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The Honourable RAYMONDE GAGNÉ,
Speaker

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THE SENATE

Wednesday, June 14, 2023

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

Prayers.

SENATORS' STATEMENTS

CAMPONI HOUSING CORPORATION

Hon. David M. Arnot: Honourable senators, in Saskatchewan and many other provinces, reference is often made to specific treaty territories and the homeland of the Métis. One can, however, have a homeland but not a home. Adequate and affordable housing is often out of reach for many Indigenous people in Canada. I am pleased to report that there is a Métis-led organization working to put adequate housing within the grasp of people who all too often have been marginalized based on their Indigenous identity, income and disability.

On May 26 in Saskatoon, Camponi Housing, in partnership with the Government of Canada and the Government of Saskatchewan, broke ground for a brand new community housing complex. Camponi's mission is to provide, "Healthy homes supporting strong communities." This community housing is much more than creating a building; the investment is about the people that will live in this new complex — 150-plus families.

The United Nations International Covenant on Economic, Social and Cultural Rights asserts that the right to housing should be seen as the right to live somewhere in security, peace and dignity, and be linked to the inherent dignity of the human person.

Because this is a Métis-led project, it is also about responding to old policies, practices and beliefs that limited, hurt and harmed Métis and Indigenous people. Fundamentally, this project partnership is a demonstration of reconciliation and inclusion. This vision is intentional. Uniquely, the residents and stakeholders have been part of the planning process right from the beginning. Individual and family needs are being considered in a holistic fashion.

Where necessary, people who have never been a tenant or who have had struggles renting will be offered a renter's education program to learn about their rights and responsibilities. Wraparound social supports will be available to those who need them.

This is the essence of community building. It is about the responsibility to others, respect for others and honouring the rights of others. It is about affirming citizenship through a restorative justice approach, one that re-establishes and affirms the relationship between peoples and communities.

Honourable senators, Camponi has a great track record of providing housing to Métis and Indigenous people for over 50 years in Saskatchewan. The secret to that success is having

strong, dedicated leadership. I acknowledge and thank the trustees for their committed stewardship: Angela Bishop, Doug Richardson and Ron Rivard as well as the chair, Mercy Ohirko.

Senators, please join me in recognizing the new Camponi multi-housing complex as an exemplar of Indigenous-led reconciliation in Saskatchewan.

Thank you.

CANADIAN ASSOCIATION OF FORMER PARLIAMENTARIANS MEMORIAL SERVICE

Hon. Marty Deacon: Honourable senators, I rise to speak about the twenty-fourth annual memorial service for parliamentarians who passed away over the last sitting year. Last Monday morning, 29 parliamentarians were honoured, and I was honoured to learn of this memorial service and attend after three years of no in-person memorial.

It was amazing to read and listen to the contributions of every one of those 29 individuals. Within an hour, their lives were shared and their families were acknowledged for the important part each parliamentarian played as they travelled to Ottawa and spent time away from home — the cost of serving Canadians in public service.

For me, there were a few special moments. First, our new Speaker delivered a wonderful, warm message for and on behalf of families. The Ottawa Children's Choir performed four beautiful pieces, with their last piece being the singing of the royal anthem, "God Save The King." It made me reflect on the new leadership of the monarchy, and it was sung so wonderfully. The Central Band of the Canadian Forces brought six of their fine string musicians, and they were joined by their piper for a few pieces. They also performed from the balcony alongside the Ottawa Children's Choir.

Equally remarkable was the opportunity just to observe family and friends. With chairs lined up in the middle of the Senate and our Senate seats absolutely full, it was clear that most, if not all, had never been in this Red Chamber. They were taken by the decor, the traditions and the history. The Usher of the Black Rod, our pages and our staff were all there to ensure every protocol was followed, and this memorial went on as a top-notch event. I was reminded that yes, this is June. While we run about to do our work in the Senate, and while we embark on this silly season, our staff continues with so many other events — not just us. Today, I thank all of you who put this very special event together.

Following the memorial, a reception was held in the senators' lounge. Again, there were many questions and many opportunities to meet families and learn more about their lost loved ones. It was not lost on me that one day everyone sitting here in the Senate will pass through this life as these 29 parliamentarians have. It is a very special moment at the end of the service when each name is called and the family members stand — one that I will never forget.

To finish, I would like to share words spoken by the daughter of MP John Mercer Reid that closed this memorial, originally spoken by Lord Minto, Canada's eighth Governor General:

Canadian men and women have made history and are still making history every day, but the present generation have more time than of the old to write and to read it. I hope they will do this over and over again. They will find something in it to be proud of and now the time has come when they can afford to embellish the inheritance of their cities, to help that of which is struggling to the surface in art and literature, cherishing I hope all that is so characteristically Canadian and preserving it from levelling influences of a struggling world.

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 the team from the Dollywood Foundation of Canada and North America, The Waltons Trust and the NWT Literacy Council. They are the guests of the Honourable Senator Ravalia.

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

Hon. Senators: Hear, hear!

DOLLY PARTON'S IMAGINATION LIBRARY

Hon. Mohamed-Iqbal Ravalia: Honourable senators, I rise today to recognize the meaningful work of Dolly Parton's Imagination Library as well as the very exciting expansion of this initiative to my home province of Newfoundland and Labrador.

The Imagination Library is the main program provided by Dolly Parton's Dollywood Foundation, which was founded by the legendary musician in 1995 to honour her father who could not read or write. The program seeks to promote early childhood literacy and a love for reading by gifting children a book at no cost every month during their first five years of life. The books are carefully selected by developmental professionals and are age appropriate for the children receiving them. Since the program's initiation, over 174 million books have been mailed to children in five countries, with 1.9 million books being mailed to children every month.

After learning that Newfoundland and Labrador had not yet been involved in the Imagination Library program, Carolyn Clarke, a member of my community and a devoted educator, championed the efforts herself to find sponsors in the Twillingate, New World Island and Boyd's Cove areas. It is now reported that 90% of children in our communities have been successfully registered for the program and have already received their first book. She has received invaluable support from Renee Sherstobetoff, who is also a fellow Newfoundlander.

• (1410)

The Imagination Library program in Newfoundland and Labrador is now set to expand across the province after The Waltons Trust provided a generous gift that will make it possible for the children all across my province to have access to these gifted books. This is made possible with the integral support of Senior Regional Director Jeanne Smitiuch and her team.

Honourable senators, I know we can all agree on the importance of childhood literacy development and encouragement of reading habits early on in a person's life and health. I encourage everyone who is interested in exploring the work of the Dolly Parton Imagination Library to visit their website to learn more.

I'd like to thank and recognize our former Senate colleague Diane Griffin, whose passionate advocacy led to Prince Edward Island being the first in Canada to launch this program as a province-wide initiative. Her tremendous efforts continue to impact the lives of many as she writes her next chapter, and we miss her dearly. Thank you to Nora Briggs from The Dollywood Foundation U.S.A., The Waltons Trust and the Northwest Territories Literacy Council for your ongoing commitment to childhood literacy, development and to our future.

Perhaps what saddens me the most today is that "Jolene" could not be here; she, unfortunately, did take off with her man. 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 Elder Claudette Commanda and a group of Indigenous business leaders and executives who attended a lunch and learn on advancing economic reconciliation on Parliament Hill. They are the guests of the Honourable Senators Francis and Klyne.

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

Hon. Senators: Hear, hear!

ADVANCING ECONOMIC RECONCILIATION ON PARLIAMENT HILL

Hon. Marty Klyne: Honourable senators, earlier today Senator Francis and I had the pleasure of attending and sponsoring Advancing Economic Reconciliation on Parliament Hill, a conference organized in partnership with the National Aboriginal Capital Corporations Association and the First Nations Bank of Canada. The goal of the conference was to discuss how we can further advance economic reconciliation in Canada.

The conference brought together Indigenous leaders, businesses and economic development organizations to share their wisdom and success stories. Senator Francis and I were pleased to see many of our Senate colleagues and the Interim Clerk of the Senate and Clerk of the Parliaments present for the conference. We heard stories from coast to coast to coast, and

I'm grateful to everyone who participated. Indigenous businesses are thriving in our nation of nations, and it is important that we share their stories and experiences not just with each other, but with all Canadians.

As we all know, governments and elected representatives speak often on reconciliation, particularly about upholding rights and addressing injustices. Economic reconciliation itself isn't always top of mind, but it is a topic that deserves closer attention. We cannot achieve true reconciliation until Indigenous peoples are empowered to take advantage of their full economic potential, and we will not move forward as a country unless all people in Canada have access to equitable opportunities to prosper.

The time is past due for Indigenous peoples to reclaim their full economic power. Senators already know that this is a topic that is close to my heart. Last month, I launched an inquiry aimed at celebrating and calling attention to successful Indigenous-led businesses. Since then, several senators from across the country have spoken and shared stories from their regions, and I look forward to hearing more senators speak soon.

Colleagues, the path to reconciliation must include economic reconciliation. I am thankful to the National Aboriginal Capital Corporations Association and the First Nations Bank of Canada for partnering with us on today's conference and for helping to remind us of that message. I encourage all Canadians to think about how they can help advance economic reconciliation in their home communities; whether it's by supporting a local Indigenous-led business, encouraging governments to work closely with Indigenous partners or simply by being a friend and ally, we can all be a part of making Canada a more inclusive and prosperous place for everyone.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Her Excellency Maria Andrelita S. Austria, Ambassador of the Republic of the Philippines; the Honourable Jon Reyes, Manitoba's Minister of Labour and Immigration; the late Senator Enverga's family, Mrs. Rosemer Enverga and her three daughters; as well as interns from the National Philippine Parliamentary Internship Program. They are the guests of the Honourable Senator Osler.

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

Hon. Senators: Hear, hear!

FILIPINO HERITAGE MONTH

Hon. F. Gigi Osler: Thank you, Your Honour, and congratulations on your new role.

Dear colleagues, earlier today we continued the tradition of raising the flags of Canada and the Philippines on Parliament Hill at a ceremony initiated by our former colleague the late senator Tobias Enverga. Today we welcome Mrs. Rosemer Enverga and her three daughters, who carry on the legacy of Senator Enverga. I extend a heartfelt welcome to Her Excellency, the Philippine Ambassador to Canada, Maria Andrelita Austria, as well as to her

team at the embassy in Ottawa. Finally, I offer a big Senate welcome to the interns of the National Philippine Parliamentary Internship Program.

June holds a special significance for Filipino-Canadians as it is Filipino Heritage Month. This year, June 12 marked the one hundred and twenty-fifth year of Philippine independence and is a day that commemorates the liberation of Philippines from 333 years of Spanish colonial rule.

Today, fellow senators, I wish to share with you the story of Benjamin Flores, the first recorded Filipino immigrant to Canada. Arriving on Bowen Island, British Columbia, in 1861 at the tender age of 15, Ben was a fisherman and a businessman who established one of the first boat rental businesses. Although he never married or had children, his legacy endures through the collective memory of his community. Mr. Flores has been described as exceptionally friendly and generous, and he remains a beloved figure. Like many Filipinos who journeyed to Canada in search of better opportunities, Mr. Flores made a lasting impact on his community.

Filipino Heritage Month is a time to honour the richness of Filipino culture and to acknowledge the remarkable contributions that Filipinos have made to Canadian society from coast to coast to coast.

In conclusion, let our diversity strengthen and enrich our nation. Let's honour the enduring contributions of the many Filipino communities across Canada. Long live — *mabuhay ang — Canada and Pilipinas. Salamat po, meegwetch.*

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Reema Fuller and Aubrey Reeves. They are the guests of the Honourable Senator Coyle.

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

Hon. Senators: Hear, hear!

[*Translation*]

THE HONOURABLE JACQUES DEMERS

THIRTIETH ANNIVERSARY OF STANLEY CUP WIN

Hon. Chantal Petitclerc: Honourable senators, 30 years ago, the Montreal Canadiens were just a few minutes away from winning the Stanley Cup and you could almost cut the adrenaline on the ice with a knife.

They were an underdog team with no big stars, except for Patrick Roy. However, what the Montreal Canadiens had was motivated players. Former Montreal Canadian Stéphan Lebeau said, "A good team with a lot of depth can sometimes become a champion team."

