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OFFICIAL REPORT
(HANSARD)

Thursday, June 1, 2023

The Honourable RAYMONDE GAGNÉ,
Speaker

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

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THE SENATE

Thursday, June 1, 2023

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

Prayers.

SENATORS' STATEMENTS

NATIONAL INDIGENOUS HISTORY MONTH

Hon. Jane Cordy: Honourable senators, I would first like to acknowledge that we are meeting today on the traditional, unceded and unsurrendered territory of the Algonquin Anishinaabe Nation whose presence here reaches back to time immemorial. I extend my sincere gratitude and respect to them and to all First Nations, Inuit and Métis people who are the stewards of these lands.

I am pleased to rise today to tell you one of the ways in which the Progressive Senate Group has decided to mark the start of National Indigenous History Month.

Yesterday, staff and senators from the Progressive Senate Group participated in a Blanket Exercise, an interactive workshop that was created as a response to the Report of the Royal Commission on Aboriginal Peoples from 1996. Using blankets as a visual representation, we witnessed the many injustices inflicted on generations of Indigenous people, including through the aggressive and often deadly dispossession of their lands and the decimation of their families, communities, cultures, languages and entire ways of life.

As a result, we were able to deepen our understanding of the past and present realities of Indigenous people in what is now known as Canada.

I know I'm not the only one who found the experience tremendously impactful. Our Indigenous facilitators — John, Francine and Jesse — graciously shared their own experiences to teach us about a history that most of us were never taught, including about the lasting harms associated with the continued apprehension of Indigenous children through the child welfare systems. As we confronted the uncomfortable truths of our shared past and present, we cried — and we laughed — and we all walked away with a deeper understanding of the depth of injustice that has been borne by Indigenous people. More than that, we left with a renewed commitment to help advance reconciliation inside and outside this institution.

I encourage everyone to find their own ways to mark National Indigenous History Month. We need to honour the experiences of Indigenous Peoples, and that cannot happen without listening and learning with open hearts and open minds.

Thank you to Senator Francis and your staff for organizing such an opportunity. Thank you to the senators and staff who participated. The Blanket Exercise is an experience I certainly won't forget, and I urge everyone to participate if you are ever offered the opportunity. Thank you. *Meegwetch*.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Senator Shugart's wife, Mrs. Linda Shugart, and his daughter, Robin Shugart.

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

Hon. Senators: Hear, hear!

AGRICULTURAL INNOVATION

Hon. Robert Black: Honourable colleagues, I rise today to applaud the innovative and progressive work of Canada's agriculture and processing sectors, and to highlight the red tape limiting industry's innovations.

I recently met with representatives of Dairy Distillery, the producers of Vodkow. Many of you may be aware of this amazing and great-tasting vodka produced using dairy processing by-products. This Almonte, Ontario, business is well-known throughout Canada for its excellent spirits, but also for pivoting from making Vodkow during the COVID-19 pandemic to producing hand sanitizer, a significant amount of which they donated throughout the region and province.

This organization has taken an innovative approach to waste reduction by using dairy permeate surplus to produce ethanol. It's innovative, progressive and an excellent addition to Canada's economy. However, fellow senators, the government's lack of support for innovation is clearly apparent for the Dairy Distillery and many other companies across Canada. Due to the lack of commitment to small businesses and the ever-growing changes, rules and regulations placed on Canadian business, known as red tape, Dairy Distillery has been forced to move to produce ethanol in the United States, and they are using U.S. dairy permeate surplus to produce this ethanol.

The current U.S. administration has offered significant subsidies under the Inflation Reduction Act, which now is costing Canadian innovation and ingenuity. Though Dairy Distillery has acknowledged there are Canadian markets to establish an ethanol production operation here in Canada, it simply cannot find a competitive avenue to exist in this country. So they've settled in Michigan.

Senators, I'm concerned about the current government practices. Valuable businesses like the Dairy Distillery worked to support Canadians in times of crisis — they produced hand sanitizer for us. Now, in the climate crisis, they're producing 2.2 million gallons of cleaner ethanol each year in partnership with a dairy co-op, which is calculated to displace 14,000 tonnes of carbon. That would mean a 5% reduction in the amount of carbon produced by that co-op. The plant will be powered by methane produced in the ethanol production process as well.

This eco-friendly process aligns with the green ambitions of this country and this government, yet they are forced to move across the border, and the U.S. will reap the benefits of the 2.2 million gallons of ethanol.

Colleagues, we must continue to foster the interests of green enterprise. Climate change is real, and the Canadian government needs to take priority action to encourage businesses to establish within our country.

I thank the Dairy Distillery for its hard work for Canadians, and hope that soon there will be equal opportunity for them to innovate here in Canada. Thank you. *Meegwetch*.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Dr. Ibrahima Socé Fall, Dr. Anthony Solomon and Alison Krentel. They are the guests of the Honourable Senators Boehm and Kutcher.

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

Hon. Senators: Hear, hear!

NEGLECTED TROPICAL DISEASES

Hon. Stan Kutcher: Honourable senators, last year in February, I spoke on the issue of neglected tropical diseases, or NTDs, a group of 20 infectious diseases and conditions affecting 1.7 billion people in the world. That's 1 out of every 5 people living on the planet today.

NTDs are diseases you may have heard of: leprosy, river blindness, dengue fever, parasitic stomach worms and so on. These are ancient diseases that affect the lives of people living in the most disadvantaged and vulnerable communities in the world, even here in Canada.

As we emerge from the COVID-19 pandemic, the global community has realized again not only the devastation that can be wrought on people's lives by infectious diseases, but the need for strong health systems to deliver health care to all, leaving no one behind.

We have to step up the fight against NTDs. Not only is it the right thing to do, but also because it is through the control, elimination and eradication of neglected tropical diseases that we can make massive contributions to broader global health, such as universal health coverage and pandemic preparedness.

Investment in NTDs goes far beyond treating the diseases themselves. The presence of NTDs in a household can perpetuate a generational cycle of poverty. By addressing NTDs, we contribute to healthier communities with better outcomes for children, better economic outputs in households and reduction of lifelong disability and disfigurement.

It would be irresponsible to do everything we have done to help people survive COVID only to leave them vulnerable to these preventable and treatable diseases. Now is the right time to accelerate our work.

Climate change will have — and is having — both a direct and indirect impact on NTDs, such as increasing geographic locations of diseases such as dengue and by displacement of people into areas where NTDs persist.

• (1410)

As was said so often during COVID-19, no one is safe until everyone is safe. It is time for action — inaction is not an option.

A year ago this month, Canada endorsed the Kigali Declaration, committing to being a part of the global efforts to address NTDs. In addition to myself, Senator Boehm and Senator Ravalia have been encouraging our government to act more vigorously. We congratulate the government for taking this first step toward action. We also continue to encourage the government to do more, to commit the resources needed to help end the neglect of NTDs and to realize the right to health that people everywhere deserve. Thank you.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Representatives of POSCO Chemical Canada and POSCO America. They are the guests of the Honourable Senator Martin.

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

Hon. Senators: Hear, hear!

CANADA-KOREA RELATIONS

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I rise today during this historic year for Canada and Korea as we celebrate the sixtieth anniversary of diplomatic relations.

Canada and Korea have a long-standing history of strong diplomatic ties and trading partnership. The strength of the trading partnership was built through the foundational efforts of companies like POSCO, formerly known as Pohang Iron and Steel Company, which is South Korea's first steel-making company and the fifth largest in the world.

POSCO was founded on April 1, 1968. In the 1960s, self-sufficiency in steel would become essential to economic development. The Government of the Republic of Korea made the decision to invest in the steel industry, and, under the leadership of Park Tae-joon, POSCO was established.

It was a small venture at first: Production began in 1972 with 39 employees. Today, as I said, it is the fifth-largest company in the world. POSCO operates two integrated steel mills in South Korea — one in Gwangyang, and its headquarters in Pohang. POSCO has also expanded to Canada, the United States and other

countries around the world with a diverse range of innovative projects and investments in green technology and energy that go well beyond steel production.

I'm pleased to recognize in our chamber today the presence of Haneui Do, President of POSCO America; Chigyu Cha, President of POSCO Chemical Canada; and Kun Youp Kim, HR General Manager of POSCO America.

Canada, Korea and the United States continue to build upon their shared history and friendship — a history that was forged on the battlefields of the Korean War as the United States, Canada and other UN allied nations came to Korea's aid. This year also marks the historic seventieth anniversary of the Korean War Armistice, and honours the service and sacrifice of all those who fought for freedom and democracy.

Honourable senators, please join me in commending POSCO for the leadership, expertise and contributions they made to South Korea's economy and trade, as well as their partnerships in Canada, the United States and around the world. Thank you.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Chief Wilbert Marshall of the Potlotek First Nation of Nova Scotia. He is the guest of the Honourable Senator Francis.

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

Hon. Senators: Hear, hear!

NATIONAL HEALTH AND FITNESS DAY

Hon. Marty Deacon: Honourable senators, today — June 1 — marks many important things. As we recognize National Indigenous History Month and Pride Month, I wish to also speak to National Health and Fitness Day, which takes place this upcoming Saturday.

The National Health and Fitness Day Act was created by us here and in the other place in order to work with our communities to do our very best to ensure that the support, infrastructure and things we need are there so that every Canadian has the opportunity to be active.

This year, as we head into Saturday, and in recognition of National Indigenous History Month, I would like to share with you a poem written by our former Parliamentary Poet Laureate Louise Bernice Halfe — her Cree name is Sky Dancer — as she thought about the intent of National Health and Fitness Day. The poem is called "Over Sixty-five." It goes like this:

Sometimes the spirit of the body
has no inclination to move.
Yet,
the cool water on throbbing feet
after a half-hearted run
refreshes one's resolve.
The heart-throb
and gasp for breath
drives
this reluctant exhilaration.

Sitting in a canoe
paddle dipping, gliding past
cliffs and forest,
hand cutting the water.
This gentle sweep
moves spirit and body.

Each morning my husband and I
lift weights.
Stretch above our heads,
bend at the waist,
arms flapping into a butterfly.
Leg press: kneeling has never been
so easy.
We work our
turkey waddle triceps
do full length planks.

We are over sixty-five.

For three years
our feet covered
over two hundred miles
of the Saskatchewan prairie.
From the grasslands
to the rocky mounds of
the angels at the Mystery Rocks,
to the murdered sites
where we paid homage
to the original tribes.

We push beyond the limitations
of our reluctance.
Honor body, mind and spirit.
These gifts
of wind, sun, water and earth
course through our veins.

Colleagues, I encourage you to think about those words this weekend. I also want to thank you for your social media posts in past years, for your energy and for your desire to share what gets you moving. Please keep them coming, and use the hashtags that were sent to each of you today.

I also invite all senators who are in Ottawa this weekend to join us at 10 a.m. on Saturday morning at the front entrance of the Senate of Canada building for a light walk through some great parts of Ottawa. Please join us if you can.

Thank you. *Meegwetch*.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Linda Thompson and Wendy Milne. They are the guests of the Honourable Senator Hartling.

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

Hon. Senators: Hear, hear!

ROUTINE PROCEEDINGS

PARLIAMENTARY LIBRARIAN

CERTIFICATE OF NOMINATION AND BIOGRAPHICAL NOTES TABLED

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, the certificate of nomination and biographical notes for the proposed reappointment of Heather Powell Lank to the position of Parliamentary Librarian.

AGRICULTURE AND FORESTRY

BUDGET—STUDY ON THE STATUS OF SOIL HEALTH—ELEVENTH REPORT OF COMMITTEE PRESENTED

Hon. Robert Black, Chair of the Standing Senate Committee on Agriculture and Forestry, presented the following report:

Thursday, June 1, 2023

The Standing Senate Committee on Agriculture and Forestry has the honour to present its

ELEVENTH REPORT

Your committee, which was authorized by the Senate on Tuesday, April 26, 2022, to examine and report on the status of soil health in Canada, respectfully requests supplementary funds for the fiscal year ending March 31, 2024.

The original budget application submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that committee were printed in the Journals of the Senate on February 16, 2023. On February 16, 2023, the Senate approved the release of $36,220 to the committee and on May 16, 2023, the Senate approved an additional release of $128,620 to the committee.

Pursuant to Chapter 3:05, section 2(1)(c) of the *Senate Administrative Rules*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that committee are appended to this report.

Respectfully submitted,

ROBERT BLACK

Chair

(*For text of budget, see today's* Journals of the Senate*, Appendix A, p. 1758.*)

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

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

[*Translation*]

BUDGET IMPLEMENTATION BILL, 2023, NO. 1

FIFTH REPORT OF TRANSPORT AND COMMUNICATIONS COMMITTEE ON SUBJECT MATTER TABLED

Hon. Leo Housakos: Honourable senators, I have the honour to table, in both official languages, the fifth report of the Standing Senate Committee on Transport and Communications, which deals with the subject matter of those elements contained in Division 2 of Part 3, and Divisions 22 and 23 of Part 4 of Bill C-47, An Act to implement certain provisions of the budget tabled in Parliament on March 28, 2023.

(Pursuant to the order adopted April 27, 2023, the report was deemed referred to the Standing Senate Committee on National Finance and placed on the Orders of the Day for consideration at the next sitting of the Senate.)

• (1420)

[*English*]

SEVENTH REPORT OF BANKING, COMMERCE AND THE ECONOMY COMMITTEE ON SUBJECT MATTER TABLED

Hon. Pamela Wallin: Honourable senators, I have the honour to table, in both official languages, the seventh report of the Standing Senate Committee on Banking, Commerce and the Economy, which deals with the subject matter of those elements contained in Clauses 118 to 122 concerning cryptoasset mining in Part 2, and Divisions 1, 2, 6, 7, 26, 33 and 37 of Part 4 of Bill C-47, An Act to implement certain provisions of the budget tabled in Parliament on March 28, 2023.

(Pursuant to the order adopted April 27, 2023, the report was deemed referred to the Standing Senate Committee on National Finance and placed on the Orders of the Day for consideration at the next sitting of the Senate.)

ELEVENTH REPORT OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE COMMITTEE ON SUBJECT MATTER TABLED

Hon. Peter M. Boehm: Honourable senators, I have the honour to table, in both official languages, the eleventh report of the Standing Senate Committee on Foreign Affairs and International Trade, which deals with the subject matter of those elements contained in Divisions 4, 5 10 and 11 of Part 4, and in Subdivision A of Division 3 of Part 4 of Bill C-47, An Act to implement certain provisions of the budget tabled in Parliament on March 28, 2023.

(Pursuant to the order adopted April 27, 2023, the report was deemed referred to the Standing Senate Committee on National Finance and placed on the Orders of the Day for consideration at the next sitting of the Senate.)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

BUDGET—STUDY ON ISSUES RELATING TO SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY GENERALLY—THIRTEENTH REPORT OF COMMITTEE PRESENTED

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

Thursday, June 1, 2023

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

THIRTEENTH REPORT

Your committee, which was authorized by the Senate on Thursday, February 10, 2022, to examine and report on such issues as may arise from time to time relating to social affairs, science and technology generally, respectfully requests funds for the fiscal year ending March 31, 2024, and requests, for the purpose of such study, that it be empowered to:

(a) travel inside Canada.

Pursuant to Chapter 3:05, section 2(1)(c) of the *Senate Administrative Rules*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that committee are appended to this report.

Respectfully submitted,

RATNA OMIDVAR

Chair

(*For text of budget, see today's* Journals of the Senate*, Appendix B, p. 1766.*)

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

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

CRIMINAL CODE

BILL TO AMEND—NOTICE OF MOTION TO AUTHORIZE HUMAN RIGHTS COMMITTEE TO STUDY SUBJECT MATTER

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, in accordance with rule 10-11(1), the Standing Senate Committee on Human Rights be authorized to examine the subject matter of Bill C-41, An Act to amend the Criminal Code and to make consequential amendments to other Acts, introduced in the House of Commons on March 9, 2023, in advance of the said bill coming before the Senate; and

That, for the purposes of this study, the committee be authorized to meet even though the Senate may then be sitting or adjourned, with the application of rules 12-18(1) and 12-18(2) being suspended in relation thereto.

PARLIAMENTARY LIBRARIAN

NOTICE OF MOTION TO REFER CERTIFICATE OF NOMINATION TO JOINT COMMITTEE ON THE LIBRARY OF PARLIAMENT

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 the Certificate of Nomination for the proposed reappointment of Heather Powell Lank as Parliamentary Librarian, tabled in the Senate on June 1, 2023, be referred to the Standing Joint Committee on the Library of Parliament for consideration and report; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

AUTUMN MEETING OF THE ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE PARLIAMENTARY ASSEMBLY, NOVEMBER 24-26, 2022—REPORT TABLED

Hon. David M. Wells: Honourable senators, I have the honour to table, in both official languages, the report of the Canada-Europe Parliamentary Association concerning the

Organization for Security and Co-operation in Europe Parliamentary Assembly's Twentieth Autumn Meeting, held in Warsaw, Poland, from November 24 to 26, 2022.

QUESTION PERIOD

PRIVY COUNCIL OFFICE

INDEPENDENT SPECIAL RAPPORTEUR ON FOREIGN INTERFERENCE

Hon. Donald Neil Plett (Leader of the Opposition): My question today is again for the Liberal government leader in the Senate.

Leader, you seem to take so much exception to the questions of the official opposition, as if we don't have the right to do our job. You question our integrity. You question our professionalism when we ask you questions. I ask these questions on behalf of the people of Winnipeg, on behalf of the people of my province of Manitoba and, indeed, on behalf of all Canadians as the leader of our Conservative caucus. I, leader, am doing my job. I do it to the best of my ability, and you question our right to ask you questions.

Leader, in doing your job, you often speak to us about the importance of deferring to the will of the other place. They, after all, have voted and sent something over.

Yesterday, leader, a clear majority of the members of the House of Commons voted to remove the Prime Minister's made-up Special Rapporteur. Only Liberal MPs voted to keep him. Yet, moments after the vote was taken, the Special Rapporteur issued a statement defying the result. He said he's not going anywhere.

Leader, isn't it a bit hypocritical to tell senators to accept the will of the House when your government refuses to do so?

Hon. Marc Gold (Government Representative in the Senate): The answer is no. It is the position of the government that the Special Rapporteur's report provided valuable information to Canadians and that the public process that he has envisaged overseeing, including the work of a number of institutions such as NSIRA and NSICOP, is the most appropriate way to address the issue of foreign interference.

Senator Plett: In a democratic society, the government doesn't have to adhere to democracy.

Senator Housakos: Not this one.

Senator Plett: The made-up Special Rapporteur's statement defying the will of the House was clearly written before the votes were cast, just as his report was sent to translation before he even met with Erin O'Toole on who CSIS says was a target of Beijing's interference. His statement yesterday said, ". . . my mandate comes from the government." Exactly — that is what I've been saying all along, leader. That's what we've been saying. He is not independent. He is an old Trudeau family friend and a member of the Trudeau Foundation. He was hired to help out the Prime Minister and his government in a made-up job. The Privy Council Office handles his media requests. He is not independent.

• (1430)

Leader, the very first words of the cover-up issued by the Special Rapporteur last week were this: "Our democracy is built on trust." If the rapporteur and the Prime Minister can so easily dismiss the result of a democratic vote by elected members of the House of Commons, why should Canadians trust the Trudeau government about Beijing's interference or, indeed, about anything else?

Senator Gold: Thank you for your question. As I have stated on many occasions, and I will repeat it again, it is the position of the government that the Special Rapporteur's mandate has been discharged in an exemplary fashion with the publication of the report. The ongoing work that will follow the report is and will be to the benefit of Canadians and our security against foreign interference.

PUBLIC SAFETY

FOREIGN INTERFERENCE

Hon. Leo Housakos: My question is for the government leader, Senator Gold. It is astonishing how little the Trudeau government has done in dealing with foreign interference. Yesterday, this parliamentary chamber had the Minister of Public Safety before us, and, even more astonishingly, when asked two simple questions of when we will have Beijing's illegal police stations closed down and what date we will have a foreign registry put into place, he could not give this parliamentary chamber an answer. It is unbelievable, government leader.

I will simplify the question for you because I know this government has a hard time with targets. I will allow you to answer broadly. Can you please tell this chamber when you will have these illegal Beijing police stations shut down, and when we will have a foreign registry put into place? You do not have to give me an exact date, but can you please give the Senate of Canada what month and what year?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. As the minister said yesterday, investigations into the alleged police station activities in this country are under way through the RCMP, which operates independently of the government. Therefore, I'm not in a position to tell you what the results of those investigations will be, nor what action will be taken once the investigations have been completed and the information communicated.

Second, with regard to the foreign registry, as the minister said yesterday, considerable progress has been and is being made, and the government is committed to bringing forth legislation. I believe that he has said publicly that will be in the fall. He wants to make sure that all relevant input is properly considered in the

bill because there is a serious, important requirement that the establishment of this does not inadvertently create more burden on those diaspora communities that are affected.

I will also take the opportunity, however, with respect, to correct you in your assertion that the government has done nothing to address foreign interference. Again, this is laid out very clearly in the Special Rapporteur's report.

The mandate for the Minister of Democratic Institutions and a policy framework were established; the Security and Intelligence Threats to Elections Task Force was created; the Critical Election Incident Public Protocol was created; the Rapid Response Mechanism was established in coordination with the G7; the Digital Citizen Initiative was created. We also had the constitution and mandating of the National Security and Intelligence Committee of Parliamentarians, NSICOP, and the National Security and Intelligence Review Agency, NSIRA; the 2022 policy framework; and the 2023 initiatives, including those that are ongoing now. This government is taking it very seriously and is doing the work that needs to be done on behalf of Canadians to protect us from foreign interference.

Senator Housakos: Leader, everything that you just highlighted was nothing more than navel-gazing. The minister was here yesterday and, yes, he confirmed that there were RCMP investigations ongoing into the illegal Beijing place stations — the same minister who many weeks ago got up in the House of Commons and said to parliamentarians and Canadians that they were all shut down. That is contempt of Parliament. Either he misled Canadians when he said they were all shut down or he intentionally lied. I would hate to believe it was the latter.

Government leader, the truth of the matter is that we have a government that, outside of anything more than discussions, has not taken action. Now we have the minister himself come before Parliament, and he cannot answer a simple question and has actually been caught in the mistruths that he has perpetuated. First he says they were all shut down, and now we find out that they were not shut down. Now we have a vote in the Parliament of Canada asking for this fake rapporteur to step down in a democratic vote, and this rapporteur and the government refuse to respect the democratic will of the House of Commons. Do you call that democracy, and do you call that respect for our institutions of Parliament?

Senator Gold: Again, the short answer to your question is that the government is of the view, notwithstanding the motion, which is not binding on the government, that the best way forward remains that which is outlined in the Special Rapporteur's report and the steps that are going to be taken.

With respect to your question — because there were a number of preambular statements — surely, Senator Housakos, you are not suggesting that the cultural institutions such as the one referred to yesterday by our colleague Senator Woo were in every corner illegal police stations simply because there are allegations that some activities within that large organization that has served the community for 50 years have been alleged to have been illegal, and that is what has been investigated.

It may very well be the case — though I have no information to this effect, because this is not information that the RCMP shares with the government during an ongoing investigation — that certain activities were indeed shut down and may have popped up again. We will not know until the investigations are done. Again, I think it is irresponsible, with all due respect, to categorize these as untruths or "mistruths" — whatever the term was, as Hansard will reveal — or lies, as your leader has just shared with the chamber. I think it is more accurate and responsible to await the results of the independent RCMP investigations into this very serious matter.

EMPLOYMENT AND SOCIAL DEVELOPMENT

PARENTAL LEAVE—EMPLOYMENT INSURANCE

Hon. Colin Deacon: Your Honour, I would like to thank you for taking on the responsibility of being our Speaker; it is wonderful to see you in that chair.

My question is for the Government Representative. Senator Gold, entrepreneurship is fraught with challenges, some of which are particularly challenging for under-represented groups, including women.

Consider Sampler, a technology platform that helps companies to launch new products. Sampler has 1,000 companies that it works with, 45 employees, is on track to get $10 million in revenue and just acquired a New York–based company to expand its business further into the United States and Europe. It is the sort of level of success that we want to see more of. Imagine the surprise of Sampler's founder and CEO, Marie Chevrier, when she went on maternity leave and found her application for parental benefits was declined, even though she had been paying into the Employment Insurance system, EI, for years.

I was shocked to learn that the Canada Revenue Agency declined her application on the belief that as a business owner she "would not truly be able to take a maternity leave." Ms. Chevrier was left with no government support at a time when she needed it the most, and she is far from alone, as I understand.

Senator Gold, what is the rationale behind this arguably anti-feminist policy? Are there any plans for its review in the near future in order to allow entrepreneurs, and especially women, to feel more confident about building their families without fear of financial uncertainty?

Hon. Marc Gold (Government Representative in the Senate): Thank you for this important question. The government understands and believes that maternity and parental benefits need to be both fairer and more flexible.

Currently, the government is analyzing what it has heard from parents, workers, employers, unions and other partners, including entrepreneurs, to ensure that the changes to our EI system are informed by those who feel their impact the greatest. With respect to entrepreneurs, I will raise your concerns with the relevant minister, but I can assure you, honourable colleague, that the government is and continues to be attentive to issues of this kind, to feminist policy concerns. Women hold the top

ministerial portfolios in this government's cabinet, and I can assure you that they look at all issues through a lens that does not ignore the realities and needs of women.

Senator C. Deacon: The government states that the empowerment of women is a top priority, and, to its credit, we now have a gender-balanced Senate, a gender-balanced cabinet and a federal Women Entrepreneurship Strategy.

• (1440)

Policies across government departments, like the CRA decision, often contradict what the government says it cares about. Women entrepreneurship is a top government priority. How do we get through this issue of having a whole-of-government approach around these top priorities? It seems there is no horizontality in so many different areas. They are siloed into one decision or another, but the priority does not permeate across government. I see this as being a constant challenge. What do you see us being able to do in the Senate or the government doing in terms of addressing that problem with horizontality?

Senator Gold: Thank you for your question. Look, it is a challenge in government to work across departments. From my experience in the last three and a half years, I can attest to the fact that on many policy fronts there are three, four or sometimes even a larger number of ministers who are mandated to work together on this, which is a serious attempt to not be trapped in silos. The government is attentive to that and, in my experience, is in fact doing that. I will certainly bring this to the attention of my colleagues in the other place to reinforce the point that you made, which is a totally valid one.

With regard to what we can do in the Senate, the Senate can do many things. We are the masters of our own house. That includes, if the Senate so wills, launching a study on this and providing some input, guidance and reflections to the benefit of this and any future government.

PROGRESS OF LEGISLATION

Hon. Kim Pate: Senator Gold, my question is for you. Bill C-22, the Canada disability benefit act, arrived in the Senate. Even before the bill arrived, we were receiving calls, emails and messages urging us to pass the bill swiftly regardless of its shortcomings. The message was clear: The issue of poverty for people living with disabilities was urgent and pressing. Minister Qualtrough herself said that:

> With Bill C-22, we have a once-in-a-generation opportunity to create a new benefit that will lift many working-age Canadians with disabilities out of poverty. I'm looking forward to working with my colleagues in the Senate to keep the momentum up. In Canada, no person with a disability should live in poverty.

We gave the bill careful scrutiny and amended it to make it stronger.

Despite assertions that Bill C-22 is a priority for the government and given the opportunity to pass this stronger iteration of Bill C-22 with haste, why is it not yet on the projected order of business for the other place?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for underlining the importance of Bill C-22 and of getting it to Royal Assent so that those who stand to benefit and who need the benefits will receive them and the framework — once in place — can then give rise to the programming that follows.

It remains a government priority. This is a minority Parliament. There are days that are not devoted to government business. This chamber should rest assured that the government has taken the time to consider the Senate amendments, is giving them due consideration and is working with the other parties in the house such that this bill can go through the final phases and receive Royal Assent.

Senator Pate: Thank you for that, Senator Gold.

Do you have any information or can you shed any light on when exactly we are likely to see Bill C-22 coming back to us so that people with disabilities can be pulled out of poverty?

Senator Gold: I do not have information at this juncture. When I do find out, I will be sharing it with the leaders and, as is my practice, with any interested senators so that we will know when and if we will receive it, by the way, because the amendments are still being studied. I will resist the opportunity to say that it would have received Royal Assent had we not amended it, but the Senate did its work and now we have to see how the House of Commons, the government and the other opposition parties respond to our amendments. As soon as I know more, I will certainly share it with the chamber.

[*Translation*]

INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT

CANADIAN INNOVATION

Hon. Robert Black: My question is for the Honourable Senator Gold, the Government Representative in the Senate.

