



# DEBATES OF THE SENATE

---

1st SESSION



44th PARLIAMENT



VOLUME 153



NUMBER 160

---

OFFICIAL REPORT  
(HANSARD)

Tuesday, November 21, 2023

The Honourable RAYMONDE GAGNÉ,  
Speaker

## CONTENTS

(Daily index of proceedings appears at back of this issue).

*Publications Centre:* [Publications@sen.parl.gc.ca](mailto:Publications@sen.parl.gc.ca)

---

Published by the Senate  
**Available on the Internet:** <http://www.parl.gc.ca>

## THE SENATE

Tuesday, November 21, 2023

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

Prayers.

[*Translation*]

### BUSINESS OF THE SENATE

**The Hon. the Speaker:** Honourable senators, there have been consultations and there is an agreement to allow a photographer in the Senate Chamber to photograph the introduction of new senators.

Is it agreed, honourable senators?

**Hon. Senators:** Agreed.

[*English*]

### NEW SENATORS

**The Hon. the Speaker:** Honourable senators, I have the honour to inform the Senate that the Clerk of the Senate has received certificates from the Registrar General of Canada showing that the following persons, respectively, have been summoned to the Senate:

Krista Ann Ross

Joan M. Kingston

John M. McNair

Albert Réjean Aucoin

### INTRODUCTION

**The Hon. the Speaker** having informed the Senate that there were senators without waiting to be introduced:

The following honourable senator was introduced; presented His Majesty's writ of summons; took the solemn affirmation, which was administered by the Clerk of the Senate; and was seated:

**Hon. Krista Ross**, of Fredericton, New Brunswick, introduced between Hon. Marc Gold, P.C., and Hon. Jim Quinn.

• (1410)

The following honourable senator was introduced; presented His Majesty's writ of summons; took the oath prescribed by law, which was administered by the Clerk of the Senate; and was seated:

**Hon. Joan Kingston**, of New Maryland, New Brunswick, introduced between Hon. Marc Gold, P.C., and Hon. Nancy J. Hartling.

The following honourable senators were introduced; presented His Majesty's writ of summons; took the solemn affirmation, which was administered by the Clerk of the Senate; and were seated:

**Hon. John M. McNair**, of Grand-Bouctouche, New Brunswick, introduced between Hon. Marc Gold, P.C., and Hon. Pierrette Ringuette.

• (1420)

[*Translation*]

**Hon. Réjean Aucoin**, of Cape Breton, Nova Scotia, introduced between Hon. Marc Gold, P.C., and Hon. René Cormier.

[*English*]

**The Hon. the Speaker** informed the Senate that each of the honourable senators named above had made and subscribed the declaration of qualification required by the Constitution Act, 1867, in the presence of the Clerk of the Senate, the Commissioner appointed to receive and witness the said declaration.

### CONGRATULATIONS ON APPOINTMENTS

**Hon. Marc Gold (Government Representative in the Senate):** Honourable senators, on behalf of the Government Representative Office, I am pleased to rise today to welcome to the Senate of Canada Senators Krista Ross, Joan Kingston, John McNair and Réjean Aucoin.

Senator Krista Ross has been a well-known business figure in Fredericton and is a celebrated community and business leader. She was a private business owner as well as Chief Executive Officer of the Fredericton Chamber of Commerce for 12 years and its general manager for 8 years. She was a vocal representative and advocate for the Fredericton business community for more than two decades.

As a community advocate, Senator Ross is a board member of the Fredericton Community Foundation, the University of New Brunswick Faculty of Business advisory board and the Ignite Fredericton Seed Board. She has also served as a commissioner with the Electoral Boundaries and Representation Commission for New Brunswick.

Senator Ross was recently named to the Council of Excellence of the Chamber of Commerce Executives of Canada, was twice named Chamber Executive of the Year in Canada and named a Top 50 CEO for Atlantic Canada. She is also a recipient of the Advocacy in Action Silver Award from the Canadian Chamber of Commerce.

Senator Joan Kingston is a registered nurse and a consultant with the Faculty of Nursing at the University of New Brunswick. She was previously a lecturer and clinical instructor in that

department. Senator Kingston is also a former provincial parliamentarian and held the posts of Minister of Labour and Minister of the Environment as well as Principal Secretary of Government Affairs for the Office of the Premier of New Brunswick.

Senator Kingston is an active community member and health advocate. She is the Chairperson of the Community Action Group on Homelessness and has worked with the Specific Patient Oriented Research, or SPOR, Network in Primary and Integrated Health Care Innovations as well as with the Fredericton Non-Profit Housing Corporation. She is the former president of the Nurses Association of New Brunswick and, in 2021, was inducted as Fellow of the Canadian Academy of Nursing.

Senator John McNair, who will also be representing New Brunswick, holds Bachelor of Arts and Bachelor of Law degrees from the University of New Brunswick. For the past 14 years, Senator McNair has been General Counsel and Corporate Secretary to Service New Brunswick. He also served as Deputy Attorney General and Deputy Minister of Justice for the Province of New Brunswick from 1998-99.

Senator McNair has been actively involved in his community and has served on the boards of many non-profits, including Housing Alternatives, Rehabitat, the YMCA of Greater Saint John, Literacy New Brunswick, Symphony New Brunswick and the Exhibition Association of the City and County of Saint John, to name a few. I know that we will benefit from his legal and political experience as well as his broad knowledge of the not-for-profit sector.

[*Translation*]

Lastly, I am pleased to welcome Senator Réjean Aucoin from Chéticamp, Nova Scotia. Senator Aucoin is a passionate Acadian and a staunch supporter of the Acadian community, who practised law for over 30 years. During that time, he noticed the lack of French legal services for Acadians and francophones, which led him to found the Association des juristes d'expression française de la Nouvelle-Écosse. He is also the founder and president of the Conseil économique de Chéticamp.