Honourable senators, it takes talent to become a winning team. It takes athletes who aren't egotistical, who think about the group, the team. At the heart of the team, there must be a leader who inspires, who shakes things up and who brings the players together. That is the role of the coach. The Montreal Canadiens were able to count on the best, a unique, passionate and fearless coach who would make the most of their talent and effort and lead them to the Stanley Cup.

Honourable senators, that coach was none other than our former colleague, the great, the Honourable Jacques Demers, or "Coach" to his friends. Some say it was his pilgrimage to the Basilica of Sainte-Anne-de-Beaupré that made the difference, but we'll never know.

• (1420)

What we do know is that his pep talk leading into the series made an impression on all the players, and his bold decisions in the heat of the moment were instrumental.

Patrick Roy himself said the following:

Jacques Demers was the key man in that series. His decision to have Marty McSorley's stick measured and to pull me from the net in the second game against the Nordiques made all the difference.

With his passion, his daring and his grit, our former colleague led his team to the last Stanley Cup that the Montreal Canadiens have won. Now, 30 years later, everyone is still saying, "Thank you, Coach Demers!"

Thank you. *Meegwetch.*

Hon. Senators: Hear, hear!

[*English*]

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Veena Kohli. She is the guest of the Honourable Senator Marwah.

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

Hon. Senators: Hear, hear!

[*Translation*]

ROUTINE PROCEEDINGS

ONLINE NEWS BILL

SIXTH REPORT OF TRANSPORT AND COMMUNICATIONS COMMITTEE PRESENTED

Hon. Leo Housakos: Honourable senators, I have the honour to present, in both official languages, the sixth report of the Standing Senate Committee on Transport and Communications, which deals with Bill C-18, An Act respecting online communications platforms that make news content available to persons in Canada.

(*For text of report, see today's Journals of the Senate, p. 1831.*)

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

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

[*English*]

STUDY ON THE FEDERAL GOVERNMENT'S RESPONSIBILITIES TO FIRST NATIONS, INUIT AND MÉTIS PEOPLES

TWELFTH REPORT OF INDIGENOUS PEOPLES COMMITTEE TABLED

Hon. Brian Francis: Honourable senators, I have the honour to table, in both official languages, the twelfth report (interim) of the Standing Senate Committee on Indigenous Peoples entitled *On the Outside Looking In: The Implementation of the Cannabis Act and its effects on Indigenous Peoples* and I move that the report be placed on the Orders of the Day for consideration at the next sitting of the Senate.

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

PARLIAMENTARY LIBRARIAN

NOTICE OF MOTION TO APPROVE REAPPOINTMENT

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 Senate approve the reappointment of Heather Powell Lank as Parliamentary Librarian.

QUESTION PERIOD

PUBLIC SAFETY

CORRECTIONAL SERVICE CANADA—TRANSFER OF INMATE

Hon. Donald Neil Plett (Leader of the Opposition): Senator Gold, yesterday, we learned that the Minister of Public Safety, Marco Mendicino, was not only pretending when he claimed that the transfer of serial killer Paul Bernardo to a medium-security prison was “shocking and incomprehensible,” he now admits he knew about the transfer three days before it was public. His staff knew about it for three months, yet claimed they never told him. Correctional Service Canada also say they sent his office communications products in advance.

Leader, this is not the first time Minister Mendicino has bent the truth when it suited him.

You take great exception when we call a spade a spade and come out in the Senate and say what not telling the truth actually is. Then there are points of order raised when we say what not telling the truth actually is.

This isn't the first time Mr. Mendicino has used ignorance as a shield, but it might very well be the worst. Leader, why is Marco Mendicino still a minister of the Crown? When will the Prime Minister fire him?

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

With respect, I do not accept the premises of your question. The minister said that he was shocked, appalled and that it was unacceptable, and that is exactly true. It is also the case that his office was briefed, though he was not, some months before about the possibility that a transfer was being contemplated. It is equally true, as the minister acknowledged, that he was aware of it some days before he made that announcement.

There are reasons of privacy and security in these matters that led the minister to only publicly express his shock at this when it became public. So in that regard, the premise that he was not telling the truth is not well-founded.

As you know, and as I have stated here and as the minister has said, he has asked the Commissioner of Correctional Service Canada to review that decision, and that review is under way.

We continue to expect that convictions for serious crimes will result in serious punishments. My understanding is also that the Prime Minister and/or the minister will soon be addressing the issues of how the office handled the information in the months leading up to the public disclosure.

Senator Plett: I know you take offence to all of our questions — that they are partisan or they are not becoming of an opposition. You hesitate when somebody says “Oh” on this side, you stop speaking and you self-righteously tell us how bad we are.

Leader, Minister Mendicino has misled Canadians many times. Admit that. He is ineffective in so many ways that we would need more than one Question Period just to lay them out, especially with your inadequate answers. He also misled Canadians about Bill C-21 at every step of the way, including the amendments. Leader, we all know that he did. He said he had respect for law-abiding gun owners. No, he doesn't. He targeted them, not the criminals. He targeted hunters, farmers, Indigenous Canadians, sport shooters and Canadians who live in rural areas.

They can see the truth, leader, despite whatever Minister Mendicino claimed. Why can't you? It even turned out that NHL star Carey Price knew more about the minister's bill than the minister himself.

• (1430)

Perhaps some ministers would have been shamed into telling the truth after being so publicly embarrassed. Minister Mendicino is not. Now you're carrying his water for him in here, leader. Leader, isn't misleading Canadians about Bill C-21, or misleading Canadians about anything, a reason for a minister to resign?

Senator Gold: Thank you for your question.

I hesitate only when I'm interrupted in my response by the other side, as I will continue to do.

The government has confidence in Minister Mendicino's handling of the files. Again, the allegations and insinuations you're making are not based upon the facts.

[Translation]

FOREIGN INTERFERENCE

Hon. Pierre-Hugues Boisvenu: My question is for Senator Gold. Senator Gold, when *The Globe and Mail* and Global News first published information about the Beijing regime's interference in Canadian politics, Minister Mendicino denied it. When we learned that Michael Chong and other MPs had been directly targeted by the Chinese regime, Minister Mendicino denied it at first, and then blamed the Canadian Security Intelligence Service and Michael Chong.

After it became clear that David Johnston was so closely linked to the Trudeau family and to China that he could not do his job, the minister continued to defend him. The rest is history.

Senator Gold, it's obvious that this minister no longer belongs within the Privy Council. When will the Prime Minister relegate him to the back benches?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. As I just said, the government has confidence in the minister, and he will continue to serve Canada in accordance with the mandate given to him by the Prime Minister.

Senator Boisvenu: Senator Gold, I have to say that I no longer have any confidence in the minister, especially when it comes to his dealings with victims of crime. In recent months, I asked Minister Mendicino about his commitment to respecting the Canadian Victims Bill of Rights as it pertains to the families of the victims of the massacre in Portapique, Nova Scotia.

I met with those families and the Savoie family from New Brunswick, whose only daughter was killed. All I got from the minister were empty words. Worse still, he did not respond to any of the letters that I sent him. Minister Mendicino is incapable of working with victims of crime and has not shown any sympathy for or interest in the victims and their families. Why is he still the minister?

Senator Gold: Thank you for the question. I repeat that he was appointed as minister by the Prime Minister, who has confidence in him, and he will continue to serve as minister according to the terms of his engagement and mandate.

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

BUSINESS OF THE COMMITTEE

Hon. Renée Dupuis: My question is for the Chair of the Standing Senate Committee on Internal Economy, Budgets and Administration. Madam Chair, the committee decided to end its contract with the Library of Parliament for the daily media review sent to senators. I understand that a contract has been signed with Critical Mention to have this company conduct a pilot project for the same media review service for senators.

Until now, it has been impossible to include in the media review a significant number of articles from local or community media interested in the work of the Senate and senators. In the reply I have been receiving for years, I was told, among other things, that there were technical issues related to the fact that the Library of Parliament did not have the required copyright licences.

It is important for the Senate to not rely solely on the media it has traditionally consulted and to look to new information media. Now that the Senate has taken back this responsibility, can you confirm that the committee you chair will ensure that this company will reach local and community media in all regions of Canada?

Hon. Lucie Moncion: Thank you for the question, Senator Dupuis. You referred to Critical Mention, whose services are now used by the Senate's communications service. What I can do is to take your request one step further to determine whether we can extend coverage of the media review to all regions of Canada. There was a challenge with access, but we can see how far we can go with this research, and then try to further accommodate all the senators from the regions.

Senator Dupuis: I have a supplementary question. There is a list of recognized community media for every region of Quebec on the Government of Quebec site. It is possible that similar lists exist in the other provinces and territories. Will the committee follow up with the company selected to ensure the media services in order to check whether these communication tools are available elsewhere in the country?

Senator Moncion: Thank you for the supplementary question. Thank you for your suggestions. I will bring them to the attention of the communications service to ask it to expand access and check capabilities. I will then come back to you with an answer. I sincerely thank you for the question.

[English]

PUBLIC SAFETY

NATIONAL IMMIGRATION DETENTION FRAMEWORK

Hon. Kim Pate: My question is for the Government Representative.

Canada has used provincial jails to incarcerate thousands of refugee claimants and migrants in immigration detention based solely on administrative grounds.

In 2021, the #WelcomeToCanada campaign called on Canada to end the practice of using provincial jails for immigration detention. Dozens of social justice, expert and grassroots organizations, as well as individuals with lived experience in immigration detention and hundreds of lawyers, academic scholars, health care providers and religious leaders across Canada have joined the call for provinces and the federal government to end this practice.

This year, the coroner's inquest into the death of Abdurahman Hassan, a refugee from Somalia, brought to light shocking details about Canada's immigration detention system and abusive conditions in provincial jails. The jury's first recommendation called on Ontario to end the use of provincial jails for immigration detention. This Monday, the *Toronto Star* editorial board amplified this call.

To date, five provinces — Alberta, British Columbia, Nova Scotia, Saskatchewan and Manitoba — have cancelled their respective immigration detention contracts with the Canada Border Services Agency.

When will the Government of Canada put an end to the practice of detaining migrants and asylum seekers on solely administrative immigration grounds in provincial jails across the rest of the country?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question, senator. Colleagues, administration detention is a matter of last resort. The government knows well that much more needs to be done. It's for that reason I'm advised that, through the National Immigration Detention Framework, the government is doing several things to address this important issue: One, it is introducing a ministerial directive to stop the housing of minors; two, importantly, it is expanding health services and overall conditions in immigration holding centres and, also importantly, reducing reliance on provincial facilities.

Senator Pate: Thank you for that response, Senator Gold.

What timeline do you see for the end of the use of the provincial jails for immigration detention?

Senator Gold: Thank you for that question.

I don't have an answer to that. I'll certainly make inquiries in an effort to determine how things are progressing.

NATIONAL DEFENCE

CANADIAN ARMED FORCES—RETENTION OF MEMBERS

Hon. Percy E. Downe: Senator Gold, as you know, all Canadians appreciate the countries who have sent firefighters to combat our out-of-control wildfires. However, many Canadians were surprised that this assistance arrived after Canada, as I have been advised by senior government officials, has — for the first time in the history of our country — put out an international request for help. The lack of in-country resources, and the constant underfunding of our firefighting infrastructure and our Canadian Armed Forces, is coming back to haunt us — and we are reduced to requesting help from others.

• (1440)

Part of the problem in our country is that the Canadian Armed Forces have a recruitment and retention problem. We are currently short 16,000 members on the recruitment side, and departures from the Canadian Armed Forces are higher than they've ever been. One of the retention problems that I hear about relates to medical care for the families of Canadian Armed Forces members. When members are transferred from one province to another, their medical coverage continues to be provided by the Canadian Armed Forces, but their family members go to the bottom of provincial waiting lists of thousands and thousands of names.

To improve retention, why won't the government extend medical coverage to the families of the Canadian Armed Forces members when they are transferred?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, and for making the important link between the important work that the Canadian Armed Forces do in so many areas and, in particular, the work that they're doing here to help us deal with historically high levels of devastating wildfires.

The Government of Canada is aware that it has a challenge with both recruitment and retention. It's been addressed in this chamber on previous occasions, and it's a matter that is actively being considered. That would include all measures in order to both attract and retain those in the Canadian Armed Forces, or as they change locations within the country.