[*English*]

Senator Gold, earlier in the chamber I mentioned the great entrepreneurship and charity of organizations like Dairy Distillery. Not only are they supporting and growing Canada's economy, they are giving back in times of need and pitching in to support the greening of Canada. Despite their hard work, the company continues to be inhibited by red tape and the lack of governmental support in expanding their work.

As a result, Dairy Distillery has begun construction on an ethanol production facility using dairy permeate to produce some of the greenest ethanol in North America. For every tonne of permeate they process into ethanol, they displace 1.2 tonnes of carbon. They've identified 50,000 tonnes of available permeate in Eastern Canada that, if converted to ethanol, would offset 60,000 tonnes of carbon a year.

[*Translation*]

The thing is, they'll be building their plant in the state of Michigan.

[*English*]

This Canadian company has had little government support or any level of regulatory assistance, and could only financially succeed in the United States with support from programs like the Inflation Reduction Act.

[*Translation*]

If Canada can't be competitive for its small businesses, we will lose Canadian businesses to the United States.

[*English*]

My question, Senator Gold, is: How will the Canadian government continue to support Canadian businesses that are competing with companies in the U.S. being supported by the American Inflation Reduction Act, and what will your government do to reduce regulatory red tape that forces Canadian companies out of the country, taking innovative progress and countless jobs with them? Thank you, *meegwetch*.

[*Translation*]

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, Senator, and congratulations on your French. It is nice to hear and an example to us all. I would therefore like to answer the question like a proper Montrealer: in both official languages.

[*English*]

The government continues to work hard to support businesses across this country, along with the provinces, territories and, in some cases, the municipalities, in order that Canadian businesses can profit from the changes that are taking place as we transition and move towards a greener and more sustainable economy.

The government has responded to the changes in the economic environment that was brought on by the Inflation Reduction Act in the Fall Economic Statement, where Minister Freeland put forward tax credits in a number of areas for clean energy, capital costs and hydrogen production.

The federal government plays a role, and, as I said, so do other levels of government. I'm advised the Government of Canada continues to evaluate ways in which to assist Canadian businesses, such as the one to which you referred, so as to benefit from the changes in the economic environment that, without question, were brought on by the introduction of the Inflation Reduction Act in the United States.

[*Translation*]

That altered the playing field with respect to the level of support the federal, provincial and territorial governments need to contemplate. The economic power differential is massive. That said, when it comes to Volkswagen and other issues before Parliament and in the press, the government needs to pitch in and make sure Canadian companies benefit from increased support on the part of the federal government.

[*English*]

PUBLIC SAFETY

RED DRESS ALERT SYSTEM

Hon. Jane Cordy: Senator Gold, Indigenous women are four times more likely than non-Indigenous women to be victims of violence. Indigenous women make up 16% of all female homicide victims and 11% of missing women, yet Indigenous people make up only 4.3% of the population of Canada.

Last month in the other place, a motion declaring the continued loss of Indigenous women, girls and two-spirit people a Canada-wide emergency passed with unanimous consent. The motion also called on the federal government to provide immediate and substantial investment including a red dress alert system to help alert the public when an Indigenous woman, girl or two-spirit person goes missing.

Senator Gold, this motion received unanimous support in the House of Commons, and this includes support by the government.

My question will be to the point: Does the government intend to act on this motion and will the government work to develop an alert system for missing Indigenous women?

• (1450)

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

The government remains committed to ending the crisis of missing and murdered Indigenous women, girls and 2SLGBTQQIA+ peoples.

While the conditions for most public alerts are, as we all know, set by provinces and territories, as is the decision to set up a new alerting program, the government has made a whole-of-government commitment to do its part to end the crisis of violence against Indigenous women and girls and will and must explore all avenues to do so.

That is why I'm advised that the government is investing $2.5 million to establish a standing federal-provincial-territorial Indigenous table on missing and murdered Indigenous women and girls and to ensure action at all levels of government, including the implementation of a Red Dress alert.

Senator Cordy: Thank you, Senator Gold. That is very positive.

We know that a motion made in the other place — or in this place — does not necessarily compel the government to act; although, you have said that they will be doing that, which is a positive thing.

As you stated, the alert systems are the jurisdictions of the provinces and territories. My question is: Will the federal government take a leadership role so that it is not just one province or one territory but, in fact, the whole country? Will the federal government take a leadership role to make the alert system a reality, and will the federal government provide some funding to help the provinces and the territories set up the alert system?

Senator Gold: Thank you for the question.

Although I am not familiar with all of the details as to how the $2.5 million will be allocated, as I said, it will be allocated to set up the standing Indigenous table on missing and murdered Indigenous women and girls and to include the implementation of a Red Dress alert.

I will bring your question to the attention of the appropriate minister or ministers, but this is a very important start on which the federal government is taking the lead.

[*Translation*]

CANADIAN HERITAGE

RESPECT FOR OFFICIAL LANGUAGES

Hon. Claude Carignan: My question is for the Leader of the Government. Leader, the government's official languages track record is a disaster. We saw further evidence of that when the Commissioner of Official Languages tabled his 2022-23 annual report a few days ago.

The report shows that, between 2013-14 and 2022-23, there was an increase of over 300% just in the number of admissible complaints about institutions that serve the travelling public. Compared to the previous year, it is an increase of 500%.

The reason for this is not just that there have been more complaints about Air Canada. There have been more complaints about all of the other services, including the Canadian Air Transport Security Authority, the airports, VIA Rail and the Canada Border Services Agency.

Can you explain why this government is doing such a terrible, disastrous job on official languages?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. I don't accept the premise of the last part of your question.

I absolutely share your disappointment, because for so long, there's always been a gap between what we want as a country and the reality on the ground. You cited several examples. With Bill C-13, colleague, the government has introduced changes and improvements, a modernization, even, of our official languages regime. These changes mean that the government has a greater obligation to ensure that the substantive equality of the two languages is respected.

We hope that once this bill receives Royal Assent, there will be improvements on the ground in terms of respect for both official languages in all areas of federal jurisdiction.

Senator Carignan: There seems to be a disconnect between what this government says and what it does. Once again, one of the Commissioner of Official Languages' recommendations is a three-year plan for the Treasury Board to rectify the situation by June 2025.

Why do we need the Commissioner of Official Languages to come up with a three-year plan? Is this government incapable of governing and making its own plans to address a disastrous report on official languages?

Senator Gold: Thank you for the question. The Government of Canada has a great deal of respect for the commissioner's recommendations. That is his job and he does it very well. The government will take into consideration all his recommendations to ensure that the situation improves.

However, again, Bill C-13 contains very important changes and improvements that intersect with your question, and I hope that the bill will receive Royal Assent as soon as possible.

[*English*]

PUBLIC SAFETY

DETENTION IN CUSTODY—BAIL REFORM

Hon. Yonah Martin (Deputy Leader of the Opposition): My question is for the government leader in the Senate.

Leader, you often accuse the opposition in the Senate of asking questions where facts are exaggerated. I will read you excerpts from an article in yesterday's *Prince George Citizen*:

> What is suspected to be a particularly deadly amount of fentanyl, as well as possible cocaine, methamphetamine, drug trafficking paraphernalia and cash, were seized from a home in the Hart two weeks ago.
>
> "Police have identified the fentanyl seized as extremely potent and it is believed to be responsible for several drug overdose deaths in Prince George in the last month," Cpl. Jennifer Cooper said in a statement issued Wednesday.
>
> A suspect was arrested and later released pending charge approval.

Leader, this is exactly what was written in the newspaper: A drug dealer, believed to be responsible for several drug overdose deaths, was arrested and later released. Isn't this the very definition of a catch-and-release policy? How is this helping the community of Prince George?

An Hon. Senator: Hear, hear.

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

Our legal system, which involves the exercise of judicial discretion consistent and coherent with the Canadian Charter of Rights and Freedoms, is such that decisions whether or not to imprison and detain in prison someone who is charged with an offence are considered by a judge weighing all relevant considerations both constitutional and in law.

Unless I misunderstood your question, Senator Martin, I do not assume that anyone in this chamber would assume that it would be appropriate in a free and democratic society with a constitutional regime of rights to simply take everyone charged with an offence and lock them up until such time as they are tried.

This is not an example of catch and release. This is an example of the administration of justice doing its job properly, as it should.

ANSWERS TO ORDER PAPER QUESTIONS TABLED

FOREIGN AFFAIRS—HONORARY CONSULS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the reply to Question No. 120, dated February 8, 2022, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding honorary consuls.

VETERANS AFFAIRS—NATIONAL MONUMENT TO CANADA'S MISSION IN AFGHANISTAN

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the reply to Question No. 158, dated May 5, 2022, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the National Monument to Canada's Mission in Afghanistan — Veterans Affairs Canada.

CANADIAN HERITAGE—NATIONAL MONUMENT TO CANADA'S MISSION IN AFGHANISTAN

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the reply to Question No. 158, dated May 5, 2022, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the National Monument to Canada's Mission in Afghanistan — Canadian Heritage.

CANADIAN HERITAGE—LIBRARY AND ARCHIVES

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the reply to Question No. 205, dated February 2, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Library and Archives Canada.

PUBLIC SERVICES AND PROCUREMENT—NATIONAL CAPITAL COMMISSION

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the reply to Question No. 216, dated March 8, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the National Capital Commission.

TREASURY BOARD—TREASURY BOARD SECRETARIAT

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the reply to Question No. 226, dated March 30, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Treasury Board of Canada Secretariat.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I have the honour to table the answers to the following oral questions:

Response to the oral question asked in the Senate on December 1, 2021, by the Honourable Senator Wallin, concerning online harm.

Response to the oral question asked in the Senate on December 16, 2021, by the Honourable Senator Miville-Dechêne, concerning online harm.

Response to the oral question asked in the Senate on September 28, 2022, by the Honourable Senator Klyne, concerning the RCMP Heritage Centre.

Response to the oral question asked in the Senate on November 17, 2022, by the Honourable Senator Black, concerning the Canadian Association of Fairs and Exhibitions.

Response to the oral question asked in the Senate on February 7, 2023, by the Honourable Senator Cordy, concerning federal public service jobs — Statistics Canada.

Response to the oral question asked in the Senate on February 7, 2023, by the Honourable Senator Cordy, concerning federal public service jobs — Treasury Board of Canada Secretariat.

JUSTICE

ONLINE HARM

(*Response to question raised by the Honourable Pamela Wallin on December 1, 2021*)

The Government of Canada is committed to continue efforts to develop and introduce legislation as soon as possible to combat serious forms of harmful online content to protect Canadians and hold social media platforms and

other online services accountable for the content they host. Per the mandate letter for the Minister of Canadian Heritage, this legislation will be reflective of the feedback received during the recent consultations.

The government designed this consultation to allow stakeholders and industry to submit business information in confidence and to allow victims groups, equity deserving communities and other parties to share their experience with harmful content online privately. As such, the submissions were not made public.

(*Response to question raised by the Honourable Julie Miville-Dechêne on December 16, 2021*)

The government remains committed to taking meaningful action to address child sexual exploitation content and other harmful content online. Harmful content overall discourages certain groups from speaking, prevents valuable voices from being heard, and undermines our democratic values. Child sexual exploitation and abuse specifically have lifelong consequences and are among the most egregious harms we see online.

On July 29, 2021, the government launched a public consultation seeking Canadians' views on a detailed technical discussion paper, which outlined a proposal for regulating online platforms and combating certain types of harmful content. The government's consultation was an important step in establishing a regulatory framework that ensures Canadians are safe when they participate in social media activities. We will continue our work to develop and introduce legislation as soon as possible to protect Canadians, including minors and victims of child sexual exploitation online, and hold social media platforms and other online services accountable for the content they host.

CANADIAN HERITAGE

RCMP HERITAGE CENTRE

(*Response to question raised by the Honourable Marty Klyne on September 28, 2022*)

The RCMP Heritage Centre falls under the purview of the Minister of Canadian Heritage. In September of this year, the RCMP Heritage Centre launched a series of national engagements to seek the views of Canadians regarding a possible national RCMP Museum. The RCMP Heritage Centre is gaining valuable insights as to how Canadians, particularly Indigenous peoples and people from equity-deserving groups, feel about it and its future. The government looks forward to learning more about these and how they will be addressed going forward, particularly as the government considers the Heritage Centre's future as a possible national museum.

PRIVY COUNCIL OFFICE

CANADIAN ASSOCIATION OF FAIRS AND EXHIBITIONS

(*Response to question raised by the Honourable Robert Black on November 17, 2022*)

Canadian Heritage's (PCH) Building Communities through Arts and Heritage program (BCAH) funds arts and heritage festivals, Two-Spirit, Lesbian, Gay, Bisexual, Transgender, Queer and/or Questioning, Intersex (2SLGBTQI+) events, and Indigenous cultural celebrations such as pow-wows.

BCAH Local Festivals component supports eligible events that demonstrate sufficient arts and heritage activities and present local performing artists, cultural carriers, the work of local creators, or aspects of local heritage as a primary component. Agricultural fairs and exhibitions remain eligible for funding should they meet all eligibility criteria.

Activities that cannot be supported include any events of a commercial nature, including markets and tradeshows; sports or recreational activities; and fundraising and competitions.

BCAH supported 29 agricultural fairs in 2019-20 and 28 in 2020-21 which demonstrated sufficient arts and heritage activities to meet program criteria.

While some CAFE members may not be eligible for support through BCAH, it is possible they may draw on Innovation, Science and Economic Development programs.

TREASURY BOARD SECRETARIAT

FEDERAL PUBLIC SERVICE JOBS

(*Response to question raised by the Honourable Jane Cordy on February 7, 2023*)

Statistics Canada reports on the labour market experience of Black Canadians using data from both the Labour Force Survey and the Census of Population. Data is publicly available in the following tables:

- Labour Force Survey — Table 14-10-0373-01 Labour force characteristics by visible minority group, three-month moving averages, monthly, Canada, provinces and territories
- 2021 Census of Population — Table 98-10-0446-01 Labour force status by visible minority, immigrant status and period of immigration, highest level of education, age and gender: Canada, provinces and territories

Data from the Labour Force Survey can be disaggregated to measure the total number of Black employees in the federal government public administration.

(*Response to question raised by the Honourable Jane Cordy on February 7, 2023*)

Treasury Board of Canada Secretariat (TBS):

The government has launched a suite of initiatives to support departments in improving diversity, equity and inclusion and to help equity-seeking employees, including Black employees, to advance to leadership roles. Every department manages its own human resources, program and initiatives. Centrally, the Office of the Chief Human Resources Officer (OCHRO) collects and publishes qualitative and quantitative data to better understand employment equity representation gaps and the perceptions of equity-seeking employees through the Public Service Employee Survey. These unprecedented levels of disaggregated enterprise data on the composition of 21 employment equity subgroups, including Black, Métis and Inuit employees, enable more granular analysis and is a foundation for tracking progress. OCHRO also has developed tools such as the Maturity Model on Diversity and Inclusion to help departments measure their level of advancement in diversity and inclusion and measuring progress thereafter.

The 2021-22 Management Accountability Framework (MAF) included three questions regarding hiring goals and initiatives for Employment Equity groups. Two questions specifically asked the 34 assessed departments to include any hiring goals for Black candidates, for the general workforce and the EX cadre. In this cycle some departments also began developing initiatives to remove barriers to employment for equity-seeking groups, including Black employees.

• (1500)

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: second reading of Bill C-13, followed by third reading of Bill C-9, followed by all remaining items in the order that they appear on the Order Paper.

[*Translation*]

SUBSTANTIVE EQUALITY OF CANADA'S OFFICIAL LANGUAGES BILL

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Cormier, seconded by the Honourable Senator Miville-Dechêne, for the second reading of Bill C-13, An Act to amend the Official Languages Act, to enact the Use of French in Federally Regulated Private Businesses Act and to make related amendments to other Acts.

Hon. Rose-May Poirier: Honourable senators, I rise today at second reading as critic of Bill C-13, An Act to amend the Official Languages Act, to enact the Use of French in Federally Regulated Private Businesses Act and to make related amendments to other Acts, also known as the modernization of the Official Languages Act.

At long last, esteemed colleagues, after a process that started in the Senate in 2017 when the Senate Committee on Official Languages began its study of the modernization of the Official Languages Act, after numerous federal government promises over the past five years, a bill was introduced a few months before an election and died on the Order Paper. Now here we are with a bill to modernize the Official Languages Act.

I would be remiss if I began my speech at second reading without recognizing the work that our committee has been doing since 2017 on this subject. As a committee, we met with over 300 witnesses and visited Manitoba, Prince Edward Island and New Brunswick. We also met with young Canadians to hear their perspective on the modernization of the Official Languages Act, because changes to the act will benefit future generations, not old-timers like us, dear colleagues.

Finally, I want to say a few words about my dear colleague, Senator René Cormier, the chair of the committee. He and I had to work together on a regular basis. I couldn't ask for a better committee chair to direct the work we do. Thank you.

Colleagues, as you likely know, the Official Languages Act was implemented in 1969 and has quasi-constitutional status. The last major update took place in 1988, and there was a desperate need for renewal.

Since I became a member of the Standing Committee on Official Languages in 2012, the comments have always been similar: the act does not reflect the realities of the 2000s, it lacks teeth, the powers of the Commissioner of Official Languages are too limited, and so on. The committee's study may only have begun in 2017, but it was inspired by all the studies done in previous years.

[*English*]

Allow me to share examples, honourable senators. The Standing Senate Committee on Official Languages tabled a report on May 31, 2017, entitled, *Horizon 2018: Toward Stronger Support of French-language Learning in British Columbia.* A main recommendation from that report was for federal institutions to consider the needs of official language minority communities when selling real estate. If Bill C-13 is adopted, this initiative will be reflected in the modernized Official Languages Act. Just earlier this year, I met with the representatives of the Fédération nationale des conseils scolaires francophones, and they pointed this out as an important need. Thankfully, the amendments by the committee in the other place ensure this was added to the bill.

This is one of many amendments contained in Bill C-13 that were inspired by stakeholders and the lobbying of governments and parliamentary committees. It is a testament to the special studies our standing committees do. We have the ability and flexibility to invest deeply into the subject over several months, if not years, to finally propose recommendations to the government. These recommendations can be used as a basis for policy choices by the government of the day or future ones.

The picture of Canada's linguistic landscape has evolved significantly. In the last 52 years, the demographic weight of francophones has declined every year in Quebec as well as in Canada outside Quebec. In 1971 — the first year the census gathered data on languages — 27.5% of Canadians had French as a first language, while outside of Quebec, it was 6.1%. Fast forward 50 years to the latest census in 2021, and the proportion is now at 21.4% of Canadians who have French as a first language, and outside Quebec, the proportion is at 3.3%.

[*Translation*]

In a report published on August 17, 2022, Statistics Canada stated the following, and I quote:

> In fact, the number and proportion of Canadians with English as their first official language spoken have been rising since 1971, the first year the census collected information on first official language spoken.

Obviously, since English is more prevalent in Canada and abroad, it is understandable that the use of that language is growing in our country as a result of immigration. Immigration remains the main reason for the decline in francophones' demographic weight in Canada.

However, bilingualism and linguistic duality are still guiding values for our country, and the government has a duty to protect French across the country. That is why we need an ambitious francophone immigration policy that gives francophone communities outside Quebec the opportunity to keep pace. For example, in New Brunswick, as in the rest of Canada, there is a labour shortage in the health sector.

It is important that a francophone immigration policy take into account the various needs of francophone minority communities, such as labour in the health sector.

Statistics Canada cites two other factors to explain the demographic decline: an older population on average, because generally speaking, there are more deaths in an older population, and incomplete transmission of French from one generation to the next.

The federal government has a key role to play in ensuring that French is transmitted from generation to generation with minimal loss. Initiatives such as the Action Plan for Official Languages are essential for intergenerational transmission of French, especially in the current context where French is in decline across the country.

[*English*]

It is for this reason that Part VII of the Official Languages Act must be modified. Part VII indicates the Government of Canada's commitment to enhancing the vitality of English and French linguistic minorities through positive measures. For several years, stakeholders were asking the government to improve the implementation of Part VII. Now, with Bill C-13, the hope is for the government's responsibilities to be clear and for the rights of English and French linguistic minorities to be respected by the government.

[*Translation*]

For instance, it is also in Part VII that Bill C-13 proposes to add an amendment concerning the enumeration of rights holders. According to the Fédération nationale des conseils scolaires francophones, the French-language school network in nine provinces and three territories had nearly 173,000 students in the 2021-22 school year.

However, there could be even more. According to the 2021 census, 897,000 children under the age of 18 on December 31, 2020, were eligible for primary and secondary instruction in the minority official language. This means that 304,000 children were eligible for instruction in English in Quebec, and 593,000 were eligible for instruction in French outside Quebec. Statistics Canada also reports the following:

> In Canada outside Quebec, 292,000 school-aged children attended a regular French program at a primary or secondary French-language school in Canada, representing 64.7% of eligible children aged 5 to 17. . . . In Quebec, 175,000 school-aged children attended an English primary or secondary school in Canada, representing 76.2% of eligible children aged 5 to 17 in this province.

• (1510)

For French and English to survive in a minority context, it is imperative that these children be able to receive their education in their language to increase the chances that French and English in the minority context will be passed down from generation to generation. For linguistic minority communities, it is crucial for our survival and our full development that transmission of the language and culture begin in the classroom. From an early age, children build relationships with friends who speak like they do and are immersed in their culture throughout their school years.

[*English*]

I would like to take a moment to highlight what the Official Languages Committee heard during its first report on the study of the modernization of the Official Languages Act: the viewpoint of young Canadians. The changes that Bill C-13 is proposing are essentially for them — not as much for us at our age. These changes are for our children, but most likely our grandchildren. When we met with youth representatives, what stood out for me was their determination to learn both languages. Bilingualism and linguistic duality were clear values they supported and respected. We are doing this work for them, and here are some of the testimonies that were heard, starting with Thomas Haslam:

> It is these opportunities, provided and sustained by the federal government, that motivate young Canadians to pursue bilingualism and mutually express their cultural identities to others. With these experiences, Canadian youth are exposed to the French language in a different intensity to perhaps that which they have previously encountered. By returning to their communities with newfound skills and aroused interest, participants of these public speaking competitions, student exchanges, francophone games and youth assemblies can further embrace the culture of their region and help promote the growth of the French language in their communities.

The following is from the witness Gabriela Quintanilla:

> We need federal help to promote linguistic duality. I can no longer face a provincial official or manager and be ridiculed because I dared to ask him if there are driving courses in French. I no longer want to enter an airport and feel like a burden because I answered them in French when they greeted me with "Hello, bonjour". I no longer want to be intimidated in a public place because I choose to speak French with my friends. I no longer want to hear students in French immersion programs say they no longer speak French because of their linguistic insecurity.

[*Translation*]

As these quotes show, the committee heard heartfelt pleas from young Canadians about linguistic duality and bilingualism.

According to a survey conducted in 2021 by the Commissioner of Official Languages, support for official languages remains strong, and a strong majority continues to support teaching the other official language as a second language. Net support for the Official Languages Act was around 81% for online respondents and 87% for telephone respondents. Fully 91% of telephone respondents and 86% of online respondents agreed with the statement that "English and French should continue to be taught in elementary schools in Canada." Clearly, Canadians across the country support these values.

[*English*]

Furthermore, when it comes to the Official Languages Act, stakeholders have repeatedly asked for better leadership from the federal government. Since 1988, the leadership to coordinate and apply the law has become a bigger and bigger issue. It was more of a decentralized approach with the Minister of Canadian Heritage playing a role, but the Treasury Board was also in charge of certain provisions. It was confusing, to say the least, and applying the law could be challenging. Stakeholders demanded to have a centralized approach to the coordination of official languages. During our study and our pre-study, this was one of the most important questions: Should it be Canadian Heritage or the Treasury Board? The further along we went into the study, momentum was gaining to have the Treasury Board in charge of coordinating the law. This was the position of the committee in 2019, and, thankfully, the committee in the other place amended Bill C-13 to give this role to the Treasury Board. Stakeholders are hopeful that now the law will be better applied within the public service, as well as within cabinet, to have stronger leadership for the respect of the Official Languages Act.

[*Translation*]

Take, for example, the lawsuit filed by the Fédération des francophones de la Colombie-Britannique, which alleged that the federal government had not fulfilled its language obligations when it implemented a labour market development agreement. After the case spent 10 or so years before the courts, the Federal Court of Appeal recognized in January 2022 that the federal government had failed to enhance the vitality of that province's francophone communities and required that it make changes.

In March 2022, however, the same month that the government introduced Bill C-13 to protect minority language communities, it initially announced that it wanted to appeal the decision and then decided at the last minute not to take French-speaking minorities to the Supreme Court.

This is just one of many situations that illustrates why we need strong leadership within the cabinet to ensure respect for the language rights of French-speaking minorities outside Quebec and anglophones in Quebec. The federal government said it was championing the language rights of minority language communities, but at the same time, it wanted to appeal a ruling in favour of these communities.

Strong, centralized leadership is therefore essential to the full recognition of linguistic minority rights. What happens when those rights are not protected? We have an officer of Parliament, the Commissioner of Official Languages, who, since 1970, has ensured that the status of each of the official languages is recognized and that the spirit of this act is respected.

The commissioner wears many hats, serving as ombudsman, promoter, educator, rapporteur and much more. The commissioner has a number of tools at his disposal for encouraging the federal government and organizations subject to the act to comply with it. However, it has to be said that these powers now need modernizing as well.

Colleagues, you may remember the former commissioner of official languages, Graham Fraser, who concluded in a report released at the end of his 10-year term that he had done everything he could to get Air Canada to meet its language obligations. Let me read a passage from the report:

> Like my predecessors, I have used the various powers conferred on me under the Act to try to compel Air Canada to better fulfill its language obligations to the travelling public and have had little success. After hundreds of investigations and recommendations, after an in-depth audit and after two court cases—including one that went to the Supreme Court of Canada—the fact remains that my numerous interventions, like those of my predecessors, have not produced the desired results.

He also goes on to say the following:

> Despite the sporadic improvements and sometimes-promising action plans, the time has come to acknowledge that my powers under the act are inadequate with respect to Air Canada. My predecessors and I have used all of our powers and made hundreds of recommendations to compel Air Canada to meet all of its language obligations towards the travelling public, but none of these efforts have been enough.

As you can see, esteemed colleagues, the commissioner used every tool possible. I don't want to focus solely on Air Canada, but it is the example that has been continually cited since the day the Official Languages Act came into force. The language rights of all Canadians must be respected, and the commissioner needs more tools than just simple recommendations to ensure that everyone fully complies with the act.

[*English*]

And the leadership within government is not limited to cabinet. It also goes to the public service to have leadership positions in various departments that require proficiency in both languages. It goes to institutions, such as our courts, to improve equal access to justice in the official language of their choice, and for a greater number of decisions to be provided for immediate translation.

These are all values that we hold dear and are essential for the advancement of both French and English in Canada, and, without a major review of the law since 1988 — a time when a phone was only a landline, but now it contains the world in our pockets — it was well overdue to review the law and bring the necessary changes in order to ensure the survival and advancement of English and French in Canada.

• (1520)

But is Bill C-13 perfect? I don't believe it is. I believe there are certain opportunities missed by the government. For example, we received the bill on May 18, 2023, 14 months after its first reading in the other place. The government always controls the agenda, whether it is a majority Parliament, a minority Parliament without a supporting party or with a supporting party like we have in our current Parliament.

A government can only blame the opposition so much for a bill being delayed, especially a bill where the opposition voted in favour at every step of the way. Now, we are being asked to rush a bill through before summer. The government asked us to do a pre-study a year ago. This must be some kind of record for the longest delay between the beginning of a pre-study of a bill and the end of second reading of said bill. Furthermore, the bill comes back with close to 50 amendments. This is not how Parliament was meant to work. This is not how the best interests of Canadians are served.

The modernization of the Official Languages Act should have been a chance to celebrate an historic moment and to reaffirm our commitment to bilingualism and linguistic duality. Instead, the results have been divisive. Anglophones in Quebec still have concerns with C-13 and the reassurances given by the government haven't satisfied them so far. Meanwhile, francophones outside of Quebec are exhausted from waiting, and every day this bill is further delayed they become more nervous. Linguistic communities across the country deserve to jointly celebrate the advancement of their rights by the federal government of Canada and to not be divided by the issue.

Honourable senators, it is difficult to comprehend how the government could present Bill C-13 with such concerns remaining and to take so much time before we could look at it with sober second thought. In 2019, when the committee presented its report on its study of the modernization of the Official Languages Act, the preface ended with this paragraph:

> The federal government has everything it needs to update the Act, which is at the heart of Canada's social contract. Together, let's make equality between the two official languages a reality that every Canadian can experience every day, in a real, tangible way, right across the country.

