada, federal courts, the Federal Court of Appeal, courts of appeal across the country and the Supreme Court of Canada. It doesn't apply to provincial court judges. Those are governed in provincial jurisdictions.

This bill, Bill C-9, is intended to amend the Judges Act by modernizing the regime by which federally appointed judges are investigated for misconduct pursuant to the responsibilities of the Canadian Judicial Council. This would be a new system for judicial misconduct proceedings.

The objectives of this bill — as I hope we will hear eventually from its sponsor, Senator Dalphond — are to improve the effectiveness and efficiency of the system and, in turn, reduce delays and costs. Some of these, as you may conclude from earlier discussions when this bill was spoken to in this chamber, indicated that in some cases millions of dollars of public money have been expended in lengthy and sometimes questionable processes leading to consideration of judicial misconduct.

Key changes to the bill include the ability to impose sanctions other than merely the recommendation for removal from office; the limiting of a judge's ability to seek judicial review; judicial review by the federal courts is replaced with an internal Canadian Judicial Council mechanism; and a right to seek leave to appeal directly to the Supreme Court of Canada.

The new Canadian Judicial Council misconduct process has five possible steps for the review of a complaint against a superior court judge. The proposed new process — and I will try to be brief here — begins with an initial screening by a council official. Any complaint that cannot or should not be dismissed as completely without merit is then reviewed by a review member followed by the review member being able to dismiss the complaint or refer it to a review panel. The review panel can dismiss the complaint or uphold it and impose remedies up to but not including removal from office, such as requiring an apology or mandatory professional training.

If a judge wishes to appeal the decision, they can appeal the decision to a reduced hearing panel for a matter that, ultimately, can go to a full hearing panel if it is serious enough to warrant potential removal from office. A full hearing panel functions like the public court with the process structured as an adjudicative and adversarial hearing. The full hearing panel determines whether a judge should be recommended for removal from office.

If the judge who is the subject of the complaint or the presenting counsel — that is, essentially the person, usually a lawyer styled as the prosecutor — wishes to appeal the full hearing panel decision, then that matter is referred to an appeal panel and that appeal panel functions like a Court of Appeal and has the same powers. If, ultimately, the appeal panel recommends removal from office, according to the version of the bill received in the Senate, the judge's remaining recourse would be to seek leave to appeal to the Supreme Court of Canada. If the decision in favour of recommended removal from office is sustained and all of these options for appeal are exhausted, a recommendation for removal from office is reported to the Minister of Justice, who may place the question before both houses of Parliament to decide. It is a process intended to be rigorous but to respect judicial independence.

At committee, in consideration of Bill C-9, six amendments were made to Bill C-9. I will try to highlight them briefly so you will know the changes that were made for our consideration in the chamber.

All of the substantive amendments that were made to the bill apply to clause 12. Now that sounds like a simple matter. However, clause 12 has 81 sections. It is the heart of the change.

I will not read all 81 sections, but they make up the bulk of Bill C-9. That is where the changes are set out with one technical exception. The first amendment adopted by the committee, which appears in your report, is that various sections of clause 12 were amended at committee to add a layperson at every stage of the decision-making process in judicial misconduct consideration.

The bill provides for a layperson to be one of three members on a review panel, one of five on a full hearing panel and laypersons are now included in the decision making with respect to anonymous complaints and on what is called a “reduced hearing panel.”

The composition of the appeal panel was initially designed to be five judges. The amendment changes the composition of that appeal panel to three judges, one lawyer and one layperson.

• (1530)

The second amendment is in relation to diversity. The original bill stated in section 84:

As far as possible, the Council shall name persons who reflect the diversity of the Canadian population to the roster of judges and to the roster of lay persons.

There will be a pool of judges and a pool of lay people who will then be drawn upon to participate in the consideration of complaints against the judges, and the language “as far as possible” was thought to be a challenging, unfortunate and unnecessary phrasing. It was suggested that it weakened the commitment to diversity, and this amendment removed the “as far as possible” phrase.

A third amendment was the publication of decisions. An amendment was adopted at committee to require the Canadian Judicial Council to publish all decisions as soon as possible. Under the bill, the Canadian Judicial Council is already required to publish decisions and reasons of full hearing panels and appeal panels. This amendment goes further and will require the Canadian Judicial Council to publish all dismissals of complaints, and essentially provide the reasons for those dismissals of screening officers, reviewing members and review panels throughout the process.