With regard to your question, I will certainly bring that to the attention of the relevant minister.

Senator Downe: Thank you, Senator Gold; I appreciate that. As you know, the shortage of over 16,000 members in our Canadian Armed Forces, combined with various commitments, such as our mission in Latvia and the training currently under way of Ukrainian forces in the United Kingdom, has put Canada — a G7 member and a very rich country — in a position, for the first time in our history, of requesting international assistance to fight wildfires in our country. What an embarrassing situation for a country with such financial resources and a strong military history.

If we're unable to recruit new members to our Canadian Armed Forces, can the government, at least, try to keep the members that we have by copying what the United States does, whereby military medical coverage is extended to the families of military personnel? If a member of the Canadian Armed Forces is transferred to Prince Edward Island, they will have their medical coverage provided by the Canadian Armed Forces, but their family will be at the bottom of a waiting list of over 30,000 names in a province of 170,000 people. Their chances of finding a family doctor are slim to none.

When will the Government of Canada support military families in order to try to keep the members that we already have, and provide the same level of service that the United States military currently provides to the families of their members?

Senator Gold: Again, thank you for your question, and for underlining this important issue. I'll repeat: The government is engaged with the larger question, and is grateful for whatever assistance can be provided in fighting the wildfires. In that regard, Canada has provided assistance to others, and will be grateful for any help that is forthcoming.

I will make the appropriate inquiries, senator — it's an important issue. Thank you.

PUBLIC SAFETY

NATIONAL SECURITY AND INTELLIGENCE COMMITTEE OF PARLIAMENTARIANS

Hon. Andrew Cardozo: My question is for the Government Representative in the Senate. Let me take a moment to start with the positive, and recognize that the people of Canada have just sent \$500 million to the Ukrainian military efforts, as announced by Prime Minister Justin Trudeau when in Kyiv this past weekend. My question is about foreign interference on our end in Canada, and I want to return to a question that I asked a couple of weeks ago when the Right Honourable David Johnston put out

his report. I would like to suggest that there be a third option that would combine some of the ideas that he put forward, as well as other ideas that people have raised.

Taking the ideas of his that the National Security and Intelligence Committee of Parliamentarians, or NSICOP, and the National Security and Intelligence Review Agency, or NSIRA, would review all of the materials that he looked at, there should also be a national public inquiry — and NSICOP and NSIRA should be involved throughout that process to review materials that would not be made public during the process. I would assume that during a public inquiry of this kind, there are various materials that will be public, and various parts that will be in camera, and I think there's an important role that NSIRA can play in reviewing that material. What are the government's views on actually having a public inquiry at this point?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for your suggestions. As all members of the chamber know, and as all Canadians know, discussions are under way between the leaders of the opposition parties and the government with regard to the mandate for a public process, as well as the determination of what the public process should be, how it should be structured and, of course, who might lead that process. The Government of Canada is encouraged that the members of the opposition are working together. My understanding is that bilateral meetings are taking place, or are scheduled to take place, between the leaders of the two major parties — and it is the hope of the Government of Canada that we will soon have a consensus emerge amongst the parties in the other place so that the work can continue.

Senator Cardozo: Thank you for that, Senator Gold. I'd like to follow up by saying that I think it is vital that the inquiry be comprehensive in at least two ways: It looks at foreign interference from any and all countries, whether it's China, Russia, North Korea, Iran, Venezuela or any others. And it looks at all forms of interference, whether it's political, economic, academic, scientific, communications, hi-tech or matters of immigration and international affairs.

Can you encourage the government to ensure that we have a broad and comprehensive review that looks at not only the issues that we face right now, but also the future of a problem that is increasingly becoming an issue for all countries to be concerned about in the years ahead?

Senator Gold: Again, thank you for your question and suggestions. Both the Government of Canada and the intelligence agencies have been aware — for some time — that this is a problem that is growing and a matter of great concern. That's evidenced in reports issued by NSICOP statements and other statements, and, of course, it was also noted and underlined in the Honourable David Johnston's report.

This stage of the process is one in which the representatives of all political parties of the other place are seized with the obligation to arrive at a common understanding of the mandate in the process, and the government hopes that it will bear fruit as soon as possible.

CORRECTIONAL SERVICE CANADA—TRANSFER OF INMATE

Hon. Leo Housakos: Government leader, the government's answer to my colleagues Senator Plett's and Senator Boisvenu's question regarding the competence of Minister Mendicino is shameful. Government leader, this is the truth of the matter: The problem isn't that Minister Mendicino didn't announce that Paul Bernardo was being transferred — the problem is that he played dumb once it was made public, and he acted like it was the first time he had ever heard about it. That's the problem with Minister Mendicino.

It seems to be the default setting of Prime Minister Trudeau and Minister Mendicino to play dumb every time they get called out — just as the minister was called out many weeks ago regarding his statement that all illegal police stations in Canada had been shut down, and then a few days later, we find out there are a couple of police stations still operating in our own hometown. The minister played dumb again, and, worse than that, he blamed the RCMP.

My question is very simple, government leader: Is Minister Mendicino playing dumb, or is it possible that he's genuinely this incompetent?

Hon. Marc Gold (Government Representative in the Senate): No, the answer is neither one nor the other, senator. You continue to assert that there are police stations operating in our home province without any basis for saying that — other than media reports. There may very well be; they are the subject of an ongoing RCMP investigation, as I've said on many occasions, and I will continue to remind the Senate of that each and every time you raise the question.

• (1450)

I'm not impatient, but that's the answer, and that's the answer that I will continue to give until such time as the results of the investigation are made public.

Senator Housakos: First and foremost, it's the minister himself who has confirmed that these stations are operating in Canada, and he's been misleading Parliament about what he has or hasn't done about it. That is what the problem is here. Again, I repeat, it's either incompetence on the part of the minister or his staff, or he's deliberately misleading Parliament.

The next question that bears to be asked is whether this is the reason why the minister is dragging his feet in putting into place a foreign registry, a foreign registry that if the minister and government were serious about would have already been put in place. There's a piece of legislation sitting in this very chamber that the government is dragging its feet on and doing nothing about. It's very simple.

Either way, when will someone be fired for the absolutely disgraceful handling of numerous files by this minister? We see a foreign registry not in place. We see illegal police stations operating in our land. We see a brutal murderer in this country being sent to a minimum-security situation just because the minister isn't doing his job and protecting the interests of public security in this country. We can't get a straight answer in this chamber from the Government Representative/leader.

Senator Gold: Respectfully, there's a difference between a straight answer and an answer that doesn't suit your desires. I've given the answers on many occasions.

With regard to the allegations about illegal police stations, as I said on other occasions, it may very well be the case, and we will not know until the investigation is completed and made public that certain activities taking place in one or more places, whether in Quebec or elsewhere, were indeed illegal and were indeed shut down and may or may not have returned. I never heard it said, honourable colleague, that every person and every program and every room in every one of these places were all dedicated to illegal activities.

Second, if you are implying that it would have been appropriate for the Minister of Public Safety to direct Correctional Service Canada as to how to deal with the incarceration of Mr. Bernardo or anyone else, that would be to betray — with all due respect, either a misunderstanding of the appropriate independence of Correctional Service from direction from the minister or a desire to see political manipulation of the Correctional Service, which would be inappropriate in a democratic country.

[Translation]

EMERGENCIES ACT

Hon. Claude Carignan: Leader, I have tracked down more than 11 statements in which Minister Mendicino told the Canadian public that he invoked the Emergencies Act on the advice and at the request of law enforcement.

For example, on February 28, 2022, during question period in the House of Commons, he said, ". . . we had to invoke the Emergencies Act, and we did so on the basis of non-partisan, professional advice from law enforcement." He also stated, on May 3, 2022, "We invoked the Emergencies Act after we received advice from law enforcement." On April 26, 2022, at the joint committee, he said the same thing. However, the Commissioner of the Ontario Provincial Police said the following:

I can tell you that I am telling you the absolute truth, sir. At no point did I provide or request that the Emergencies Act be invoked.

RCMP Commissioner Brenda Lucki wrote the same thing. The commissioner wrote that she felt the police had not yet exhausted all the tools at their disposal. The former Ottawa police chief said they had never sought recourse.

The former chief superintendent of the Ontario Provincial Police said the same.

I have run out of things to say about Minister Mendicino's contradictory messages. I don't necessarily want to use the same words as Senator Housakos. Is this a case of incompetence? Has the minister really lied to the public so many times?

Either this is starting to look like bad faith, or the minister has lied. Shouldn't he resign?

Hon. Marc Gold (Government Representative in the Senate): The answer is no. First, when it comes to invoking the Emergencies Act, the report clearly stated that it was entirely justified. It is also true that the government made this decision based on a whole array of information from various sources, including information about the inability of police forces and others to manage a situation that was out of control, especially here in Ottawa.

I think that is the gist of the statements from Minister Mendicino that you cited.

The Hon. the Speaker: Senator Carignan, you have 17 seconds.

Senator Carignan: Leader, the problem is that he lied to the House of Commons and to Canadians. What is more, Canada is seeing a record number of police officers killed in the line of duty, shootings in the middle of the day, senseless killings on public transportation, in parks and on the streets, a record number of femicides and a rising crime rate. What is the minister doing? He is just shrugging his shoulders. We have a minister who lied to the House of Commons, who is lying to Canadians and who has also shown that he is incompetent. What is the Prime Minister waiting for? When will he dismiss the minister?

Senator Gold: I'm not going to repeat the same answers that I already gave several times to the same question. With all due respect, honourable senator, blaming a minister or the federal government for the sad and tragic rise in violence in our cities, in our suburbs, and in the jurisdictions of municipal or provincial police, such as here in Ottawa, is really going too far. I don't even know what to say to that.

I'm just going to sit here in silence, because, quite frankly, that is really going too far.

[English]

THE SENATE

TRIBUTES TO DEPARTING PAGES

The Hon. the Speaker: Honourable senators, this week we will be paying tribute to the Senate pages who will be leaving us this summer.

Laura Boyd will be continuing her studies in biology at Carleton University in the fall, where she will enter her third year. Laura is grateful for the two years she spent representing Manitoba in the Senate as a page and feels privileged to have worked during so many historic moments. She would like to thank all those who made the experience so unforgettable, and she is appreciative of those she was able to learn from.

Thank you, Laura.

Hon. Senators: Hear, hear.

The Hon. the Speaker: Tareq Winski is honoured to have had the opportunity to represent the province of British Columbia within the Senate Page Program for the past two years. Tareq will

be beginning his third year of international management at the University of Ottawa and hopes to attend law school in the future. The Senate has provided him with memories and experiences he will forever treasure. Tareq extends his sincere thanks for this extraordinary opportunity and wishes to thank the Usher of the Black Rod, his dedicated page colleagues and the esteemed senators, whose support and guidance have been instrumental in making this journey so rewarding.

Thank you, Tareq.

Hon. Senators: Hear, hear.

The Hon. the Speaker: Asta Stalker, Deputy Chief Page, recently completed her Bachelor of Arts Honours in Linguistics at Carleton University and is looking forward to pursuing her common law degree at the University of Ottawa starting this fall. Asta is grateful to have had the opportunity to represent the province of Nova Scotia within the Senate Page Program for the past three years. She would like to sincerely thank the Usher of the Black Rod's office, the honourable senators, the Senate Administration and her page colleagues for teaching her so much these past few years and making this experience unforgettable.

Thank you, Asta.

Hon. Senators: Hear, hear.

[Translation]

ORDERS OF THE DAY

LEBANESE HERITAGE MONTH BILL

MESSAGE FROM COMMONS

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons returning Bill S-246, An Act respecting Lebanese Heritage Month, and acquainting the Senate that they had passed this bill without amendment.

• (1500)

[English]

POINT OF ORDER

Hon. Jane Cordy: Your Honour, I would like to raise a point of order. I'm noticing increasingly in the chamber, particularly during Question Period, unparliamentary language being used over and over again by senators. As I said, it is happening particularly during Question Period. It is unacceptable in the Senate that we accuse one another of being liars or that we accuse ministers of being liars. It is unparliamentary and should be unacceptable. I would like to raise this point of order, Your Honour.