I do understand the COVID pandemic delayed the bill's introduction. However, I have a hard time understanding how, even with all the work that had been done by the Standing Senate Committee on Official Languages in 2017, by the Commissioner of Official Languages and by all the stakeholders, like FCFA and QCGN, submitting comprehensive briefs; the government's own consultations; a white paper and Bill C-32 from the previous Parliament, the Official Languages Committee in the other place still had to go over 200 amendments, adopting 50 of them. Now, here we are, at a quarter to midnight, having to hurry a bill through because the government could not get its act together.

[*Translation*]

However, is Bill C-13 good for the language rights of minority communities? It is a step in the right direction.

Thanks to some amendments made by the House of Commons Standing Committee on Official Languages, the modernization of the Official Languages Act is more responsive to the needs of minority communities.

As the statistics show, the French fact is in a precarious position in Canada, and the impact of any changes to the act will be felt in the coming years. Access to education is key to the vitality of all official language minority communities. Over 35% of francophones in minority communities are not enrolled in French school, and nearly 24% of anglophones in minority communities are not enrolled in English school.

The evaluation of Bill C-13 will largely be based on advances in access to education for rights holders and on the demographic weight of francophones in the next census. Those advances will depend on the federal government's leadership.

In closing, honourable senators, in my opinion, the government should have given the Senate the latitude necessary to provide thorough sober second thought on Bill C-13, particularly given the many amendments that were presented following our pre-study.

After all, our committee has special expertise because the same committee members have been through all this before.

Why not give us the time to study the bill properly, rather than forcing us to study it in haste? Sober second thought would have been beneficial not only to improve the bill, if necessary, but also to provide comments and observations that would be useful for any future reviews of this modernized Official Languages Act.

All the same, I am still in favour of modernizing the Official Languages Act and will vote to support Bill C-13, as my colleagues in the other place have done. The bill represents a step forward for language rights in this country.

There's no doubt that bilingualism and linguistic duality remain strong values in our country, as evidenced by the fact that nearly all members of the other place voted in favour of the bill. There's also no doubt that the federal government needs to do more by assuming a greater role as a leader and champion of official languages.

Indeed, such leadership remains essential to the success of the Official Languages Act, no matter how it is amended. Full respect for the rights of anglophone and francophone communities and the full development of minority language communities depend on leadership from the federal government.

Thank you for your attention, honourable senators.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

(On motion of Senator Cormier, bill referred to the Standing Senate Committee on Official Languages, on division.)

JUDGES ACT

BILL TO AMEND—THIRD READING

Hon. Pierre J. Dalphond moved third reading of Bill C-9, An Act to amend the Judges Act, as amended.

He said: Dear colleagues, as the sponsor of Bill C-9, An Act to amend the Judges Act, it is my privilege to open this debate at third reading.

As a reminder, the bill would modernize the complaints process for federally appointed judges.

As I said in my speech at second reading, since 1971, the Judges Act has given the Canadian Judicial Council the mandate to receive complaints against federally appointed judges and address them appropriately.

Incidentally, Canada has close to 1,200 federally appointed judges and over 1,000 provincially appointed judges, plus justices of the peace and administrative judges at both the federal and provincial levels. These thousands of people are the human face of the justice system that tens of thousands of people passing through courts across the country encounter every day.

Unlike in the United States, all federally appointed judges, including those at the Supreme Court of Canada, may be the subject of a complaint and are under the council's exclusive jurisdiction with respect to conduct. Provincial and administrative judges are governed by various provincial organizations in matters of conduct and complaint.

Bill C-9 would set up a new disciplinary process just for the 1,200 federal judges.

My speech will be divided into five parts: the constitutional principle of judicial independence and what that involves; the special nature of Bill C-9 and our role; the existing disciplinary process and its limitations; the main elements of the proposed process and their objectives; and finally, the amendments proposed by the committee and their impact on the elements and objectives of Bill C-9.

[*English*]

An independent judiciary is crucial to a strong democracy. In Canada, the independence of federally appointed judges is a principle entrenched in the first line of the preamble and at Part VII of the Constitution Act, 1867. This principle is derived from a long and sometimes tortuous evolution in the United Kingdom. This independence is not for the benefit of the judges but, rather, for the benefit of persons who face judgment — in other words, the citizens.

• (1530)

Judicial independence ensures that the judge can act as a neutral referee, applying the law without influence from the government of the day, including its Minister of Justice, religious institutions, corporations, unions, lobbyists, media and other influencers.

The right to be judged by an independent judge is also enshrined in our Canadian Charter of Rights and Freedoms at section 11(d) as the legal right of any accused appearing before a federal as well as a provincial judge.

It is well established under international instruments and numerous judgments rendered by the Supreme Court of Canada that judicial independence calls for three essential components: security of tenure, financial security and administrative independence.

Let me explain the contents of each of these essential components in reverse order. Administrative independence requires that the court system be designed to ensure that the judges decide cases by themselves, that they manage their courtroom and that they are provided sufficient support to discharge their functions.

Furthermore, the court to which a judge belongs must enjoy the same independence from the executive, the legislature, the public or other influence. This is called institutional independence. It includes the assignment of cases to judges, access to courthouses and management of files.

This institutional independence extends to the Canadian Judicial Council in the discharge of its functions, including processing complaints and providing training for federal judges.

Financial security means that federal judges are entitled to be paid remuneration by the federal purse. Section 100 of the Constitution Act of 1867 specifically provides that the salaries, allowances and pensions of judges of the superior courts shall be fixed and provided by the Parliament of Canada.

Financial security means that federal judges are entitled to remuneration fixed by Parliament as long as they are judges.

For this reason, if a judge is subject to a complaint, he or she doesn't have to pay for the lawyer hired to assist in the conduct review process, including any proceedings before the Federal Court, Federal Court of Appeal or the Supreme Court of Canada.

In addition, many judges and jurists are of the view that a suspension without pay is not possible since the only constitutionally valid way to stop payment of the guaranteed remuneration is to terminate the judge.

It is true that in some provinces a possible intermediate sanction is a suspension without pay. For example, the Ontario act applicable to provincial judges provides for the possibility of a suspension without pay not to exceed 30 days. The constitutionality of such a sanction has never been tested in Ontario, where it has rarely been imposed — fewer than five cases — but I can assure you that including such provision in the federal Judges Act will lead to a constitutional challenge.

I will add that it is well established since the Supreme Court of Canada's judgment in the case of *Valente* that judges of provincial courts do not enjoy the same constitutional guarantees of salary and pension as Superior Court judges. Therefore, we should avoid comparing what is provided to provincial judges with what is provided to federal judges.

Moreover, the Supreme Court has decided that the statutorily prescribed remuneration must be adequate, as determined by an independent commission and not by the Minister of Justice, the government or Parliament.

The Supreme Court has also ruled that neither the government nor Parliament can, through control over the public purse, arbitrarily reduce that remuneration. In fact, any contemplated reduction of remuneration must be applicable to the whole judiciary, not to a single judge, and has to be approved by the independent commission before coming into force.

The third component is security of tenure. It means that the judge cannot be removed from office except in cases of serious misconduct, as stated in section 99 of the Constitution Act of 1867.

The Supreme Court of Canada, guided by international principles, has concluded that the determination of serious misconduct has to be the result of a process controlled by the judges and not by the executive of Parliament. This is necessary to avoid political interference and/or public pressure and to avoid threats to judicial independence.

For this reason, the determination of misconduct and the appropriate sanction must be made through a system made only of judges or at least a majority of judges.

In cases where this process concludes that removal from office is the appropriate sanction, the decision of the Canadian Judicial Council is not sufficient.

The Constitution Act of 1867, in section 99, states that federally appointed judges can be subsequently dismissed only by the Governor General further to a joint address from the House of Commons and the Senate. Quite clearly, the drafters of our Constitution wanted federally appointed judges to hold positions with the highest security of tenure possible in Canada.

I move to my second point: the special nature of Bill C-9 and the Senate's role with regard to this legislation. We must remember that the judicial conduct process cannot be constitutionally amended or modified in a way that does not comply with the three fundamental components of judicial independence I just described. Because the conduct review process is a matter to be left to the judiciary and not to the executive or Parliament, any legislative proposal to amend the current system must, in practice, respond to a request from the judiciary.

This is what makes Bill C-9 different from other bills initiated by the government. Generally, a bill is a way for a government to put in place a new policy that it considers is in the best interests of Canadians, and the government can design it as it wishes, as long as it respects the Canadian Charter of Rights and Freedoms and the division of powers under the Constitution.

As said before the Standing Senate Committee on Legal and Constitutional Affairs by the minister, the Canadian Judicial Council representative and some other witnesses, Bill C-9 is the result of extensive consultations initiated by the Canadian Judicial Council, then presided over by Chief Justice Beverley McLaughlin. It thus comes as no surprise that Bill C-9 has the

support of the Canadian Judicial Council, including all of Canada's federally appointed chief justices and associate chief justices. This is the body at the very heart of the judicial conduct process.

Bill C-9 also benefited from the support of the Canadian Superior Courts Judges Associations, representing almost all of the 1,200 Superior Court judges to whom this process applies and which organization I had the pleasure to chair for many years.

[*Translation*]

In this context, it was understandable that the members of the committee had questions and were looking for clarification. That is why, rather than contact the minister, I contacted the Canadian Judicial Council to see whether they would agree to come back and appear before the committee again. They agreed to come and answer the committee members' questions.

When faced with such a bill, it is our job as legislators to ensure that the legislative framework that allows the judges of Canada's superior courts to oversee the conduct of their members is up to the task and respects the constitutional principles that I just explained, including judicial independence, which is fundamental in maintaining Canadians' confidence in our justice system. We need to resist any attempt to undermine judicial independence, whether those attempts come from the government or from lobby groups.

• (1540)

As Senator Joyal, former chair of the Standing Senate Committee on Legal and Constitutional Affairs, and many other senators who are still here today have often said, we are the guardians of the Constitution and its institutions, and we must remain vigilant. On this point, allow me to quote The Advocates' Society, which said the following in a recent publication:

[*English*]

> Like other foundational elements of democracy, judicial independence is vulnerable to threats. Its protection requires constant vigilance. Society, and the legal community in particular, must guard against what may appear to be even small incursions into this principle.

[*Translation*]

I'm particularly proud of the work the Senate did on the Ambrose bill over four years ago. Although the objective of the first version passed by the other place was very laudable, the bill failed to respect judicial independence, because it attempted to dictate the content of the training to be given to judges, to control the assignment of judges by chief justices in cases involving sexual offences, to require the communication of certain information relating to the handling of cases in courthouses, and to impose other measures that showed a lack of knowledge or understanding of judicial independence.

It was thanks to the Senate and the 15 or so amendments it proposed that the government took the Ambrose bill and turned it into a government bill, incorporating all the changes suggested by the Senate. Today, this law is in force, with the utmost respect for judicial independence.

Similarly, when the government proposed legislation that would have treated judges like MPs and senators in terms of public disclosure of individual expenses, it was the Senate that made the government back down by proposing amendments that ensured transparency in the use of public funds while respecting the administrative autonomy of judges and the courts. Our message was accepted by the government and supported by the other place.

[*English*]

I now move to my third point, the current disciplinary process and its limits.

Judicial independence doesn't mean that judges are unaccountable for their decisions and their conduct in and outside courthouses. Thus, their decisions can be reviewed in appeal, and misconduct can lead to a complaint and investigation by the Canadian Judicial Council.

The current system is essentially governed by rules adopted by the council, as amended from time to time. They provide for a preliminary screening of the complaints by the executive director. It is at this stage that a huge majority of the complaints are rejected because they are beyond the mandate of the council. For example, many complaints relate to a provincial judge, a Crown attorney, a police officer, a court officer and so forth. Another significant portion of complaints concerns the interpretation of the law or the facts by a judge, matters that belong to courts of appeal.

If the complaint appears within the mandate of the council, then it is transmitted to a member of the council for an initial review. That chief justice may dismiss the complaint or send it to the full review committee if serious enough to justify the dismissal of the judge. If the misconduct is less serious, an appropriate corrective measure may be negotiated with the judge.

If the review committee concludes that the misconduct is serious enough to justify a dismissal, a public inquiry will be held by a committee of three or five persons composed of a majority of judges and one or two jurists appointed by the Minister of Justice. The report of that committee will have to be presented to the council for decision by a minimum of 17 chief or associate justices.

Under the current system, many of these decisions may be challenged before the Federal Court through a judicial review application. The judgment of the Federal Court can be appealed to the Federal Court of Appeal as of right and subsequently, on leave, to the Supreme Court of Canada.

This process when used to its maximum may last many years and be extremely expensive. For example, one case took over seven years and cost over $5.5 million of taxpayers' money in legal fees.

The Chief Justice of Canada and many other chiefs have expressed concerns about the tendency to have longer and more expensive proceedings. They are worried that, as a result, the public may lose confidence in the process, and they are mindful of the use of public money.

I now move to my fourth point, Bill C-9 and the principal features of the proposed new conduct review process, in the form adopted unanimously by the other place.

[*Translation*]

The objective of the bill is to implement a new process that includes public representatives and judges other than chief justices — what I might call judges not in authority — at critical steps in the process. It also reduces the number of possible steps and ensures better control over the costs of defending the judge who is the subject of the complaint. All of this is aimed at reducing delays and costs and ultimately maintaining public confidence in the judiciary and its disciplinary system.

More specifically, the bill proposes the following key measures. First, it creates screening officers to conduct preliminary reviews of complaints. They will in fact be lawyers hired for this purpose and therefore experts, instead of having the council's executive director do it. It adds a representative of the public to the hearing panel that hears the evidence and decides whether or not a judge should be removed from office. This is the most important step in the process that can lead to a removal, and the panel would currently consist of just judges and jurists. It adds judges not in authority to every step in the process. It adds the possibility of imposing intermediate corrective measures on a judge when the misconduct does not justify removal, whereas this currently relies on an agreement with the judge. It confirms the finality of the hearing panel's decision, which becomes the council's final report, without requiring a decision to be made by at least 17 chief justices who sit on the council. This will eliminate a very onerous step. It adds more transparency to the process, including through an annual report and the communication of information to the complainants at every stage. It creates strict rules surrounding the fees of lawyers representing judges who are the subject of a complaint and the fees of presenting counsel. It replaces the Federal Court and the Federal Court of Appeal with an appeal panel made up of five judges. This eliminates another step from the process, which means just one step instead of two. Lastly, it maintains the possibility of filing one last appeal with leave from the Supreme Court of Canada.

In summary, the bill proposes to increase the participation of laypersons and judges not in authority and provides for the possibility of imposing intermediate sanctions with or without the agreement of the judge concerned, in shorter time frames and with costs that are more tightly regulated.

I will now speak to the fifth and second-last point of my speech, the six amendments proposed in the committee's report and their impact on the objectives of the bill.

As you may have noted yesterday, the committee's report was not debated for very long and was then adopted on division. In a few minutes, I will explain why I can only support two of these amendments.

First, I want to highlight the hard work and dedication of the seven members of the committee who held nine hours of meetings to hear testimony and the two other senators who participated in most of the meetings. I would like to thank my nine colleagues.

I believe it is worth noting that at clause-by-clause consideration, which lasted almost five hours, for the first vote, the number of committee members increased to 13, with four new members. Although we can be pleased with this renewed interest in the work of the committee, the fact is that we now find ourselves seized with amendments that were adopted without hesitation with the support of our new recruits, whose goal, in some cases, seemed to be to return the bill to the other place.

The two amendments that I support are the following. One states that the screening officer cannot dismiss a complaint alleging sexual misconduct.

• (1550)

The bill already provides that a complaint alleging sexual harassment cannot be rejected by a screening officer. Initially, our colleague, Senator Clement, suggested replacing the words "sexual harassment" with the words "sexual misconduct." It emerged at committee that this would have resulted in substituting a rather vague concept for one that is well-defined in law.

As such, the senator agreed to amend her proposal to add another reason for which a complaint cannot be rejected. In my opinion, that respects the purpose of the clause and seems entirely acceptable.

The other amendment is the removal of the words "as far as possible" with respect to the council's obligation to prepare a roster of laypersons and a roster of puisne judges who reflect Canada's diversity. It is important to understand that these laypersons have to apply, meet the criteria and be prepared to serve on a volunteer basis on the review panel and the public hearing panel, which are the two bodies that assess the conduct of judges who are the subject of complaints and that can impose an intermediate sanction or removal. With respect to judges not in authority, they are nominated by the Canadian Superior Courts Judges Association, which I had the honour of chairing for a few years, not freely selected by the council for the entire federal judiciary.

Those who drafted the bill therefore thought it wise to add the words "as far as possible." because the limited pools from which the lists are drawn could prevent the board from adequately reflecting Canadian diversity. However, in law, no one is bound to do what is impossible, and since Senator Clement has convinced me that the political message is much stronger if these words are deleted, this amendment seems to me to be perfectly acceptable and consistent with the bill's diversity objectives.

[*English*]

I also share the spirit of Senator Pate's amendment around data collection, and I agree with her goal. However, I am concerned that the language is too prescriptive. As I mentioned earlier, the council is entitled to a high degree of administrative independence. In full respect for this independence, I prefer to rely on the undertakings made by the council before the committee with regard to enhancing data collection and

publication, including disaggregated data. I do not see an advantage in codifying these obligations so rigidly in legislation, but I agree that the outcome is vitally important.

Unfortunately, some of the other amendments brought forward in committee appear to raise similar questions with regard to judicial independence by their overly prescriptive nature, including in connection with the management of the screening officers.

These individuals are employees of the council who are mandated to execute a purely administrative task and are not authorized to opine on the merits of what appears prima facie to be a complaint about the conduct of a judge.

On the disclosure of details related to the early processing of complaints by the screening officers and the review committee or one of its members, the process must be mindful of the potential unfair damage to a judge's reputation at such an early stage of the process and how this may affect their ability to discharge their functions, as well as the overall reputation of the judiciary.

In addition, I draw your attention to section 17 of the United Nations Basic Principles on the Independence of the Judiciary, which reads as follows:

> 17. A charge or complaint made against a judge in his/her judicial and professional capacity shall be processed expeditiously and fairly under an appropriate procedure. The judge shall have the right to a fair hearing. The examination of the matter at its initial stage shall be kept confidential, unless otherwise requested by the judge.

I now turn to the two remaining amendments.

First, the committee sought to include a layperson on the appeal panel. The appeal panel's job in the new process is to fulfill the functions normally fulfilled by an intermediate appellate court like the Court of Appeal for Ontario or the Federal Court of Appeal. The bill provides that it has the power of a Court of Appeal. The appeal panel's job, in other words, is to ensure that the hearing panel got the law right and to correct any reviewable errors it may have made. That is why it was to be composed of five sitting judges — three chief justices and two judges.

Instead, the amendment proposes two chief justices, one judge, one lawyer and one layperson. A layperson is defined by the bill as someone who has no legal training. Respectfully, it runs contrary to what the bill seeks to achieve at that stage, being the equivalent of a Court of Appeal in makeup and powers, with comparative efficiency. I cannot support the amendment.

I remind you that the bill proposes lay participation at the two principal fact-finding stages — the review panel and the public hearing panel — where the questions are: Did the judge commit misconduct? If so, what sanction would be warranted? But not on the appeal process, which is designed to replace the Federal Court of Appeal and the Federal Court.

The last amendment, also proposed by Senator Batters, is to introduce a right of appeal to the Federal Court of Appeal for any decision of the appeal panel. Don't be misled; the appeal panel can render interlocutory as well as final decisions.

Interestingly, a similar amendment was proposed before the committee in the other place and ruled out of scope by the chair — a decision challenged by a Conservative MP, but confirmed by a majority of committee members.

More importantly, we have to realize that an appeal to the Federal Court of Appeal on top of the intended streamlined process means that we are going to add at least a further year or a year and a half of legal proceedings before the Federal Court of Appeal in connection with each appeal that will be filed there. This would happen each time there is an appeal of a decision of the appeal panel. As I said, more than one decision of the appeal panel can be appealed in one file.

During these years, the fees for the lawyer acting for the judge will be fully paid by the taxpayer, the salary of the judge will continue to be paid and many Federal Court of Appeal judges will have to engage in the process. I submit to you that this is not a proper use of public money considering that the appeal panel is doing the job of an appeal court made up of five judges.

The whole point of Bill C-9 is to reduce timelines and costs that are unacceptable while respecting judicial independence and ensuring a fair process for the judge who is the object of the complaint. This amendment runs counter to that purpose.

Removal of a judge is a serious matter, and a judge's security of tenure requires substantial safeguards. However, the protections included in this bill as originally presented to us are sufficient. They are fair and balanced, guaranteeing the judge — after a screening and internal review — the equivalent of a fair and open trial, followed by a fair and open appeal as a right, followed by a possibility to apply for leave to appeal to the Supreme Court of Canada.

In other words, judges facing serious misconduct were guaranteed what every other Canadian gets, and more, in terms of fair process — all of that for free. Adding to the process another court and another panel of judges was completely unwarranted and demonstrates serious lack of faith in the capabilities of the Supreme Court of Canada — our country's apex court and a fundamental pillar of our democratic society.

It has been said in committee that the Supreme Court does not grant many appeals, and that 95% to 99% are dismissed. If you consider the books from the Supreme Court on the website, you will find that from time to time there are judgments regarding discipline and salaries of judges. When the Supreme Court feels that something must be said about judges, the court says it.

For these reasons, I think that the last two amendments must be rejected by the other place. They should carry out the sober second thought that maybe wasn't done.

• (1600)

Thank you, colleagues, for your attention. I now respectfully ask that we send this bill back to the other place for further consideration, keeping in mind that we have very little time remaining before the summer recess for the adoption of a message by the other place and our subsequent decision. Thank you, *meegwetch*.

Hon. Donald Neil Plett (Leader of the Opposition): I'm wondering whether the senator would take a question.

Senator Dalphond: I was expecting I would have a question from you and one from Senator Batters.

Senator Plett: Thank you. I'm not sure what Senator Dalphond said, but I'm assuming that it's okay to ask him a question.

Senator Dalphond, yesterday, when we voted on the report stage of the bill, both you as the sponsor of the bill and, indeed, the government really opposed the motion. You may have said, "on division," but "on division" means you don't agree. Can we expect that you will be voting against the bill or on division a little bit later on?

You maybe didn't get everything you wanted, but you got a bill that you wanted. I find it strange that the sponsor and, indeed, the government would vote on division on their own bill. Would you care to explain your rationale for that?

Senator Dalphond: I will certainly, as I said, call for the vote tonight, I will remain silent and the bill will be adopted on division.

The Hon. the Speaker: Do you have another question, Senator Plett?

Senator Plett: Well, I find it very strange that a sponsor would want to vote or that the government, on their own bill, passes it on division. I won't put a question into that, but simply that I find it extremely strange that the government would oppose their own bill.

Senator Dalphond: It's not a question. It's a comment. I won't reply to it, but will add another comment.

This is not a typical government bill. This is a bill that has been proposed by the judiciary to set forward a new process. This has been after due consultations for more than four years with stakeholders, with judges and with chief justices everywhere. Then the Department of Justice was approached to draft a bill that would reflect the consensus.

As I explained in my speech — and I think you missed that part perhaps because you were engaged in another conversation — the origin of that bill, how it came to us and what our role was in front of such a special bill.

Senator Plett: Your Honour, I won't belabour this, but I want to correct the record. This is indeed a government bill. This is a bill that has been introduced by the government and you, Senator Dalphond, are the sponsor of a bill that has been brought here by the government. So let's not muddy the waters. This is a government bill — a report — that you didn't appreciate, nor did the government leader. So, for the record, Your Honour, this is a government bill.

The Hon. the Speaker: Is that a question, Senator Plett?

Senator Plett: No, it was not.

The Hon. the Speaker: So you were on debate.

Senator Dalphond: Maybe I could make another comment. It's not a question, but he engaged —

Senator Plett: That was on debate, Your Honour.

Hon. Denise Batters: Honourable senators, I rise today to speak on the third reading of Bill C-9, An Act to amend the Judges Act.

This is the Liberal government's third attempt to pass this bill to update the judicial disciplinary process for federally appointed judges. The current process was implemented in 1971 — 52 years ago.

While provincial governments appoint judges at the lowest level courts, the federal government is responsible for appointing many other judges. These include judges at the Federal Court, the Federal Court of Appeal, provincial Courts of Appeal, the Supreme Court of Canada and a sizable number of lower level trial court judges, such as those at the Ontario Superior Court of Justice or, in my home province of Saskatchewan, judges of the Court of King's Bench.

As I mentioned, Bill C-9 will apply to all judges appointed by the federal government. Provincial governments have their own judicial conduct regimes for the judges appointed under their jurisdiction.

The Trudeau government's first attempt to update the federal judicial conduct process was in the form of Bill S-5, introduced in the Senate in May 2021. That legislation died on the Order Paper before the 2021 election and was reintroduced as Bill S-3 in December of that same year. Bill S-3 was withdrawn only a couple of weeks later, and reintroduced in the House of Commons as Bill C-9. Bill C-9, as it was introduced in the Senate, is almost identical to Bill S-3.

Bill C-9 passed unanimously in the House of Commons, as it was largely considered non-controversial. When the bill came to the Senate, I delivered a speech at second reading where I raised some questions about it that I, as the opposition critic of this bill, wanted to study at the Senate Legal Committee.

As we examined Bill C-9 at the Legal Committee, it became increasingly clear that this bill would require significant work. Where the House of Commons Justice Committee studied it for three meetings and held one clause-by-clause session, our Senate Legal Committee devoted seven full meetings to hearing from witnesses and then conducted three clause-by-clause sessions.

I'd just like to take a moment to thank all the witnesses who appeared before the Legal Committee so that we could conduct this thorough study as well as my committee colleagues for all their hard work and vigorous debate on this matter.

After 50 years without a legislative refresh, and on the third parliamentary attempt to pass a bill, it only made sense that our Senate committee should proceed deliberately and thoughtfully to ensure that we made this bill the best it could be.

The government's consultations for the bill had gone a bit stale. Most of the consultation occurred seven years ago in 2016. Even then, the government's public consultation was paltry. It was comprised of an online survey that garnered only 74 responses from Canadians plus a review of relevant letters received by the departmental correspondence unit. Further, many provincial governments that the Trudeau government originally consulted had changed affiliation since 2016.

One of the major purposes of this bill is to ensure public confidence in the justice system. This was a foremost concern for all Senate Legal Committee members while we deliberated this bill. The committee did good, intensive work, hearing testimony from notable stakeholders including the Canadian Bar Association, The Advocates' Society and the Canadian Association for Legal Ethics. Several Legal Committee members proposed significant amendments based on the advice of these witnesses.

When it became clear that Bill C-9 had problems, independent senators started raising the prospect of the justice minister making his own amendments to fix it. We were later told that the government — undoubtedly aware of the committee's concerns by that time — would not be proposing any amendments.

Our Senate Legal Committee then passed a motion asking Justice Minister Lametti to come back to testify and answer the committee's outstanding questions. The justice minister refused, even though this would have been an opportunity to explain his government's stance and the bill he has tried to pass in various iterations over the last few years. Without his further input, the committee then proceeded to pass six common sense amendments — some of them significant — to attempt to improve the bill.

We had a lengthy committee study on this issue, and produced thoughtful, reasoned amendments based on testimony from significant witnesses. The government should not dismiss the result of our committee's sober second thought. I hope they will accept these amendments as further improvement to a judicial conduct system that hasn't been significantly revised in five decades.

For honourable senators' information and benefit, it is helpful to take a closer look at the amendments passed by the committee. Three of them were proposed by Senator Clement. Her first amendment corrected some poorly drafted language in the diversity section about the selection of judges and laypersons for filling the spots on the hearing panels in the new judicial discipline process. Bill C-9 contained a clause stating that, "As far as possible," those individuals should reflect the diversity of Canada. Senator Clement's amendment deleted this patronizing and imprecise language from the bill.

Another of Senator Clement's amendments inserted the words "sexual misconduct and sexual harassment" where previously Bill C-9 referred only to "sexual harassment." Of course, this is to encompass conduct beyond what falls into the narrower definition of sexual harassment.

Senator Clement's third amendment added language to ensure more transparency in the judicial discipline process, particularly when complaints are rejected. It stipulates that reasons should be given to complainants in that scenario. This accountability is important to increase public confidence in the fairness of the system.

Senator Pate proposed an amendment through Senator Simons that would improve data collection on complaints brought against judges in the course of this new judicial conduct process.

• (1610)

In the words of Senator Pate:

> The importance of disaggregated data is crucial for understanding what is and is not working within the criminal legal system. At the moment, we have very little data on whom the complainants are that are filing complaints and then most dissatisfied with the judiciary, outside of anecdotal evidence.
>
> By giving this option, we are better able to understand who are the most displeased, who have the means to bring judicial complaints and who are disproportionately being impacted so that we can create better training for judges, lawyers and create a fair legal system.