Before becoming a lawyer, Senator Aucoin worked as a journalist, radio producer, writer and community development officer. He has received many awards and distinctions for his unwavering commitment to the Acadian community, including the 2017 lawyer's award from the Association des juristes d'expression française de la Nouvelle-Écosse, the community development award from the Nova Scotia branch of the Canadian Bar Association, and the community partner award from the Alliance des radios communautaires du Canada.

It is a great privilege to welcome Senators Ross, Kingston, McNair and Aucoin to the Senate of Canada today.

[*English*]

I look forward to working with you, colleagues, and know that we will benefit from your experience and your insight. Welcome to the Senate.

[ Senator Gold ]

• (1430)

**Hon. Rose-May Poirier:** Honourable senators, on behalf of the opposition, the Senate Conservative Caucus, I am pleased to rise in this chamber to welcome our new colleagues from New Brunswick and Nova Scotia — Senator Joan Kingston, Senator John McNair, Senator Krista Ross and Senator Réjean Aucoin. As a fellow New Brunswicker, I'm glad to see three new colleagues join our chamber.

In the whole of Parliament, New Brunswick holds 20 seats between both houses. When three of these seats are empty for an extended period of time, it is New Brunswick's voice that is weakened. I'm glad to see three new colleagues to strengthen our voice as a province as we debate various bills and issues that will arise.

The surroundings will be familiar to you, Senator Kingston, with your previous role as a Liberal MLA in the provincial legislature. We didn't have a chance to serve at the same time, but I look forward to exchanging with you.

Senator McNair and Senator Ross, your deep commitment to your community is an important trait when serving Canadians in the Senate. We can have our ear on the ground and be a stronger voice for our smaller communities who don't always have a voice in this chamber.

[*Translation*]

I am absolutely delighted to have Senator Réjean Aucoin with us here in the Senate.

We've waited 10 long years for a Nova Scotia Acadian to be appointed to the Senate, and here he is at last. We really needed a voice for the Acadian community and the Canadian francophonie at the table during debates on important issues such as modernizing the Official Languages Act. Nonetheless, your leadership as a Nova Scotia Acadian and your extensive experience in the field of law are major assets that will serve the Senate and our Acadian diaspora.

[*English*]

Each of you will contribute to our debates thanks to your unique walks of life to get here. Canadians have increasingly been looking to the Senate for hope that their voices are heard, and that the severity of the affordability crisis will be the priority of all parliamentarians. Not a day goes by without our offices receiving phone calls and multiple emails from concerned Canadians on the affordability crisis. It is top of mind for Canadians, and it should be our priority as parliamentarians to act swiftly in making life more affordable for all.

On behalf of the opposition, of the Conservative caucus, I want to warmly welcome you to the Senate of Canada, and look forward to working with you all. Thank you.

[*Translation*]

**Hon. Raymonde Saint-Germain:** Colleagues, I am pleased to welcome four senators whose strong voices and wisdom will round out New Brunswick and Nova Scotia's representation here in the Senate.

Senator Albert Réjean Aucoin: Finally!

Finally, the Senate has someone representing Nova Scotia Acadians in the Senate. I am so looking forward to hearing you champion the interests of Chéticamp, Acadia, the francophonie and Nova Scotia as a whole both in this chamber and in our committees, just as you've done in so many other roles elsewhere. Your record is impressive. With your expertise in social work, law, journalism and community development, I know you will help us see through new and diverse lenses, and that will benefit all Canadians.

[English]

Senator Joan Kingston, I am glad that the Senate can count on someone with such diversity, expertise and interests as yours. In your prestigious career, you have devoted yourself to issues related to health care, the environment and human rights, all of which are imminently relevant to our work. You already have solid parliamentary experience, having served as an MLA in New Brunswick, both as a government minister and in the opposition. Your credentials and accomplishments are precious skills to the role of complementary sober second thought that we must offer.

Senator John McNair, by joining the Senate today, you continue a remarkable and diverse career devoted, in large part, to public service. You have held very strategic positions of deputy minister and Deputy Attorney General for the Province of New Brunswick. You were a driving force in the successful implementation of Service New Brunswick. In matters of engineering and delivering services to citizens, including businesses, this agency is recognized as a model.

You are also familiar with parliamentary work, having served as chief of staff for the official opposition in your provincial legislature. On top of that, you still found time to be involved in your community, serving in the Harrison McCain Foundation and many other non-profit organizations. I have no doubt that you will quickly cope with a senator's heavy agenda and multi-tasking requirements.

Senator Krista Ross, your strong expertise in the finance and trade fields is very welcome. Over the last 20 years, your tireless work and remarkable leadership with the Fredericton Chamber of Commerce were a key factor for this capital city's — and New Brunswick's — development. You were rightly celebrated for these achievements, having been named to the Chamber of Commerce Executives of Canada's Council of Excellence as well as — it is worth being said twice in this chamber — a Top 50 CEO for Atlantic Canada. There are no doubts about your forthcoming engagement in scrutinizing legislation with your professional lenses and the solid value added that you will bring to our work.

Senators Aucoin, Kingston, McNair and Ross, all members of the Independent Senators Group congratulate and welcome you to the Senate of Canada. We look forward in working in close collaboration with all of you. Thank you. *Meegwetch.*

[Translation]

**Hon. Rebecca Patterson:** On behalf of my colleagues from the Canadian Senators Group, I want to welcome Senators Aucoin, McNair, Ross and Kingston.

[English]

With these appointments made by the Prime Minister on October 31, the Maritimes representation in the Senate is almost at full strength, but we're still waiting for one more from Prince Edward Island.