Hon. Donald Neil Plett (Leader of the Opposition): I find it unacceptable when we are not allowed in this chamber to call a spade a spade. We were told a few months ago by the previous Speaker that calling somebody a liar was unacceptable, and we accepted that. But for us to say somebody is not telling the truth when a person has been caught in telling an untruth, Your Honour, is our duty. Any senator who believes that is not our duty should check to see what his or her responsibility is in this chamber.

When we have a minister who misleads and a Prime Minister who misleads and says things that have been proven over and over again to be false, for somebody to suggest that is unparliamentary for us to say so, that, Your Honour, I suggest is unparliamentary. I will keep on doing my job, our caucus will keep on doing its job, and I trust that every senator in this chamber will respect us for doing our job as we see fit.

[Translation]

Hon. Raymonde Saint-Germain: I think that, to support you, Madam Speaker, in your role of maintaining order and decorum in this chamber of sober second thought, first of all, I agree with the point of order raised by my colleague, Senator Cordy.

I also think that we should take a constructive look at the experiences of Canada's provincial parliaments that adopted codes, rules and lists of non-parliamentary terms. I would even add that we could follow the example of the House of Commons in that regard.

Thank you.

Hon. Pierrette Ringuette: I will be brief, Madam Speaker, and thank you for recognizing me.

This is not the first time in the last month that a point of order on this subject has been brought to the attention of the Chair. I believe that a point of order has already been raised, and Speaker Furey ruled on the subject. Perhaps some of our colleagues have forgotten that ruling.

Perhaps we simply need to remind colleagues that a ruling has already been made and accepted by everyone in the chamber. Thank you.

Hon. Claude Carignan: Madam Speaker, look, we have a constitutional right, as parliamentarians, to speak the truth, to say things, and to denounce what needs to be denounced. That is our duty.

I have 11 statements from an individual who keeps saying the same thing over and over but is being contradicted by everyone who is supposed to advise him — all the leaders and police chiefs — and this has been proven. I think it's our role to say when people are being misled. I completely understand the purpose of the concept of unparliamentary language, but a spade is a spade, and we need to call it a spade.

If we are limited in our power to speak out, in our freedom of expression, in our right to denounce what is false, I think it will diminish our responsibility and do a disservice to democracy. We must have the right to express our opinions and our judgments. In fact, we have a duty to do so.

[*English*]

Senator Plett: Your Honour, if I could make one comment, not with regard to what I did.

Senator Downe: The Speaker is standing. Sit down.

Senator Plett: I'm sorry.

The Hon. the Speaker: First of all, there are other people who may wish to speak, but I think I have heard the arguments.

Senator Plett: Your Honour, if I could, please. First of all, it is not allowed to make a point of order during Routine Proceedings.

Senator Cordy: Senator Plett, the Speaker is standing.

[*Translation*]

SPEAKER'S RULING

The Hon. the Speaker: I have heard enough arguments, and I would like to remind you that former Speaker Furey handed down a ruling on this subject on May 2. I suggest that you reread it.

I will read it to remind you of the rule that applies. I believe we are intelligent enough to interpret it.

[*English*]

Unparliamentary language

6-13. (1) All personal, sharp or taxing speeches are unparliamentary and are out of order.

6-13. (2) When a Senator is called to order for unparliamentary language, any Senator may demand that the words be taken down in writing by the Clerk.

6-13. (3) A Senator who has used unparliamentary words and who does not explain or retract them or offer an apology acceptable to the Senate shall be disciplined as the Senate may determine.

We must remind ourselves what unparliamentary language is.

[*Translation*]

BUSINESS OF THE SENATE

The Hon. the Speaker: Pursuant to the order of Tuesday, June 13, 2023, I leave the chair for the Senate to resolve into a Committee of the Whole to receive Ms. Harriet Solloway respecting her appointment as Public Sector Integrity Commissioner. The Honourable Senator Ringuette will chair the committee.

[Senator Carignan]

PUBLIC SECTOR INTEGRITY COMMISSIONER

HARRIET SOLLOWAY RECEIVED IN COMMITTEE OF THE WHOLE

On the Order:

The Senate in Committee of the Whole in order to receive Ms. Harriet Solloway respecting her appointment as Public Sector Integrity Commissioner.

(The sitting of the Senate was suspended and put into Committee of the Whole, the Honourable Pierrette Ringuette in the chair.)

The Chair: Honourable senators, the Senate is resolved into a Committee of the Whole to receive Ms. Harriet Solloway respecting her appointment as Public Sector Integrity Commissioner.

Honourable senators, in a Committee of the Whole senators shall address the chair but need not stand. Under the Rules the speaking time is ten minutes, including questions and answers, but, as ordered, if a senator does not use all of his or her time, the balance can be yielded to another senator. The committee will receive Harriet Solloway, nominee for the position of Public Sector Integrity Commissioner, and I would now invite her to join us.

(Pursuant to the Order of the Senate, Harriet Solloway was escorted to a seat in the Senate chamber.)

The Chair: Ms. Solloway, welcome to the Senate. I would ask you to make your opening remarks of at most five minutes.

• (1510)

[*English*]

Harriet Solloway, nominee for the position of Public Sector Integrity Commissioner: Thank you, honourable senators, for providing me the opportunity to be here today and for your consideration of my nomination. I'm very grateful.

As a long-serving international public servant, I have consistently demonstrated my commitment to the rule of law, including due process and access to justice in a public service context that requires a safe space in which personnel can come forward and be heard when there are concerns that, if left unaddressed, could shake public confidence and cause a serious threat to the integrity of the public service, also casting a pall over the work environment for dedicated personnel and impeding the ability to deliver quality service that is owed to the people of Canada.

The role of the Public Sector Integrity Commissioner is critical to earning and maintaining public trust in the organizations that fall under the purview of the act. The commissioner is the guardian of procedural fairness, including due process for whistle-blowers, the subjects of allegations of wrongdoing and other participants in the process with the overarching objectives

of promoting an ethical public service culture and investigating and bringing to light wrongdoing in the federal public sector when it does occur.

This is a critical juncture for the office of the PSIC with the active consideration of Bill C-290 as well as the work of the external task force appointed notably to explore revisions to the act, including consideration of the 15 recommendations of the 2017 report issued by the Standing Committee on Government Operations and Estimates. I look forward to cooperating with the task force and to the faithful implementation of the Public Servants Disclosure Protection Act, including any amendments that may emerge.

[Translation]

My career includes experience in the areas of labour relations, law and management, both nationally and internationally. I spent more than 22 years working as a senior executive in the international public sector, at the International Criminal Court, the United Nations and the Organization for Security and Co-operation in Europe.

As a pioneer in the management of programs designed to rebuild and transform justice systems under difficult circumstances, I have successfully led numerous strategic and change management efforts. These skills will be invaluable in guiding the office through the implementation of any changes resulting from potential amendments to existing legislation.

[English]

Whilst in several positions, most notably as the legal adviser in conflict zones such as Kosovo and Central African Republic, and also as director of rule of law in the Democratic Republic of Congo, I oversaw human rights reports ensuring the accuracy of evidence-based allegations whilst considering other factors such as witness and informant protection and possible impact on broader regional security.

[Translation]

I have considerable international experience in developing and implementing investigations and strategies to fight crime and serious human rights violations.

As a legal adviser for sex crimes at the International Criminal Tribunal for Rwanda, I led the investigation that led to the first sex crimes conviction in an international court, the Akayesu case. In the Democratic Republic of Congo, I worked with national authorities, international partners, NGOs and communities to create and implement Prosecution Support Cells, an innovative program that seeks to provide international support to Congolese investigations on war crimes and crimes against humanity committed by the uniformed national service.

Over the course of my career, I have investigated crimes and defended and prosecuted accused parties. I have worked to protect witnesses and participated in capacity-building for judges and investigators. As a result of all of these experiences, I am able to be truly neutral, impartial and fair to everyone.

If I am appointed, I will use my experience in leading multiple complex change management processes and my careful attention to the protection of all parties as a basis for the approaches taken by the commissioner's office.

[English]

Lastly, our dedicated civil servants deserve a workplace where they feel safe and proud of the work they do. I commit to the unwavering objective of exposing wrongdoing and fostering trust in an ethical public sector for our personnel in the 134 government institutions subject to the act and for the Canadian people. Thank you.

The Chair: Thank you, Ms. Solloway.

For our first block of 10 minutes, Senator Plett.

Senator Plett: Thank you, chair, and welcome, Ms. Solloway. Congratulations on your nomination. Would you briefly be able to summarize the process by which you came to be here today? Did you apply for this position, or were you asked to put your name forward? Why did you seek this appointment? With whom did you interview, and what testing did you undergo?

Ms. Solloway: Thank you for the question. The process began when I was looking at the Governor-in-Council website that posts all available positions, or, at least, that's my understanding. I, quite frankly, had been looking for several years because I was interested in coming back to Canada to serve.

When I saw this position, I applied for it online. That was probably in November or December of last year. I was then called for a test, and I wrote a test. I don't remember exactly when that was. Then, several weeks after the test, I was called for an interview. There was a panel. I don't remember all of the people on the panel. I do remember that there was an ethics expert from one of the universities. Other than that, I don't recall who the panel members were.

My timing may be off, but roughly two months ago or so, I did get a request to speak to Minister Fortier. We spoke for about 10 minutes. She was calling from the airport, and I was on vacation. I got the sense that she was seeking to test my French and get a sense of who I was. As I said, the whole conversation lasted about 10 minutes, and that's about it.

I applied because, for several years, I had wanted to come back to Canada and was seeking a position where I thought I could contribute. This was certainly one, and I'm delighted to be considered. Thank you.

Senator Plett: Thank you very much for that fulsome answer. As you have already said, the bulk of your career has been abroad — Kosovo, Vienna, The Hague, New York City, just to name a few places. What are your views, Ms. Solloway, on Canadian public service, and how have they been shaped by your work internationally?

Ms. Solloway: Well, I guess I can only say that my view of the Canadian public service is probably similar to the view held internationally because, you are correct, that's where I have been working since 1996. The world generally has a very favourable view of the Canadian public service and of Canada in general. In terms of my views, I would say I'm proud to be a Canadian, and, if selected, I would be proud to be part of the organization.

Senator Plett: Thank you. I have no doubt that this meeting will go well, and I'm sure the follow-up will go well.

What will you do in your first 100 days as the new Public Sector Integrity Commissioner? What key priorities will you focus on, should your nomination be approved?

Ms. Solloway: Over the course of my career, I have undertaken new positions at senior levels. One thing I have learned time and again is that it is very important to listen. I would be listening to the personnel in the commission as well as important stakeholders. I would be familiarizing myself with the ongoing review as well as the progress of the private member's bill. I would just make sure I was well immersed.

I know that some people coming into a senior position promise that they will do X, Y or Z. I really think it is unwise to hastily do anything until one has a good understanding of an organization, so I will be devoting my first 100 days to making sure I do that.

Senator Plett: Canada is far from perfect when it comes to protecting public servants who have disclosed wrongdoing. A study was released in January by the International Bar Association and the Government Accountability Project. Canada tied with Lebanon and Norway for last place. The very low number of cases that have been referred to the tribunal was particularly criticized. Canada's Public Servants Disclosure Protection Act came into effect in April 2007. We've had 16 years to see what has and hasn't worked.

• (1520)

As I'm sure you know, currently there is legislation before Parliament to amend this act. In your view, where do the deficiencies lie? What should we do better to protect whistleblowers from reprisals?

Ms. Solloway: Thank you again for the question. As I mentioned in my previous response, I don't think that I'm now in a position to say what needs to be done, what is wrong with it or why. I really do have to spend some time learning more. I have read the reports to which you refer and I have read other commentaries, but I don't think it would be prudent for me to make any pronouncements without having a better understanding of the workings of the commission.

Senator Plett: Over the last three fiscal years, the Office of the Public Sector Integrity Commissioner has met or exceeded its service standards in all but one area. It has an annual target of completing 80% of investigations in one year or less. For the 2021-22 fiscal year, this number was 44%. Last year, it wasn't much better, at 50%.

What are your plans? Do you have plans to increase the number of cases this office completes in one year? How would that fit into your first 100 days?