And I also proposed three amendments to Bill C-9. Two of my amendments were passed at committee, with the third narrowly defeated by a single vote. The first of my amendments to pass incorporated "laypersons" — Canadians who are not lawyers or judges — into nearly every stage of the judicial conduct process. This dovetails with the legislative objective of increasing public confidence in the justice system and improving public accountability.

Our committee heard substantial evidence supporting this idea. Professor Richard Devlin of the Canadian Association for Legal Ethics agreed with the need for increased representation of laypersons, stating that the values of impartiality, independence and representation are compromised without sufficient lay representation.

He also raised the concern that the proposed section 115 of the act suggests that reduced hearing panels might not be public. Professor Devlin said a judge could potentially choose to avoid any lay engagement at that stage of the process and have it in private.

The Ontario Judicial Council Registrar, Alison Warner, told us about the advantage of having layperson involvement in their provincial judicial conduct system. She said laypersons offer "quite an invaluable perspective in the deliberation process."

The representative from the Canadian Judicial Council did not agree, saying that she didn't think:

> . . . it's necessary at every stage because you don't see it anywhere else within an administrative tribunal, not at the screening stages, and not at others.

Responding to that, I pointed out that the federal process has more in common with similar systems at the provincial level, including the Ontario Judicial Council, than it does with different administrative tribunals. Given the degree to which judges hear very important cases dealing with the public and the ramifications of those cases, it's important that Canadians feel like they are represented in and can trust these processes. Those are important reasons to involve lay people at every stage.

Some may question whether laypersons have the requisite legal training to sit on a quasi-appeal board. First, the lay people the council would have on their roster would be appropriate people and receive the necessary training to do the job they are required to do.

Second, contrary to the belief of some — and, colleagues, I say this as a lawyer — lawyers don't actually know everything, and laypersons can a bring a valuable common-sense perspective to disciplinary matters.

And, third, if you are uncomfortable with a layperson dealing with matters involving the law, I would suggest that our Senate Legal and Constitutional Affairs Committee would be very different if only lawyers and judges were allowed to be members of that committee.

People who are not lawyers or judges bring a different lens to legal matters, and where issues of judicial discipline can so impact public confidence in that system, it is important that laypersons be involved in the process.

Senator Clement cited an example at committee from her own experience. She said:

> When I appear in front of the Workplace Safety and Insurance Appeals Tribunal — I'm using an administrative law example — when they have three-person panels, the chair is a lawyer, and the employer community is represented, and the employee or union perspective is represented. In my experience, they are triers of fact, but they also render decisions that deal with the law. It's considered quite a good tribunal in Ontario, quite an expert tribunal. It has an excellent reputation. . . .
>
> The lay people on those panels have training, they have *encadrement*, as we say in French, and they have support. I would say the quality of those decisions is good.

Furthermore, after my later amendment passed at the Legal and Constituional Affairs Committee, Bill C-9 now contains the ability to appeal to the Federal Court of Appeal. This court could therefore handle judging the finer points of law if required. Ultimately, my amendment to include laypersons at every stage of the judicial disciplinary system passed soundly at committee, with eight members voting in favour, four against and one abstaining.

Several expert witnesses at the Legal and Constituional Affairs Committee called for the inclusion of the Federal Court of Appeal. These included the Canadian Bar Association, The Advocates' Society and political science professor Caroline Dick. The Canadian Superior Courts Judges Association — 1,200 members strong, as Senator Dalphond stated today — also sent the members of our committee a letter, indicating that, by the end of the government's consultation period, they were not in consensus with the position of the Canadian Judicial Council on the issue of external review. This judges association stated that they were:

> . . . in favour of a judge's ability, as of right, to seek a remedy at court at the issue of the conduct review process.

Notably, among the witnesses supporting inclusion of the Federal Court of Appeal was the Canadian Bar Association, CBA, which represents 37,000 lawyers and is Canada's biggest legal association. During the 10 years I have been a member of the Senate Legal and Constitutional Affairs Committee, I can't recall another time that we have had the president of the CBA testify before us. The CBA sometimes suggests amendments, but it's uncommon for them to suggest major amends to government bills. But when CBA President Steeves Bujold appeared before us on Bill C-9, he provided two important reasons for including the Federal Court of Appeal as an option to appeal to an actual court before the Supreme Court of Canada:

> First, as a matter of natural justice, it ensures that there is external oversight to the process. Second, the judiciary is so important to Canada's democracy that the public must see that judicial discipline is carried out in an open and accountable manner with clear avenues of appeal and redress. Another benefit of a right of appeal is that the Federal Court of Appeal is likely to give detailed reasons so the judge accused of misconduct and the public will then know why an independent court concluded the way it did. This enhances the Canadian Judicial Council's credibility by the transparent review of its process and decision making.

Mr. Bujold also said:

> To conclude, the judicial branch is a pillar of our democracy and must be accountable to and accepted by the public. By creating a clear, open process for judicial discipline where the Canadian Judicial Council's actions can be meaningfully appealed to an appeal court and by having review proceedings conducted in open court, the public retains confidence in the judicial discipline system's integrity. Justice will be seen to have been rendered.

Even now, with the addition of the Federal Court of Appeal, the amended Bill C-9 would still be a major streamlining of the process. The current process can involve appeal of a panel decision to the Federal Court, then the Federal Court of Appeal and then to the Supreme Court of Canada, with leave, or permission. The bill as amended would still eliminate a full level of court, thereby saving both time and money, but it would retain the principles of fairness, transparency and accountability.

It is important to note that with this bill the Trudeau government made a conscious choice to extend the ability to appeal to the Supreme Court of Canada by leave rather than by right. As it is, the Supreme Court of Canada only grants appeals in 7% or 8% of the applications for leave it considers. Further, the Supreme Court must deem a matter to pass what it considers the national interest test. There is certainly no reason to be optimistic that an issue of judicial discipline would meet that criterion.

Even senior Department of Justice official Patrick Xavier admitted four times during his testimony that they do not know whether the Supreme Court of Canada would grant permission for this type of judicial disciplinary conduct appeal. As Mr. Xavier stated, "We don't know yet what the court will do. It's an open question."

Where a judge facing investigation for misconduct is a Supreme Court of Canada justice, there is an extra layer of complexity. As CBA President Steeves Bujold testified:

> The fact remains that if the complainant, if the judge under investigation is a Supreme Court justice, it's a complex question of law. Can the rest of the court sit in judgment of an appeal by a colleague, and can enough judges who do not already have knowledge of the facts be assembled to have a quorum? It's a pretty complex question, one that would perhaps be less of an issue in the Federal Court of Appeal, since there are enough judges to assemble a three-judge panel.

The Advocates' Society also proposed adding the Federal Court of Appeal back into the judicial conduct process. Sheree Conlon, Executive Member of The Advocates' Society, testified:

> The Advocates' Society is concerned that Bill C-9 creates a legislative scheme in which the Canadian Judicial Council is the investigator, the decision maker and the appellate authority with respect to allegations of judicial misconduct. In the end, external judicial oversight of the CJC's decisions and actions is all but eliminated.
>
> The proposed process is concerning because court oversight of administrative actions is fundamental to ensure their legality and fairness. The lack of court oversight of the CJC's process undermines the security of tenure of the judiciary, which is a critical component of judicial independence. . . .
>
> We must stress that we believe our proposed amendment will not reintroduce delays and costs we see in the current process, which the government is rightly trying to fix. The proposal ensures that only the CJC's final decision will be subject to appeal directly to the Federal Court of Appeal. This will eliminate one layer of judicial review — the Federal Court . . . .

• (1620)

Ms. Conlon went on to say:

> We believe this small change that we propose to Bill C-9 strikes the right balance between efficiency, public confidence in judicial accountability and fairness to all parties, all while maintaining judicial independence.

With these key considerations and significant testimony about this issue, I am pleased our Senate Legal Committee passed my amendment to reinstate the Federal Court of Appeal as a final level of appeal before seeking leave from the Supreme Court of Canada.

Reintroducing the Federal Court of Appeal into the disciplinary process could have another advantage. Having a court rather than a panel as the penultimate appeal level offers significant precedential value as well. Having an actual court — not just a panel, but an actual court — is an advantage for determining intricate matters of law that may arise from these matters.

In any case, my amendment to reinstate the Federal Court of Appeal into the process as an avenue of final appeal before applying for leave or permission to the Supreme Court passed at the Legal Committee by a vote of seven members in favour and six members against.

The third amendment I proposed to Bill C-9 was to add suspension with pay and suspension without pay to the list of potential sanctions available in the judicial disciplinary process. Unfortunately, this very reasonable amendment was defeated at the Legal Committee, but only by one single vote: five members in favour and six members against.

I will introduce a slightly reworked version of that amendment at the conclusion of my speech.

First, I think it would be helpful for senators to understand some of the testimony our committee heard regarding why these sanctions should be available in the judicial conduct process.

Under the provisions of Bill C-9, the review panel can recommend the very serious sanction of removing a judge, or choose from a list of lesser remedies, including issuing a private or public warning, reprimand or expression of concern; ordering a judge to give a private or public apology; and ordering other disciplinary measures, such as counselling or education.

There is a significant gap between some of these lesser consequences and the removal of a judge from the bench. Allowing the suspension of a judge, with or without pay, as a possible remedy would provide a reasonable option for addressing misconduct that is serious in nature but does not meet the high threshold for removal. Furthermore, if the only available penalty for serious misconduct is removal from the bench, a judge may be inclined to keep fighting against the sanction at taxpayers' expense. Providing an intermediate-level sanction could be more appropriate for all: the accused judge, the complainant and the public at large.

When Justice Minister Lametti appeared before our Legal Committee, I asked him why the option for a suspension, with or without pay, was not included in Bill C-9. It seemed that he was not prepared to answer the question, which I found surprising, given that I had raised this issue in my second-reading speech a couple of weeks earlier. Without commenting on that, Minister Lametti passed the question to his departmental official to answer.

His official, Patrick Xavier, answered my question by saying:

> The bar for judicial conduct is very high. The Supreme Court has made that very clear; judges really are expected to be a cut above in terms of how they conduct themselves, both inside and outside of the courtroom. If you are talking about something so serious that a docking of pay is warranted, you are probably into the realm of removal.

Minister Lametti sat at the table beside Mr. Xavier and did not contradict his answer, so I can only assume that he concurred with this reasoning. Although Mr. Xavier is very knowledgeable about the bill and the Judges Act, his answer didn't seem particularly convincing to me.

Therefore, in the committee meetings that followed, I continued to ask other witnesses for their stance on whether suspensions, with or without pay, should be included as possible remedies. Most agreed that they could — and should — be included.

I noted that suspension was available as a sanction at the provincial level. I asked our Library of Parliament analysts for some research as to what the provinces across Canada do with provincially appointed judges. And when we're looking at federally appointed judges, remember that also includes the Court of King's Bench, which is the lower level of federal judicial appointments.

As it turns out, all provinces offer suspension of some sort as an option. British Columbia allows suspension of the judge or justice, with or without salary, for a further period of not longer than six months. Alberta allows the respondent to be suspended with pay for any period, or suspended without pay for a period of up to 90 days. Saskatchewan allows suspension of the judge, with or without salary, for a specified period, or until specified requirements are met, including the requirement that the judge obtain medical treatment or counselling. Manitoba allows suspension of the judge with pay for any period, or without pay for a period of up to 30 days. Ontario allows suspension of the judge with pay for any period, or without pay but with benefits for a period of up to 30 days. Quebec allows a condition if there's a recommendation provided.

[*Translation*]

In Quebec, the council suspends the judge for a period of 30 days.

[*English*]

New Brunswick allows suspension of the judge — whose conduct is in question from the performance of the judge's duties — without pay for a period of up to 90 days, or suspension of the judge — whose conduct is in question from the performance of the judge's duties — with pay, and with or without conditions, for a period of time that it considers appropriate. Nova Scotia can require the judge to take a leave of absence with pay. Prince Edward Island allows an order recommending that the Lieutenant Governor in Council order a suspension of the appointment of the respondent for a specified period of time, or until the occurrence of a specified future event. Newfoundland allows suspension of the judge for a period that it considers appropriate until conditions which it may impose or fulfill, or until further order of the adjudication tribunal.

Our committee heard the testimony of Alison Warner, Registrar of the Ontario Judicial Council. As I mentioned, Ontario's judicial conduct regime has a 30-day limit on suspensions without pay. Ms. Warner indicated that she was aware of two hearing panel cases in 2017 where provincial judges had been suspended for 30 days. She told us:

> What the hearing panels in both cases were grappling with was serious misconduct, but on the other hand, the judges in both cases had exhibited remorse, insight, acknowledgement. They had filed many letters of support, not only from judges but from lawyers and members of the public. They had gone through some remedial training and ethical training.

She also stated that the panel:

> . . . felt that in light of, as I say, these mitigating factors, a recommendation for removal would be unwarranted, and they combined the suspension without pay with a couple of the lesser sanctions, for example, a reprimand and apologies in one case. They felt that that would serve as a sharp rebuke for the conduct, but it would, as I say, take into consideration these mitigating circumstances.

During the first day of clause-by-clause consideration at the Legal Committee, we passed a few major amendments to the bill — one of which was my laypersons amendment. On the

second day, I brought forward my amendment to include suspension with pay and suspension without pay for up to 30 days in the list of available sanctions.

Suddenly, we heard very different arguments from Department of Justice officials, opposing the idea that they had offered me during the minister's appearance. At that eleventh hour, this is the reason that officials then gave: Before making any change to judicial pay or benefits — for example, suspension without pay — the measure would have to be reviewed by the Judicial Compensation and Benefits Commission. The officials estimated that the process would take about a year to complete.

Prior to this, the committee had not heard any testimony about this judicial compensation process requirement. No witness in the seven previous days of testimony had raised it as a potential impediment to including suspension as a remedy — not the justice minister, not the president of the Canadian Bar Association and not even those very same Department of Justice officials. Most importantly, we did not hear this from the Commissioner for Federal Judicial Affairs or the Canadian Judicial Council.

Senator Dalphond, the sponsor of the bill in the Senate, complained of the supposedly devastating impact that my amendment would have on the financial independence of judges, even though my amendment did cap the suspension without pay at 30 days. He said, "Why not 90 days? Why not a year? How does the judge manage to live?"

Given that the federal Job Bank estimate states that the median annual wage for a Canadian judge is $355,536.60, I'm assuming it's probably doable.

Colleagues, I had proposed a 30-day cap for suspension without pay as a reasonable compromise, given the wide variance in limits in provincial judicial conduct regimes. It is long enough to matter, but short enough that it does not seriously threaten a judge's livelihood or impinge upon their constitutional right to financial and judicial independence.

The Commissioner for Federal Judicial Affairs Marc Giroux suggested to our committee that existing jurisprudence on the judicial independence of judges could impact any amendment on suspension, but I reminded him that we had not heard such an argument from either Minister Lametti's departmental officials or the Ontario Judicial Council. As such, I said that I assumed it did not exist.

Furthermore, Department of Justice officials confirmed that, to their knowledge, there were no cases in Canada of judges litigating against the penalty of judicial suspension without pay.

Let's think about that for a second: Some provincial judicial disciplinary regimes using this sanction have been in place for decades; Ontario's 30-year-old system is one such example. Given their legal expertise, judges are, perhaps, the most likely people to pursue litigation, and yet no judges have litigated this issue over decades. We could reasonably expect that those judges facing suspension without pay would litigate such a point if they thought they had a decent shot of winning on that issue. This tells me that this argument does not really hold water.

[Senator Batters]

• (1630)

In fact, Mr. Xavier confirmed that a judge's right to financial independence does not preclude the sanction of suspension without pay. He stated:

> To be perfectly clear, the financial security component of judicial independence does not necessarily prohibit suspension without pay. What it prohibits is the enactment of any change to judicial compensation and benefits that has not first gone through a judicial compensation process.

As for the question of suspension with pay, Mr. Xavier said, "A suspension with pay could be enacted if this committee decides that is a good thing to do . . ."

We heard testimony from other witnesses that federally appointed judges already effectively receive suspension with pay as a sanction in some cases, and I then noted it's just not a transparent process. Commissioner of Federal Judicial Affairs Marc A. Giroux said:

> On a practical level, suspension with remuneration already occurs in that a Chief Justice who has a judge who is the subject of a complaint that is deemed to be serious can take steps to not assign that judge to hear matters until the complaint is resolved by the council or upon receiving more information about the complaint.
>
> Obviously, this is not done at the council level now. Certainly, there is discretion for the Chief Justice to do that and we can advise that it is done. In the case of serious matters, it is done regularly.

Jacqueline Corado from the Canadian Judicial Council also confirmed that this was the case. Under the current process, the public would never know that a judge was suspended or why. They might just think that a judge is on holidays, sick leave or absent for some other reason. The public would never be aware that a judge is facing a disciplinary proceeding or a potential misconduct allegation that has led a Chief Justice to apply that sort of a sanction on them. Depending upon the circumstances, this could undermine the public's trust in the system, given that justice not seen is justice denied. It is unfair that, effectively, suspension can be applied as a consequence if done behind closed doors but not if it is open and transparent.

Transparency and accountability of the judiciary should be paramount to ensure that Canadians can have confidence in the justice system. At the same time, we have to balance the constitutional obligation to protect the impartiality and independence of the judiciary. If we proceed carefully, it is possible to do both at the same time. By including the sanctions of suspension with and without pay for judicial misconduct, we enhance the efficiency of the revamped judicial discipline system in Bill C-9. It ensures judges guilty of serious misconduct receive an appropriate penalty. It precludes judges from dragging out litigation for years and years and costing taxpayers hundreds of thousands of dollars as they attempt to avoid a permanent removal procedure.

That is why I am once again moving an amendment to Bill C-9 today that will add the sanction of suspension with and without pay for a limit of 30 days to the list of possible consequences that can apply for judicial misconduct. While it is very similar to the amendment on suspension that I proposed at committee, this third reading version will have one significant addition: To address concerns about the impact on judicial compensation, my amendment delays the coming into force provision for suspension without pay by one year. This will give sufficient time to address any requirement that the measure first be reviewed by the Judicial Compensation and Benefits Commission. Given the testimony we heard at committee, this should be more than enough time to assess the impact of the change. Let us not forget that appeal courts routinely give the government a limit of one year to change an entire complex law. Therefore, I ask for your support for this common-sense amendment.

MOTION IN AMENDMENT NEGATIVED

Hon. Denise Batters: Therefore, honourable senators, in amendment, I move:

That Bill C-9 be not now read a third time, but that it be amended,

(a) in clause 12, on page 8,

(i) by adding the following after line 22:

"**(e.1)** suspend the judge with salary for a period that the panel considers appropriate in the circumstances;",

(ii) by replacing line 25 with the following:

"graphs (a) to (e.1);";

(b) on page 23, by adding the following after line 26:

"**12.1 Paragraph 102(f) of the Act is replaced by the following:**

(e.2) suspend the judge without salary for a period of up to 30 days;

(f) take any action that the panel considers to be equivalent to any of the actions referred to in paragraphs (a) to (e.2);";

(c) on page 25, by adding the following after line 32:

"**Coming into Force**

17 Section 12.1 comes into force one year after the day on which this Act receives royal assent.".

Hon. Pierre J. Dalphond: Honourable senators, I will be very brief. I will refer to a Supreme Court judgment, *Valente v. The Queen*, 1985 Supreme Court Reports 673. I understand the rationale behind the amendment is to make federal judges similar to provincial judges in connection with their suspension and the disciplinary process. The judgment says:

> Section 11(d) cannot be construed and applied so as to accord provincial court judges the same constitutional guarantees of security of tenure and security of salary and pension as superior court judges for that construction would, in effect, amend the judicature provisions of the Constitution. The standard of judicial independence cannot be a standard of uniform provisions but rather must reflect what is common to the various approaches to the essential conditions of judicial independence in Canada.

I will not repeat what I said previously on security of financial independence, but, quite frankly, to use the case of provincial laws and to try to apply that to federal judges is certainly done, I guess, with a certain lack of understanding of the law.

The Hon. the Speaker: Senator Batters, do you have a question?

Senator Batters: Would Senator Dalphond take a question about that intervention?

Senator Dalphond: No.

Senator Batters: Did he say "no"?

The Hon. the Speaker: He said "no."

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

Hon. Senators: Question.

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

Some Hon. Senators: No.

Some Hon. Senators: Yes.

The Hon. the Speaker: Those in favour of the motion will please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker: Those opposed to the motion will please say "nay."

Some Hon. Senators: Nay.

The Hon. the Speaker: I think the nays have it. I see two senators rising.

And two honourable senators having risen:

The Hon. the Speaker: Is there advice on the length of the bell? It will be one hour. The vote will take place at 5:38.

Call in the senators.

• (1730)

The Hon. the Speaker: The question is as follows: It was moved by the Honourable Senator Batters, seconded by the Honourable Senator Oh — may I dispense?

All those in favour of the motion will please rise.

Senator Plett: I didn't hear the motion.

The Hon. the Speaker: I asked, and they said "dispense."

Senator Plett: I would like to hear the motion.

The Hon. the Speaker: That Bill C-9 be not now read a third time, but that it be amended,

(a) in clause 12, on page 8,

(i) by adding the following after line 22:

"**(e.1)** suspend the judge with salary for a period that the panel considers appropriate in the circumstances;",

(ii) by replacing line 25 with the following:

"graphs (a) to (e.1);";

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"**12.1 Paragraph 102(f) of the Act is replaced by the following:**

(e.2) suspend the judge without salary for a period of up to 30 days;

(f) take any action that the panel considers to be equivalent to any of the actions referred to in paragraphs (a) to (e.2);";

(c) on page 25, by adding the following after line 32:

"**Coming into Force**

17 Section 12.1 comes into force one year after the day on which this Act receives royal assent.".

Motion in amendment of the Honourable Senator Batters negatived on the following division:

YEAS
THE HONOURABLE SENATORS

Ataullahjan	Osler
Batters	Pate
Black	Patterson (*Nunavut*)
Boisvenu	Patterson (*Ontario*)
Carignan	Plett
Deacon (*Ontario*)	Poirier
Downe	Richards
Greene	Seidman
Housakos	Simons
MacDonald	Smith
Marshall	Tannas
Martin	Wells—25
Oh	

NAYS
THE HONOURABLE SENATORS

Anderson	Harder
Boehm	Hartling
Boniface	Jaffer
Boyer	Klyne
Burey	Kutcher
Busson	LaBoucane-Benson
Cardozo	Loffreda
Clement	Marwah
Cordy	Mégie
Cotter	Moncion
Dagenais	Omidvar
Dalphond	Petitclerc
Dean	Ringuette
Duncan	Saint-Germain
Dupuis	Shugart
Francis	Sorensen
Gerba	Woo
Gold	Yussuff—37
Greenwood	

ABSTENTIONS
THE HONOURABLE SENATORS

Cormier	Miville-Dechêne—2

• (1740)

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

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

STRENGTHENING ENVIRONMENTAL PROTECTION FOR A HEALTHIER CANADA BILL

BILL TO AMEND—MESSAGE FROM COMMONS—MOTION FOR CONCURRENCE IN COMMONS AMENDMENTS—DEBATE

The Senate proceeded to consideration of the amendments from the House of Commons concerning Bill S-5, An Act to amend the Canadian Environmental Protection Act, 1999, to

make related amendments to the Food and Drugs Act and to repeal the Perfluorooctane Sulfonate Virtual Elimination Act:

1. *Clause 2, pages 1 and 2*:

(a) on page 1, add the following after line 16:

"**(2.1) The sixth paragraph of the preamble to the French version of the Act is replaced by the following:**

qu'il s'engage à adopter le principe de précaution, si bien qu'en cas de risques de dommages graves ou irréversibles, l'absence de certitude scientifique absolue ne doit pas servir de prétexte pour remettre à plus tard l'adoption de mesures effectives visant à prévenir la dégradation de l'environnement;";

(b) on page 2, add the following after line 36:

"Whereas the Government of Canada is committed to openness, transparency and accountability in respect of the protection of the environment and human health;";

(c) on page 2, add the following after line 41:

"Whereas the Government of Canada is committed to implementing a risk-based approach to the assessment and management of chemical substances;".

2. *Clause 3, page 3*:

(a) replace line 3, in the English version, with the following:

"not be used as a reason for postponing cost-effective";

(b) add the following after line 13:

"**(a.3)** in relation to paragraph (a.2), uphold principles such as principles of environmental justice — including the avoidance of adverse effects that disproportionately affect vulnerable populations — the principle of non-regression and the principle of intergenerational equity;".

3. *Clause 4, page 3*:

(a) add the following after line 28:

"***healthy environment*** means an environment that is clean, healthy and sustainable. (*environnement sain*)";

(b) add the following after line 28:

"***precautionary principle*** means Principle 15 of the 1992 Rio Declaration on Environment and Development, which provides that the lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation if there are threats of serious or irreversible damage. (*principe de précaution*)".

4. *Clause 5, pages 3 and 4*:

(a) on page 3, add the following after line 42:

"**(1.1)** Without limiting the generality of subsection (1), the implementation framework shall set out

(a) the process under subsection 76.1(1) in respect of the protection of the right to a healthy environment.";

(b) on page 4, replace line 9 with the following:

"intergenerational equity, according to which it is important to meet the needs of the present generation without compromising the ability of future generations to meet their own needs;";

(c) on page 4, replace lines 13 and 14 with the following:

"**(c)** the relevant factors to be taken into account in interpreting and applying that right and in determining the reasonable limits to which it is subject,".

5. *Clause 5.1, pages 4 and 5*:

(a) replace line 27 on page 4 to line 3 on page 5 with the following:

"**5.1 (1) The portion of subsection 13(1) of the Act before paragraph (a) is replaced by the following:**

13 (1) The Environmental Registry shall contain notices and other documents published or made publicly available by the Ministers or either Minister under this Act, and shall also include, subject to the *Access to Information Act* and the P*rivacy Act*,";

(b) on page 5, replace lines 8 and 9 with the following:

"registry is publicly accessible and searchable and is in electronic form.".

6. *Clause 10, pages 6 and 7*:

(a) replace line 26 on page 6 to line 23 on page 7 with the following:

"**(1.1)** The notice may include a requirement that the plan prioritize the identification, development or use of safer or more sustainable alternatives to the substance, group of substances or product.";

(b) on page 7, replace lines 28 to 35 with the following:

"**(3) Subsection 56(4) of the Act is replaced by the following:**

(4) The Minister shall publish in the Environmental Registry and in any other manner that the Minister considers appropriate a notice stating the name of any person for whom an extension is granted, whether the extension is for the preparation or the implementation of the plan, and the duration of the period of the extension.

(4) Section 56 of the Act is amended by adding the following after subsection (5):

(6) A notice under subsection (1) may include a requirement that the person to whom the notice is directed file with the Minister, within the periods specified in the notice, written reports on their progress in implementing the plan.".

7. *Clause 10.1, pages 7 and 8*: delete clause 10.1.

8. *Clause 11.1, page 8*: delete clause 11.1.

9. *Clause 14, page 9*:

(a) replace lines 9 to 15 with the following:

"81, add a substance to the Domestic Substances List if

(a) the substance was included on the version of the Revised In Commerce List that was prepared by the Minister of Health after the end, on November 3, 2019, of acceptance of substance nominations to that List and that is referred to in the *Canada Gazette*, Part I, Volume 152, Number 44, as the static list;

(b) the substance is not referred to in Annex I to the notice entitled "Removal of substances with no commercial activity from the Revised In Commerce List" published in the *Canada Gazette*, Part I, Volume 156, Number 8; and

(c) no conditions specified under paragraph 84(1)(a) in respect of the substance are in effect.";

(b) replace lines 18 to 27 with the following:

"**(2)** The Minister may, by order, designate any person or class of persons to exercise the powers set out in subsection (1).".

10. *Clause 15, page 10*:

(a) replace line 23 with the following:

"conditions, test procedures and laboratory practices to be followed for replacing, reducing or re-";

(b) replace lines 26 to 28 with the following:

"classification of a substance as a substance that poses the highest risk.".

11. *Clause 16.1, page 12*: replace lines 3 to 21 with the following:

"**68.1 (1)** The Ministers shall, to the extent practicable, use scientifically justified alternative methods and strategies to replace, reduce or refine the use of vertebrate animals in the generation of data and the conduct of investigations under paragraph 68(a).

(2) For the purposes of subsection (1), methods and strategies to refine the use of vertebrate animals include minimizing pain and distress caused to vertebrate animals used in the generation of data and the conduct of investigations under paragraph 68(a).".