It has been noted by many — in this chamber and outside — that this grouping of appointments will deepen the Senate's pool of knowledge and strength. We've added very strong individuals with political experience and community service, and this really is a good thing. It's also important to note that each of the new senators are very strong advocates for their provinces, and I certainly hope that your passion for your regions will continue in this place.

The original architects of the Senate designed this chamber to provide a regional lens to national policies and to ensure that all Canadians are represented. This role was important in 1867, and it's still important in 2023.

Honourable senators, our former colleague Senator Elaine McCoy once wrote that, "The Senate is a built-in safety valve . . ." in Parliament to protect regional interests while keeping the country together.

In addition to her thoughts, I would state that the Senate is not only in place to ensure there is regional representation, but it's also a place for sober second thought and civil discourse on issues that really matter to Canadians. That is the challenge you accepted by being here, and I am absolutely certain that you are more than up to it.

[Translation]

We hope you will all continue to act as representatives of your regions within our federation. We are welcoming to our Senate ranks two new legal experts.

Senator Aucoin, it is a pleasure to welcome in this chamber another Acadian senator who is a strong advocate for the French language.

• (1440)

[English]

Senator McNair, your longstanding dedication to public service is admirable, and I suspect that we might soon need to expand the size of the Legal and Constitutional Affairs Committee because of all this new incoming expertise.

We also add Senator Ross, a strong community advocate and an accomplished entrepreneur in New Brunswick.

Finally, we welcome Senator Kingston. Personally, I am very pleased to be joined by another nursing professional in this chamber, certainly at a time when health care is in crisis in this country. Your expertise and voice are very welcome.

To each of our new senators, welcome to the Senate of Canada. My colleagues and I look forward to working with you. Thank you.

**Hon. Jane Cordy:** Honourable senators, as always, it is a pleasure to join the other leaders and, on behalf of the Progressive Senate Group, offer a warm welcome to our newest Senate colleagues. It's particularly exciting when I get to welcome Maritimers to the Senate. I'm sure Senator Gold and Ministers LeBlanc and Fraser share my enthusiasm at finally seeing these seats filled.

As others have mentioned, we will be benefiting from a variety of new backgrounds and experiences that will now contribute to the Senate. It is indeed one of the things that makes this place work best when we have a diversity of voices and can discuss important issues before us.

Another Cape Bretoner is joining us today. Senator Aucoin, francophones across not only l'Acadie but indeed all of Canada will certainly be well served by having your voice in this chamber. I hope that being on the other side of the legislative process proves just as interesting for you.

Senator Kingston, you have come to us with legislative experience, having served provincially, and I'm so pleased to see your service to New Brunswickers continuing here in this chamber. Your passionate advocacy will certainly be welcomed here, and as a former educator myself, I'm certain that your commitment to education will also prove beneficial.

Senator McNair, you have experience on both sides of the legislative as well as the political process. Considering this background, with your extensive dedication to your community, it seems like the perfect fit for you to now serve New Brunswickers here in the Senate of Canada.

Senator Ross, I have to say that it's always so nice to see a woman in charge. It's clear that your drive has gotten you far, and I'm delighted that I will have a front-row seat to this next chapter for you. The broad range and depth of community service that you all bring is truly impressive.

I've been impatient for new appointments — Senator Gold will tell you that — and I must say that it has been worth the wait. As others have already mentioned, you are indeed joining us at a particularly interesting time. We're about to begin the final stretch of sitting weeks before the holiday break. As I've told others before you, this is a time when the sittings can become quite long and the workload can become quite heavy. However, it's also a time when new friendships can be forged. It will definitely be a trial by fire, but I encourage you all to keep an open mind and remember that we are indeed a dynamic chamber, and not every day will look the same.

Today is shaping up to be a great example of that.

[ Senator Patterson (Ontario) ]

This time of year often marks the period that we refer to as “silly season,” and I want to assure you that it's not necessarily the full picture of our work here. There will certainly be a learning curve, but I hope you know we're all looking forward to helping you adapt to our procedures and practices.

Swearing-in ceremonies often remind us all of our own first days and how exciting and how overwhelming it all felt. They also remind us of how far we've come and what advice we can offer to you as you each embark on your own journeys here. Please do not hesitate to seek guidance from a variety of senators, as we each have a unique perspective to share.

Senator Aucoin, Senator Kingston, Senator McNair and Senator Ross, on behalf of the Progressive Senate Group, it is my pleasure to officially welcome you to the Senate of Canada. We look forward to working with each of you. Thank you.

**Hon. Senators:** Hear, hear.

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Rachel Ross-Hamilton, Senator Ross's daughter. She is accompanied by other family members and friends of Senator Ross.

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

**Hon. Senators:** Hear, hear!

[*Translation*]

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Jacques Roy, Senator Kingston's husband, and their children, Stéphanie and Nicholas. They are accompanied by friends of Senator Kingston.

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

**Hon. Senators:** Hear, hear!

[*English*]

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Sharon Lang, Senator McNair's spouse. She is accompanied by other family members of Senator McNair.

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

**Hon. Senators:** Hear, hear!

[*Translation*]

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Yolande Aucoin, Senator Aucoin's wife, and their children, Arielle and Karina. They are accompanied by other family members and friends of Senator Aucoin.

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

**Hon. Senators:** Hear, hear!

---

## SENATORS' STATEMENTS

### QUESTION OF PRIVILEGE

#### NOTICE

**Hon. Raymonde Saint-Germain:** Honourable senators, pursuant to rule 13-3(1), I wish to inform you that later in today's sitting, I will be raising a question of privilege concerning the attempted intimidation of senators. These attempts took place on Thursday, November 9, 2023, in the Senate chamber and in the Senate of Canada building.