Ms. Solloway: Well, once again, senator, I don't think I'm in a position now to be able to say. I would have to be more enlightened from the inside to be able to understand what the issues might be. Once that happens, I would be in a better position to provide an opinion.

I really do regret that I'm unable at this stage to provide any advice or opinions on the question that you raise.

Senator Plett: All right. Thank you. Madam Speaker, I'm fine. I will yield the rest of my time to the other groups.

The Chair: The next 10 minutes goes to the Independent Senators Group — five minutes for both Senator Pate and Senator Dean.

Senator Pate: Welcome, Ms. Solloway. In 2020, your predecessor outlined findings of alarming systemic problems of blatantly unlawful behaviour by employees of the Correctional Service Canada. These ranged from insubordination; harassment; posting of racist materials; preventing employees from administering medication to prisoners, including in at least one mental health centre; denigration of the work of other employees and correctional officer abandonment of post. Your predecessor found that these were not isolated incidents but, instead, systemic problems that amounted to gross mismanagement, resulting in a work environment in which a group of correctional officers were emboldened to be insubordinate and act with impunity with little or no consequence.

Inadequate action by the Correctional Service Canada created a substantial risk of significant adverse impact upon both staff and prisoners alike, amounting to danger to the life, health or safety of a person pursuant to paragraph 8(d) of the Public Servants Disclosure Protection Act.

Your predecessor put in a series of recommendations which have seemingly done very little to address the culture of racism, misogyny, abuses of power and mismanagement within the Correctional Service Canada. We know that there are similar concerns in other departments as well. How do you anticipate ensuring the remediation of such issues within the Correctional Service Canada and other areas of government?

Ms. Solloway: First, hearing what you describe is very disturbing, I think, for any Canadian and for any person. I have spent a large part of my career working on corrections in other countries.

In terms of what I would do about it, the commissioner, in this position, has a very specific mandate. Whatever the commissioner could do would necessarily be confined by that. In terms of what that could be, once again, until I'm there and until I see how things can be operationalized, it would be premature at this stage to say what I would do. I could tell you that I would absolutely do whatever would be within the purview of the commissioner, whatever would be legally allowed and what can be done. Obviously, these conditions are intolerable.

Senator Pate: Based on your experience in other jurisdictions, what kinds of measures could you see being used to address the kinds of retaliatory responses that correctional authorities have shown toward their colleagues, their subordinates and to prisoners that Canada might learn from and that might benefit you in this position going forward?

Ms. Solloway: Madam senator, every context is very different. The problems that exist in the Congo, for example, bear no resemblance to the problems in Canada. The governmental and other structures in Congo are very different from those in Canada.

I don't think I can draw a direct parallel or lessons learned that would be necessarily applicable from what was done in the Congo and what could be done in Canada.

I know it sounds like I'm trying to avoid answering, but I think it is necessary to be cautious about getting ahead of myself before I have a good understanding of what the function is able to do in that context.

Senator Pate: Based on your experience in other contexts, then, what do you see as the preferable approaches to dealing with retaliatory behaviour and to addressing the kinds of issues within a public service context that exist as I have described and that you will have the opportunity to address in your new capacity?

Ms. Solloway: Again, I think that the role of the Public Sector Integrity Commissioner is quite specific and has parameters within which the commissioner is meant to operate, which I know are currently under review.

I really cannot get out ahead of my skis, so to speak, and opine as to what I would do when I'm not yet there. Again, I hope to be — and, if confirmed, probably would be — back in front of you. I would be happy to provide some views at a future time, but at this time I just don't think that I'm in a position to do that.

Senator Dean: Thank you, Ms. Solloway, for joining us today and congratulations on your many professional achievements, your service to Canadians and, indeed, to those in other countries during your challenging assignments there.

Your mandate is to investigate wrongdoing in the federal public service, including the RCMP and selected Crown corporations. It is a very important role. The commission's annual report suggests that we have some way to go in ensuring that our public sector organizations remain healthy and safe places to work.

In general — and I'm not asking for detail here — can you share the top two or three priorities you would have at the outset of this tenure, both as you think about the commission and as you think about client organizations? In that sense, I'm looking for the sort of priorities that you have taken into any organization that you have done in the past and that would guide you here. I'm not looking for anything specific. What would you see as the main challenges in doing that in this role?

Thirdly, would you plan to meet with the Clerk of the Privy Council, deputy ministers and organization heads at some point, both to share your philosophy and priorities and to hear their views on the commission?

Ms. Solloway: Well, in terms of two or three priorities, I mentioned some of them at the outset — namely, consulting with stakeholders and with the staff of the commission. I think it is important to get their views regarding how the commission works and include that in any plans going forward.

A second priority would be to collaborate with and try to support the work of the independent committee that has been established for the review of the act to facilitate their work in any way that I can. I guess those would be the two or three priorities that I would undertake.

In terms of the challenges, it's been my experience in the international public sector — and I suspect that it is the same here — that once a decision is made about what must be done, there is generally impatience about how long it takes to implement. Communicating, explaining and ensuring that key stakeholders understand where we are — and why we are where we are — in accomplishing things will be critical.

• (1530)

I am a firm believer in creating a solid foundation — not building the house before the foundation is in place. When somebody wants to see their new house, they're not that interested in the concrete that goes into the foundation; they want to see their new house. The challenge that I faced in the past is ensuring that people understand that things are progressing, but they may be underground, and they may not be seen, but the dividends will be paid when the house is built — and it will be on a solid foundation.

Senator Dean: As we think about large organizations, including those in the public sector, we know from the commissioner's reports that sometimes concerns are raised and allegations are made about senior managers in some of these organizations — sometimes it's at the executive level.

As we think about organizational change and shifting the culture in organizations, how much of that is the responsibility of the head of the public service at a certain point? How much of that is the responsibility of deputy ministers? How much of that is the responsibility of oversight organizations that often have an opportunity to nudge, as well as offer insights, thoughts and recommendations on cultural change?

Ms. Solloway: Thank you. There is, regrettably, a distinction between organizational change and a shifting in culture. Very often, organizations are in a position where they have to change to meet whatever the needs may be. In this case, there could be — depending on the result of the committee's work and the debate on the bill — a need to change because the law may change, and that needs to happen. That is a nuts-and-bolts activity, and that is easier to manage than cultural change.

In regard to who is responsible for cultural change, in my view, it really is the responsibility of everybody in the public service — it is from the top to the bottom to the side; it's

everywhere. It's all of our concern because the culture in the organization impacts all of us, and we're also all accountable to the Canadian people. I don't see this as one office being more accountable than the other. If everybody does their job, and does it honourably, generally speaking, the culture shifts.

Senator Tannas: Thank you very much for being here. Congratulations on your distinguished career, and thank you for your service.

I want to return to the issue of the 50% of cases that are resolved within the targeted time frame, and the 50% that aren't. The outgoing commissioner attributed this to pandemic-related constraints, but he also talked about the lack of timely access to documents from government officials. We've seen a pattern in recent reports from various officers of Parliament — notably in this week's report from the Information Commissioner — who simply are not disclosing requested information in a timely manner.

I would expect that you could draw on lots of experience, but I'd love to hear from you about how you will assert your role as the Public Sector Integrity Commissioner in order to ensure that officials appropriately understand your role as an agent of Parliament. What can we do to help you as you uphold this role?

Ms. Solloway: Thank you. The answer, once again, isn't what I could do once I'm the commissioner because I don't know yet. Once in the job, I would be looking at the practices, as well as the legal parameters, to see what I could do.

In regard to your question about what you could do to help, from the standpoint of a civil servant, that's music to ears because it is very true that the legislative basis for a mandate defines the limits of what any position can do.

I would say — and I'm sorry to say this once again — at this stage, I don't know. I'm delighted that thought is being given to this, but right now, I would be happy to come back to you, if confirmed, and give you a more fulsome response when I have a better understanding of what the parameters are.

Senator Tannas: Could you confirm that you would not hesitate to come back here for help if you need it?

Ms. Solloway: Well, absolutely — again, I'm not sure of the parameters regarding what I'm allowed to do and not do, but if that is permitted, you bet.

Senator Tannas: Thank you.

There was a recent focus group study of federal public servants which found that only half of them had ever heard of the Office of the Public Sector Integrity Commissioner. Have you faced this in other roles: needing to raise the profile of your role within an organization that wasn't aware of it? Is that something that you've had experience with, and could you give us an example?

Ms. Solloway: Thank you. It was not so much within the organization, but, by way of example, when I was in the Congo, and I was hired to assist the Congolese in rebuilding their justice sector, they had no idea that I existed. The awareness raising occurred with my Congolese counterparts and colleagues — they

became colleagues because we worked together very closely over a number of years. I've done that, and it's important to make the overtures. One of the things that I helped them with — because it was important for their public to understand the work that they were doing to improve things — was supporting them in their efforts to gain press, for example, and also to gain international support by raising the awareness of the member states of the United Nations as to what the Congolese were doing.

I did help them with those efforts, but not specifically within my organization.

Senator Tannas: Are you a believer in “what gets measured, gets managed,” such as the 50% of people not knowing? Would that be something that you would want to take a sounding on annually, or during a regular period? Are you that type of manager where you try to find ways to determine if you are achieving success?

Ms. Solloway: I am a great believer in two things: The first is data. These days, we have so many opportunities and tools to assist us in collecting data, and I'm very much a believer in data. I think that answers part of your question.

I'm also a believer — and forgive the paraphrase because I can't remember the actual phrase, as I was told a long time ago that Nelson Mandela once said this — that not everything that can be counted counts, and not everything that counts can be counted. There's also the intangible — when you're working in an organization or as part of a public sector organization — that cannot be counted can also be very relevant. I'm a great believer in both.

Senator Tannas: My last question is as follows: Dr. Ian Bron, a professor at Carleton University, has extensively studied the whistle-blower regime in Canada, and he notes that there is a significant lack of trust between the federal public service and the Office of the Integrity Commissioner. He was so bold to note that many see the commissioner as serving the government more than protecting whistle-blowers, which probably has a lot to do with us finishing last in that survey of the 50 countries.

• (1540)

How do you set a better tone coming in, in your first 100 days? There will be some expectations. You say you're going to listen, but listening doesn't necessarily set a tone. Maybe it does. Could you elaborate?

Ms. Solloway: Thank you. I think that listening is the start of the reset of a tone because where people do not trust, they generally do not feel heard. It starts with listening in the first 100 days, but it's not enough to listen. One has to demonstrate in the period afterwards that the fact that someone listened could or did make a difference or did have an impact. The continuing communication after that is also critical. It's not only in the first 100 days that you establish that kind of dialogue.

That is something that I would do after the first 100 days. I think it's the beginning of setting the tone. It takes a while for people to trust. That's understandable for any new person coming in. I believe I can, and I hope to earn the trust.

Senator Tannas: Thank you. Good luck in your role, and don't forget that we're here to help if you need us.

The Chair: We're moving to the next block of 10 minutes that will be shared equally between Senator Cordy and Senator Cardozo.

Senator Cordy: Welcome, Ms. Solloway, to the Senate of Canada. It's nice to have you here.

Ms. Solloway, the Public Sector Integrity Commissioner relies solely on the public servants' and the public's reporting of wrongdoings to initiate any investigation. Public servants won't come forward unless protections from reprisals are ensured. The Public Servants Disclosure Protection Act is supposed to ensure protections are in place; however, it was reported that federal workers are feeling increasingly skeptical about reporting wrongdoings in the public service and they are becoming more likely to fear reprisals for whistle-blowing instead of receiving help because of things that are going on.

My question to you is what role, if any, you see for the Office of the Public Sector Integrity Commissioner to foster confidence in the complaint process for public servants so that they will come forward with wrongdoings and will not feel that there will be reprisals against them.

I look at your comment to Senator Tannas that — I think I'm quoting you correctly — when people don't trust, they don't feel heard. How do you make the public servants feel heard when they're telling you about concerns that they have?

Ms. Solloway: Thank you. It's not unusual for mistrust to exist in the face of wrongdoing, especially if the alleged wrongdoing is committed by a more senior member of the organization. I would add that wrongdoing can happen at all levels. Again, we need attention and communication. Nothing is worse than filing a complaint or raising an issue and then having no response, other than perhaps, "We received your email. Thank you very much," and then nothing. Nothing is worse than that.