12. *Clause 19, pages 15 and 16*:

(a) on page 15, replace line 25 with the following:

"and publish a plan with timelines";

(b) on page 15, replace line 29 with the following:

"**(b)** that specifies the activities or initiatives in rela-";

(c) on page 15, replace lines 37 to 41 with the following:

"the development and timely incorporation of scientifically justified alternative methods and strategies in the testing and assessment of substances to replace, reduce or refine the use of vertebrate animals.";

(d) on page 16, delete lines 1 and 2;

(e) on page 16, replace line 16 with the following:

"paragraph 68(a), including the manner in which the public may be provided with information regarding substances or products including, in the case of products, by labelling them.";

(f) on page 16, add the following after line 30:

"**(7.1)** The Ministers shall review the plan within eight years after it is published and every eight years after that.";

(g) renumber the subsections of section 73 and amend all references accordingly.

13. *Clause 20, pages 17 and 18*:

(a) on page 17, replace line 21 with the following:

"**(3)** The Minister shall delete a substance from the List,";

(b) on page 17, replace lines 23 to 25 with the following:

"specified on the List, if

(a) an order is made under subsection 90(1) adding the substance to the list of toxic substances in Schedule 1; or

(b) the Ministers no longer have reason to suspect that the substance is capable of becoming toxic.";

(c) on page 18, replace lines 1 to 4 with the following:

"**(2)** The Ministers shall consider the request and decide whether to add the substance to the plan developed under section 73 or deny the request.

(2.1) Within 90 days after the day on which the request is filed, the Minister shall inform the person who filed the request of the decision, how the Ministers intend to deal with it and the reasons".

14. *Clause 21, page 20*: add the following after line 34:

"**(8)** If more than two years have elapsed after the publication of a statement under paragraph (1)(a) without the Ministers having published a statement under paragraph (6)(b), the Minister shall publish in the Environmental Registry a statement made jointly by the Ministers indicating the reasons for the delay and an estimated time frame within which the statement under paragraph (6)(b) is to be published.".

15. *Clause 22, page 21*:

(a) replace line 26 with the following:

"amended and the reasons for the amendment in the Environmental Registry and in any other";

(b) add the following after line 27:

"**(3)** The Minister shall include in the annual report required by section 342 a report on the progress made in developing any subsequent proposed regulations or instruments.

(4) The report on progress referred to in subsection (3) shall include an update on estimated timelines and reasons for any delay.".

16. *Clause 29, page 24*: replace line 37 with the following:

"respecting preventive or control actions, including actions that lead to the use of safer or more sustainable alternatives for the environment or human health, in relation to a".

17. *Clause 39, page 31*:

(a) replace lines 2 to 17 with the following:

"106, add a living organism to the Domestic Substances List if

(a) the living organism was included on the version of the Revised In Commerce List that was prepared by the Minister of Health after the end, on November 3, 2019, of acceptance of substance nominations to that List and that is referred to in the *Canada Gazette*, Part I, Volume 152, Number 44, as the static list; and

(b) no conditions specified under paragraph 109(1)(a) in respect of the living organism are in effect.

(2) The Minister may, by order, designate any person or class of persons to exercise the power set out in subsection (1).";

(b) replace lines 20 to 23 with the following:

"tion 105(1), 105.1(1) or 112(1) is not being manufactured in Canada or imported into Canada the Minister may delete the living".

18. *New clause 39.01, page 31*: add the following after line 34:

"**39.01 Subsection 106(9) of the Act is replaced by the following:**

(9) The Minister shall, as soon as possible in the circumstances, publish in the *Canada Gazette* a notice stating the name of any person to whom a waiver is granted and the type of information to which it relates.".

19. *Clause 39.1, pages 31 and 32*: replace line 35 on page 31 to line 15 on page 32 with the following:

"**39.1 The Act is amended by adding the following after section 108:**

108.1 (1) If the information that the Ministers assess under subsection 108(1) or (2) is in respect of a vertebrate animal or a prescribed living organism or group of living organisms, the Ministers shall consult any interested persons before the expiry of the period for assessing that information.

(2) Before undertaking consultations, the Minister shall publish a notice of consultation in any manner that the Minister considers appropriate.".

20. *Clause 44.1, page 35*: replace lines 21 to 25 with the following:

"**(g.1)** prescribing a living organism or group of living organisms for the purpose of subsection 108.1(1);".

21. *Clause 50, page 39*: replace lines 14 to 16 with the following:

"**(2)** A request for confidentiality shall be submitted, with reasons taking into account the criteria set out in paragraphs 20(1)(a) to (d) of the *Access to Information Act*, in writing and contain any supplementary information that may be prescribed.

(3) The Minister shall review a statistically valid representative sample of requests granted under subsection (1) and determine whether, in respect of each of those requests, the person who made the request demonstrated that it concerned any of the following:

(a) trade secrets of any person;

(b) financial, commercial, scientific or technical information that is confidential information and that is treated consistently in a confidential manner by any person;

(c) information the disclosure of which could reasonably be expected to result in material financial loss or gain to, or could reasonably be expected to prejudice the competitive position of, any person; or

(d) information the disclosure of which could reasonably be expected to interfere with contractual or other negotiations of any person.

(4) If the Minister determines that the person who made the request did not demonstrate that the request, in whole or in part, concerned information described in any of paragraphs (3)(a) to (d), then, for the purpose of any part of the request that does not concern such information, the request is deemed not to have been made.

(5) The Minister shall include in the annual report required under section 342 the number of requests made under subsection (1), the number of requests reviewed, the number of requests that, in whole or in part, were deemed not to have been made and a summary of the information disclosed under sections 315 to 317.2.

(6) The Minister may, by order, designate any person or class of persons to exercise the powers and perform the duties and functions set out in this section.".

22. *Clause 53, pages 40 and 41*:

(a) on page 40, replace line 1 with the following:

"**317.1 (1)** The Minister may disclose the explicit chemi-";

(b) on page 40, replace line 14 with the following:

"**(2)** The Minister may disclose the explicit biological";

(c) on page 40, replace line 27 with the following:

"**(3)** The Minister shall disclose the explicit chemical or bi-";

(d) on page 41, add the following after line 29:

"**317.3** The Minister shall include in the annual report required by section 342 a report respecting the explicit chemical or biological names of substances and the explicit biological names of living organisms disclosed under section 317.1 or 317.2.".

23. *Clause 55, pages 41 and 42*:

(a) on page 41, replace line 32 with the following:

"55 Subsections 332(1) and (2) of the Act are";

(b) on page 42, delete lines 15 to 35.

24. *Clause 57, pages 43 and 44*: replace line 14 on page 43 to line 4 on page 44 with the following:

"**342.1** The Minister shall include in the annual report required by section 342 information related to

(a) consultations with aboriginal peoples and aboriginal governments, including a summary of the key issues raised, in relation to matters under this Act,

(b) the administration of this Act in respect of aboriginal peoples and aboriginal governments, including the measures taken to advance reconciliation as reflected in section 35 of the *Constitution Act, 1982* and in the *United Nations Declaration on the Rights of Indigenous Peoples Act*, and

(c) the key findings or recommendations of any report made under an Act of Parliament in respect of the administration of this Act and aboriginal peoples and aboriginal governments.".

25. *Clause 67.1, page 51*: delete clause 67.1.

26. Schedule 1, page 53: delete the reference to "section 68.1" in the references after the heading "SCHEDULE 1".

Hon. Marc Gold (Government Representative in the Senate) moved:

That, in relation to Bill S-5, An Act to amend the Canadian Environmental Protection Act, 1999, to make related amendments to the Food and Drugs Act and to repeal the Perfluorooctane Sulfonate Virtual Elimination Act, the Senate agree to the amendments made by the House of Commons; and

That a message be sent to the House of Commons to acquaint that house accordingly.

He said: Honourable senators, I rise today to speak to the motion proposing that the Senate accept the other place's message on Bill S-5, the strengthening environmental protection for a healthier Canada act.

Before detailing the rationale behind the message, I would like to take a moment to thank our colleagues in the other place for their thorough study and consideration of the bill. I would also like to acknowledge the contributions of Canadians, including representatives of Indigenous organizations, civil society, academia and industry associations, who participated as witnesses, submitted written briefs and followed the discussions — which at times were very complex — through the course of this parliamentary process. Your contributions have helped to strengthen and improve Bill S-5, and it supported us in our work as parliamentarians. Bill S-5 is better because of those contributions.

The launch of this debate brings us closer to enacting Bill S-5 into law. As you know, Bill S-5 was introduced in the Senate on February 9, 2022. Along with receiving 75 written briefs in its 20-plus-hour study, the Standing Senate Committee on Energy, the Environment and Natural Resources adopted 39 amendments aimed at improving and strengthening the legislation. This chamber then adopted it at third reading on June 22 of last year.

Since then, the bill has been further strengthened as a result of further debate, study and additional amendments in the other place. The other place received 30 written briefs and held 15 meetings, accepted 22 of the Senate's amendments, while the remaining 17 amendments have been either clarified, further amended or reversed.

Colleagues, this is further confirmation of the respect for the work that this chamber has conducted in applying sober second thought to important legislative initiatives. As we consider Bill S-5 at this message stage, I will provide a brief overview of how it has changed since it was last debated in this chamber nearly one year ago.

[*Translation*]

Let's begin with the right to a healthy environment. Last year, the Senate made several improvements to these provisions, many of which were accepted in the other place. For example, with Senator Galvez's amendment, the Senate replaced the proposed approach, which would have "balanced" the right with other factors, with the more familiar approach of making the right "subject to reasonable limits" and requiring the implementation framework to specify those reasonable limits.

• (1750)

Similarly, by accepting another one of Senator Galvez's amendments, the committee added the principle of intergenerational equity to the list of principles to be considered in the administration of the Canadian Environmental Protection Act, and ensured that the implementation framework would elaborate on mechanisms to protect this right.

I'm pleased to say that these additions have been included in the bill and that our colleagues in the other place made additional changes that strengthen this aspect of Bill S-5.

For instance, they defined the concept of a healthy environment as one that is clean, healthy and sustainable. The implementation framework will clarify what this means for this specific right, so that it is considered a priority in any decision making under the Canadian Environmental Protection Act.

[*English*]

I will now turn to another important aspect of Bill S-5: the amendments made with respect to the vital work of advancing Indigenous reconciliation. As originally introduced, Bill S-5 confirmed the government's commitment to implement the United Nations Declaration on the Rights of Indigenous Peoples. On this point, I would like to recognize the interventions and motions by Senator McCallum to ensure the rights and interests of Indigenous peoples were appropriately recognized in this bill.

In this regard, the Senate committee accepted Senator McCallum's amendments to add references in the preamble to ". . . free, prior and informed consent . . ." and the importance of ". . . Indigenous knowledge in the process of making decisions related to the protection of the environment and human health . . . ." These amendments were accepted by the other place and remain in the version of Bill S-5 that we are considering today.

Our committee, following an amendment proposed by Senator Arnot, also added a new obligation on the Minister of Environment and Climate Change to table a report in Parliament every five years regarding the operation of CEPA — the Canadian Environmental Protection Act — in respect of the Indigenous peoples of Canada. Our colleagues in the other place adjusted this amendment to require a report every year, rather than every five years, and clarified the scope of the findings and recommendations that should be included in that report. In my view, this strengthens the work that was originally proposed in the Senate by requiring more frequent reporting and in clarifying its content.

Another key issue addressed in this bill is reducing reliance on animal testing, which is a priority for the government. However, as introduced, Bill S-5 then only included a high-level pledge to this effect. Believing that the government can do more, the Senate added substantive requirements throughout the bill to accelerate efforts to replace, reduce or refine the use of vertebrate animal testing. In particular, I wish to recognize the efforts of Senator Galvez and others to make sure emerging issues, like this one, are given priority and for reinforcing the need to move faster to eliminate animal testing. I am pleased to say many of these changes were accepted by the other place.

Moving now to the provisions respecting chemicals management, a major theme in Bill S-5 is the protection of vulnerable populations — that is, populations that may be more susceptible or more exposed to harmful chemicals. The Standing Senate Committee on Energy, the Environment and Natural Resources heard significant testimony in support of these amendments, but some also suggested that the related concept of a vulnerable environment should be recognized. I am pleased to see that the other place has maintained Senate amendments — ones put forward by Senator McCallum — which added this related concept to the bill.

This leads me to the specific issue of tailings ponds. Last year, the Senate committee adopted Senator McCallum's proposal to add explicit references to tailings ponds and hydraulic fracturing to the non-exhaustive list of information that the Minister of Environment and Climate Change can compel. The Senate, as a whole, adopted this amendment at third reading. These amendments were initially undone by the committee in the other place on the basis that they were redundant, and such information could already be and, in fact, is already collected by Environment and Climate Change Canada. However, recent events in Alberta underscored the importance of understanding the risks to the environment and human health from tailings ponds, and these important Senate amendments were restored during report stage in the other place.

While some may have misgivings about the decision made in the other place to reverse their own committee's decision, the effect is that the other place has accepted an amendment that we in this chamber had already adopted.

[*Translation*]

The other place also agreed to the Senate amendments proposed by Senator Kutcher and Senator Galvez, which sought to clarify the processes and approaches to support the shift to safer chemicals.

As I mentioned earlier in my speech, in addition to the 22 Senate amendments that were retained, some Senate amendments were also revised or changed in the other place.

For example, our colleagues in the other place felt that the Senate amendments to the provisions regarding pollution prevention plans duplicated powers that already existed under the act, which might cause confusion during the implementation of the plans. Those amendments might also cause technical problems.

The House of Commons Standing Committee on Environment and Sustainable Development clarified that point by replacing those amendments with an approach that strengthens the provisions by making it possible for pollution prevention plans to prioritize the identification, development or use of safer or more sustainable alternatives to the substance or product in question.

Hon. Claude Carignan: The Government Representative in the Senate is delivering a very interesting speech, but he is delivering it at an astounding speed. The poor interpreters are having a hard time keeping up. I understand that he wants to move on quickly, but perhaps he could speak a bit slower for the benefit of the interpreters.

The Hon. the Speaker: I believe that Senator Carignan makes a good point. It would be a good idea to slow down a bit.

Senator Gold: With pleasure, dear colleagues.

I apologize to the interpreters.

It also allows the Minister of Environment and Climate Change to require people to provide written reports their progress in implementing these plans.

[*English*]

Honourable senators, I also want to review a suite of amendments aimed at increasing transparency, accountability and public participation under the act. This was a key issue to many stakeholders and witnesses, particularly under Part 6 of the act, which provides for the assessment and management of new living organisms, often described as genetically modified organisms.

There was significant testimony and debate in this chamber regarding a particular regulatory decision regarding a genetically modified salmon, and this led to the adoption of amendments proposed by Senator Dennis Patterson that departed from the risk-based approach to the assessment of new living organisms by requiring that the ministers determine whether there is a demonstrable need for a new living organism. This subjective value judgment was a new, undefined concept that goes beyond the scope of the government's mandate for assessing new living organisms. This represented a marked departure from the risk-based approach under the act.

Senate amendments also required that the ministers ensure meaningful public participation in the assessment of new living organisms, without providing any indication of what that should entail. Our colleagues in the other place adjusted these amendments while maintaining the spirit of the original proposal. Their changes will serve to increase public participation in assessments of certain living organisms under Part 6, specifically vertebrate animals and other prescribed living organisms, by requiring that the ministers publish a notice of consultation and consult with interested persons during the assessment period.

Finally, the committee adopted amendments proposed by Senator Galvez and Senator Dennis Patterson regarding transparency, public participation, accountability and reporting. Amendments included those to broaden the scope of information that must be published in the environmental registry and to require that the Minister of Innovation, Science and Industry table a report in Parliament regarding manufactured and imported goods.

[*Translation*]

The committee adopted amendments to these provisions to specify how the registry is to be kept and the scope of the documents published in the registry.

The committee in the other place also deleted the provision added by the Senate that would have required the Minister of Industry to table a report on manufactured and imported goods. After a more in-depth study in the other place, it was concluded that the content of the report was vague and not part of the mandate of the Minister of Industry.

In any case, I would like to remind you that the government is developing a broad labelling strategy that should be released sometime this year.

The committee also accepted Senator Miville-Dechêne's amendments concerning the confidential commercial information regime. More specifically, it would eliminate the exception related to the requirement to provide reasons when submitting a request for confidentiality. The committee made other

amendments in this area to require that the reasons submitted with the request for confidentiality meet the criteria of the Access to Information Act and to ensure that these requests are verified by the minister.

To highlight these amendments pertaining to openness and transparency, the committee in the other place added a commitment to that effect in the bill's preamble.

• (1800)

The Hon. the Speaker: I am sorry to interrupt, Senator Gold.

Honourable senators, it is now 6 p.m. and pursuant to rule 3-3(1), I'm required to leave the chair until 8 p.m., unless there is agreement that we not see the clock.

Some Hon. Senators: Agreed.

[*English*]

Senator Plett: No.

The Hon. the Speaker: Honourable senators, leave was not granted. The sitting is therefore suspended, and I will leave the chair until 8 p.m.

(The sitting of the Senate was suspended.)

(The sitting of the Senate was resumed.)

• (2000)

BILL TO AMEND—MESSAGE FROM COMMONS—MOTION FOR CONCURRENCE IN COMMONS AMENDMENTS—DEBATE ADJOURNED

On the Order:

> Resuming debate on the motion of the Honourable Senator Gold, P.C., seconded by the Honourable Senator LaBoucane-Benson:
>
> That, in relation to Bill S-5, An Act to amend the Canadian Environmental Protection Act, 1999, to make related amendments to the Food and Drugs Act and to repeal the Perfluorooctane Sulfonate Virtual Elimination Act, the Senate agree to the amendments made by the House of Commons; and
>
> That a message be sent to the House of Commons to acquaint that house accordingly.

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, with regard to this message, this is a message that in my humble opinion is a respectful message from the House, one that values and validates the important and good work that we did in this chamber to improve the bill.

In my remarks earlier this evening, I spoke to some of the amendments that were accepted that strengthened the commitment in the bill — for the first time in an environmental bill — to the right to a healthy environment. I spoke about how the amendments that we introduced that were accepted by the House advance further our important progress to advance reconciliation, how our Senate amendments strengthen the provisions of the bill to reduce our reliance upon animal testing and, of course, how the bill also very importantly modernizes the regime for managing both the risk assessment and the risk management of toxic chemicals, which has been at the heart of the Canadian Environmental Protection Act, or CEPA, since its inception.

That now brings me to my closing remarks.

Colleagues, Bill S-5 has been strengthened by the rigorous study by both chambers and by the participation of Canadians in this legislative process. These proposed amendments to CEPA will provide Canadians with an environmental protection law that confronts 21st-century issues with 21st-century science and, I should add, 21st-century commitments to transparency, oversight and review.

The timing of two very important components of Bill S-5, the implementation framework for a right to a healthy environment and the plan of chemicals management priorities, is dependent on the date of Royal Assent and must be completed within two years of that date.

Therefore, colleagues, I encourage you all to agree to the message on Bill S-5 so that we can begin the important work of implementing it. Thank you.

Hon. Stan Kutcher: Honourable senators, I rise today to speak to the concurrence of Bill S-5, which modernizes the Canadian Environmental Protection Act, CEPA.

When I last spoke to you regarding this bill, it was during third reading here in the Senate this time last year. The Senate Standing Committee on Energy, the Environment and Natural Resources had just reported it back with significant amendments that strengthened many aspects of the bill and, in some cases, introduced new elements into it. Similarly, our colleagues in the other place critically studied the bill and also strengthened it. The Senate and our colleagues in the other place have worked together to ensure the bill provides for a higher level of environmental and health protection for Canadians, especially those who are most at risk.

I am proud to support this bill and urge all senators to vote to adopt it, in the form passed by the other place, without delay. The government can then begin the important work of implementing it in collaboration with key partners, the public and stakeholders. I would like to address several areas which received significant attention during the Senate's study of Bill S-5.

While discussion was not limited to these areas, it was evident that senators were concerned with the following: first, ensuring that the right to a healthy environment was meaningful; second, reducing reliance on animal testing; third, increasing openness and transparency; and last, but certainly not least, advancing Indigenous reconciliation.

The Senate also observed that for this bill to be operationally successful, the government needs to invest in building a more robust environmental research capacity in Canada so that the scientific work required to support the goals of the bill would be there to do that.

With regard to the right to a healthy environment, amendments adopted in the Senate replaced language around balancing the right with more familiar language of making the right "subject to any reasonable limits." The implementation framework for the right must elaborate on these limits, as well as intergenerational equity and on the mechanisms needed to support the protection of that right.

Regarding the implementation framework — which, as you may recall, must be developed within two years of Royal Assent and set out how the right will be considered in the administration of the act — our colleagues in the other place made additional amendments, for example, to define the principle of intergenerational equity as meeting "the needs of the present generation without compromising the ability of future generations to meet their own needs" and to specify that a healthy environment means an environment that is "clean, healthy and sustainable."

These valuable additions build on the work of senators and provide a clear direction for the implementation framework to expand upon. Amendments in both places will help ensure the right is meaningful to decision making under CEPA and that it will be developed in a way that provides greater certainty.

Another area where the Senate focused its attention was on reducing reliance on animal testing. The Senate Energy Committee added several new provisions aimed at replacing, reducing or refining the use of vertebrate animals in toxicity testing.

Our colleagues in the other place maintained the essence of these valuable amendments and made some minor adjustments to ensure these provisions can be implemented in a manner that reflects and accounts for the broader work under way across government on this important issue. For example, the plan of chemicals management priorities must include a strategy to promote the development and use of methods not involving the use of vertebrate animals. Our colleagues in the other place made amendments to clarify that this strategy may apply more broadly than CEPA and include activities and initiatives under other federal laws, such as the Food and Drugs Act, for example.

Since I last spoke to this, the government reaffirmed its commitment to end cosmetics testing on animals in the 2023 federal budget through amendments to the Food and Drugs Act tabled in Bill C-47, so that is something that could feature in this strategy.

Colleagues, the amendments to the bill on this matter clarify that the government's priority is to replace vertebrate animal testing altogether as soon as practicable and where scientifically justified alternative methods are available. In cases where the science is not yet advanced enough to fully replace vertebrate animal testing, we would reduce the number of animals being tested as well as refine our testing methods to minimize the pain and suffering of these animals.

I will turn now to the plan of chemicals management priorities, which, as you will recall, is a key amendment in Bill S-5 and aims to modernize Canada's approach to chemicals management. The Minister of Environment and Climate Change and the Minister of Health must develop this plan in consultation with stakeholders within two years of Royal Assent. It will set out a multi-year integrated plan for chemicals risk assessments, risk management actions, supporting research and information gathering, among other activities and initiatives.

Regarding this plan, amendments were adopted here in this chamber to clarify the advantages of class-based approaches to assessing chemicals, namely as a means of avoiding cases of "regrettable substitutions," that is, where one chemical is banned, only to be replaced with another chemical — just as harmful or potentially worse. Class-based assessment approaches help mitigate against this, and I understand the government has recently published a draft report and proposed risk management options for a class of over 4,700 per- and polyfluoroalkyl substances, more commonly referred to as PFAS.

Our colleagues in the other place made some additional amendments to the plan, importantly, to require that it include reporting timelines and that it be reviewed every eight years.

Another major theme that has been considered in both chambers relates to increasing openness and transparency in respect of environmental and health protection. I am pleased to see that changes have been adopted here and in the other place to help achieve this under CEPA. Working together, we have created a more open and transparent regime for the treatment of confidential business information under the act. Here in the Senate we removed an exception provided for in the bill that could have been used to stand down the requirement for persons to substantiate their claims for confidentiality under the act.

Additional amendments were tabled, but not ultimately adopted here in the Senate. However, our colleagues in the other place picked up on some of these and adopted amendments of their own. These require that claimants justify their confidentiality requests based on Access to Information Act criteria and that the minister review and validate a statistically representative sample of confidentiality requests submitted under the act and report annually on the results of this work. These are important changes.

• (2010)

Lastly, we heard significant concerns in the Senate regarding the continued hardships Indigenous peoples experience with pollution as well as the need to consider obligations related to the United Nations Declaration on the Rights of Indigenous Peoples, or UNDRIP, and the government's commitment to reconciliation. I am proud to say that amendments were adopted here and confirmed in the other place to add references to "free, prior and informed consent" within the context of UNDRIP to confirm the role of Indigenous knowledge in decision making and to require annual reporting on the operation and administration of the Canadian Environmental Protection Act, or CEPA, in relation to Indigenous peoples and governments, which should incent a more holistic understanding of how reconciliation is advancing under all the programs enabled by CEPA.

Now, since I last addressed this chamber, there have been some unfortunate events at the Kearl oil sands mine in Alberta, which underscore the importance of amendments that were adopted by the Standing Senate Committee on Energy, the Environment and Natural Resources but were then undone during the committee stage in the other place. These amendments added explicit references to tailings ponds and hydraulic fracturing to the list of matters and activities in respect of which the Minister of Environment and Climate Change may collect and report information on. These changes would ensure that the minister could compel people to provide information regarding tailings ponds and hydraulic fracturing.

Honourable senators, I am pleased to announce that our colleagues in the other place had a sober second thought of their own on this important matter and voted to reinstate these amendments during report stage. As you will see, the version of the bill before you today will add these new paragraphs under subsection 46(1) of CEPA.

As I mentioned at the outset of my remarks, important work will start once Bill S-5 receives Royal Assent to ensure it is fully implemented. This work will include, among other things, developing the implementation framework for the right to a healthy environment under CEPA and developing a plan of chemicals management priorities in consultation with Canadians. Once this bill receives Royal Assent, the government will be in a position to advise partners, stakeholders and the public on how they can participate in these important processes.

However, more work needs to be done to ensure that Canada has the scientific research capacity needed to support these amendments to CEPA. Specifically, we need to substantially enhance our capacity for biomonitoring and toxicity assessment, including toxicogenomics. We need large, disaggregated and population-based longitudinal studies to determine health impacts of chemicals across the lifespan. We need well-functioning biobanks to be able to determine the cumulative effects of substances over time as well as large data sets and the complex analyses of them to allow for causal inferences to be drawn.

All these necessities for environmental research enhancement must be appropriately cited and managed properly, funded and created in collaboration with our academic and Indigenous communities. This work needs to begin as soon as the bill receives Royal Assent.

The discussions that have taken place throughout the parliamentary process have been instrumental and have resulted in a strengthened bill. I would like to thank senators and our colleagues in the other place for this valuable work. I am proud to support the bill, and urge senators to vote to pass it now so that it may receive Royal Assent without delay.

Thank you, *wela'lioq*.

(On motion of Senator Martin, debate adjourned.)

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

SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Yussuff, seconded by the Honourable Senator Boehm, for the second reading of Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms).

Hon. Hassan Yussuff: I woke up this morning, and I couldn't remember where I left off yesterday. Then on my way over here, I did remember.

I'm sure my friend Senator Plett can't wait for me to finish my speech.

Let me be clear, there is no obligation for victims to use this law. This was in the section read, in the yellow flag provisions in the legislation. They will be there to offer additional protection.

I would like to share a few more important statistics today. We know that the more available guns are, the higher the risk of homicide and suicide. Handguns are the most commonly used firearm in homicide. Suicide by firearm accounted for 73% of all firearms deaths in Canada between 2000 and 2020. During this period, some 11,000 individuals took their lives.

Since 2010, we've seen close to 16,000 incidents of violent crime involving firearms in Canada. Reducing the number of handguns and assault-style firearms in our community will result in reducing the number of victims of gun violence.

I hope we can get an agreement on one other important measure of this bill that I would like to talk about now, and that is what it will do to curb firearm smuggling and trafficking.

The smuggling of firearms into Canada remains an important threat to the safety of Canadians and directly impacts the firearms-related violence that has been felt in communities across the country. In 2021, the Canada Border Services Agency, or CBSA, seized more than 1,100 firearms, more than double the number from 2020, including the seizure of 66 prohibited firearms at the Blue Water Bridge port of entry in Sarnia, Ontario, one of the largest single firearms seizures in the southern Ontario region in recent history.

More recently, the CBSA worked with partners to seize some 46 prohibited or restricted firearms at a highway stop in Cornwall, Ontario.

Bill C-21 will address illegal smuggling and trafficking at the border by increasing the maximum criminal penalties for firearms smuggling and trafficking from 10 years to 14 years, as well as by providing more tools to law enforcement to investigate firearms crimes and strengthen border security measures.

Increasing the maximum penalty for smuggling and trafficking offences will be a message to criminals and, just as importantly, to courts that Parliament unequivocally denounces these crimes.

The Canadian Association of Chiefs of Police, or CACP, supported these measures when they appeared during the study of the bill at committee in the other place. They said:

> With regard to firearms smuggling and trafficking, we support the implementation of new firearms-related offences, intensified border controls and strengthened penalties to help deter criminal activities and to combat firearms smuggling and trafficking, thereby reducing the risk that illegal firearms find their way into Canadian communities and are used to commit criminal offences. The CACP welcomes changes that provide new police authorizations and tools to access information about licence-holders in the investigation of individuals who are suspected of conducting criminal activities, such as straw purchasing and weapons trafficking.