A fourth amendment was related to sexual misconduct. In the original version of Bill C-9, complaints alleging sexual harassment or discrimination on a prohibited ground could not be screened out at an initial screening stage and had to go to the next level. Committee members were concerned that the phrase “sexual harassment” was too narrow and would not capture other forms of sexual misconduct. Various sections of clause 12 are amended to add “sexual misconduct” to the types of allegations that cannot be screened out at the initial stage.

The fifth amendment is related to disaggregated data collection. The committee also adopted a series of amendments to expand the collection of data and reporting requirements of the Canadian Judicial Council that address ethnic and national background, Indigeneity, race, religion, sex, gender and disabilities, as well as that the annual report capture a range of those reporting-by-category pieces of information.

Finally, an amendment was adopted by committee to restore the ability of a judge or the presenting counsel — that is, the prosecutor — to appeal directly to the Federal Court of Appeal prior to any consideration by the Supreme Court. The bill had limited a judge's ability to appeal outside of the Canadian Judicial Council process other than with leave to the Supreme Court of Canada, and an additional level has been returned to the bill in this amendment. The amendment is intended to permit Canadian Judicial Council decisions to go to the Federal Court of Appeal, and then, ultimately, either the judge or presenting counsel would have the entitlement to seek leave to appeal that decision to the Supreme Court of Canada.

As well, there is a small coordinating amendment to align clause 16 with this last amendment, which brought back the Federal Court of Appeal into the picture.

In conclusion, let me say that this bill has an extensive series of amendments by the committee. The bill is the modernization of a 40-year-old or so process that has come under significant criticism, and I think it deserves this chamber's consideration in modernizing the judicial misconduct process.

Thank you.

Hon. Donald Neil Plett (Leader of the Opposition): I have a couple of questions for the senator if he would accept them.

Senator Cotter: I welcome them.

Senator Plett: Thank you, Senator Cotter, for the report. We have all been waiting anxiously, and here we have it.

Senator Cotter, I note that the committee decided not to pass an amendment to the bill regarding the inclusion of suspension without pay to the list of possible disciplinary measures, even though it was recommended by witnesses. Bill C-9 does include less serious options — for example, a reprimand requiring an apology — and then it seemingly jumps over to the very serious penalty of removal from the bench, with nothing in between. Given that suspension without pay seems to work well in Ontario — according to the Ontario Judicial Council — and it was called for by other witnesses, why would the committee ultimately decide not to include this in the bill?

Senator Cotter: As a person's tombstone read, "I expected this." Senator Plett, I expected this question, so thank you. Although I am tempted to say that Senator Dalphond could provide a more comprehensive answer, let me share with you — on behalf of the committee — the deliberations and what I think were, perhaps, the determining factors that led to people voting against adopting the amendment. It was an amendment that was carefully investigated and considered in advance by Senator Batters and the committee.

It is true that a number of provinces have that included in their judicial misconduct proceedings in relation to provincial court judges; you are correct about that. Some of the most articulate witnesses suggested it. In fact, probably the leading academic authority on this topic is Professor Richard Devlin from the Schulich School of Law at Dalhousie University, and it is one of the recommendations that he made.

Two arguments were advanced to express concern about that particular amendment. One of them was a practical one: If the sanction is suspension of a judge with pay that tends to mean a free vacation for that judge. It is embarrassing to the judge, but it burdens the other judges who have to carry that judge's workload. It didn't feel very much like an actual sanction.

The second argument is somewhat more subtle — which justice officials shared with us and which, I think it's fair to say, Senator Dalphond advanced forcefully: The structure of treating judges' pay is required to be governed by a compensation process every four years. It is unconstitutional in this line of argument for the salary of that judge to be reduced. If you suspend a judge, even as a sanction, and reduce their pay, there is a fairly strong argument — I don't want to say that it's determinative — that it would be an unconstitutional interference with judicial independence.

[Senator Cotter]

I think there is no question — and Senator Batters articulated this well — that there is a gap in the series of sanctions, but this one presented different problems in relation to the judiciary as opposed to so many other lines of work, whether it's lawyers, police officers or any others with respect to which you and I are familiar.

That's the best I can do in terms of describing the thinking of the committee in a close decision not to adopt that amendment.

Senator Plett: I hope I can ask another question. It's not the first time I have been accused of being predictable, so I won't take any exception to that now either.