I would ensure that those people who do come forward are kept apprised at a reasonable interval. It can't be necessarily every day, every week, but we would come to some kind of decision on what a reasonable interval would be, so they know what to expect. We could say, "We will get back to you in X period of time" — whatever period of time that is. At least in that way they would know that their issue has not just been put on a pile and forgotten about.

It may not change how rapidly it can be attended to. I don't know yet. Again, I'm not there, but communication is critical.

Senator Cordy: Thank you very much for that answer. The same report that showed the lessening of public servants' trust in the complaint process also showed that about half of the participants who took part in the focus groups on which the report was based were unaware of the existence of the Public Sector Integrity Commission. It's a big job, but have you given any thought to how this issue could be addressed? I know you spoke several times in your previous answer about communication being extremely important, but I wonder if you could expand on that.

Ms. Solloway: Thank you. Communication is extremely important. What would that look like in this context? It's premature for me to be able to say. I don't know what vehicles are used to communicate with members of the public service. There's too much that I don't know to be able to give you an answer as to what specifically I would do, but I would look for avenues of communication to reach as many as possible. It may take a little bit of time to implement, but that is one of the goals.

Senator Cordy: Thank you.

Senator Cardozo: Congratulations, Ms. Solloway, on your nomination. I want to congratulate you for putting your name forward. These days, it's not always a good idea or advisable to take on high-profile positions, so it's all the more important that people of your experience do that.

[*Translation*]

I am going to start with a jurisdictional question. In your opinion, what is the dividing line between the investigations you would conduct and those of the Canadian Human Rights Commission? I'm thinking of cases where there are general issues, some of which are linked to systemic racism or sexism.

Ms. Solloway: Thank you, senator. Once again, I would say that the parameters of each role should be and are defined in existing legislation. All measures adopted by the Canadian Human Rights Commission or the Office of the Public Sector Integrity Commissioner of Canada should be and are defined in the legislation. If there is an overlap, at that point it is a question of practices.

Since I'm not yet sufficiently familiar with how things work on the ground, I think it would be premature for me to comment.

[*English*]

My touchstone is always to go back to the letter of the law, the text and the intent, and then, where there are ambiguities, to seek clarification from the appropriate authorities.

Senator Cardozo: Thank you. Can you comment on how, on the one hand, you will protect whistle-blowers — which is what we want you to do — but what if the whistle-blower has contravened Canadian law, either in matters of secrecy or otherwise, where the person is clearly doing something that appears to be illegal?

Ms. Solloway: Again, my touchstone is always the law. I'll always be guided by the law. I'll always be guided by due process. I think that all those involved in the process, whether it be a whistle-blower or the person who may be accused of having done something wrong or any other witnesses or people who may be collaterally interested in the set of circumstances — the important thing is that everyone understands that there will be due process, that the law will be followed and that their rights will be respected, whilst at the same time respecting the application of the law to everyone. That is the best way forward.

The specific role of the Public Sector Integrity Commissioner is not a law enforcement role, as I understand it. There are different roles defined for different institutions, and the responsibilities would be split accordingly.

Senator Cardozo: Thank you. Are you aware of whether your commission can initiate investigations? I'm thinking of the example that Senator Pate mentioned. Are there any areas where there is an obvious issue, where you're hearing a lot, but nobody comes to you with an actual complaint?

• (1550)

Ms. Solloway: Thank you for the question. My knowledge is limited to what I have read, and it's currently my understanding — and I stand to be corrected — that the commission does not do that. I don't know whether any consideration is being given to that, but it's my understanding — perhaps incorrectly so — that at this point in time that is not something that is done.

Senator Cardozo: If you could give us your general thoughts about what parts of your past experience make you a good candidate for this position? I understand you've done investigations of various kinds. Would that be the key area of where you've had experience that relates to this position?

Ms. Solloway: That is certainly one of them. Two of my strengths are that I've managed teams in a civil service environment and I also understand the complex dynamics in the civil service, so I think that those two things would serve me well here.

My legal background would also be very useful, as well as my background in labour relations, which I haven't really highlighted, even though it was many years ago. I have a very broad background with many different aspects that could be pertinent to this job, and when I look at the law, the act and some of the reports that were done, I felt very comfortable applying for this job. I would not apply for a job that I didn't think I could do handily, so I think it's really the combination of my experience.

The Chair: Honourable senators, the committee has been sitting for 45 minutes. In conformity with the order of the Senate, I am obliged to interrupt proceedings so that the committee can report to the Senate.

Ms. Solloway, on behalf of all senators, thank you for joining us today.

Hon. Senators: Hear, hear!

The Chair: Honourable senators, is it agreed that I report to the Senate that the witness has been heard?

Hon. Senators: Agreed.

The Hon. the Speaker: Honourable senators, the sitting of the Senate is resumed.

[*Translation*]

REPORT OF THE COMMITTEE OF THE WHOLE

Hon. Pierrette Ringuette: Honourable senators, the Committee of the Whole, authorized by the Senate to receive Ms. Harriet Solloway respecting her appointment as Public Sector Integrity Commissioner, reports that it has heard from the said witness.

SUBSTANTIVE EQUALITY OF CANADA'S OFFICIAL LANGUAGES BILL

BILL TO AMEND—THIRD READING—DEBATE ADJOURNED

Hon. René Cormier moved third 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.

He said: Honourable senators, Canada was founded on a land that has been inhabited by Indigenous peoples since time immemorial. Full recognition of this reality, of the impacts of colonization, and of the importance of working towards reconciliation is essential to building the Canada of today and tomorrow.

I also want to recognize that the lands on which we are gathered and from which I am speaking to you is part of the unceded traditional territory of the Algonquin Anishinaabe people.

I am pleased and excited to rise today at third 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.

As the sponsor of the bill and Chair of the Standing Senate Committee on Official Languages, I want to begin by sharing two quotations with the chamber.

The first comes from the Quebec photographer Martin Paquette. This artist and adventurer said, and I quote:

Success is like climbing a mountain, you have to work as a team, face obstacles and bad weather, but no matter what, we always reach the top.

The second is a Tibetan proverb that fits in well with Martin Paquette's quote. It says, "When you have reached the top of the mountain, keep climbing." To that, I would add that our work is never done.

Colleagues, the comprehensive review to modernize the Official Languages Act that began many years ago has reached a critical point today.

There will always be work to be done when it comes to language rights and the protection of minorities, but the bill we have before us marks a very important step toward the full recognition of language rights in Canada.

First, I want to recognize the incredible work that has been done on this file over the past few years by the parliamentary committees, including the Standing Senate Committee on Official Languages, and by all of the civil society organizations and individuals who put so much time, energy and resources into helping us get to where we are today.

We need look no further than the hundreds of witnesses we heard from over the past few years, the many briefs submitted, the reports published and the recommendations issued.

The modernization proposals received and reviewed by the Senate since 2017 were varied and the subject of rigorous debate.

Bill C-13, an act for the substantive equality of Canada's official languages, is of concern to Canadian society as a whole, because the process of modernizing the Official Languages Act is more urgent than ever, particularly if we take into account the following realities: The last major overhaul of this law dates back to 1988; the new demographic, institutional and technological context requires that this quasi-constitutional law be modernized to adapt it to the new realities; and the decline of French is evident throughout the country, including Quebec. I should also mention the declining demographic weight of francophones outside Quebec, the need for greater protection of minority language communities and greater support for bilingualism, as well as the recurring problems of compliance with the law on the part of federal institutions. These are all factors that call for this law to be modernized.

It is in this context that the reform document released by the government in February 2021, which set out the broad guidelines for modernizing the Official Languages Act, resulted in the introduction of Bill C-32 in June 2021. This bill died on the Order Paper, but it did lead to Bill C-13.

We are now at third reading of Bill C-13, which is largely a modified version of Bill C-32, thanks to the important work done by the members of all the parties at the other place, and also thanks to your work, honourable colleagues.

We need to acknowledge that the pre-study done by the Standing Senate Committee on Official Languages between May and November 2022 certainly helped improve the bill.

The version of Bill C-13 before you is the fruit of hundreds of amendments presented, debated, rejected and adopted. It is the culmination of compromise and negotiations, not only between the political parties, but also between the governments, as signified by the agreement concluded between the federal government and the Government of Quebec.

[*English*]

The bill carefully reconciles the needs, interests and aspirations of Canadians, whether they belong to official linguistic majorities or official language minority communities. Nonetheless, concerns remain about Bill C-13, some of which were heard by the Senate Standing Committee on Official Languages during its recent deliberations.

As you know, on June 1, 2023, your committee received an order to examine Bill C-13. Since your committee reported on the subject matter of this bill on November 17, 2022, the House of Commons has made more than 60 amendments. Your committee applauds the work done in the other place to improve Bill C-13 and bring it more in line with stakeholders' expectations.

That said, in the two meetings devoted to the study of Bill C-13, your committee was privileged to hear from the Minister of Official Languages and the President of the Treasury Board and their staff, the Commissioner of Official Languages, three experts and the two main civil organizations representing English-speaking minorities of Quebec and French-speaking communities outside Quebec.

Although your committee did not propose amendments, it respectfully submitted eight important observations that I will discuss later in this speech. But first, let me present some of the bill's key positive measures.

• (1600)

[*Translation*]

I will start with the complete overhaul of Part VII of the Official Languages Act, which seeks to enhance the vitality of English and French linguistic minority communities in Canada and support and assist their development, and to foster the full recognition and use of both English and French in Canadian society.

With Bill C-13, the obligations of federal institutions will now be subject to several new provisions, including an enhanced framework for positive measures to be taken by federal institutions.

Bill C-13 also sets out the obligation to adopt a policy on francophone immigration seeking, in particular, to restore and increase the demographic weight of francophone minorities in Canada. That is a major step forward.

Bill C-13 will also strengthen the federal government's commitment to advance opportunities to pursue learning of equivalent quality in the language of the minority throughout the continuum of education, from day care to post-secondary schooling. It will also support the creation and dissemination of scientific information in French, foster an acceptance and appreciation of both French and English by the public, and promote the bilingual character of Canada at home and abroad.

Bill C-13 also proposes fundamental changes to Part VII, including obligations for two new ministers, the Minister of Foreign Affairs and the Minister of Immigration, Refugees and Citizenship.

The promotion of French in the country, as well as the vitality of minority communities, will benefit from this important legislative lever at their disposal.

What is more, with regard to language clauses, Bill C-13 now requires federal institutions to take the necessary measures to promote the inclusion of such clauses in agreements with the

provincial and territorial governments. This will help advance the equality of French and English in Canadian society and support official language minority communities.

[*English*]

This approach, colleagues, is therefore based on cooperation and negotiation between the federal government, provinces and territories, with the intention of respecting the jurisdiction and powers of the provinces and territories.

Following Royal Assent, Bill C-13 will extend the Treasury Board's power to assess and monitor the compliance of federal institutions with the obligation to take necessary measures to promote the inclusion of language clauses. The bill will also extend the power of the Commissioner of Official Languages to issue orders from Parts IV and V and to certain key provisions in Part VII related to the process of taking positive measures.

[*Translation*]

In a similar vein, with regard to the vitality of linguistic minority communities, there is another key measure in Bill C-13. Specifically, it sets out the federal government's obligation to estimate the number of rights-holders under section 23 of the Canadian Charter of Rights and Freedoms.

For years now, stakeholders have deplored the lack of data to fully enumerate these rights-holders who are entitled to education in the minority language. Properly estimating the number of rights-holders will help provincial and territorial governments, school boards and communities plan their education programs.

Thanks to this new legislative provision, the government will be able to use the necessary tools, including the census, to estimate the number of rights-holders. While respecting provincial and territorial jurisdictions, the government can work with the provinces, territories and school boards to get a more accurate picture of the number of rights-holders.

The various methods, instruments and sources of data collection will need to evolve in the future. However, one thing is clear. This new commitment, enshrined in the modernized Official Languages Act, will guarantee practical action to ensure the vitality of official language minority communities. It also sends a clear message about the Government of Canada's commitment to education in the minority language.

I cannot talk about Part VII of the Official Languages Act without reminding senators of the role it plays for English-speaking communities in Quebec. The Official Languages Act sets out the federal government's commitment to promote both French and English in Canada. It also sets out a commitment to support the vitality of official language minority communities, meaning francophone communities outside Quebec and anglophone communities in Quebec.