That brings me back to the recently introduced amendments to Bill C-21. They were adopted at committee stage in the other place, including a new prospective definition for characteristics of assault-type firearms and recognizing and respecting Aboriginal treaty rights of Indigenous people. These have been informed by discussions with stakeholders across the country. They include hunters and trappers, First Nations, Inuit and Métis, rural and northern residents, target shooters and others.

• (2020)

Honourable colleagues, it doesn't matter where you go in this country, in every corner from coast to coast, you will find skilled, experienced hunters who are happy to chat with you for hours about how it is more than just a hobby for them, how it has been passed down through generations and how it forms a key part of their culture and way of life.

That's why these latest amendments, I think, provide clarity and protections around responsible gun ownership.

An Hon. Senator: Hear, hear.

Senator Yussuff: Furthermore, they reflect the important cultural perspective of Indigenous people across the country. The bill respects and recognizes the traditional and cultural importance of hunting for Indigenous communities. The government also recognizes the importance of consultation and cooperation with Indigenous people to ensure consistency of federal laws with the United Nations Declaration on the Rights of Indigenous Peoples.

While the government has acted through a prospective technical definition to prevent assault-style firearms from entering into our communities, this bill also includes a specific clause that clearly states that nothing in this definition is intended to derogate from the rights of Indigenous people under section 35 of the Constitution.

The government also continues to signal its commitment to continue working with Indigenous communities by engaging in an open dialogue regarding any unintended impact that the bill may have on Indigenous people. There will be further opportunities for engagement in the Indigenous communities across Canada if — and when — the bill passes in the Senate and the House.

The government has pledged it will continue to seek out the views and perspectives of various Indigenous groups, and they will, of course, be consulted during the regulatory process, as well as during the implementation phase of specific measures in the bill.

In conclusion, colleagues, the goal of this bill is to keep communities safe; none of us will disagree with that. As we know, no single program or initiative alone can end gun violence.

I know that gun control by itself will not solve all of the problems associated with gun violence, but it is an important piece of the puzzle that will make a significant difference. This is why I think that Bill C-21 is just one of the many government initiatives aimed at keeping our communities safe across this country. It seeks to cap the number of handguns in circulation by creating a freeze on the sale, purchase and transfer of handguns. It creates a new definition for assault-style firearms that only applies to newly designed and manufactured weapons after the bill becomes law.

It creates yellow flag laws and red flag laws to reduce firearm-related family violence and self-harm. It raises the maximum sentence for illegal gun smugglers and traffickers at the border from 10 years to 14 years, and it takes action against ghost guns that are becoming a serious problem in our country.

The bill doesn't take one gun away from any legal gun owner in this country, whether they're a handgun owner, a hunter or a sports shooter. I want to be perfectly clear that if you own a legal handgun, you can still keep it after this bill becomes law. If you own a legal long gun, this bill does not impact your firearm.

Colleagues, as I said at the beginning of my speech, I view this bill in terms of weighing the privileges against the rights in order to try to find a fair balance. Then, I weigh the restrictions to the privilege of owning a certain type of firearm against the rights of Canadians to a safe country free of gun violence. I feel confident that the bill gets the balance right.

Colleagues, I hope that after you give careful consideration to this bill, you will agree that it is both fair and balanced, and that you will support sending this bill to committee. Thank you.

Hon. Donald Neil Plett (Leader of the Opposition): I wonder if the senator would take a couple of questions.

Senator Yussuff: With pleasure, my friend.

Senator Plett: Thank you. I'm sure that Mr. Gerretsen will, again, tweet tomorrow that I am stalling this bill because I had the audacity to ask questions about this — as he said, before you introduced the bill, that I was already stalling it. I'm not sure what he will say now.

Senator Yussuff, you cited — a number of times — how many deaths there were from firearms, and so on and so forth. At no point did you tell us how many of these deaths were due to legal firearms — just with firearms. I don't think there is a person in this chamber who disagrees with us clamping down on illegal firearms; I certainly don't disagree. It's not the legal firearms that are the problem — it's the illegal firearms.

You talk about increasing the sentences from 10 to 14 years for smuggling. I want you to square this box for me, Senator Yussuff: You're talking about how the Liberal government wants to increase penalties, and yet the Liberal government repealed — with Bill C-5 — minimum firearm sentences for robbery with a firearm, extortion with a firearm, discharging a firearm with intent, using a firearm in the commission of offences, possession of a firearm knowing its possession is unauthorized, possession of a prohibited or restricted firearm with ammunition, possession of a weapon obtained by the commission of an offence and discharging a firearm recklessly.

If this is a government that is bent on stopping crimes with firearms, why would they repeal all of these minimum sentences? Why wouldn't they, rather, try to increase those as opposed to repealing them — and stop going after legal firearm owners, and start going after illegal firearm owners?

Senator Yussuff: First, thank you for your question, Senator Plett.

As you know, the courts have ruled in regard to minimum sentences. The government reflected that in regard to its action. But, in regard to the current average sentence for smuggling and convictions, on average those who are convicted serve eight years of their sentence. As you know, and as I said in my speech, the government has signalled, again, that it will increase the sentence for those smuggling guns into our country.

There are many things that the government is doing to deal with firearm infractions at the community level — including how we can prevent young people from adopting habits where they associate with individuals who might persuade them into gun crime. The government has dedicated a lot of resources to ensure that we can achieve that. They're working in many border communities to stop smuggling, as well as raising awareness and support for police officers on the front lines to ensure that we don't have illegal guns in our country.

I think those efforts need to continue as long as necessary because criminals who want to smuggle illegal firearms into our country will continue to do so. We have to find ways to combat that, and work to strengthen legislation. This bill offers us some direction to ensure those things can happen, but, at the same time, it is about supporting our front-line officers who are doing their best at the border, and other areas, to ensure they can catch these people, and ultimately put them in the legal system, so that we can try them and ensure they serve sentences for the behaviour that they are involved in.

Senator Plett: I would like to ask a couple of more questions, unless somebody else wants to speak. I have a few questions, but I will yield to others if they also do.

Senator Yussuff, in your remarks, you said:

> 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.
>
> Research shows that the availability of firearms in developed countries and the incidence of firearm crimes, violence and misuse are correlated.

Senator Yussuff, there is no such correlation between legal handgun purchases in Canada and crime on Canadian streets.

When it comes to handguns, I certainly support us giving our law enforcement all of the tools; you and I agree on that issue. However, Toronto Police Chief Myron Demkiw said, "They're not domestically sourced. They are internationally sourced. Our problem in Toronto is handguns from the United States."

• (2030)

How is going after our legal sport shooters supposed to reduce the crime on Toronto streets?

Senator Yussuff: Well, I don't want to comment on what a front-line officer is saying from his perspective. I don't know the context upon which he is reflecting on what he has said. I respect his opinion in that regard.

I think you and I would agree there are many illegal handguns coming into our country at many of our borders. It has been identified, and the government has allocated significant resources to help our front-line officers deal with that.

Regarding handguns in general and what the government wants to do, municipalities in general and urban areas have been calling for the government to take action on reducing the number of guns in their communities. I think this bill reflects that consensus to a large extent in large urban areas across the country. They want to see a reduction of guns in their communities. They recognize, yes, there are illegal guns, but sometimes legal guns end up causing harm, such as in domestic violence or causing harm to individuals in the context of those who are struggling with mental issues using their own handguns or other guns to inflict harm upon themselves.

There are some challenges that we have to recognize and deal with in the broader context of guns. In no way will sport shooters be impacted by this bill. It lays out provisions regarding how sport shooters can continue to do their craft. There is recognition of how they will be able to continue accessing their guns and using them to pursue their sport, of which provisions were enhanced in the other place before the bill came to the Senate.

Hon. Tony Dean: Senator Yussuff, I, too, would be concerned if sport shooters were impacted negatively by legislation of this sort. But if I have my initial reading of the legislation correct, sport shooters who are part of sporting federations would be unaffected in the sense that they would be exempted from the requirements in this legislation with respect to handguns and other guns if they were in a program of training and exercises that led towards regional, national or international competitions. I'm just checking on that.

Secondly, I know a number of us were alarmed last weekend to learn of a tragic shooting in Ontario — I believe it was in Hamilton — in which a Canadian landlord gunned down two of his tenants as they fled from the rental home after a dispute over property. Police said that witnesses saw a young couple, both in their mid-20s, fleeing from their Hamilton, Ontario home. Following the killings, the gunman barricaded himself in the apartment and there was more tragedy involved because the gunman himself ended up dying in an altercation with police.

The point here is that we learned from reading about this that the killer was a gun owner, and several handguns and rifles were found in the home. Furthermore, they were registered to that user. In addition to the first question, would you have any comment on the second one?

Senator Yussuff: Thank you for the question, Senator Dean. It's hard to reflect on what happened in Hamilton, Ontario. I think as parents and families, we are all shocked. These were two young people, it seems, in their prime and trying to build their lives. Whatever happened, we'll find out later in the courts. It is true, according to what has been reported so far, that the person who committed this terrible act had guns that he legally acquired and was licenced to carry. Again, in the context of gun violence, even good people do bad things.

The red-flag and yellow-flag provisions of this bill will hopefully aid in preventing some of those situations in the future. Should somebody suspect something of happening, they could bring it to the authorities and they could intervene either to confiscate the gun or take away the licence and put restrictions on that individual. That did not happen here, so we don't have foresight into the future. We know in other places like the United States, where there are red- and yellow-flag laws, it would make a significant difference in preventing these types of situations from repeating themselves.

I'm hoping that if this bill does pass, it will aid people in the future with knowledge that there were issues in that home or with that landlord, and they could have brought it to the attention of the authorities to ensure something tragic wouldn't happen. Now, nobody did that, but I think the government is committed so that, if the bill does pass, those provisions will get pronouncement so the public will better know how to use them in a more effective way.

In regard to sport shooters, it's critical for us to recognize the important role they play in the Olympics and Paralympics in our country. For those who desire to continue to participate in that sport, I don't think this bill will impact them in any way, shape or form. There are some requirements they must meet if they are legitimately involved in the sport and continue to practise and train going forward. The bill clearly recognizes that. It was improved in the other place as a result of the debate that took place and those who went before the committee.

Hon. Andrew Cardozo: Thank you, Senator Yussuff, for sponsoring this bill.

I want to ask you about the last round of amendments that the government brought in. There were certainly advocates for stronger gun laws who felt that the government had watered down the legislation more than they expected and more than they were pleased to see. What is your response to those who feel that the bill, as it stands, is not strong enough?

Senator Yussuff: Thank you, Senator Cardozo, for your question. Hindsight is 20/20. Again, in the context of the government initiating this bill and trying to get support in the other place from the opposition, they ended up getting support from three parties. Some amendments had the support of all parties in the other place, recognizing that, in order to get a piece of legislation over here, there were compromises made in regard to what the legislation currently reflects.

From a personal view, reading the bill and watching the issue being debated, I think they reached a balance in trying to bring forth a piece of legislation that Canadians have been demanding the government to act upon for quite some time. I think it reflects that. I'm sure when the committee hearings start, we will hear from those who think the bill has gone too far and from those who think it hasn't gone far enough. We will get to evaluate that for ourselves as senators and make a judgment.

From my perspective as the sponsor of the bill, I believe the bill has struck a balance, and I am hoping that colleagues will see that, not only in the context of the debate here, but also what the witnesses will say when they come before committee.

Senator Plett: Thank you. I want to make one comment about sport shooters. Of course, I will be making my own speech on this in the next little while, if the government leader doesn't decide to put closure on it before we get to it next week.

I do want to make a comment about sport shooters. In fact, allowing sport shooters to continue, as this bill — you're right — does, is a little bit like saying you can play hockey, but we will start hockey at the NHL. Nobody below NHL level can play hockey. That's what this does. We can still have the Olympic shooters, but we can't have the amateurs training to come up. Now, you're right, the bill addresses the fact that we want to deal with this, but it's not dealing with it. This is, again, the government saying, "Trust us. We will deal with this." But it's not in the bill, Senator Yussuff.

• (2040)

Right now, the way the bill reads, you can go to the Olympics and be a sports shooter but you cannot practise going up to the Olympics. So how many people will we have in the Olympics if we cannot train them?

I have one final question, and I thank you for your indulgence, Senator Yussuff. But you do state — and you said it again:

> . . . 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.

I do agree with you. Finding that balance is no easy task. But based on the criticism that this bill has received from all sides, I would say that the government has actually destroyed a balance that previously existed, Senator Yussuff.

The bill is opposed by most provinces. It is opposed by hunters and sports shooters, even though you say sports shooters will be able to continue. It has been opposed by police witnesses who have appeared on this bill and have said that it will do nothing to stop the illegal guns on the streets. The criminal justice section of the Canadian Bar Association has said that the red flag provisions in the bill simply duplicate powers that already exist to seize firearms from persons who may be a danger to themselves or others.

So, Senator Yussuff, what do you or what does the government actually believe it has accomplished in the face of all of this opposition?

Senator Yussuff: Well, again, thank you for your question and, of course, your comments.

The reality, of course, is I think we probably won't agree that this bill has achieved balance because you have a perspective, and I respect that. And, equally, I hope that you will respect mine — that there were many witnesses who came before the committee, including the chiefs of police who spoke to provisions in the bill that will interdict guns at the border. They support those measures. They are not against them. I understand that, yes, some of the witnesses do not like certain provisions in the bill and have spoken out against that. But I think that it would be wrong to suggest that there is not support for this bill, for many aspects of it, from the witnesses who came before the committee in the other place to talk about the provisions in the bill.

I do believe in the context of debate around guns in our country, as it is in the other place that we have witnessed, there is always going to be some polarization. But I think that as honourable senators in this place we recognize the importance of trying to find a balance and do the right thing. I think this bill achieves that. It may not be perfect from certain perspectives, but I believe that if it is passed and it should become law, it will make a significant difference in making our country and communities a safer place for all of us.

There will always be those who disagree, who think there should be no restriction on them owning guns in this country. The reality is, I do believe, there have to be some restrictions.

I was fortunate to go to the RCMP gun vault at the beginning of my tenure to understand some of the complexity in the work that they are doing. I came away from there frightened, not because of what they were doing — when they showed me the guns that they had interdicted across the country that I was privy to look at, I was literally scared out of my pants because I could not understand why anyone would want to have any one of those weapons. These were not toys. These were machines that were created to kill human beings in a massive way. They brought them into our country, and they were interdicted. I know there are many in our country today.

My point, senator, is that we will get this bill to committee. I am sure that there are things you and I will disagree on and there are things we will agree on. We recognize we have to do something to improve the safety of Canadians in this country in a variety of ways. Interdicting guns coming in across our borders is one of those. But also trying to deal with gun violence that is happening in our country is another. Trying to ensure that young people do not get into the gun culture in our country is something we can also work at.

As you know, the government has invested a significant amount of resources right across this country, working on the front lines. I think it is wrong for you to say the majority of provinces are against the bill. I know some provinces are against the bill. I live here in Ontario and I certainly know my province has not spoken out against this bill, because there is a recognition in Ontario that we have to do something about gun violence in this country.

Thank you so much for your question. I look forward, of course, to this bill going to committee, and I look forward to you speaking on the bill next week at second reading.

Hon. Stan Kutcher: Honourable senators, I rise today to speak to Bill C-21, specifically on an important topic that this bill may impact on but that has not been really addressed to date; that is, what the impact of this bill will be on suicide rates in Canada. My hope is that, by raising this issue, when the bill is referred to committee, the committee will seek input from expert witnesses on suicide prevention and gun control legislation.

Colleagues, before proceeding I would like to acknowledge that the material and the subject of my intervention can be very difficult for some people. It deals with life and death issues. It will touch on mental illness and self-harm. I would encourage any of our colleagues and anyone who is listening or watching this debate to know that if you are having difficulties or thoughts of self-harm, please seek help. Asking for help is a sign of strength, and there are many avenues for help and support.

The importance of suicide prevention is well known in this chamber. The Standing Senate Committee on Social Affairs, Science and Technology will soon be tabling its report on the study of the effectiveness of the national Suicide Prevention Framework in decreasing rates of suicide in Canada. Numerous senators have spoken to the importance of suicide prevention during our debate on the motion for said study, as well as debates on recent legislation in which the topic of suicide prevention was raised.

I think we can safely say that our debates were very much in support of effective measures to reduce suicide rates in Canada. The most effective public health measure for suicide prevention is means restriction, such as better controls around gun availability.

Suicide disproportionately impacts men. About 75% of those who die by suicide in Canada are men, and suicide is three times as common in men compared to women. The statistics related to suicide and guns are disheartening. Many studies have noted that firearms play a significant role in completed suicides, especially in men.

The accessibility of lethal means such as guns during times of despair can swiftly transform impulsive thought into irreversible action.

In Canada, in the five years between 2016 and 2020, 2,777 men died from firearm suicide. Over that same period, 82 women died by similar means. That is a ratio of about 33 to 1 — 10 times greater than the overall male-to-female suicide ratio.

For additional context, when all fatal firearm injuries for that period are considered, about 70% were suicides — not homicides, colleagues, suicides. Of gun-related deaths in Canada, 70% are suicides.

A recent study in Ontario found that over two thirds of firearm-related deaths were suicides, mostly men and mostly in rural areas. On average, during that period in Canada, about 550 men died by gun-related suicide per year. Compare that to a rate of less than 50 deaths per year from testicular cancer. And merely owning a handgun is associated with much higher rates of suicide.

A recent study of about 26 million people followed for a period of 12 years noted:

> Men who owned handguns were eight times more likely than men who didn't to die of self-inflicted gunshot wounds. Women who owned handguns were more than 35 times more likely than women who didn't to kill themselves with a gun.

As policy-makers who are truly concerned about suicide prevention, we bear the responsibility of recognizing this relationship between firearm ownership and suicide and the need to take decisive action to address it. By acknowledging the connection between firearm ownership and suicide risk, we have the power to save lives and create a safer environment for all.

• (2050)

Today, I would like to empathize the need for your support of a bill that limits access to firearms. By so doing, we may be able to reduce impulsive acts of self-harm that have a high probability of resulting in death. Robust research consistently demonstrates that when individuals in crisis face restricted access to lethal means, the likelihood of suicide diminishes. One of the best public health strategies for suicide prevention in males is limiting access to guns.

It is important to acknowledge that many different concerns regarding this bill — other than suicide prevention — have been raised. We have seen some of the discussion between Senator Plett and Senator Yussuff addressing those important issues.

We must address those concerns and seek common ground. Balancing responsible firearms access and suicide prevention related to firearms can be an attainable goal — one that respects the rights of gun owners while prioritizing public safety and the preservation of lives.

Effective implementation requires collaboration, open dialogue and a willingness to find innovative solutions. We must draw upon the expertise of various stakeholders, including gun owners, mental health professionals, law enforcement agencies and advocacy organizations. Enacting well-informed firearms legislation that recognizes these complexities should be our goal.

We have an opportunity through our study of Bill C-21 to better understand how legislative interventions can be implemented to achieve the goal of means restricted suicide prevention as it applies to firearms in Canada.

Some studies of the impact of Bill C-51, Canada's Criminal Law Amendment Act, 1977, have suggested that legislation may have had an impact in decreasing gun-related suicide. Other studies of the impact of that legislation and other bills — Bill C-17 in 1991 and Bill C-68 in 1995 — suggested more nuanced outcomes.

Realizing that not all legislation related to firearms restrictions is the same, I hope that the committee studying Bill C-21 considers how to encourage the government to conduct a detailed analysis of the impact of this bill on firearm suicide rates in males in Canada. We need to know that information. The committee could make a point of calling witnesses who can help us understand that and how that works in Canada.

Colleagues, as we critically study this legislation, we need to address the multitude of issues that it touches upon. Like you, I have been made aware of numerous concerns — reasonable and good concerns — about Bill C-21 raised by many Canadians. Although I have waded through countless emails and letters, I have not seen anyone raise this issue — that is, the relationship between male suicide rates and gun ownership in the Canadian context.

Thank you for allowing me to raise it here. I hope the committee will consider calling witnesses who can speak to this issue in more depth, and that we all keep this important association in mind as we ponder how we move this legislation forward. Thank you, *wela'lioq*.

(On motion of Senator Martin, debate adjourned.)

[*Translation*]

THE ESTIMATES, 2023-24

NATIONAL FINANCE COMMITTEE AUTHORIZED TO STUDY SUPPLEMENTARY ESTIMATES (A)

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of May 30, 2023, moved:

> That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (A) for the fiscal year ending March 31, 2024;
>
> That, for the purpose of this study, the committee have the power to meet, even though the Senate may then be sitting or adjourned, and that rules 12-18(1) and 12-18(2) be suspended in relation thereto; and
>
> That the committee be permitted, notwithstanding usual practices, to deposit its report with the Clerk of the Senate, if the Senate is not then sitting, and that the report be deemed to have been tabled in the Senate.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[*English*]

ADJOURNMENT

MOTION ADOPTED

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of May 31, 2023, moved:

> 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.

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

Hon. Senators: Agreed.

(Motion agreed to.)

CUSTOMS TARIFF

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Housakos, seconded by the Honourable Senator Ataullahjan, for the second reading of Bill S-204, An Act to amend the Customs Tariff (goods from Xinjiang).

Hon. Bernadette Clement: Honourable senators, I note that this item is at day 15, and I am not ready to speak at this time. Therefore, with leave of the Senate, and notwithstanding rule 4-15(3), I move the adjournment of the debate for the balance of my time.

The Hon. the Speaker: Honourable senators, is leave granted?

Hon. Senators: Agreed.

(Debate adjourned.)

CITIZENSHIP ACT
IMMIGRATION AND REFUGEE PROTECTION ACT

BILL TO AMEND—SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Jaffer, seconded by the Honourable Senator Cormier, for the second reading of Bill S-235, An Act to amend the Citizenship Act and the Immigration and Refugee Protection Act.

Hon. Victor Oh: Honourable senators, I rise today to speak on Bill S-235, An Act to amend the Citizenship Act and the Immigration and Refugee Protection Act, introduced by my friend and colleague the Honourable Mobina Jaffer.

I want to begin by stating that I will be supporting this bill. As a country, we must judge ourselves by how we treat the most vulnerable among us.

As Senator Jaffer mentioned in her speech, in 2017, I had the opportunity to introduce an amendment to Bill C-6, An Act to amend the Citizenship Act and to make consequential amendments to another Act, to ensure equitable access to citizenship for individuals under the age of 18. Today, I remain proud to have played a small role in advancing the rights of non-citizen children, including those in care.

That being said, I knew then — and I know now — how much more work is needed. I commend Senator Jaffer for introducing this legislation, and I commit to working with her to secure its passage.

This bill aims to amend both the Citizenship Act and the Immigration and Refugee Protection Act to support some of most vulnerable members in our society — non-citizens involved in the child welfare system.

In essence, this bill ensures that young people can obtain citizenship while in care. Failure to obtain this status before transitioning into adulthood can significantly impact the outcomes of this population, including limiting their access to federally or provincially funded health services, post-secondary educational opportunities and employment prospects. It can also jeopardize their ability to stay in Canada.

• (2100)

If passed, this bill would help fill some of the current gaps found at the intersection of the child welfare system, which is a provincial responsibility, and the citizenship and immigration system, which is a federal responsibility. It is time for both sides to work together for the benefit of non-citizen children.

There are multiple reasons why children in care might not have citizenship. Some might have arrived in the country with parents or relatives, while others did so on their own as unaccompanied minors. They might have lived here for years, or they might have only just arrived. Some might be permanent residents but lack documentation or be parents who are facing deportation due to the rejection of a refugee claim. Others might be in the process of applying for compassionate consideration or be victims of human trafficking.

In all circumstances, these young people have come into the care of the state because they are experiencing or are at risk of experiencing abuse, neglect and/or abandonment. Once a child is placed in the care of the state, it is our responsibility to support their long-term safety and well-being. No one should be left in limbo without the full rights and protection that citizenship entails.

As it stands, non-citizen children and youth are protected while in the care of the child welfare system, but what happens once they transition into adulthood and become involved with the criminal justice system?

Youth who leave care without citizenship and receive a criminal conviction in an adult court risk being deported. As many such youth have lived in Canada for most of their lives, they have no family, friends or connections in their country of origin. They might, in fact, no longer be familiar with their birth language or culture. Could you imagine being forced to leave everything you know and everyone you love, and having to adapt and live in a country that is no longer yours?

Let us not forget that some of these individuals will have fled political unrest, civil war or political oppression. As a result of these or other traumatic experiences, this population might grapple with mental health issues and traumas.

Why is Canada leaving these vulnerable young people at risk of deportation and other adverse outcomes in adulthood? This population is in dire need of long-term protection and support. Many of these young people have been raised in Canada and feel a strong sense of belonging and attachment. They cannot imagine living anywhere else.

Over the years, many stories have been shared with me of young people stunned to find out that they were not legal citizens. I have also met many who, as a result of the previous amendment, have been able to become citizens. How many more lives could we change with this bill?

Senators, citizenship is more than just about being able to vote, accessing consular services or having legal rights. It is about belonging, and feeling secure and protected in the land that you consider home. I believe that these young people are every bit as Canadian as you and me.

I believe this bill will provide a pathway to citizenship for these vulnerable young people as they transition out of care and grant them the same rights and opportunities that their peers in the general population enjoy. I believe we have a legal and moral obligation to support these children and youth who are living among us and who are in need of our care. That is why I support this bill.

Colleagues, now you know why I'm a friendly critic. I urge you to support this bill. Thank you.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

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

DEPARTMENT OF EMPLOYMENT AND SOCIAL DEVELOPMENT ACT EMPLOYMENT INSURANCE ACT

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Bellemare, seconded by the Honourable Senator Dalphond, for the second reading of Bill S-244, An Act to amend the Department of Employment and Social Development Act and the Employment Insurance Act (Employment Insurance Council).

Hon. Ratna Omidvar: Honourable senators, this item is adjourned in the name of Senator Housakos, and I ask for leave of the Senate that, following my intervention, it be re-adjourned in Senator Housakos's name for the balance of his time.

The Hon. the Speaker pro tempore: Honourable senators, is leave granted?

Hon. Senators: Agreed.

The Hon. the Speaker pro tempore: So ordered. On debate, Senator Omidvar.

Senator Omidvar: Honourable senators, I rise today to speak on Bill S-244, An Act to amend the Department of Employment and Social Development Act and the Employment Insurance Act (Employment Insurance Council).

I would like to thank the sponsor, Senator Bellemare, for bringing this legislation forward. I support the principle of this legislation and encourage senators to move it to committee for further study.

I think we can all agree that increased and better collaboration between employers, employees and their union representatives is good for all, particularly as they are significant stakeholders in the Employment Insurance system.

Senator Bellemare uses the terminology "social dialogue" to define that process, and social dialogue in labour relations encompasses the process of communication between employers; employees; their representatives, such as unions; and sometimes the government on issues related to labour policies, employment and working conditions. It is based on the principles of cooperation, mutual respect and the search for common goals.

The outcome is more effective and more harmonious relations where both employers and employees have a voice in the decision-making process on issues that affect them both. It takes place in various forms, including consultations, collective bargaining and dialogues between government, employers and employees.

Colleagues, I wish to draw your attention to best practices from other parts of the world. The Nordic countries have a strong history of collaboration between trade unions and employers that has produced high rates of unionization and lower levels of income inequality. In France, social dialogue between unions, employer organizations and the government is used to negotiate policies and regulations.

• (2110)

In Germany — a country I know well — they have requirements for employees to participate in corporate decision making. In German, this is called *Mitbestimmung* or "codetermination." As researchers Bennet Berger and Elena Vaccarino from Bruegel have pointed out, codetermination is deeply rooted in the tradition of German corporate governance, and it has existed in its current form since the Codetermination Act of 1976. It has an explicit social dimension: As the German Federal Constitutional Court ruled, codetermination on the company level is meant to introduce equal participation of shareholders and employees in corporate decision making, and complements the economic legitimacy of a firm's management with a social dimension. Codetermination is, therefore, about a democratic decision-making process at the firm level, as well as the equality of capital and work.

I think the proof is in the pudding: We know that Germany is the economic heartbeat of Europe. We know that German companies and workers have not suffered. In fact, they've gained because of codetermination.

Researchers have pointed out that studies from Germany's experience with codetermination indicate that it leads to less short-termism in corporate decision making and much higher levels of pay equality, while other studies demonstrate positive results on productivity and innovation.

Colleagues, Senator Bellemare is using the spirit and the practice of social dialogue in the creation of the employment insurance council. We know that Employment Insurance is an equal proposition where employees and employers pay into the system. Therefore, it begs to reason that both should have a voice in how it is determined, how the rates are set and what the future of the system will be. I believe that this is overdue.