Senator Cotter, I also noted that Minister Lametti was invited to appear a second time at committee to answer questions — indeed by members of the committee — as you began to consider the amendments at clause-by-clause consideration. The minister declined. It would seem, to me, that the minister would be happy to appear if he was invited by the committee in order to help with what ended up being quite a difficult process with quite a — I don't want to use the word "convoluted" — difficult bill. Why would the minister not appear?

Senator Cotter: I don't do mind reading very well, so I'm not able to say what motivated Minister Lametti — he did decline. It was the request of the committee, and we anticipated that it would be an opportunity to have a dialogue with respect to possible amendments that the committee might consider. We would have liked him to come before clause-by-clause consideration of the bill — I don't have an answer. I think it would have been slightly more helpful, and he may have given us a reason not to embrace these amendments, or to embrace them; I don't know.

As you probably know, this is work that has been done over a number of years in trying to fashion a modern system that involves the Canadian Judicial Council, the Canadian Superior Court Judges Association, the Ministry of Justice and the Minister of Justice. It is a delicate way of constructing a good, modern regime for judicial misconduct reviews.

I'm not offering a defence of Minister Lametti, but he has been terrific in terms of his attendance at the committee, and perhaps he felt that once per bill was enough.

The Hon. the Speaker: Senator Cotter, your time has expired. Are you asking for five more minutes?

Senator Cotter: Yes.

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

Hon. Senators: Agreed.

• (1540)

Hon. Denise Batters: Thank you. I appreciate that.

First of all, I will certainly give a robust explanation as to my amendment, which was for suspension with or without pay, and without pay would have been only a 30-day time frame. We will discuss that in the near future, and you will have a fuller explanation as to my standing on that.

Senator Cotter, I wanted to ask you a couple of very general questions. Thank you for the explanation about the number of amendments, but I don't think this was contained in your report: How many committee meetings did we have, and how many witnesses did we hear from at our committee?

Senator Cotter: The answer is quite a few, and I'll get the specifics to you as soon as I can.

Senator Batters: I'm just preparing my third-reading speech, so I think I know the answer. I think it is seven full meetings hearing from witnesses and then three clause-by-clause sessions, so quite a few. I don't think I totalled up the number of witnesses yet, but we will have that. In comparison, the House of Commons Justice Committee studied it only for three meetings and held one clause-by-clause session, so we certainly did a good bit of work on that.

One other thing I wanted to ask you about, Senator Cotter, is just because there has been considerable media attention since this bill was first dealt with in this chamber, so many in this chamber may not know this answer. There is currently quite a high-profile case involving a Supreme Court justice and a disciplinary conduct proceeding that is ongoing right now. It is my understanding — and Justice Minister Lametti indicated this — that this act would not apply to that proceeding because it is not law yet. Is that correct? Only cases moving forward after Bill C-9 becomes law would be subject to this new disciplinary process, and any current cases would be under the existing system; is that correct?

Senator Cotter: I think you are right on that, Senator Batters. It is one good argument for moving this along fairly expeditiously so that a modern regime can be put in place for any new complaints that might be presented in relation to Superior Court judges. With respect to the matter to which you referred, the old, existing process would apply.

Senator Plett: This is really just a simple question, Senator Cotter. I do have a problem with a minister not appearing. We do have a bit of a policy, "no minister, no bill." Now, I understand we can't get them all the time. But especially in the case of the Standing Senate Committee on Legal and Constitutional Affairs, what would you suggest, Senator Cotter, when the committee has other questions for a minister, and the minister refuses to appear? What's your suggestion as to how we deal with that situation?

Senator Cotter: Thank you, Senator Plett. Ever so briefly, I'm relatively junior to the role of chairing committees and don't have the wealth of experience that you do of ministers attending or not attending committees. At a certain point, I'm sure it becomes excessive to ask a minister to show up repeatedly with respect to the same bill. These are important questions. They were well explored with the minister in the first go-round. We probably sharpened our focus as we edged toward amendments, but it is not as though we did not hear from the minister on the points that were in contention.

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

Hon. Senators: Question.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

(Motion agreed to, on division, and report adopted.)

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

(On motion of Senator Dalphond, bill, as amended, placed on the Orders of the Day for third reading at the next sitting of the Senate.)

BILL TO AMEND CERTAIN ACTS AND TO MAKE CERTAIN CONSEQUENTIAL AMENDMENTS (FIREARMS)

SECOND READING—DEBATE

Hon. Hassan Yussuff moved second reading of Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms).

He said: Honourable senators, I rise today to speak to Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms).