The evidence that I intend to provide suggests that immediately before and during the time provided for the ringing of the bells to call a vote on a motion to adjourn until the next sitting of the Senate, following the debate on a motion in amendment to Bill C-234, An Act to amend the Greenhouse Gas Pollution Pricing Act, the ability of certain senators to perform their parliamentary duties without obstruction or intimidation was impeded.

The events that took place on November 9, during our sitting and while our work was suspended, and that continued on social media, justify my breaking the silence on this shameful lack of respect, which has now reached the level of intimidation.

Madam Speaker, should you find that there is a prima facie question of privilege, I am prepared to move the appropriate motion.

Thank you.

[*English*]

### QUESTION OF PRIVILEGE

#### NOTICE

**Hon. David M. Wells:** Honourable senators, today, I gave notice to the Clerk of the Senate, Mr. Lafrenière, that I'll be raising a question of privilege. The nature of the breach concerns the conduct of the Honourable Senator Moncion on Thursday, November 9, 2023.

While the Senate Chamber was suspended for a one-hour bell, Senator Moncion walked from her seat over to me and accused me of bullying. I did not respond to that accusation out of respect for my colleague and those around my seat in the chamber. I did not want to engage with her on it nor fuel the nature of the accusation.

I'm giving notice that, later today, I intend to raise a question of privilege concerning this, which I believe is a violation of privilege affecting all senators and our ability to carry out our functions without fear of accusation or impediment. I will present my views to explain why this is not only important to me as a matter of principle but to all honourable senators in this chamber.

Should Your Honour find there is a prima facie question of privilege, I'm prepared to move the appropriate motion.

**The Hon. the Speaker:** Honourable senators, we will consider the questions of privilege at the end of Orders of the Day or no later than 8 p.m.

• (1450)

[*Translation*]

### CANADA-AFRICA PARLIAMENTARY ASSOCIATION

**Hon. Amina Gerba:** Honourable senators, as co-chair of the Canada-Africa Parliamentary Association, I had the privilege of leading a parliamentary delegation to Cameroon last week.

The delegation was made up of five other parliamentarians, including our colleague, the Honourable Senator Cormier, and four MPs: Joël Lightbound from the Liberal Party of Canada, Lianne Rood from the Conservative Party, Alexis Brunelle-Duceppe from the Bloc Québécois, and Richard Cannings from the New Democratic Party. This was the association's second mission to Cameroon, the first having taken place in 2012.

I want to thank Lorraine Anderson, High Commissioner for Canada in Cameroon, and her entire team for their help and support.

I also want to take this opportunity to thank the many Cameroonian dignitaries who welcomed us warmly and with whom we had meaningful discussions. I am thinking, in particular, of the Prime Minister and leader of the government in Cameroon, the President of the National Assembly of Cameroon and the First Vice-president of the Senate.

The discussions that we had with our parliamentary counterparts focused mainly on how our parliaments work, our respective electoral systems and the structure of our commissions and committees. We also talked about international human rights issues.

Several meetings were also organized with Cameroonian civil society, particularly with representatives from the business community, women's rights defenders, Cameroonians who studied in Canada and who have returned to Cameroon, and organizations that benefit and have benefited from Canada's support.

Canada and Cameroon have maintained diplomatic relations for 61 years and share a common history. Both countries are members of the Commonwealth and the Francophonie, and they are the only countries in the world to have both French and English as official languages.

This mission enabled those delegates who were visiting Cameroon for the first time to understand why this country — with its wide range of ethnicities, cultures, wildlife, climates, geography, cuisines and languages — is known as “Africa in miniature.”

Colleagues, parliamentary missions abroad are of crucial importance in that they strengthen our ties with little-known yet highly promising regions of the world, such as the African continent.

Thank you.

### THE LATE KARL TREMBLAY

**Hon. Claude Carignan:** Colleagues, at 8 a.m. last Thursday, November 16, francophone music stations across Quebec simultaneously broadcast the song *Sur mon épaule*, sung by Karl Tremblay of the iconic band Cowboys Fringants.

This rare gesture of unity by Quebec’s francophone radio stations was to honour Karl Tremblay, who passed away far too soon at age 47. Karl was diagnosed with an aggressive and incurable form of prostate cancer four years ago. According to his oncologist, Dr. Archambault, it was a “solid metastatic cancer.”

Since Karl’s death on the afternoon of November 15, all of Quebec has been mourning its favourite cowboy’s last ride. Rarely have I seen the people of Quebec engage in such a collective outpouring of emotion.

The reason is simple: Karl Tremblay, with his unique, haunting voice captured the francophone soul of Quebecers when he sang with his Cowboys Fringants. He spoke about us and for us. For over 25 years, firmly rooted in the Quebec universe, this band poured its heart into telling the story of our sorrows, joys, hopes, disappointments, dreams, frustrations and sometimes, our determination and whimsy.

Karl Tremblay and his troubadours had a unique bond with Quebecers, but they also promoted Quebec throughout the Canadian and international Francophonie, including in France, Switzerland, Belgium and even in francophone Africa.

The words Karl sang reflected our lives, and to many people the Cowboys songs are the soundtrack to a moment or a stage in life. Each one of their songs is a philosophy lesson with simple words that spoke to our personal and collective realities.

Unfortunately, we do not always realize the impact a person has on our lives until they are gone. Karl was and will remain an icon for generations.

Now, Karl, let us cry on your shoulder. May your boundless soul rest in our hearts.

Farewell, cowboy.

[English]

### SUPPORT FOR FOOD PRODUCERS

**Hon. Pamela Wallin:** Honourable senators, on behalf of Senator Black and myself, I rise today to honour and thank a group of individuals who are the very foundation of our society: our farmers, ranchers and fishers.