The bill outlines the composition of this new employment insurance council, as well as its roles and responsibilities. I agree with much of what the sponsor has included here: five representatives from labour and five representatives from employers being mandatory on the advisory council.

In addition, Senator Bellemare proposes an observing group to include Indigenous representation. I'm not entirely clear why Indigenous representation is an observing group, and why they are not in the proposed employment insurance council. I suggest that this is something the committee should study. Also, it's not mentioned how other equity-deserving groups are included in this council. I believe that this is a factor that should be focused on in committee.

There is another part of the bill that has not received much attention in this chamber. The bill amends the Department of Employment and Social Development to pull together the powers, the duties and the functions of the Canada Employment Insurance Commission which, right now, are sprinkled throughout the act — you have to go on a fishing expedition to find them. Senator Bellemare's bill brings some efficiency by putting them together in one place.

Included in this are monitoring and assessing the assistance provided under the Employment Insurance Act; reporting annually on its assessment to the minister, who must table it in Parliament; reviewing and approving policies related to the administration of employment benefits or support measures under the Employment Insurance Act; making regulations under this act; engaging the services of an actuary, as described in subsection 28(4), to perform actuarial forecasts; setting the Employment Insurance premium rate for each year, in accordance with section 66 of the Employment Insurance Act; et cetera.

Frankly, I'm agnostic on this list of duties, but I do believe it needs to be studied with a great deal of thoroughness at committee.

I believe this is an important bill. I think it should be sent to committee to be studied. Colleagues have already spoken about it, and I urge you to send it to committee as soon as you can. Thank you.

(Debate adjourned.)

NATIONAL STRATEGY FOR THE PREVENTION OF INTIMATE PARTNER VIOLENCE BILL

SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Manning, seconded by the Honourable Senator Batters, for the second reading of Bill S-249, An Act respecting the development of a national strategy for the prevention of intimate partner violence.

Hon. Kim Pate: Honourable senators, I rise today to speak as the critic — albeit a rather friendly one — of Bill S-249, An Act respecting the development of a national strategy for the prevention of intimate partner violence. I first spoke to this bill on October 16, 2018, after its original introduction. We thank Senator Manning for all of his work on this — in collaboration with and inspired by the indomitable Georgina McGrath.

Bill S-249 focuses on the too-often irreparable harm caused by violence against women. It calls upon the federal government — in consultation with federal ministers and representatives of the provincial and territorial governments, as well as other relevant groups that provide services to survivors — to develop a national strategy to prevent and address intimate partner violence. Particularly in light of the horrific realities exposed by the National Inquiry into Missing and Murdered Indigenous Women and Girls, it is imperative that Indigenous women leaders and governance bodies be included.

The need for a comprehensive and holistic national action plan was highlighted by the United Nations Special Rapporteur on violence against women and girls, following her visit to Canada in 2018. Significantly, her findings have been underscored by too many inquests, investigations and inquiries — most recently, the Mass Casualty Commission.

Violence against women and intimate partner violence are pervasive, and we have consistently failed to offer adequate support to those in danger. The strategy proposed by Bill S-249 must interrogate the status quo, including economic, social, legal and health realities that facilitate continued victimization.

Honourable senators, if this initiative is to be more than well intentioned and informative, we will need to act with intention.

Thirty years ago, in 1993, the National Action Committee on the Status of Women, or NAC — the largest national feminist organization of its time, with over 700 affiliated groups — formulated the 99 Federal Steps to End Violence Against Women. NAC recognized that violence against women is fundamentally and inextricably rooted in women's substantive inequality. The strategy recognized that poor women, women with disabilities, women of colour, and Indigenous women:

> . . . are more likely to be victim of assault, we seem to have difficulty seeing the advantage men have over these women and how those legal, social and economic advantages become part of the weaponry of violent attacks. Every kind of entrenched advantage (whether because he is of the dominant race or because he is a professional) is too often used to harm women. No program to end violence against women can be effective if it does not disrupt and transform those power relations toward equality.

These are true words 30 years later.

Today, we have the assessments of the Mass Casualty Commission in Nova Scotia and the inquest recommendations from the Renfrew County triple murder, or femicide — which is also the subject of the inquiry launched by Senator Boniface — as well as the May-Iles and countless other investigations and inquests.

Commissions and front-line, grassroots organizations agree that intimate partner violence and violence against women are, fundamentally, an issue of equality. The reissued call for a National Action Plan on Violence Against Women & Gender-Based Violence, coordinated by Women's Shelters Canada and released in 2020, states that:

> Violence against women (VAW) and gender-based violence (GBV) are not only stand-alone harms. They both express and re-enforce inequality; this is a crucial factor in how to anticipate, combat, and prevent violence against women and gender-based violence, namely, through holistic law and policy.

Senator Manning described violence against women as an urgent and widespread public health issue. Violence against women is also, fundamentally, a crisis of equality that manifests itself and is perpetuated in multiple spheres.

It follows that crime prevention or public health models alone are not sufficient. Upholding substantive equality requires reducing the costs and barriers associated with leaving abusive relationships.

Senator Manning also noted that violence against women is perhaps the most pervasive form of human rights abuse, knowing no boundaries of geography, culture or wealth. This is true. We also know that violence against women disproportionately, and too often fatally, impacts Indigenous women, women with disabilities, women of colour, 2SLGBTQIA+ folks and, most particularly, women living in poverty and women who are marginalized and oppressed, primarily through men using and abusing power.

• (2120)

We must situate intimate partner violence and violence against women in the broader power structures and systems that enable ongoing violence against the most marginalized and vulnerable. We must move beyond temporary, targeted and restrictive solutions, and we must recognize the systemic inequalities that affect an individual's ability to avoid or survive intimate partner violence.

We must also acknowledge the difficult truth that those who perpetrate violence are often themselves victims of abuse. A holistic strategy must ensure that survivors receive support as a means to disrupt intergenerational patterns of abuse.

As Senator Dalphond reminded us, in 2018, this bill was referred to the Standing Senate Committee on Social Affairs, Science and Technology, where it died because of the subsequent election. The reintroduction of Bill S-249 allows us to consider what has changed since 2018 and, tragically, what has remained the same or become worse.

Between 2018 and 2021 — unfortunately, these are the most recent statistics available — at least 251 people living in Canada were killed by an intimate partner. According to the 2019 *Report of the Special Rapporteur on violence against women, its causes and consequences*, "Approximately every 2.5 days, a woman in Canada is killed by her intimate partner." This, colleagues, is femicide.

Those killed were predominantly women, and devastatingly, they were disproportionately Indigenous women. Indigenous women account for approximately 5% of women in Canada, but approximately 20% of women killed by an intimate partner. Worse yet, 12% of unsolved homicides involve non-Indigenous women victims, but 40% involve Indigenous women.

A strategy to address violence against women must reflect commitments by Canada to implement the Calls for Justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls, including vital economic, social, health, legal and governance reforms. The National Inquiry was our country's response to the ". . . staggering rates of violence against Indigenous women, girls and 2SLGBTQQIA people," and recognizes this violence as no less than genocide.

The COVID-19 pandemic also exacerbated inequality, and so, horrifically but not surprisingly, worsened violence against women. It became known as the "shadow pandemic," a term that was adopted to capture this intensification of violence against women through a perfect storm of conditions perpetuating abuse, such as stay-at-home orders and closures increasing both the rate and severity of intimate partner violence, increased circumstances of isolation, intensified economic and other stressors and made services of support increasingly difficult to access.

A Toronto-based support group called Women at the Centre reported a 9,000% increase in calls for help by the end of 2021. A national strategy must account for the increased demand for support services in the years to come, the systemic gaps in support laid bare and exacerbated by the pandemic and the spectre of future public health and other emergencies.

Researchers at York University have also identified that the "pre-pandemic tendency of decision makers to focus on incident-based physical violence instead of patterns of coercive control" heightens the risk posed to survivors by making it more difficult to prove the existence of violence in court:

> Limited access to medical, counselling, mental health, and other services during COVID-19 negatively impacted women's ability to prove domestic violence to the satisfaction of decision makers. . . .

A national strategy must re-evaluate what is needed to provide meaningful access to justice and safety for women and children.

A national strategy must also address social assistance, family law, child welfare, criminal law and civil protection orders — the domains of state action with which survivors of domestic violence most frequently engage — and must demonstrate sensitivity to the unique ways in which violence manifests in the aftermath of the shadow pandemic.

To seek help, survivors must be confident that social, financial and legal support is not only available, but also accessible. As the Mass Casualty Commission, the National Inquiry into Missing and Murdered Indigenous Women and Girls and countless research works underscore, the shadow pandemic also exposed particularly insidious new tactics of monitoring and coercive control, which have been evolving with technology.

A national strategy must account for the duality of technology, simultaneously offering a lifeline to individuals in need of support and a new sphere for violence and abuse that constitutes an additional barrier to survivors' ability to escape.

In 2021, police in Canada reported 114,132 victims of intimate partner violence — this exceeds the population of St. John's, Newfoundland — and 2021 marked the seventh consecutive year that intimate partner violence increased in prevalence.

It is no accident that, at the same time, and as the National Inquiry into Missing and Murdered Indigenous Women and Girls underscored, the incarceration rate of Indigenous women continues to escalate. Indigenous women are too often jailed for incidents of personal violence, predominantly in response to or to prevent violence being perpetrated against them or others for whom they are responsible.

We know this, and we know that approximately 70% of incidents of domestic violence and 81% of incidents of spousal violence are never reported to the police. This is especially true for Indigenous women, who learn early on that the legal systems are unlikely to protect them. They are, consequently, essentially deputized to protect themselves. This reality also needs to be part of the development of a comprehensive plan to address violence against women.

We must also remember that statistics do not come close to painting the whole picture. The nature of intimate partner violence is such that it is too often hidden from view. It is covert. It is coercive. It is deplorable.

In exploring how intimate partner violence has continued to increase, both in prevalence and intensity, we must ask another difficult question: Why?

Senator Manning noted that those unfamiliar with power dynamics surrounding abuse may wonder why women do not simply leave these abusive partners. Those unfamiliar with racism or immigration insecurity may fail to understand the pressure on women in communities to not report for fear of the potential negative impact on victims and entire families. Those unfamiliar with poverty too often make similar assessments. Economic insecurity routinely and systematically restricts the choices of those who lack financial security and directly and negatively impacts equality.

The feminization of poverty is a devastating and compounding risk factor for individuals who are already subject to violence at the highest rates. As Senator Manning mentioned, Statistics Canada found that:

> Indigenous women experience violent victimization at a rate . . . 2.7 times higher than that reported by non-[Indigenous] females.

Indeed, as the Truth and Reconciliation Commission and the National Inquiry into Missing and Murdered Indigenous Women and Girls revealed, Indigenous women and girls are more likely than other women to experience violence and poverty. Indigenous women were also more financially impacted by COVID-19 than other Canadians, with 46% of Indigenous women reporting a moderate or major financial impact, relative to 34% of the broader Canadian population.

As the National Inquiry into Missing and Murdered Indigenous Women and Girls identified, in order to achieve substantive equality, we must provide guaranteed livable incomes to allow women and gender-diverse individuals to move out of poverty. The inadequacy and uncertainty of social assistance schemes were brought into plain sight as we recently debated the Canada disability benefit act.

This inadequacy must be part of the issues examined at committee review of this bill.

A 2012 study reported that over 80% of the costs of intimate partner violence in Canada — an estimated $6 billion per year — are borne by victims themselves in the form of medical interventions, lost wages, lost education, stolen or damaged property and pain and suffering.

• (2130)

According to a 2021 study by the Canadian Centre for Women's Empowerment, 80% of survivors of intimate partner violence surveyed in the National Capital Region reported that their partner displayed more controlling and coercive behaviours related to their finances and economic stability during the pandemic. Horrifically, a striking 10% returned to their partners because of financial constraints.

Thirty years ago, the National Action Committee on the Status of Women's *99 Federal Steps to End Violence Against Women* noted:

> Federal government initiatives must reflect the current facts that it is the vulnerability of women and children, particularly [Indigenous] women, women of colour, women trapped in poverty and women with disabilities that are the definitive factor in preventing this type of crime. Therefore, monies should be allocated directly to ameliorating those conditions. Monies must not be directed to police, jails, deputising the community, social worker programs, research on these vulnerable groups, or new bureaucratic bodies. Those measures do not reduce violent crime . . . .

This was reiterated at a public hearing of the Mass Casualty Commission by Professor Isabel Grant, who noted that "economic self-sufficiency for every woman in this country" is a vital part "of facilitating women's abilities to escape both physical and sexual violence." This perspective was reiterated today by anti-violence workers at our Standing Senate Committee on Legal and Constitutional Affairs. Liberation from abuse requires choice. Poverty is antithetical to choice.

In addition to incorporating the findings of far too many commissions, investigations, inquiries and inquests, the strategy proposed by Senator Manning must account for the need to provide women and victims with financial autonomy and stability. A national strategy must acknowledge the inadequacies of existing social supports and assistance that underscore the need for measures like guaranteed livable incomes, health care, housing options, universal child care — ameliorative approaches that provide increased options for women to leave abusers.

Along with financial concerns, we must recognize the role of the housing crisis, homelessness and shelters with respect to violence against women and intimate partner violence. As Senator Manning noted, on any given night, 4,600 women and their 3,600 children are forced to sleep in emergency shelters as a result of violence. On a single day, 379 women and 215 children are turned away from shelters in Canada, usually because the shelters are full to capacity.

Women's Shelters Canada reports that:

> The lack of adequate shelter and housing options is one of the most significant barriers preventing women, girls, and gender-diverse individuals being able to leave situations of violence and rebuild their lives.
>
> . . . Across Canada, 13% of homelessness shelter beds are dedicated to women, while 68% are co-ed or dedicated to men.

The UN Special Rapporteur on violence against women and girls noted that within Canada, "the lack of adequate services to welcome women victims of violence with their children," especially Indigenous women, leads to concerns about losing custody of their children when seeking protection.

> Of the 215 shelters that responded to the 2018 "Shelter voices" survey, 47 per cent declared that they had no space available, which resulted in 75 per cent of requests for residential services not being accommodated.

Furthermore:

> Of the 552 shelters for victims of abuse operating in Canada in 2017-2018, just 6 per cent served women and children in indigenous communities.

Women and gender-diverse individuals — everyone — attempting to leave abusive relationships should have the power to do so. But they need the means to do so, and they need somewhere to go. The lack of accessible and affordable housing units makes people more vulnerable to precarious living arrangements and more susceptible to abuse.

Women with disabilities are at particular risk in Canada. As articulated by the United Nations Special Rapporteur:

> Because there is a lack of accessible and affordable housing, women with disabilities are forced into institutions and become even more vulnerable to abuse.

Women with disabilities are twice as likely as women without disabilities to be victims of violent crime and to be sexually assaulted.

A national strategy must recognize affordable and accessible housing as an economic priority for the government to ensure that women and gender-diverse persons, particularly those with disabilities and particularly those who are racialized, are not subject to further abuse.

Another element that demands our attention is the role of the criminal legal system in worsening circumstances for survivors and rendering victims more susceptible to further violence. Far too often, the risk factors for victimizing go hand in hand with the risk factors for criminalization, as 91% of Indigenous women and 87% of women overall in federal prisons have histories of physical or sexual abuse. For most, this underlying and unresolved trauma had a significant role to play in their criminalization, whether due to the lack of support from health and social services prior to being in crisis or as a result of being charged with a crime while defending themselves or their children from an abuser.

According to the report of the UN Special Rapporteur on violence against women and girls, within Canada:

> Indigenous women and girls . . . are three times more likely to be victimized by violence, including intimate partner violence . . . .

They are also approximately six times more likely to be a victim of homicide — also known as femicide, as I've already discussed — relative to the Canadian population. Of the incarcerated women in federal custody, 50% — and growing — are Indigenous.

The UN Special Rapporteur documented several additional patterns following her visit to Canada, namely, the victimization of women who request state protection against violence; the tendency of the best interests of the child when determining issues, including custody and access to be considered in isolation from abusive circumstances; and the lack of accessibility and inadequacy of legal aid services.

Furthermore, UN Special Rapporteur emphasized provisions in the Criminal Code requiring that judges consider all available sanctions other than imprisonment. She also noted that sections from the Corrections and Conditional Release Act designed to allow people to serve sentences in the community exist, but, unfortunately, this legislation is both underutilized and underfunded and often not communicated to the very women it is aimed at assisting.

As emphasized by the Special Rapporteur, there is an urgent need to provide alternatives to imprisonment and incarceration as a response to women with mental health conditions, especially those related to past trauma, and that incarcerating them actually violates international human rights standards. A national strategy must acknowledge the ongoing role of the criminal legal and prison systems in inadequate interventions to address the perpetration of violence, inadequate intervention to prevent violence and the worsening effects of abuse and violence for those who are victimized.

Furthermore, while abortion is not criminalized within Canada, there are both a lack of access to safe abortion services and ongoing instances of forced sterilization of Indigenous women, as we know well from our colleague Senator Boyer. Reproductive and sexual health should be part of a holistic strategy to address violence against women. The UN Special Rapporteur recognized these as part of the ongoing violence occasioned against women and girls within Canada, especially in the context of systemic discrimination, most particularly, against Indigenous women.

While international attention has been drawn to Canada's ongoing epidemic of violence and abuse against women and girls, we have long had local voices, incidents and inquests alerting us to such danger. We need to listen to them. Following the coroner's inquest into the triple murders of Carol Culleton, Nathalie Warmerdam and Anastasia Kuzyk in 2015, Renfrew County named femicide as an epidemic and highlighted the urgent and irrefutable need for an all-of-government and all-of-system approach to end the violence against women.

Neighbouring Renfrew County, Lanark's campaign is "See it. Name it. Change it." It recognizes that when violence is seen, it must be named in order to create change.

We see it all the time. In the 52 weeks preceding Lanark's declaration of an epidemic, 52 women within Ontario alone were killed — 52 femicides.

• (2140)

Honourable colleagues, let's all insist on naming and changing these realities if we truly wish to develop a national strategy to prevent and address intimate partner violence and violence against women.

The Mass Casualty Commission reiterated the need for all levels of government to "declare gender-based, intimate partner, and family violence to be an epidemic" and the corresponding need for a "society-wide response" supported by "epidemic-level funding for gender-based violence prevention and interventions." The report illustrates the central purpose underlying multiple proposals: the elimination of gender-based violence based in a commitment to equality, commencing with recognition of the underlying structural and systemic forces that enabled domestic and intimate partner violence to persist.

Let us take this opportunity to lay the foundation for a national strategy that is inclusive in its recognition of victims and survivors of gendered violence and specific in its identification of forces that must be dismantled to allow for substantive equality. Thirty years ago, the National Action Committee on the Status of Women recognized that ending violence against women required disrupting power relations towards equality.

Today, the message remains the same. The *National Action Plan on Violence Against Women & Gender-Based Violence: Reissued Call* and, this year, the Mass Casualty Commission renewed this call for substantive equality. Thirty years from now I hope we, or those who are here following us, can reflect back on this national strategy as the start of a monumental shift in our approach to gendered violence. *Meegwetch*, thank you.

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

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

[*Translation*]

JURY DUTY APPRECIATION WEEK BILL

SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Moncion, seconded by the Honourable Senator Dupuis, for the second reading of Bill S-252, An Act respecting Jury Duty Appreciation Week.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

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

[*English*]

NATIONAL FRAMEWORK FOR FETAL ALCOHOL SPECTRUM DISORDER BILL

SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Ravalia, seconded by the Honourable Senator Duncan, for the second reading of Bill S-253, An Act respecting a national framework for fetal alcohol spectrum disorder.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

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

FOOD AND DRUGS ACT

BILL TO AMEND—SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Brazeau, seconded by the Honourable Senator Housakos, for the second reading of Bill S-254, An Act to amend the Food and Drugs Act (warning label on alcoholic beverages).

Hon. Pat Duncan: Honourable senators, I rise today to speak to Bill S-254, An Act to amend the Food and Drugs Act (warning label on alcoholic beverages), introduced by our honourable colleague Senator Brazeau.

I appreciate his initiative and offer my deepest respects to all of my colleagues who have shared their personal stories. I honour you for sharing your personal journey in a very public way.

Gùnálchîsh, mähsi'cho. Thank you. I'm grateful to all senators for your presence and commitment to this debate and to Canadians.

Honourable senators have on several occasions mentioned the Yukon experience with labelling on alcohol. I believe sharing the full story and the Yukon experience will foster and contribute to the fulsome review of this bill as it moves to committee for further study.

As a sidebar, senators may be aware that on June 13 we will celebrate the one hundred and twenty-fifth anniversary of the Yukon Act. Senators may not be aware that part of the impetus for this act of Parliament was to regulate and collect taxes on alcohol in the Yukon Territory.

Yukon has a high rate of alcohol consumption to this day. It was also the high consumption of alcohol that prompted the territory to begin labelling alcohol more than 25 years ago.

Since 1991, liquor sold in the Yukon has had a warning label that drinking during pregnancy can cause birth defects. I mentioned during my second reading speech on Bill S-253, the national framework on fetal alcohol spectrum disorder act, that Yukon legislators and Yukoners have been dedicated for many years — decades — to the message that abstinence during pregnancy is best.

The Yukon Liquor Corporation has long advocated, as have many provinces, for a responsible approach beyond the labelling initiative with the Be A Responsible Server, or BARS, program.

Honourable senators, the mandate letter given in January 2017 to the then-minister responsible for the Yukon Liquor Corporation, John Streicker, required him to consult the Yukon Liquor Board, business community, consumers and civil society organizations to assess whether the Yukon's Liquor Act met current needs and provided an appropriate balance between economic opportunities and social responsibility.

The Northern Territories Alcohol Labels Study, an initiative of the University of Victoria, including researchers from Public Health Ontario, was developed and proposed in 2014. The study outline was to focus on the effectiveness of alcohol warning labels while also providing an opportunity to raise awareness about low-risk alcohol drinking guidelines, standard drink information and public health warnings.

Honourable senators, the preliminary survey of residents supporting the work of the study was conducted at both the Whitehorse, Yukon and Yellowknife, Northwest Territories liquor stores. The Northwest Territories had also been using warning labels regarding the risks of drinking during pregnancy for some time.

In the Northern Territories Alcohol Labels Study, the Northwest Territories was the control case and the Yukon was the test case. The study began upon receiving funding from Health Canada in 2017.

In November 2017, Yukoners were advised there would be new warning labels on alcohol in the Whitehorse liquor store. Information about the support campaign for the research study indicated it included information about Canada's low-risk alcohol drinking guidelines, standard drink measurements and how to reduce alcohol-related harms.

The media release about the warning labels quoted lead investigator Dr. Erin Hobin, who said, "Many Canadians remain largely unaware of the link between alcohol use and serious health risks including cancer."

It also quoted Yukon Chief Medical Officer of Health Dr. Brendan Hanley, who stated that:

> Having the Yukon Liquor Corporation participate in this study is an opportunity to learn more about our citizens' consumption and how we might help them further enjoy healthier lifestyle choices.

• (2150)

Dr. Hanley is now Yukon's Member of Parliament.

About a month later, the Northern Territories Alcohol Labels Study was suspended to evaluate the scope and messaging of the labels applied during the study.

Honourable senators, in February 2018, after discussions with the researchers, national brand representatives and other stakeholders, the Government of Yukon resumed the study. The study now used two labels to educate consumers, one that shows a standard drink size and a second that provided low-risk alcohol drinking guidelines. The health warning label about cancer was no longer part of the study.

The Yukon has a relatively small budget, few members in its legislative assembly and cabinet ministers usually have several portfolios. One subtle yet important difference between Yukon and the other territories and provinces is that the minister responsible for the sale of liquor in the provinces isn't necessarily present at the cabinet table like they are in the Yukon. How does the Yukon cabinet minister responsible for the liquor corporation persuade cabinet colleagues to engage in litigation with a major Canadian industry rather than spend the territorial budget on health care, education or repairing highways damaged by melting permafrost? Although the health warnings about cancer were no longer an element of the study, the research work is of real value in assessing whether warning labels are effective.

In his speech earlier this week, Senator Plett made it clear that there are conflicting findings and opinions on warning labels, and the honourable Leader of the Opposition made some valid points. In my region, we saw the effectiveness of warning labels. From the study, I note that people remember what the labels said, people talked about the labels and people drank less. From the study:

> Brightly coloured alcohol warning labels with a cancer warning, national drinking guidelines, and standard drink information help consumers make more informed and safer alcohol choices.

This is why I support the adoption of this bill at second reading and referring it to committee. Senator Plett and I are in agreement on that. Obtaining a consensus on the science, as was suggested, before we adopt the bill and send it to the other place is absolutely essential. Scientists tend to find points of contention on most issues, not unlike lawyers, economists and parliamentarians. By including diverging opinions and research findings in the examination of the bill, I'm confident that the committee will find an acceptable way.

The Northern Territories Alcohol Labels Study is one of the scientific studies that absolutely should be considered, along with the experiences of the Yukon government.

I note that Senator Brazeau, in recent media discussions of this bill, had a can of corn in his hand, pointing to the label on it. As a regular visitor to the grocery stores in Ottawa and in Whitehorse, I read the labels, and I witness many individuals doing the same. We want to know just how much sugar, fat, fibre and sodium is in the food we consume. We all are, or should be, acutely aware of the warning labels on the cleaning products we use. We are advised to safely store the brightly coloured detergent pods as they are dangerous if swallowed, not to mention the warnings on and banning of gardening products like pesticides and herbicides that are known to be carcinogens. Canada announced yesterday that warning labels will now be affixed to individual cigarettes.

Honourable senators, clear, science-based, peer-reviewed evidence supports the link between the consumption of alcohol, be it wine or beer, and cancer. This bill calls upon Canada to have a warning label that clearly states that alcohol is a known carcinogen. I trust that the committee that receives this bill will have a thorough review of it. The urgency with which this study should begin has been noted by Senator Mégie and others.

I strongly recommend the committee consider the information obtained through the Northern Territories Alcohol Label Studies and the Yukon experience. I look forward to offering my support to the committee's work, and, once the standing committee has done their due diligence, to send this bill to the other place for their support on this very important initiative. Thank you, colleagues. I appreciate your time tonight. Thank you, *gùnáłchîsh, mähsi'cho*.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

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

CANADA REVENUE AGENCY ACT

BILL TO AMEND—SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Downe, seconded by the Honourable Senator Tannas, for the second reading of Bill S-258, An Act to amend the Canada Revenue Agency Act (reporting on unpaid income tax).

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

(On motion of Senator Patterson (*Nunavut*), bill referred to the Standing Senate Committee on National Finance.)

HELLENIC HERITAGE MONTH BILL

SECOND READING—DEBATE ADJOURNED

Hon. Tony Loffreda moved second reading of Bill S-259, An Act to designate the month of March as Hellenic Heritage Month.

He said: Honourable senators, I rise today to speak to Bill S-259, An Act to designate the month of March as Hellenic Heritage Month. It is truly an honour to rise in this chamber to speak to my first Senate public bill. I want to thank Senator Housakos, who kindly seconded my bill and will serve as critic of the bill. I hope he will be a friendly critic.

In my remarks today, I wish to address four key points. First, I will briefly speak of my connection with the Hellenic community. This will clarify why I, a non-Greek, was asked to sponsor this bill. Second, I want to speak to how this bill came about, its genesis and its development. I will then provide a brief history of Canada's Greek heritage. Finally, I will end my remarks by sharing with you some of the positive feedback I have received from Hellenic organizations and community leaders who support the passage of Bill S-259.

My connection with the Hellenic community goes back many years. In fact, it goes back a few decades. In my former life, I had the honour of supporting various community organizations and ethnic groups by sponsoring, donating and chairing numerous events and fundraising activities. Montreal's Hellenic community was certainly one of the communities I had a deep connection with and close ties to.

Along with our colleague Senator Housakos, I am a patron and long-time supporter of the Montreal chapter of the American Hellenic Educational Progressive Association, also known as AHEPA.

I also serve as a distinguished patron of the Hellenic Ladies Benevolent Society, a non-profit organization that celebrated its one hundredth anniversary last year, and that helps those in need within the Hellenic community and beyond. Over the years, I am proud to say we've helped the community raise hundreds of thousands of dollars for many worthy causes that have benefited various groups and individuals of Hellenic descent.

• (2200)

Professionally and personally, I have also built strong relationships with many leaders, entrepreneurs and advocates within the community. To this day, some of my closest friends in Montreal are from the Hellenic community.

A few years ago, I was deeply honoured to have been named "Philhellene of the Year" by the Hellenic Community of Greater Montreal for my advocacy and commitment to the community. This award, which is proudly displayed in my home, is only given on rare occasions to non-Greeks and pays tribute to those who are committed to Hellenism, so I was particularly touched by the honour.