Colleagues, I want to recognize at the start of this debate that the conversation about guns is never an easy one to have. It is usually filled with high emotion and strong opinions, and it can be very divisive and polarizing because it is about life and death, safe communities and people's rights and privileges.

For some people, guns are tools. They use them to protect their farm animals, to protect themselves in the wild, to hunt for recreation or for sustenance food, or to pierce a target in a competition. For some it is just a toy to have fun with. For others, guns, especially those considered assault-style weapons, are grotesque instruments of death and destruction that have caused immense pain and suffering to innocent people and have no place in our society. I know it will not be an easy debate, and I am expecting colleagues in this chamber will have strong opinions on both sides of the issue.

Whenever a government intends to restrict or limit its citizens' ability to own personal property like firearms, it is something that we as legislators must seriously consider. Colleagues, fundamentally, for me, this bill is about striking a fair balance between the right of Canadians to safe communities and the privilege of Canadians to own certain types or models of guns for hunting and sport shooting. Finding that balance is no easy task.

For some gun control advocates, this bill does not go far enough. For some gun rights advocates, it goes too far. As the debate on this bill progresses, I want you to think about people's rights versus people's privileges. I think this bill, at the end of the day, strikes a good balance between the right of Canadians to a safe community by reducing the number of firearms in circulation and the privilege of Canadians to use certain models of firearms for sport and target shooting, collecting, hunting, et cetera.

Senators, I want to talk today about what this bill is about and clear up some misconceptions about what it is not. There is no silver bullet to combatting gun violence, and this bill does not purport to be a silver bullet. This bill is just one piece to solving a very complex puzzle of creating safer communities through a group of initiatives that I would like to now explain in more detail.

First and foremost, Bill C-21, introduced a year ago, would codify in law a national freeze on the sale, purchase and transfer of handguns, which took effect via regulations on October 21, 2022. What this means is that any legal handgun owner who had a handgun before October 21 of last year can keep and use their handgun. They will, however, not be able to purchase new handguns or transfer or sell their handguns, and no one who didn't have a handgun by last October will be able to acquire one.

For the general public, there are only limited reasons for which a person may be licensed to acquire or possess a handgun that is a restricted firearm, notably, for target practice or target shooting competitions or as part of a collection. What is not a permitted reason is hunting.

I want to be clear on the fact that the handgun freeze in no way limits the privileges that allow Canadians to hunt. The handgun ban restricts only the privilege of approximately 275,000 Canadians to collect handguns and use them for sport or recreational shooting.

There has been a growing increase in the prevalence of handguns in Canada. Between 2010 and 2020, the number of handguns increased by 74% to 1 million handguns owned by approximately 275,000 individuals in our country.

• (1550)

Research shows that the availability of firearms in developed countries and the incidence of firearm crimes, violence and misuse are correlated. By restricting handgun accessibility and by freezing the sale, purchase and transfer of such, the government expects that it will essentially cap the growth of privately owned handguns and have a positive effect on gun violence as a result.

The bill also includes other significant measures to address the alarming role of guns in gender-based violence through red and yellow flag laws; strengthen border controls by increasing maximum penalties for gun traffickers; create authorities to combat firearms smuggling, trafficking and related offences; amend the Criminal Code definition of "prohibited firearm" to add a prospective new technical definition that contains the characteristics of an assault-style firearm, which would only apply to firearms designed and manufactured after the bill's

coming-into-force date; and address the growing threat of illegally manufactured firearms, otherwise known as "ghost guns."

The latter two measures are particularly important, and I want to start with them in explaining what this bill is about.

Bill C-21 adds a brand new technical definition that contains the characteristics of an assault-style firearm to the definition of a "prohibited firearm" in the Criminal Code. The new future definition focuses on semi-automatic centre-fire firearms that are not handguns that were originally designed with a detachable magazine with a capacity of six cartridges or more.

It is important to note that this new definition will only apply prospectively, which is to say that it only impacts firearms that are designed and manufactured after the date when this provision comes into force. I want to be clear that no legal semi-automatic centre-fire firearm in circulation right now that is not a handgun will be impacted by this new definition.

Incorporating technical criteria in this definition puts the onus on industry to do their part in protecting our communities from these dangerous weapons. As I just mentioned, it would not impact the classification of existing firearms in the Canadian market.

The proposed prospective technical definition of characteristics of assault-style firearms allows us to proactively address advances in the firearms market and keep out of our communities firearms designed to kill as many people as quickly and as easily as possible. This is part of the big picture of keeping Canadians safe. We've seen far too many tragedies, including those recently in Nova Scotia, Ontario and Quebec.