**Hon. Senators:** Hear, hear.

**Senator Wallin:** In the vast expanse that is Canada, these folks play an indispensable role in shaping and creating our prosperity. Their importance goes well beyond agricultural productivity; it is, in fact, at the heart of our economic, social and environmental fabric. Recognizing and supporting their pivotal role is crucial in building a resilient, sustainable future for our communities, our provinces, our nation and, yes, the world.

The significance of the agricultural sector, of course, extends well beyond its immediate impact on food security. It is a cornerstone of our economy, generating employment and income for literally millions of people. By supporting farmers, we’re bolstering the backbone of rural communities, fostering economic resilience and mitigating the urban-rural divide. Moreover, a thriving agricultural sector contributes to national economic stability, ensuring that we remain a key player in the global market. In addition to their economic contributions, farmers are custodians of the environment — sustainable farming practices, such as crop rotation, the use of cover crops and responsible water management, are all essential for preserving the integrity of the land. Farmers are uniquely positioned to be environmental stewards, and supporting them in adopting sustainable practices is an investment in the future of our natural resources and our country.

However, farming is a profession filled with uncertainties. We used to call it “next-year country” at home. From unpredictable weather patterns to the costly access to inputs to market fluctuations, farmers face challenges well beyond their control. Recognizing the need for a robust support system is an imperative for us, governments, communities and consumers. We must rally behind them and support them in whatever way we can.

At a recent committee meeting, a witness raised this: In a municipality or city, there’s someone whose job is to plan for water, for housing or for recreation and parks, but there is no one whose job is to plan where our food comes from. That was a powerful statement, and it left everyone very moved.

Honourable senators, when you think about it, it’s our farmers whose job is to plan, to grow, to cultivate and to build the very foundation of our life — shaping not only the landscape, but also our collective well-being. They are supporting our communities. Recognizing and saying thanks to farmers, ranchers and fishers is an important investment in our future.



Thank you all very much.

[English]

**Hon. Senators:** Hear, hear.

[Translation]

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of representatives of Chantier Davie, a shipyard in Lévis, Quebec. They are the guests of the Honourable Senator Galvez.

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

**Hon. Senators:** Hear, hear!

[English]

#### DAVIE SHIPYARD

**Hon. Rosa Galvez:** Honourable senators, I rise today to highlight important news and opportunities for the Quebec City region. On November 3, Davie Shipbuilding announced the completion of the purchase of the assets of Helsinki Shipyard.

• (1500)

[Translation]

This merger made Davie a world leader in Arctic shipbuilding. This expertise has been good for Canada, whose National Shipbuilding Strategy, or NSS, now includes Davie. The company has contracts with the federal government to build a fleet of six icebreakers that will help maintain year-round shipping in Eastern Canada.

Federal and provincial government support was key to securing this expansion.

The federal government recently announced that Davie is now a long-term partner in the NSS, and the Government of Quebec announced a contribution of over \$500 million to help integrate the shipbuilder into the NSS. Quebec also provided \$110 million in funding to support the recent acquisition.

Davie was once named the North American shipyard of the year, and these investments will ensure that the company's headquarters remain in Quebec so that its success will continue to benefit Canada and Quebec. In a 2020 report, Deloitte projected that Davie could contribute as much as \$11 billion to Canada's GDP over the next 20 years, along with up to \$2.8 billion in public revenue.

This expansion will stimulate investment opportunities for Quebec, as well as boost innovation. This is an exciting and rewarding example of knowledge economy in action. These two shipyards will also focus on clean energy solutions to create a greener, more sustainable fleet.

As a developed nation, we must lead in this direction in the world. Colleagues, I'm delighted to share this Quebec success story with you. It is by investing in our local businesses that we create a strong and vibrant local economy.

Thank you. *Meegwetch.*

#### ANTIMICROBIAL RESISTANCE AWARENESS WEEK

**Hon. Mohamed-Iqbal Ravalia:** Honourable senators, I rise today to build awareness and encourage action in order to address antimicrobial resistance, known as AMR — a complex and major global public health threat that is growing in Canada. Antimicrobials are medications designed to kill or stop the growth of micro-organisms, such as bacteria, viruses, fungi or parasites, that cause infections. They include antibiotics, antivirals and antifungals used to prevent and treat infectious diseases in humans, animals and plants.

AMR occurs when bacteria and other microbes adapt in ways that allow them to fend off or disable antimicrobials. These microbes, with resistance, survive and grow in number. This happens naturally, but overuse and misuse of antibiotics and other antimicrobials in humans and in animals cause these changes to happen faster and before new antimicrobials come to market.

Colleagues, microbes are winning the race. The result is that infections are harder or, at times, impossible to treat, causing more severe illness, longer hospital stays and more serious complications.

In Canada, it is estimated that one in four infections are already resistant to the first drugs used to treat them. Bacterial pneumonia, gonorrhoea and urinary tract infections are some of the common infections that are becoming harder to treat. Without effective antibiotics, patients needing surgery, dialysis and chemotherapy will not be adequately protected from the risk of life-threatening diseases. In 2018, 5,400 deaths in Canada were directly related to AMR. The costs to the health care system and Canada's GDP are already significant — \$1.4 billion and \$2 billion respectively.

This week — November 18 to 24 — is World AMR Awareness Week. This year's theme is, once again, "Preventing antimicrobial resistance together," highlighting the importance of collaboration. In Canada, we have a nationwide colour

campaign — #GoBlueForAMR — to increase the visibility of AMR and to spark collective action. Landmarks and public buildings across our country, including Canada Place and the CN Tower, will illuminate the night sky in shades of blue, representing beacons of hope and awareness.

Honourable colleagues, let us use this World AMR Awareness Week as a catalyst for change. Through a collaborative effort, we can safeguard the efficacy of antimicrobials and develop sustainable solutions, ensuring a healthier future for generations to come. *Meegwetch.* Thank you.