[Senator Cormier]

[*English*]

Here's how Bill C-13 will support the country's English-speaking community in Quebec. Bill C-13 contains many measures that will benefit English-speaking Quebec and its protection and development as an official language minority community.

We heard many representatives of the English-speaking community express their concerns about their linguistic rights, the effect of Bill C-13 on their communities in Quebec and asymmetry. We heard about their fear that the bill drives a wedge between English- and French-speaking communities and of the lack of adequate job opportunities.

Nevertheless, colleagues, the following examples should attest that the English-speaking community in Quebec would be better off with Bill C-13 rather than without it.

First, there is a recognition in the preamble, including in section 41 of the act, which highlights the uniqueness and diversity of the French and English linguistic minority communities and their contributions to Canadian society. These provisions will recognize the specificity and diversity of those communities, a socio-demographic reality that was not clearly reflected in the act of 1988. These changes constitute a recognition of the important and historical contribution of Canada's English and French linguistic minority communities.

[*Translation*]

Bill C-13 will give English-speaking communities in Quebec resources to support education in the language of the minority, English, and to support learning French as a second language.

From what I understand, these communities will be just as eligible for official languages support programs as francophone communities. The government will support projects specific to their communities to respond to their priorities in various areas that are essential to their development.

Thus, Bill C-13 recognizes, both in the preamble and in Part VII, the importance of supporting sectors that are essential to enhancing the vitality of English and French linguistic minority communities, such as culture, education — from early childhood to post-secondary schooling — health, justice, employment and immigration, and to protect and promote the presence of strong institutions serving those communities.

The bill also proposes concrete action to support these key sectors, such as establishing a new Government of Canada commitment to advance opportunities for English and French minority communities to pursue quality learning in their own language throughout their lives.

Among the measures the Minister of Canadian Heritage can take to advance the equality of status and use of our two official languages, note, for example, providing funding for the administration of an independent program that supports test cases in the area of linguistic rights as well as the right to be treated equally before the law guaranteed by the Constitution of Canada.

[*English*]

Among other things, these measures should be taken to enhance the vitality of official language minority communities, including English-speaking communities in Quebec. They must also respect:

... the necessity of considering the specific needs of each of the two official language communities of Canada, taking into account the equal importance of the two communities

These additions leave no doubt as to the equal importance of both official language minority communities.

More specifically, the bill strengthens and clarifies federal institutions' obligations with respect to the taking of positive measures, which is a critical obligation to ensure the development and protection of official language minority communities everywhere in Canada, including the English-speaking communities of Quebec.

It also provides additional clarifications with respect to what is expected of federal institutions in taking positive measures — that they be based on analyses that can, in turn, be based on the results of dialogue and consultation activities. These new obligations regarding dialogue and consultation activities are now explicitly stated in Bill C-13, which will ensure that federal institutions meet a certain threshold when taking positive measures while considering the needs of official language minority communities.

• (1610)

Institutions must also establish evaluation and monitoring mechanisms in relation to the positive measures taken. Bill C-13 ensures that federal institutions will continue to provide service in both official languages.

[*Translation*]

As we heard from some of the experts who testified during the recent committee study, reference to Quebec's Charter of the French Language does not take any rights away from Quebec's English-speaking communities. Bill C-13 simply recognizes the existence of a provincial law.

In response to a question put to her on this subject, lawyer Janice Naymark stated before the committee that there was no "incorporation by reference" with this mention.

In fact, here is what a Department of Justice lawyer, Warren Newman, had to say when he appeared before the Official Languages Committee in the other place, and I quote:

I don't see that federal services from federal institutions would be in any way compromised by the mere mention of the fact that the Charter of the French Language and other linguistic regimes are matters that the government recognizes as part of the overall context.

Given that Mr. Newman was involved in developing the legislative proposals when the Official Languages Act was first modernized in 1988, his insights on this matter are much appreciated.

We also heard in committee that Bill C-13 will not undermine the rights of English-speaking Quebecers. Michel Doucet, a lawyer and official languages specialist, stated the following before the committee, and I quote:

Sections 16 to 20 and 23 of the Charter will continue to apply and will recognize the constitutional rights of English Quebecers. These rights cannot be taken away from them. Section 133 will also stand. The language rights conferred by the Constitution remain, despite the reference to Bill 96 in the federal act.

Mr. Doucet also specified that section 133, which provides constitutional guarantees for the use of French and English in the debates of Parliament and the National Assembly of Quebec, already created a linguistic asymmetry when Canada was established in 1867.

Section 133 recognized the rights of anglophones in Quebec, although francophones in other provinces did not have those same rights. The asymmetry with respect to language rights is therefore not without precedent.

That said, in the observations in its third report, the committee noted that the Minister of Official Languages, the President of the Treasury Board and the Commissioner of Official Languages promised to closely monitor the impact of Bill C-13.

Your committee believes that they will have to pay close attention to developments affecting Quebec's English-speaking communities and report regularly on the impact of Bill C-13 across Canada, without waiting for the review in 10 years provided by the law.

I now want to address another important topic that the senate committee considered during its deliberations, namely Indigenous languages.

We were informed that as part of the process to modernize the Official Languages Act, the chiefs of the Assembly of First Nations, of the Inuit Tapiriit Kanatami and of the Métis National Council met with Minister Joly to discuss the government's approach to official languages. What is more, Indigenous groups participated in the 2019 consultations on the modernization of the Official Languages Act.

In studying Bill C-13, the committee also learned that the Minister of Official Languages, Ginette Petitpas Taylor, met with the Commissioner of Indigenous Languages and with northern Indigenous leaders.

[*English*]

Colleagues, Indigenous languages are an integral part of the cultures and identities of Canadian society. The revitalization and strengthening of Indigenous languages and the reform of official languages must be conducted at the same time.

The modernized Official Languages Act recognizes that nothing should stand in the way of the maintenance and enhancement of languages other than French or English or in the way of the reappropriation, revitalization and strengthening of Indigenous languages.

[*Translation*]

The Official Languages Act and the new statute respecting the use of French in federally regulated private businesses must not undermine the support and promotion of Indigenous languages, in keeping with the Indigenous Languages Act, which actually needs more teeth to protect and improve the situation of Indigenous languages in this country.

As we heard in committee, the Official Languages Act and the Indigenous Languages Act are two complementary pieces of legislation that seek to revitalize and ensure the vitality of these languages and communities.

Indeed, although every piece of legislation needs to be given its own scope, Mr. Newman confirmed to the committee that these laws relating to identity must be interpreted together, harmoniously.

We also heard in committee that Bill C-13 is entirely consistent with the spirit of the United Nations Declaration on the Rights of Indigenous Peoples and that the federal government is making every effort to take into account the use of Indigenous languages in the federal public service.

For example, we heard that the government has developed a new framework for language training that is more inclusive than the training that currently exists, to ensure that training is tailored to all equity-seeking groups, including Indigenous employees.

In its third report, the committee made some observations regarding Indigenous languages that could serve as a road map for the federal government and Parliament in the coming years. I want to acknowledge the leadership and work of my colleagues, senators Michèle Audette and Bernadette Clement, and thank them for the work that they did and presented to the committee.

Honourable senators, here is a relevant excerpt from the report tabled in the Senate. It states the following, and I quote:

Indigenous languages are recognized in the *Indigenous Languages Act* and for the first time; they are also acknowledged in these proposed changes to the OLA. This is a small step in furthering reconciliation.

In the spirit of reconciliation and out of respect for the rights of Indigenous people to governance and self-determination, we expect the federal government to meet the obligations set out in the Indigenous Languages Act.

[Senator Cormier]

In an article published by the Commissioner of Official Languages on the occasion of the fiftieth anniversary of the Official Languages Act, which is just as relevant to this debate, he stated, and I quote:

Indigenous languages are an important part of Canada's cultural landscape. In the spirit of reconciliation and in accordance with the fundamental values that unite them, all Canadians can support their country's first languages and their country's official languages.

Colleagues, we must all support Indigenous languages and official languages by using the federal legislative tools at our disposal to achieve the desired progress. I am talking about the Official Languages Act for the country's two official languages and the Indigenous Languages Act for first languages.

Your committee supports the assertion that Indigenous peoples in Canada, with their unique experiences and histories, expect the Government of Canada to fulfill its commitments to them as set out and adopted in the United Nations Declaration on the Rights of Indigenous Peoples Act, in the Calls to Action of the Truth and Reconciliation Commission of Canada, in the Calls for Justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls, and in the Indigenous Languages Act.

• (1620)

Your committee notes that, in the absence of substantial reform of the legal regime governing Indigenous languages, Indigenous peoples have little recourse or means to work towards the reclamation, revitalization and strengthening of Indigenous languages.

Your committee believes it is important to recognize the languages of the First Nations, Métis and Inuit as the first languages of this land, as stated in the Indigenous Languages Act.

Your committee also notes that the Indigenous Languages Act requires the minister responsible to conduct an independent review of the administration and operation of the Act within five years of its coming into force, and every five years after that.

In the spirit of reconciliation and decolonization, your committee expects the federal government to meet its obligations and even exceed minimum legal expectations in respecting the governance and self-determination rights of Canada's Indigenous peoples.

[*English*]

Bill C-13 also clarifies the roles and responsibilities of the Minister of Canadian Heritage, the President of the Treasury Board and the Treasury Board. It also capitalizes on their respective strengths, which are related to their fields of expertise and action.

Bill C-13 strengthens the powers of the Treasury Board, which become mandatory, and adds additional powers, including those related to federal institutions' obligations to take positive measures. These responsibilities and functions are aligned with

the role of the Treasury Board as a management board, as the employer of the public service and as the entity that issues directives to federal institutions and monitors their compliance.

Bill C-13 proposes to assign the oversight role and that of informing federal institutions of official languages requirements to Treasury Board. Canadian Heritage, on the other hand, will remain the department focused on the Canadian public, including official language minority communities, with long-standing expertise and know-how in those matters.

[Translation]

I would now like to briefly address the new obligations for federally regulated private businesses to promote French under to Part 2 of Bill C-13, which enacts the Use of French in the Federally Regulated Private Businesses Act.

Bill C-13 recognizes that the private sector has a role to play in promoting and protecting the French language. To that end, the bill provides for two new rights and obligations ensuring that consumers can communicate in French with certain federally regulated private businesses and language of work rights enabling employees to communicate in French.

[English]

I believe this new regime will provide increased protections for French, both for the benefit of francophones in certain regions with a strong francophone presence and for the francophone population of Quebec. The pre-study done by your committee focused, in part, on this new statute respecting the use of French in federally regulated private businesses. It undoubtedly influenced the other place's work on this topic.

[Translation]

Even once the bill is passed, the work will not be done. The regulatory process will be launched as soon as the bill receives Royal Assent. These regulations are essential for the implementation of certain key measures. Three regulations are planned, including one regarding the implementation of positive measures, a second regarding federally regulated private businesses and a third regarding administrative monetary penalties.

In concrete terms, the implementation of a modernized act begins with Royal Assent, but the reform will only take shape in its entirety following the making of regulations and the subsequent implementation of certain measures and new regimes through Orders-in-Council.

Although a review of the legislation is planned in 10 years' time, there is no need to wait 10 years to make improvements.

It is in that spirit that your committee presented eight observations that we hope will be taken into account by the government and by all parliamentarians in the coming months and years.

These observations pertain to the oversight of the Official Languages Act's implementation, Quebec's English-speaking communities, the enumeration of the children of rights-holders, the bilingual Constitution, the discoverability of French in the digital space, the Translation Bureau and Indigenous languages.

Since I have already addressed some of these observations earlier in my speech, let me briefly touch on two others.

The first observation has to do with the bilingual Constitution. Your committee notes that some constitutional texts establishing the foundations of our Canadian Confederation, including the Constitution Act, 1867, still only have official English versions.

Your committee notes that on March 29, 2022, the Senate unanimously adopted a motion, moved by our colleague Senator Dalphond, whom I thank, calling on the government to:

... consider, in the context of the review of the *Official Languages Act*, the addition of a requirement to submit, every 12 months, a report detailing the efforts made to comply with section 55 of the *Constitution Act, 1982*.