The government has been clear that firearms designed for war, like the AR-15, which are capable of rapid fire and can inflict catastrophic harm, have no place in our communities. Bill C-21 calls for a parliamentary review of the new technical definition of a "prohibited firearm" after five years, which would help inform whether the objectives of the proposed changes are being achieved. Bill C-21 also includes several proposed amendments to control the purchase — meaning transfer or importation — of cartridge magazines by requiring a valid firearms licence.

These amendments received wide support from both sides of the aisle and Canadians during the clause-by-clause consideration of the bill in the other place. Senators, these amendments are in direct response to recommendation C.21 from the Final Report of the Mass Casualty Commission.

To me, this is a common sense measure. Let me give you a real-world example of what this means. In 2018, a gunman in Toronto killed 2 people and wounded 13. Known as the Danforth shooting, the perpetrator did not have a legal licence to own a handgun, but was nonetheless legally allowed to purchase the cartridge magazines that he used to kill and wound his 15 victims.

I do not personally have a licence to own a gun. However, senators, I can go to a store right now and buy a magazine for a legal firearm without presenting a licence. How does that make sense?

This bill also takes action against “ghost guns,” which are guns that have been illegally manufactured, often through 3D printing, which can use plastic, metal or epoxy resins, or through the assembling various parts, which can result in firearms with no or multiple serial numbers. These ghost guns are dangerous not just because of their capacities for violence, but because they are unmarked, untraceable and are the firearm of choice for many criminal activities. It is disturbingly easy to find schematics to 3D-print firearms components online for free.

Equally disturbing, it is impossible to know exactly how many ghost guns are on the streets in Canada today. What we do know is that the Canada Border Services Agency, or CBSA, is seeing an influx of uncontrolled firearm parts across the border. That is linked to illicit firearms production in Canada, and several of those components are key to producing 3D-printed ghost guns.

For example, in August 2022, the CBSA announced two significant seizures of ghost guns in B.C. following interceptions at international mail centres. That resulted in the seizure of a 3D printing machine that was in the process of printing a lower receiver for a handgun, six handgun lower receivers with no serial number and a loaded 9-millimetre handgun with no serial number.

In February 2022, the CBSA announced the results of an investigation into 3D-printed firearms following an interception of undeclared firearm components, including metal parts and inserts commonly used to reinforce the plastic frames of 3D-printed handguns from a processing centre in Ontario. That resulted in the seizure of two 3D-printed handguns and a 3D printer.

The implications of 3D-printed firearms are staggering, colleagues. That’s precisely why Bill C-21 targets them.

The proposed measures would amend the Firearms Act so that businesses or individuals selling certain firearms parts would be required to ensure that the buyer has a valid firearms licence. That is like the existing requirements to ensure individuals possess a valid firearms licence when they purchase ammunition.

Other proposed measures would classify illegally manufactured firearms as prohibited firearms and enact new offences targeting ghost guns, including the possession and distribution of digital files for 3D printing firearms or prohibited devices for the purpose of illegal manufacturing or trafficking. Those ghost gun amendments received unanimous support from all members of the committee studying the bill in the other place.

Senators, I would like to turn to another group of important measures in Bill C-21 related to reducing firearm-related family violence and self-harm. Statistics show that victims of intimate partner violence are about five times more likely to be killed if a firearm is present in a home. That’s why new red flag laws will allow courts to order the immediate removal of firearms from individuals who might be a danger to themselves or anyone else. Additionally, yellow flag laws will allow a Chief Firearms Officer to suspend an individual’s firearms licence if the Chief Firearms Officer receives information calling into question their licence eligibility.

These red and yellow flag laws have been further strengthened by recent amendments to revoke firearms licences within 24 hours of domestic or intimate partner violence and report weapons prohibition orders or protection orders to authorities within 24 hours.

The amendments also introduce a clear requirement for medical professionals to disclose information if a patient may be a danger to themselves or others with a firearm. Of course, the identity of vulnerable persons who provide information to the courts will be protected.

Let me be clear: There is no obligation for victims to use these laws. They will be there to offer additional protection.

I’d like to share a few more important statistics today.

The Hon. the Speaker: Senator Yussuff, I regret I have to interrupt you. However, you will have the remainder of your time the next time the item is called.

(At 4 p.m., pursuant to the order adopted by the Senate on September 21, 2022, the Senate adjourned until 2 p.m., tomorrow.)

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