---

## ROUTINE PROCEEDINGS

### ETHICS AND CONFLICT OF INTEREST FOR SENATORS

#### FIRST REPORT OF COMMITTEE PRESENTED

**Hon. Judith G. Seidman:** Honourable senators, I have the honour to present, in both official languages, the first report of the Standing Committee on Ethics and Conflict of Interest for Senators, entitled *Consideration of an Inquiry Report from the Senate Ethics Officer*.

(For text of report, see today's Journals of the Senate, p. 2173.)

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

**Senator Seidman:** Honourable senators, with leave of the Senate and notwithstanding rule 5-5(f), I move that the report be placed on the Orders of the Day for consideration at the next sitting of the Senate and that, notwithstanding rules 4-13 and 4-14, the report appear on the Orders of the Day before Government Business.

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

**Hon. Senators:** Agreed.

Honourable senators, when shall this report be taken into consideration?

(Report placed on the Orders of the Day for consideration at the next sitting of the Senate.)

[ Senator Ravalia ]

## STUDY ON THE FEDERAL GOVERNMENT'S CONSTITUTIONAL, TREATY, POLITICAL AND LEGAL RESPONSIBILITIES TO FIRST NATIONS, INUIT AND MÉTIS PEOPLES

SIXTEENTH REPORT OF INDIGENOUS PEOPLES COMMITTEE  
DEPOSITED WITH CLERK DURING ADJOURNMENT OF THE SENATE

**Hon. Brian Francis:** Honourable senators, I have the honour to inform the Senate that pursuant to the orders adopted by the Senate on March 3, 2022, and October 26, 2023, the Standing Senate Committee on Indigenous Peoples deposited with the Clerk of the Senate on November 15, 2023, its sixteenth report (Interim) entitled *Voices of Youth Indigenous Leaders 2023: Celebrating Leadership in Indigenous Education* 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.)

[Translation]

### CANADA REVENUE AGENCY ACT

BILL TO AMEND—THIRTEENTH REPORT OF NATIONAL FINANCE  
COMMITTEE PRESENTED

**Hon. Percy Mockler,** Chair of the Standing Senate Committee on National Finance, presented the following report:

Tuesday, November 21, 2023

The Standing Senate Committee on National Finance has the honour to present its

#### THIRTEENTH REPORT

Your committee, to which was referred Bill S-258, An Act to amend the Canada Revenue Agency Act (reporting on unpaid income tax), has, in obedience to the order of reference of June 1, 2023, examined the said bill and now reports the same without amendment.

Respectfully submitted,

PERCY MOCKLER

*Chair*

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

(On motion of Senator Patterson (*Ontario*), for Senator Downe, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

• (1510)

[English]

### CANADA EARLY LEARNING AND CHILD CARE BILL

SEVENTEENTH REPORT OF SOCIAL AFFAIRS, SCIENCE  
AND TECHNOLOGY COMMITTEE PRESENTED

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

Tuesday, November 21, 2023

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

#### SEVENTEENTH REPORT

Your committee, to which was referred Bill C-35, An Act respecting early learning and child care in Canada, has, in obedience to the order of reference of Thursday, September 28, 2023, examined the said bill and now reports the same without amendment but with certain observations, which are appended to this report.

Respectfully submitted,

RATNA OMIDVAR

*Chair*

(For text of observations, see today's Journals of the Senate, p. 2162.)

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

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

[Translation]

### INVESTMENT CANADA ACT

BILL TO AMEND—FIRST READING

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons with Bill C-34, An Act to amend the Investment Canada Act.

(Bill read first time.)

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

(On motion of Senator Gold, bill placed on the Orders of the Day for second reading two days hence.)

[English]

### BILL TO AMEND THE CRIMINAL CODE AND THE WILD ANIMAL AND PLANT PROTECTION AND REGULATION OF INTERNATIONAL AND INTERPROVINCIAL TRADE ACT

FIRST READING

**Hon. Marc Gold (Government Representative in the Senate)** introduced Bill S-15, An Act to amend the Criminal Code and the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act.

(Bill read first time.)

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

(On motion of Senator Gold, bill placed on the Orders of the Day for second reading two days hence.)

### NATIONAL STRATEGY FOR CHILDREN AND YOUTH IN CANADA BILL

FIRST READING

**Hon. Rosemary Moodie** introduced Bill S-282, An Act respecting a national strategy for children and youth in Canada.

(Bill read first time.)

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

(On motion of Senator Moodie, bill placed on the Orders of the Day for second reading two days hence.)

[Translation]

### INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

NOTICE OF MOTION TO AMEND CHAPTER 2:06 OF  
THE *SENATE ADMINISTRATIVE RULES*

**Hon. Lucie Moncion:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the *Senate Administrative Rules* be amended in Chapter 2:06 by adding the following after section 14:

“Disclosure of video footage

**14.1** Despite anything else in this Chapter, the person responsible for the Senate's corporate security, or their designate, may, upon written request, disclose Senate-controlled video footage recorded for security purposes to the House of Commons, the Parliamentary Protective Service or to

a law enforcement or intelligence agency operating under the jurisdiction of the Government of Canada or a province or territory if that footage does not depict a senator or a Senate proceeding or disclose confidential or privileged information or an individual's personal information beyond their location, appearance and activities at a particular time.”; and

2. That the Law Clerk and Parliamentary Counsel be authorized to make any necessary technical, editorial, grammatical or other required, non-substantive changes to the *Senate Administrative Rules* as a result of these amendments, including the updating of cross-references and the renumbering of provisions.