Most recently, in April 2022, I was privileged to accompany our former Speaker, along with Senator Housakos and Senator Saint-Germain, for an official visit to the Hellenic Republic. How fitting that my first official international trip as a senator was to Greece. It was a trip I will never forget.

We met with several parliamentarians and politicians including the Prime Minister, the President of the Hellenic Parliament, the Archbishop of Athens and various ministers and other officials. Eighty years after we formally established relations with the Hellenic Republic, our relationship is stronger than ever. We share the same democratic values, and both countries are collaborating in meaningful ways to enhance bilateral trade and investments and encourage wider cooperation in various fields, including education and business.

In some ways, my trip to Greece reminded me of the strong ties that unite our two nations and provided me with additional motivation to introduce this bill.

As you might know, a similar bill was introduced in March 2021 during the Forty-third Parliament by our colleague Annie Koutrakis, Member of Parliament for Vimy, a riding in the Montreal area. Regrettably, Ms. Koutrakis's Bill C-276 died on the Order Paper with the dissolution of Parliament and the subsequent federal election. Ms. Koutrakis, along with other parliamentarians and members of Canada's Hellenic diaspora, were committed to reintroducing the bill in the Forty-fourth Parliament.

Last fall I was approached by Ms. Koutrakis and Senator Housakos and asked to reintroduce the bill in the Senate. In light of my long-standing commitment to the community and love for all things Greek, they felt I was a natural choice to introduce a new bill and shepherd it through Parliament. I was honoured to be asked, and I happily agreed to do this for a community for which I have the utmost respect and admiration.

I know MP Koutrakis did a lot of community outreach prior to tabling her bill in 2021. I had confidence in her work, but I also felt I needed to reach out to community organizations and individuals on my own to seek their feedback on the previous version of the bill, especially the wording of the preamble.

After conducting some research of my own, I launched consultations earlier this year. I reached out to different organizations and many individuals across the country from a wide spectrum of sectors, including non-profits, academics and scholars, legal experts, community advocates, religious leaders and individuals of Greek heritage. In total, my office contacted nearly 150 different groups and individuals.

The feedback we received was unanimous: everyone supported this initiative, encouraged me to introduce the bill as soon as possible and — not to put any pressure on us — urged parliamentarians to adopt the bill as soon as possible. I will share some of these comments with you a little later in my speech.

Most importantly, I was delighted that we received some constructive suggestions and minor editorial changes to the preamble of Bill C-276, the predecessor of Bill S-259. Working with a few of our fellow parliamentarians, including MP Koutrakis and Senator Housakos, I feel we have properly integrated these changes to the bill we now have before us.

I am hopeful and confident that Bill S-259, in its current form, will meet the needs and aspirations of the Hellenic community. I trust the committee to which this bill will be referred will invite members of the community to hear their views on it.

For the record, I would like to take a moment to read the text of the preamble of the bill:

> Whereas over 260,000 Canadians are of Greek descent and numerous Greek communities exist across the country;
>
> Whereas Greek Canadians have made meaningful and lasting contributions to Canada's political, economic, scientific, legal, medical, cultural and social fabric, and in numerous other areas of value and significance;
>
> Whereas the origins of Canadian democracy can be traced back to the ancient Greek city-state of Athens;
>
> Whereas the month of March is culturally and spiritually significant for the Greek community, as it was on March 25, 1821, on the Great Feast of the Annunciation, that Greece commenced its war of independence from the Ottoman Empire, leading to the creation of the modern state of Greece;
>
> And whereas the celebration of Hellenic Heritage Month would encourage Greek Canadians to promote their culture and traditions and share them with their fellow Canadians . . . .

I want to publicly thank everyone who I think made the preamble better, along with MP Koutrakis who did a lot of the heavy lifting in the development of this bill.

Honourable senators, as you can see, Canadians and citizens from all over the world have many reasons to be appreciative of Hellenism, its legacy and impact on our democracies.

Canada, as you might know, established formal relations with the Hellenic Republic in 1942 at a time when the Greek government was in exile during the Second World War. Last year, we celebrated the eightieth anniversary of this partnership which also coincided with our Speaker's official visit. Of course, prior to this bilateral agreement, Canada was home to a small, yet strong and vibrant Hellenic community.

The history of Greek Canadians goes back nearly 200 years when some of the first immigrants settled in Montreal in the 1840s. According to archival records, by 1871 there were 39 persons of Greek origin known to be living in Canada. This modest number increased over the years thanks to two waves of emigration from Greece.

A first one occurred in the late 19th and early 20th century in response to the 1893 economic crisis in the republic. The second wave occurred after the Second World War. Of the more than 1 million Greeks who left their country during this second wave, nearly 120,000 chose Canada as their final destination. I have many family friends and acquaintances whose families arrived in Canada during this time.

Today, there are over 260,000 Canadians of Greek heritage in our nation. They are strong, they are proud and they are an integral part of Canada's cultural mosaic.

In a scholarly article published last year, the following account summarizes how Greek emigrants integrated into their new home country:

> . . . Greeks in Canada tried to balance their efforts at integration in their new country and maintaining their Greek identity as many of them were hopeful that they would return to Greece within a decade. For this reason, they established churches, language schools, and many secular associations, where Greek is used to a larger or lesser degree. Of course, they also run Greek-related businesses, such as restaurants and grocery stores, where members of the community also congregate and socialize.
>
> For various reasons . . . most of the Greek immigrant families stayed in Canada, and for the original immigrants and their descendants, integration became the main goal.

I think what is most telling about this statement is the fact that many Greeks who intended to return to Greece opted to stay in Canada. There are likely several reasons for this change of plan, but I like to think that many chose to stay in Canada because they felt welcomed, they felt right at home and knew Canada could offer them countless opportunities and a safe and caring environment to raise a family.

As The Canadian Encyclopedia explains:

> Greek immigrants who were professionals typically worked as engineers, lawyers, doctors, university professors and civil servants. Canadian-born Greeks tended to enter higher professional and skilled occupations than their parents through higher academic attainment.

Naturally, as the Greek population increased in Canada, so did the number of Greek-centric associations, organizations and churches in communities across the nation.

I don't like to single out any one group or individual, but I would be remiss if I didn't take a moment to highlight the work of the Canadian Order of the American Hellenic Education and Progressive Association, which I referred to earlier. An important component of AHEPA's mission, which includes chapters in every major city in North America, is to create an awareness of the principles of Hellenism to society.

These principles include a commitment to humanity, freedom and democracy. I have firsthand account of the Montreal chapter's outstanding work in giving back the community, whether through fundraisers, scholarship programs, poverty-relief efforts and more.

The first Canadian chapter of AHEPA was opened almost 100 years ago in Toronto "to help immigrants to settle comfortably in their new country without sacrificing their Hellenic identity and heritage." Not long after, the London chapter was opened, followed by the Montreal chapter in 1930. Montreal and Athens also have the distinction of being sister cities.

I would also like to say a brief word about the Hellenic Ladies Benevolent Society.

> Since 1922 the HLBS has assisted thousands of families and individuals in need of financial support through the disbursement of funds generated through its various fundraising activities. In Montreal, this society is an important pillar in our community, helping some of the most disadvantaged and disenfranchised.

• (2210)

Beyond these two organizations, there are several other not-for-profit groups, associations and institutes that represent the Hellenic community, promote its values and safeguard its history. I will refer to some of them in the next section of my remarks. Naturally, and as stipulated in the preamble of the bill, Canadians of Greek descent have also made lasting contributions to our nation in various fields, and I know these organizations have played an integral part in those individual success stories.

Spiritually and religiously, the Greek-Canadian community is also supported and guided by the Greek Orthodox Church. Saint George's Greek Orthodox Church, the first establishment of its kind in Canada, was founded in 1909 in Toronto.

The current archbishop is His Eminence Sotirios Athanassoulas, who has been serving Greek Canadians for six decades, and who recently wrote to me in support of Bill S-259. If you need any additional convincing that Greeks in Canada deserve a month-long celebration in their honour, no need to look any further than in Ontario where Queen's Park became the first legislature in Canada to formally recognize March as Hellenic Heritage Month in 2020.

Since then, the Government of Ontario has also committed $325,000 to support the planning and development of a new Greek-Canadian heritage museum to house a collection of artifacts in Toronto, which is where we can find the largest pool of Greek Canadians.

The feedback that the province received from stakeholders confirmed the need for a public space to connect generations to the legacy of Hellenic culture. The museum will be located at the archdiocesan headquarters. I know that Archbishop Sotirios welcomes this new project.

As I mentioned earlier, I worked with a few of our parliamentary colleagues over the course of several months in putting this bill together. Not only did Senator Housakos second the bill when I introduced it, but he is also serving as the friendly critic of the bill. I very much look forward to his remarks at second reading. If I have yet to convince you of the merits of this bill, I'm sure he will.

I am also happy to report that Emmanuella Lambropoulos, Liberal MP for Saint-Laurent in Montreal and a Canadian of Hellenic descent, will sponsor the bill in the other place.

The bill will be seconded by Dave Epp, Conservative MP for Chatham-Kent—Leamington. As you can see, we already have cross-party support, and I hope this bill will breeze through Parliament.

Through my consultations with the Hellenic community, I have amassed a great deal of support and formal endorsements from Canadians who welcome this legislative initiative. I think it's important to share some of this positive feedback.

The Canadian Hellenic Congress, or CHC, a national institution that represents, advances, advocates and promotes the interests and concerns of Canadians of Hellenic descent, was very favourable to the bill.

Dr. Theodore Halatsis, the President of the Canadian Hellenic Congress, wrote that the CHC "proudly and wholeheartedly endorses" my initiative, and pointed out that "modern-day Canadians of Hellenic descent have proudly contributed to Canada's wealth through various sectors."

The Canadian Order of the American Hellenic Educational Progressive Association, or AHEPA, also welcomed Bill S-259. As they pointed out, not only will this bill pay tribute to the contributions of Greek Canadians to the economic, social, political and scientific fabric of Canada over the past century, but it also pays homage to the contributions of Greek culture and civilization to Canadian values of liberty, democracy, education, civic responsibility and individual and family excellence.

The Socrates Educational Foundation wrote to me, indicating to what extent Bill S-259 "has elicited excitement and pride" with its members who reminded me of the fact that Hellenic ideas and concepts have been adopted around the world and form the basis of our Western civilization.

Vasilios Sioulas, President of the Ottawa Chapter of AHEPA, shared a touching story about his father who fought in the Second World War.

Like his father and countless others, Vasilios explained that:

> Greek immigrants crossed the sea to seek better opportunities . . . and after a grueling ocean voyage, a "Welcome to Canada" sign appeared on the horizon at Halifax's Pier 21.

As he wrote in his letter:

> The history of Greeks in Canada is full of inspiring stories of accomplishment and success. It is a history of significant and important contributions to their adopted country.

Should Bill S-259 be adopted, he feels that:

> . . . it will ignite the immortal spirit of our ancestors and fire our imagination to the beauty and mutual benefit of all concerned.

Vasilios's colleague at AHEPA, Nicolas Pantieras, also endorsed this initiative. He feels that:

> By recognizing March as Greek heritage month, we acknowledge and celebrate the rich cultural and historical contributions of the Greek community to Canada and the world. This recognition fosters a sense of inclusivity and their respect for diversity, promoting a deeper understanding and appreciation of Canada's multicultural society. It also provides an opportunity for Greeks to share their culture and heritage with the wider Canadian community, promoting intercultural dialogue and understanding.

Tony Lourakis, President of the Hellenic Heritage Foundation — a highly respected and professionally managed foundation that encourages and provides higher education in Hellenic studies — reminded me that what isn't shared, studied or recognized is ultimately forgotten.

Therefore, as he put it:

> Recognizing Hellenic culture and history is vital to preserving it and vital to understanding the roots of a culture that influences our society to this day.

He added:

> Recognizing Hellenic heritage month, gives us the opportunity to highlight Greece's priceless history, both classical and modern, while emphasizing Canada's greatest strength, which is undoubtedly its diversity.

I couldn't have said it better myself.

Archbishop Sotirios, the head of the Greek Orthodox Archdiocese of Canada, offered his full support, both personally and on behalf of the archdiocese. He wrote:

> This Act is not only important to the current Greek community of this country, but I believe it will be even more meaningful for future generations who are born and raised in this glorious country of Canada, but whose roots trace back to Greece and its unparalleled history.

Stanley Papulkas, President of Itoc Media Corporation, even suggested he would move the Greek International Film Festival Tour of Canada from the fall to March in order to build a nationwide celebration of Hellenic culture around Hellenic Heritage Month. As you can see, this bill is already getting the community excited.

Some have argued that bills to recognize special days, weeks or months are unnecessary. Obviously, I disagree with that opinion. Consider this testimony from Bill Molos, Program Director and Research Lead of the Hellenic Heritage Foundation Greek Canadian Archives at York University, when he said:

> Heritage months offer Canadians an opportunity to celebrate different cultural groups' contributions to our country. Empowering communities to share their stories, experiences, and perspectives helps to promote greater understanding and inclusion in Canadian society. And in learning about our differences, we nurture a sense of belonging to a shared Canada, blurring the contours of our vibrant mosaic.
>
> National recognition of March as Hellenic Heritage Month will not only help educate Canadians about Hellenism and Greek Canadian history, it will enhance existing efforts to promote cultural understanding and inspire new initiatives throughout the country.

Scott Gallimore, President of the Board of Directors of the Canadian Institute in Greece, or CIG, shared his organization's full support for the bill, indicating that:

> . . . the CIG believes this is an important initiative to further strengthen relationships between our two countries and to recognize the significant contributions that Greek citizens residing in Canada have made to our culture and way of life.

[*Translation*]

Professor Jacques Perreault from the Université de Montréal, who is also one of the directors of the CIG, endorsed my initiative, while reiterating that the Greek community is one of the most dynamic cultural communities in the country and that its contribution to the economic and cultural development of Canada and Quebec and the promotion of its cultural heritage have helped to build the Canada of today. Chris Adamopoulos and the staff of Montreal's École Socrates-Démosthène shared the following testimonial with me, and I quote:

> We think this initiative should be supported, of course, especially in this time of younger generations with Greek origins. There is a great need to revitalize their Greek heritage and also honour the contribution of past generations of Greek people.

I believe that Bill S-259 will make it possible to achieve this objective. Colleagues, I'll stop here, but I could have shared many other testimonials from Canadians who welcome Bill S-259. As I have mentioned, I made it my duty to consult the community across the country before introducing my bill. It was important to me to get their support and their feedback. I sincerely believe I have truly incorporated their comments into the wording of the preamble, and I earnestly hope to win their support, and yours too, of course.

• (2220)

[*English*]

In conclusion, honourable senators — it's getting late; the conclusion is here, and I do apologize, but many were expecting me to put it on the record, so it's important to many in the community — it has been a personal honour for me to introduce Bill S-259, An Act to designate the month of March as Hellenic Heritage Month, and to speak to you about the lasting achievements and immense contributions of the Greek community to our nation's social, cultural and economic fabric.

In my view, Canada's outstanding reputation on the global stage is attributed to our rich history of immigration and successful integration policies. Immigrants have helped build this country of ours and shape it into one of the most envied nations in the world. Arguably, our diversity may be Canada's greatest strength and most important asset, and we must be proud of this rich heritage. Our differences make us better. They unite us; they don't divide us.

The Honourable Andromache Karakatsanis, the first Greek Canadian to serve on the Supreme Court of Canada, once commented on how her name always marked her as "different." But she never allowed her name to be anglicized, and she was proud of its heritage. After all, Andromache was a strong woman in Greek mythology. Her parents always told her that ". . . different could be better."

As Madam Justice Karakatsanis once said:

> . . . in Canada differences are strengths. It is a land of astonishing generosity and diversity. And the daughter of Greek immigrants can become a justice of the Supreme Court of Canada. This illustrates the opportunity of Canada.

Colleagues, Greek Canadians deserve this special recognition. They have helped make our country stronger, better and more vibrant. I hope you will join me in recognizing this lasting legacy by supporting this legislative initiative.

I think Parliament could send a clear, united and resounding message to Greek Canadians with the passage of this bill. Bill S-259 gives us that opportunity to thank them for all they have done, and to ensure that every March moving forward we take the time to celebrate Hellenism, honour Greek Canadians, past and present, educate Canadians on their many contributions to our society and indulge in all things Greek. Thank you, *efcharistò*.

(On motion of Senator Martin, debate adjourned.)

NATIONAL FRAMEWORK ON CANCERS LINKED TO FIREFIGHTING BILL

SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Yussuff, seconded by the Honourable Senator Loffreda, for the second reading of Bill C-224, An Act to establish a national framework for the prevention and treatment of cancers linked to firefighting.

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

(On motion of Senator Yussuff, bill referred to the Standing Senate Committee on National Security, Defence and Veterans Affairs.)

CRIMINAL CODE

BILL TO AMEND—SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Batters, seconded by the Honourable Senator Wells, for the second reading of Bill C-291, An Act to amend the Criminal Code and to make consequential amendments to other Acts (child sexual abuse and exploitation material).

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

(On motion of Senator Martin, for Senator Batters, bill referred to the Standing Senate Committee on Legal and Constitutional Affairs.)

INDIGENOUS PEOPLES

COMMITTEE AUTHORIZED TO DEPOSIT REPORT ON STUDY OF THE FEDERAL GOVERNMENT'S CONSTITUTIONAL, TREATY, POLITICAL AND LEGAL RESPONSIBILITIES TO FIRST NATIONS, INUIT AND MÉTIS PEOPLES WITH CLERK DURING ADJOURNMENT OF THE SENATE

Hon. Brian Francis, pursuant to notice of May 30, 2023, moved:

That the Standing Senate Committee on Indigenous Peoples be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate an interim report relating to its study on the constitutional, treaty, political and legal responsibilities to First Nations, Inuit and Metis peoples, no later than June 13, 2023, if the Senate is not then sitting, and that the report be deemed to have been tabled in the Senate.

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to.)

• (2230)

NATIONAL SECURITY, DEFENCE AND VETERANS AFFAIRS

COMMITTEE AUTHORIZED TO DEPOSIT REPORT ON STUDY OF ISSUES RELATING TO SECURITY AND DEFENCE IN THE ARCTIC WITH CLERK DURING ADJOURNMENT OF THE SENATE

Hon. Tony Dean, pursuant to notice of May 30, 2023, moved:

That the Standing Senate Committee on National Security, Defence and Veterans Affairs be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate a report related to its study on issues relating to security and defence in the Arctic, including Canada's military infrastructure and security capabilities, if the Senate is not then sitting, and that the report be deemed to have been tabled in the Senate.

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

Hon. Senators: Agreed.

(Motion agreed to.)

OFFICIAL LANGUAGES

MOTION TO AFFECT COMMITTEE MEMBERSHIP ADOPTED

Hon. Brian Francis, pursuant to notice of May 31, 2023, moved:

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.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(*At 10:31 p.m., the Senate was continued until Tuesday, June 6, 2023, at 2 p.m.*)

THE SPEAKER

The Honourable Raymonde Gagné

THE GOVERNMENT REPRESENTATIVE IN THE SENATE

The Honourable Marc Gold

THE LEADER OF THE OPPOSITION

The Honourable Donald Neil Plett

FACILITATOR OF THE INDEPENDENT SENATORS GROUP

The Honourable Raymonde Saint-Germain

THE LEADER OF THE CANADIAN SENATORS GROUP

The Honourable Scott Tannas

THE LEADER OF THE PROGRESSIVE SENATE GROUP

The Honourable Jane Cordy

OFFICERS OF THE SENATE

INTERIM CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS

Gérald Lafrenière

LAW CLERK AND PARLIAMENTARY COUNSEL

Philippe Hallée

USHER OF THE BLACK ROD

J. Greg Peters

THE MINISTRY

(In order of precedence)

(June 1, 2023)

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

SENATORS OF CANADA

ACCORDING TO SENIORITY

(June 1, 2023)

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

Senator	Designation	Post Office Address
Rosa Galvez	Bedford	Lévis, Que.
David Richards	New Brunswick	Fredericton, N.B.
Mary Coyle	Nova Scotia	Antigonish, N.S.
Mary Jane McCallum	Manitoba	Winnipeg, Man.
Robert Black	Ontario	Centre Wellington, Ont.
Marty Deacon	Waterloo Region	Waterloo, Ont.
Yvonne Boyer	Ontario	Merrickville-Wolford, Ont.
Mohamed-Iqbal Ravalia	Newfoundland and Labrador	Twillingate, Nfld. & Lab.
Pierre J. Dalphond	De Lorimier	Montreal, Que.
Donna Dasko	Ontario	Toronto, Ont.
Colin Deacon	Nova Scotia	Halifax, N.S.
Julie Miville-Dechêne	Inkerman	Mont-Royal, Que.
Bev Busson	British Columbia	North Okanagan Region, B.C.
Marty Klyne	Saskatchewan	White City, Sask.
Patti LaBoucane-Benson	Alberta	Spruce Grove, Alta.
Paula Simons	Alberta	Edmonton, Alta.
Peter M. Boehm	Ontario	Ottawa, Ont.
Brian Francis	Prince Edward Island	Rocky Point, P.E.I.
Margaret Dawn Anderson	Northwest Territories	Yellowknife, N.W.T.
Pat Duncan	Yukon	Whitehorse, Yukon
Rosemary Moodie	Ontario	Toronto, Ont.
Stan Kutcher	Nova Scotia	Halifax, N.S.
Tony Loffreda	Shawinegan	Montreal, Que.
Brent Cotter	Saskatchewan	Saskatoon, Sask.
Hassan Yussuff	Ontario	Toronto, Ont.
Bernadette Clement	Ontario	Cornwall, Ont.
Jim Quinn	New Brunswick	Saint John, N.B.
Karen Sorensen	Alberta	Banff, Alta.
Amina Gerba	Rigaud	Blainville, Que.
Clément Gignac	Kennebec	Lac Saint-Joseph, Que.
Michèle Audette	De Salaberry	Quebec City, Que.
David M. Arnot	Saskatchewan	Saskatoon, Sask.
Ian Shugart, P.C.	Ontario	Ottawa, Ont.
F. Gigi Osler	Manitoba	Winnipeg, Man.
Margo Greenwood	British Columbia	Vernon, B.C.
Sharon Burey	Ontario	Windsor, Ont.
Andrew Cardozo	Ontario	Ottawa, Ont.
Rebecca Patterson	Ontario	Ottawa, Ont.
Iris G. Petten	Newfoundland and Labrador	St. John’s, Nfld. & Lab.
Jane MacAdam	Prince Edward Island	Charlottetown, P.E.I.

SENATORS OF CANADA

ALPHABETICAL LIST

(June 1, 2023)

Senator	Designation	Post Office Address	Political Affiliation
The Honourable			
Anderson, Margaret Dawn	Northwest Territories	Yellowknife, N.W.T.	Progressive Senate Group
Arnot, David M.	Saskatchewan	Saskatoon, Sask.	Independent Senators Group
Ataullahjan, Salma	Ontario (Toronto)	Toronto, Ont.	Conservative Party of Canada
Audette, Michèle	De Salaberry	Quebec City, Que.	Progressive Senate Group
Batters, Denise	Saskatchewan	Regina, Sask.	Conservative Party of Canada
Bellemare, Diane	Alma	Outremont, Que.	Independent Senators Group
Bernard, Wanda Thomas	Nova Scotia (East Preston)	East Preston, N.S.	Progressive Senate Group
Black, Robert	Ontario	Centre Wellington, Ont.	Canadian Senators Group
Boehm, Peter M.	Ontario	Ottawa, Ont.	Independent Senators Group
Boisvenu, Pierre-Hugues	La Salle	Sherbrooke, Que.	Conservative Party of Canada
Boniface, Gwen	Ontario	Orillia, Ont.	Independent Senators Group
Boyer, Yvonne	Ontario	Merrickville-Wolford, Ont.	Independent Senators Group
Brazeau, Patrick	Repentigny	Maniwaki, Que.	Non-affiliated
Burey, Sharon	Ontario	Windsor, Ont.	Canadian Senators Group
Busson, Bev	British Columbia	North Okanagan Region, B.C.	Independent Senators Group
Cardozo, Andrew	Ontario	Ottawa, Ont.	Progressive Senate Group
Carignan, Claude, P.C.	Mille Isles	Saint-Eustache, Que.	Conservative Party of Canada
Clement, Bernadette	Ontario	Cornwall, Ont.	Independent Senators Group
Cordy, Jane	Nova Scotia	Dartmouth, N.S.	Progressive Senate Group
Cormier, René	New Brunswick	Caraquet, N.B.	Independent Senators Group
Cotter, Brent	Saskatchewan	Saskatoon, Sask.	Independent Senators Group
Coyle, Mary	Nova Scotia	Antigonish, N.S.	Independent Senators Group
Dagenais, Jean-Guy	Victoria	Blainville, Que.	Canadian Senators Group
Dalphond, Pierre J.	De Lorimier	Montreal, Que.	Progressive Senate Group
Dasko, Donna	Ontario	Toronto, Ont.	Independent Senators Group
Deacon, Colin	Nova Scotia	Halifax, N.S.	Independent Senators Group
Deacon, Marty	Waterloo Region	Waterloo, Ont.	Independent Senators Group
Dean, Tony	Ontario	Toronto, Ont.	Independent Senators Group
Downe, Percy E.	Charlottetown	Charlottetown, P.E.I.	Canadian Senators Group
Duncan, Pat	Yukon	Whitehorse, Yukon	Independent Senators Group
Dupuis, Renée	The Laurentides	Sainte-Pétronille, Que.	Independent Senators Group
Forest, Éric	Gulf	Rimouski, Que.	Independent Senators Group
Francis, Brian	Prince Edward Island	Rocky Point, P.E.I.	Progressive Senate Group
Gagné, Raymonde, *Speaker*	Manitoba	Winnipeg, Man.	Non-affiliated
Galvez, Rosa	Bedford	Lévis, Que.	Independent Senators Group
Gerba, Amina	Rigaud	Blainville, Que.	Progressive Senate Group
Gignac, Clément	Kennebec	Lac Saint-Joseph, Que.	Progressive Senate Group
Gold, Marc	Stadacona	Westmount, Que.	Non-affiliated
Greene, Stephen	Halifax - The Citadel	Halifax, N.S.	Canadian Senators Group
Greenwood, Margo	British Columbia	Vernon, B.C.	Independent Senators Group
Harder, Peter, P.C.	Ottawa	Manotick, Ont.	Progressive Senate Group
Hartling, Nancy J.	New Brunswick	Riverview, N.B.	Independent Senators Group
Housakos, Leo	Wellington	Laval, Que.	Conservative Party of Canada
Jaffer, Mobina S. B.	British Columbia	North Vancouver, B.C.	Independent Senators Group
Klyne, Marty	Saskatchewan	White City, Sask.	Progressive Senate Group
Kutcher, Stan	Nova Scotia	Halifax, N.S.	Independent Senators Group
LaBoucane-Benson, Patti	Alberta	Spruce Grove, Alta.	Non-affiliated
Lankin, Frances, P.C.	Ontario	Restoule, Ont.	Independent Senators Group
Loffreda, Tony	Shawinegan	Montreal, Que.	Independent Senators Group
MacAdam, Jane	Prince Edward Island	Charlottetown, P.E.I.	Non-affiliated

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

SENATORS OF CANADA

BY PROVINCE AND TERRITORY

(June 1, 2023)

ONTARIO—24

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

QUEBEC—24

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

NOVA SCOTIA—10

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

NEW BRUNSWICK—10

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

PRINCE EDWARD ISLAND—4

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

MANITOBA—6

	Senator	Designation	Post Office Address
	The Honourable		
1	Donald Neil Plett	Landmark	Landmark
2	Raymonde Gagné, *Speaker*	Manitoba	Winnipeg
3	Marilou McPhedran	Manitoba	Winnipeg
4	Mary Jane McCallum	Manitoba	Winnipeg
5	F. Gigi Osler.	Manitoba	Winnipeg
6	.		

BRITISH COLUMBIA—6

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

SASKATCHEWAN—6

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

ALBERTA—6

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

NEWFOUNDLAND AND LABRADOR—6

	Senator	Designation	Post Office Address
	The Honourable		
1	Elizabeth Marshall	Newfoundland and Labrador	Paradise
2	Fabian Manning	Newfoundland and Labrador	St. Bride's
3	David M. Wells	Newfoundland and Labrador	St. John's
4	Mohamed-Iqbal Ravalia	Newfoundland and Labrador	Twillingate
5	Iris G. Petten	Newfoundland and Labrador	St. John's
6	.		

NORTHWEST TERRITORIES—1

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

NUNAVUT—1

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

YUKON—1

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

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ORDERS OF THE DAY

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Thursday, June 1, 2023