Your committee calls on the federal government to implement the measures proposed in the Senate motion to support the advancement toward the equality of status of both official languages, by making sure that the Minister of Justice of Canada respects section 55 of the Constitution Act, 1982, which states that all constitutional texts set out in the schedule to this act must be drafted and adopted in French.

Your committee also recommends that, as stated in the motion, the federal government submit a report to the Senate and to the House of Commons every 12 months detailing the efforts made to ensure compliance with this section.

I want to sincerely thank our former colleague, the Honourable Serge Joyal, for submitting a brief to the committee in this regard.

The second observation addresses the discoverability of French in the digital space. Again inspired by the Honourable Serge Joyal's brief, the committee is also of the opinion that the presence and discoverability of all works, creations and research of any kind in the French language are essential to fully ensure the perpetuity of the French fact in this country.

Your committee therefore recommends that the federal government continue to take concrete initiatives to ensure the dissemination and discoverability of Canadian content in French.

In conclusion, esteemed colleagues, although I have not covered all of the proposals in this bill, which contains a considerable number them, and although I have not discussed all of the observations made by the committee, this in no way detracts from their importance to the future of our language regime, be it the proposals to ensure bilingualism in the judiciary, the civil service or other aspects of the bill.

Canadians, and particularly francophones across the country, are eagerly awaiting Royal Assent of Bill C-13.

The committee heard it from several stakeholders: Any further delay in passing a modernized Official Languages Act is simply a harbinger of more setbacks, to the detriment of Canada's francophonie.

The Honourable Lucie Moncion, Acting Chair of the Standing Senate Committee on Official Languages, asked the Director General of the Fédération des communautés francophones et acadienne du Canada what would be the repercussions for minority communities if passage of Bill C-13 were delayed. He replied as follows:

. . . Canada's immigration levels for the next three years will be established in November. We know that the department is conducting extensive consultations, which are starting now and will probably end in the summer or early fall, on immigration and the targets for the next three years for the entire country, including francophone immigration. Therefore, if we still do not have Bill C-13 to provide this very clear direction that we need restorative targets, that could have an impact over the next three years.

Colleagues, it has been proven beyond a doubt that all parties in the other place now have the political will to carry out an ambitious reform of the Official Languages Act. Therefore, what we have on our hands is a tremendous opportunity that we must take advantage of.

I firmly believe that such a legislative instrument will create the conditions required to reverse the current language trends. I must therefore invite you to vote in favour of this bill as quickly as possible. Its passage by the Senate will help Canadians envisage the future of official languages in Canada with more confidence and more certainty.

• (1630)

In closing, on a personal note, I would say this: Much like the challenges of climbing a mountain as described by the artist and adventurer Mario Paquette, by using teamwork and facing obstacles and storms together, we can draw inspiration from this vision. We all come to the Senate bearing the aspirations and dreams of our communities, but we also carry the scars of generations that came before us and the troubles that our communities have to deal with today.

Each and every one of us carries the weight of history's impact on our cultures, our languages and our communities. We share a desire to improve the lives of members of our own communities. In Canada, there are some troubling and absolutely unacceptable realities, especially for the Indigenous peoples. We need to recognize that and be kind, respectful and understanding of one another.

We need to reach out and work together with an open mind to achieve our common dreams.

Honourable colleagues, I have been a member of the Standing Senate Committee on Official Languages since joining the Senate. The spirit of collaboration there has always moved me.

[Senator Cormier]

By setting partisanship and our differences aside, we always manage to reach a consensus that benefits all Canadians. On that note, I want to thank the committee chair, Senator Moncion, who displayed admirable discipline and fairness during the study of Bill C-13.

It is my deep and sincere hope that we continue to be inspired by this spirit. A bit like a team climbing a mountain, taking care of each other will help ensure that we reach the summit, to be able to gaze at heaven and earth before us, and celebrate together what we've achieved, for the good of all Canadians.

Thank you. *Meegwetch.*

Hon. Senators: Hear, hear!

[*English*]

Senator Quinn: Would the senator take a question?

[*Translation*]

Senator Cormier: Of course.

[*English*]

Hon. Jim Quinn: Thank you very much for the speech. It really outlined all the work that the committee has done and all the discussions that have taken place. I took note that the other place made 60 amendments. The bill was introduced here and referred to committee, and it's been acknowledged that there's a drafting error in the bill. That drafting error would cause francophones outside of Quebec to go through a period of time where they're not being treated the same as francophones in Quebec; it's a question of equality. I think that is something we need to consider.

I think that you're a very strong advocate of equality. In fact, you recently said it's the responsibility of all legislatures to ensure policy approaches that advance rights rather than limit them.

We're about to accept a bill that has an error that was acknowledged two or three weeks ago, with 60 amendments from the other place and none from here, and yet we will probably pass the bill with that error that will disadvantage colleagues in our province, particularly in the northern part of the province, for a period of possibly two years or longer depending on the political life of wherever the government is at its particular stage. Isn't that something that we should be reflecting on, be thinking about and be concerned about with respect to treating folks across Canada in an equal way?

Senator Cormier: Thank you for your question, senator. I want to thank you for the importance that you place on official languages. We considered that.

[*Translation*]

Yes, we did consider that. Senator, I consulted with our colleagues and our compatriots in New Brunswick. My team and I spoke with representatives from the Société de l'Acadie du Nouveau-Brunswick whose communities would be affected by this issue. Through their umbrella organization, the Société de

l'Acadie du Nouveau-Brunswick, the communities said they were reassured by the fact that a consultation process would be put in place to better frame the issue of determining whether a region has a strong francophone presence. They are confident that this process will successfully do that, and they reiterated, as do I, the importance of passing this bill now. The repercussions of not passing the bill would be worse than a two-year delay in obtaining further clarification and consultation on this issue.

Senator Quinn: Thank you very much, Senator. I'm just wondering whether this is a situation where a segment of our population is not being treated equally, not just in New Brunswick but in other parts of the country as well.

[*English*]

It makes me think about the reputation that we have talked about many times in this chamber about the role of the Senate. It is a role of sober second thought, and here we've had three weeks to really consider making a small amendment. By the way, if something goes wrong over that two-year period, the rights of the francophones in Quebec and the rights of those outside of Quebec will be lost because of the drafting error. Why wouldn't we have fixed that drafting error rather than taking a bill with an acknowledged error and passing it through? I fear the reputation of the Senate is once again being called into question, and that maybe we are a house of rubber stamping.

[*Translation*]

Senator Cormier: Thank you for your question, senator. This bill, like any other, is not perfect. We could propose other amendments to it.

The Fédération des communautés francophones et acadienne du Canada, which brings together francophones and Acadians from all of the provinces and territories, has been very clear. It too recommends that the bill be passed as it now stands.

You know, I think that our colleagues are aware of this reality. Canada's francophone and Acadian communities, along with Quebec's anglophone communities, have been working on the modernization of the Official Languages Act for many years. I don't think that the Senate's reputation is being called into question. I don't think it hurts our reputation to say that the time has come to pass this bill.

The Senate's main responsibility is to listen to the communities, and what they are telling us is to please pass this bill for the welfare and well-being of their communities. That is the spirit in which we worked. Senator Quinn, we proposed eight solid recommendations and we will be keeping an eye on them, because your committee will continue to work on respect for official languages and will continue to call on the government and the Parliament of Canada to address any issue concerning official languages in this country. Thank you.

(On motion of Senator Martin, debate adjourned.)

• (1640)

[*English*]

BILL TO AMEND THE FIRST NATIONS FISCAL MANAGEMENT ACT, TO MAKE CONSEQUENTIAL AMENDMENTS TO OTHER ACTS, AND TO MAKE A CLARIFICATION RELATING TO ANOTHER ACT

THIRD READING—DEBATE

Hon. Marty Klyne moved third reading of Bill C-45, An Act to amend the First Nations Fiscal Management Act, to make consequential amendments to other Acts, and to make a clarification relating to another Act.

He said: Honourable senators, on the unceded territory of the Anishinaabe Algonquin people, I'm honoured to rise at third reading as sponsor of Bill C-45. As you will recall from our recent debate at second reading, this legislation amends the First Nations Fiscal Management Act to help support economic reconciliation and greater prosperity for First Nations. Having made extended remarks at second reading, in the timeless words of former Senator Baker, "I will be brief."

To refresh the chamber, Bill C-45 contains important measures to enhance the statute's opt-in fiscal frameworks for the 348 currently scheduled and participating First Nations, as well as for the First Nations who may choose to opt in and benefit from the legislation in the future.

These improvements will support greater economic self-determination in relation to tax authorities, financial information, borrowing and infrastructure development and maintenance. Most importantly, this bill will create the First Nations infrastructure institute, a centre of excellence to support First Nations in achieving their aspirations for high-quality, sustainable infrastructure. These changes go hand in hand with rights recognition achieved via the United Nations Declaration on the Rights of Indigenous Peoples, or UNDRIP, in 2021, holding up economic, social and cultural rights.

Thank you to our critic Senator Martin, this chamber and the Indigenous Peoples Committee for moving quickly on this important bill, which was returned to us without amendment. This is a testament to the many years of creative thinking, hard work and advanced consultation that went into Bill C-45. Proponents of this legislation, including Senator Gold, have handed me a sponsor's dream. In engaging on the details of Bill C-45, however, I understand that the key champions behind this legislation have only made these changes look easy through their vision, determination and attention to detail.

Congratulations again to Ernie Daniels, President and CEO of the First Nations Finance Authority; Harold Calla, Executive Chair of the First Nations Financial Management Board; Manny Jules, Chief Commissioner of the First Nations Tax Commission and Allan Claxton and Jason Calla at the First Nations infrastructure institute development board and their teams. As I said before, along with participating First Nations, this is their bill.

In addition, I would underscore the enthusiasm and dedication of their team. I was delighted to speak with several of their organization's bright-eyed and valued members in our cafeteria following clause-by-clause proceedings. They are obviously proud to be in the Senate doing their part for economic reconciliation. That conversation put a smile on my face and wind in my sails, and, indeed, this dream is becoming reality.

Thank you and congratulations as well to Minister Miller and his team, including all the officials involved, for their leadership and efforts to advance Bill C-45, resulting in unanimous support in the other place.

These proposed changes to the First Nations Fiscal Management Act broadened and modernized the mandates of the three First Nations-led financial institutions established under the act. This will allow them to provide services that better respond to the growing needs of communities while also creating a fourth institution in relation to infrastructure.

The proposed amendments would assist the First Nations Tax Commission in supporting communities to create local revenue laws that go beyond real property taxation. That would strengthen the education and capacity supports available to communities as they build their economies. These proposed amendments would also expand the services and certification standards of the First Nations Financial Management Board to new client segments, including tribal councils and treaty and self-governing groups, and ensure strong and diversified Indigenous representation on its board.

There are currently three First Nations in Saskatchewan that have achieved financial management systems, and I'm quite proud of them. In total, \$174.2 million in loans have been accessed by First Nations in Saskatchewan. This is an important achievement for First Nations.

In terms of the benefits to communities of participation in the First Nations Fiscal Management Act, today I'd like to share the story of Mistawasis Nêhiyawak Nation and Chief Daryl Watson, who said:

Development and implementation of policies and procedures for day-to-day financial activities will lead to long-term sustainability for Mistawasis Nêhiyawak. It is paramount to develop structure with short-term and long-term strategic plans/work plans for good administrative governance for our Membership, for future generations, and for our business partners.

The community was first added to the First Nations Fiscal Management Act schedule in 2013. Four years later, with the help of the First Nations Tax Commission, it passed property taxation and assessment laws. In 2019, it set tax rates and passed an expenditure law for the first time, collecting more than \$80,000 to help support First Nation infrastructure and local services from non-community member farmers who lease agricultural land.

Mistawasis Nêhiyawak takes a modified approach to taxing agricultural land. They determine the average taxes per acre in the adjacent municipality, and they charge taxpayers based on the acres leased.

We'll pick that up tomorrow.

The Hon. the Speaker: We'll have to pick that up tomorrow.

(At 4:45 p.m., pursuant to the order adopted by the Senate on June 13, 2023, the Senate adjourned until 2 p.m., tomorrow.)

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