[English]

## ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE

**Hon. Rosa Galvez:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to meet on Tuesday, November 28, 2023, at 6:30 p.m., even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

---

## QUESTION PERIOD

### ENVIRONMENT AND CLIMATE CHANGE

#### CARBON TAX

**Hon. Donald Neil Plett (Leader of the Opposition):** Leader, last week Premier Doug Ford sent an open letter to all honourable senators who represent the province of Ontario in this chamber. Premier Ford asked Ontario senators to pass Bill C-234 without delay to remove the Trudeau carbon tax for farmers. He's not the only premier to do so, leader. Premier Tim Houston implored Nova Scotia senators to pass this bill in its original form. Premier Blaine Higgs of New Brunswick asked all Atlantic senators to pass the bill as it was passed in the House.

Leader, the Trudeau government has been scurrying behind the scenes to convince senators to shut down Bill C-234. Has Minister Guilbeault or any other Trudeau government representative spoken with the new senators sworn in earlier today about Bill C-234?

[ Senator Moncion ]

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question and for reminding us that this bill is still before us for debate. I believe that we will continue the debate on Senator Moncion's amendment later today. I know that many speakers are interested in participating and contributing to the debate. That's the democratic process.

It is part of the democratic process for premiers to make their views known and to speak to senators. Indeed, that's part of the politics that we practise in a democratic society. I look forward to the further debate on this matter.

**Senator Plett:** Senator Cordy said earlier that it's the silly season at this time, and it's starting at the government level. I asked you a question. Answer it.

• (1520)

Farmers have gathered on Parliament Hill today to make their voices heard on Bill C-234. Answer them. They are struggling under the weight of the carbon tax. They are asking for a carbon tax carve out to help produce the food we eat — you and I.

Senator Gold, did you or your government office pressure, talk to or whip the five new senators when it comes to voting on Bill C-234 — not debate, vote on?

**Senator Gold:** As honourable senators would know, at best, I can count on the votes of my two colleagues here. We do not have either the ability or the desire to put pressure on nor whip senators. I respect each and every senator in this place to come to their decision after they have — to the extent that they wish to — participated in this debate.

[Translation]

## NATIONAL DEFENCE

### AIRCRAFT PROCUREMENT

**Hon. Claude Carignan:** My question is for the Leader of the Government in the Senate. Leader, we have learned in recent weeks that your government intends to replace the CP-140 Aurora maritime patrol aircraft. Instead of issuing a call for tenders to ensure proper competition and obtain bids from Canadian companies, including Bombardier, your government has decided to negotiate a sole-source contract with Boeing, an American company. How do you explain that to Canadian aviation workers?

**Hon. Marc Gold (Government Representative in the Senate):** The Government of Canada and all governments have a great deal of respect for the airline industry in Canada and have given it significant support over the years. I have been informed that a final decision is yet to be made. The Government of Canada has already made it very clear that an important aspect of any future decision is to ensure that there are benefits for the Canadian economy, but also to ensure that our defence system is well protected through aircraft procurement. That remains a priority for this government.

**Senator Carignan:** This government is rather special. Usually, when a “willing buyer, willing seller” approach is taken, it is to support Canadian companies, not the competition. What is even more serious is that we also learned from a senior official who testified in committee recently that the government based its decision to support Boeing on the advice of a consultant from the American consulting firm Avascent. Don’t you think that’s a bit ridiculous?

**Senator Gold:** It’s not ridiculous that the Government of Canada is focusing on the needs of our armed forces so that they can better protect us.

## CANADIAN HERITAGE

### QUEBEC MUSIC

**Hon. Julie Miville-Dechêne:** Senator Gold, the National Assembly of Quebec recently adopted a motion calling on owners of platforms such as YouTube and Spotify to adjust their algorithms to promote the discoverability of Quebec music. To that end, the motion calls for the platforms to consider Quebec as a state. Moreover, Quebec’s minister of the French language promised to introduce a bill in that regard. Given that the federal government is working on implementing Bill C-11, which was passed last year, how do you view Quebec wanting to adopt parallel legislation?

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

Bill C-11 is an important piece of legislation for the whole country. It modernizes the Broadcasting Act to adapt to the Internet era and to create a more creative, more equitable and more competitive market for Canadian and Quebec talent. I commend the interest of parliamentarians in this issue. I can’t really comment on whether a provincial government wants to legislate in this area or not. As a former constitutional law professor, I am a bit reluctant to speak to hypothetical matters without having the legislation in front of me.

**Senator Miville-Dechêne:** I understand your concern, but I will try again anyway. The Quebec government is saying that, according to the constitutional and other experts it consulted, it has the right to implement its own cultural protection and promotion measures.

In your opinion, could the Government of Quebec adopt a more stringent and possibly even contradictory approach to the one set out in Bill C-11, particularly on algorithms?

**Senator Gold:** That would be a good topic for a constitutional review, but I am sure you will understand that I can’t comment on the constitutionality of a bill that has not yet been written.

## JUSTICE

### MANDATE LETTER

**Hon. Renée Dupuis:** My question is for Senator Gold. I did not find a mandate letter from the Prime Minister addressed specifically to the new Minister of Justice who was appointed in 2023. The mandate letter that was addressed to the previous minister talks about more effectively combatting online hate and reintroducing measures to strengthen hate speech provisions, including the re-enactment of former section 13 of Canadian Human Rights Act. When will the government introduce the announced bill to combat hate based on religion, gender, disability or ethnic origin, or in other words, hate directed at any of the various groups in our society who experience relentless discrimination, especially on social media?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for that very important question. We are currently confronting an appalling situation regarding the propagation and definition of hate speech. The government knows that we need to take action against escalating online hate. Recent events prove that urgent action is imperative. I’ve been informed that a bill is in the final phase of development, and the government hopes to be able to introduce it soon.

**Senator Dupuis:** This legislation is mentioned in the 2021 mandate letter. It was supposed to reflect the feedback gathered during recent consultations. The consultations in question took place in the 2020s. What community organizations did the government consult before developing this bill?

**Senator Gold:** The government conducted extensive consultations on online safety. I don’t have the time to list all of the organizations it consulted, but I can say that the government created an expert advisory panel made up of 12 people tasked with advising the Minister of Canadian Heritage on how to design the legislative and regulatory framework. The minister also organized 19 round tables.

## GLOBAL AFFAIRS

### CANADA-CHINA RELATIONS

**Hon. Jean-Guy Dagenais:** My question is for the Leader of the Government in the Senate. The most credible foreign policy observers agree that the Trudeau government’s actions in this area are a complete fiasco. This is a far cry from the “We’re back” declaration Justin Trudeau made when he was elected in 2015. The strongest evidence of this came last week at the APEC summit in San Francisco, where the President of the United States, despite his harsh criticism of the Chinese regime, was able to lay the foundations for serious economic exchanges with the president of that country. Is your Prime Minister aware that his political inability to deal with the world’s second-largest economy is jeopardizing the development of several major Canadian companies that do business with China?

**Hon. Marc Gold (Government Representative in the Senate):** The Prime Minister, the Government of Canada and cabinet ministers are working hard to protect our interests, the interests of our citizens, including the two Michaels, who have been in the news in recent days, as well as Canadian businesses. Relations with China are complex and difficult. The government is working not only bilaterally, but with our allies in democratic countries, to ensure that our national interests are properly represented and that Canada remains well-positioned to work with China when there is a common interest, whether commercial or geopolitical, and to defend our democratic interests against an authoritarian country.

**Senator Dagenais:** Your Prime Minister boasts about holding bilateral talks with multiple leaders of smaller countries in the Asia-Pacific region. Does he know the difference between a serious face-to-face talk lasting four hours between President Biden and the Chinese president and his conversation of barely one minute with President Xi during an official photograph at the APEC summit?

• (1530)

China is far more important to Canada's economic future than a trivial photo-op.

**Senator Gold:** The Government of Canada would never deny China's economic importance in the world. However, honourable colleague, and with respect, it is important to bear in mind that Canadian diplomacy occurs primarily in the corridors of power, not during photo sessions.

[English]

## CANADIAN HERITAGE

### CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION

**Hon. Marty Klyne:** Senator Gold, in what activities have the Canadian Radio-television and Telecommunications Commission, or CRTC, been actively engaged in terms of implementation and execution of Bill C-11 in promoting and growing Canadian content being consumed?

**Hon. Marc Gold (Government Representative in the Senate):** Well, since the passage of Bill C-11, a number of initiatives are taking place. I'm sorry. I'm translating in my brain from French to English. Let me start again. Many initiatives have been taking place at many levels, including by the CRTC. Registration requirements are par for the course for matters of this kind. Other measures and policy directions are in place, some of which have been in the news quite recently.

Steps are being taken as part of the normal unfolding of the regulatory framework — once legislation has passed — to ensure that the premise and promise of Bill C-11 to modernize our

Broadcasting Act, to support Canadian content and to protect users and content creators, as has always been the intent and the fact, are well under way to being implemented.

**Senator Klyne:** I did have a supplementary question, but it kind of got answered there. Thank you very much.

## ENVIRONMENT AND CLIMATE CHANGE

### FEDERAL COURT DECISION

**Hon. Donald Neil Plett (Leader of the Opposition):** Leader, the Federal Court ruled last week that the NDP's order-in-council to ban plastics was both unreasonable and unconstitutional. The Federal Court decision stated the Trudeau cabinet acted outside of their authority. This ruling was a victory for common sense, so, naturally, the Trudeau government is against it.

Minister Guilbeault said yesterday that the Trudeau government intends to appeal. We see it with Bill C-234, and we see it here again: The Trudeau government is unable to act with common sense. Leader, how can Minister Guilbeault lecture Canadians about plastic bags or straws when he cozies up to Beijing, where they burn more coal every year than every other country on earth?

**Hon. Marc Gold (Government Representative in the Senate):** Navigating through the different dimensions of this question probably takes a little bit of effort. Senator, thank you for your question. Minister Guilbeault will be here tomorrow. I'm sure, and I hope, you will take advantage to ask him the questions that you deem most pertinent.

The government has decided to appeal this decision because it remains of the view that plastic pollution is a serious problem. With the greatest respect — and I have the greatest respect for our judicial system — they don't always get it right at first instance. It's totally appropriate for the government to seek an appeal when it believes that the ravages of plastic are something that are within the government's authority to proscribe.

A growing body of evidence shows the serious impact on human health with the proliferation of plastic everywhere. The government continues to believe that taking action to tackle this crisis — keeping millions of garbage bags worth of trash off our beaches, out of our waters and away from nature — is the right thing to do.

**Senator Plett:** It's unfortunate about the contempt you have for Question Period. This is the second time in two months that the courts have found the Trudeau government has broken the Constitution. Last month, the Supreme Court said major elements of Bill C-69, the "no more pipelines" act, were unconstitutional. That Supreme Court decision was handed down about five weeks ago. Why haven't we heard anything from the Trudeau government about repealing Bill C-69?

**Senator Gold:** The government intends to introduce legislative changes to correct the infirmities that the court identified. It is passing strange, however, to hear the official opposition tout respect for the Supreme Court — which you

should have, by the way — when so much of your legislation, especially dealing with criminal justice, has been struck down as unconstitutional.

**Senator Plett:** Our dealing with criminal justice puts criminals behind bars, not out on the streets.

## GLOBAL AFFAIRS

### CANADA-CHINA RELATIONS

**Hon. Donald Neil Plett (Leader of the Opposition):** Leader, the Trudeau government made a deliberate choice to join the Asian Infrastructure Investment Bank, or AIIB. In doing so, your government sent a quarter of a billion Canadian tax dollars to Beijing for nothing in return. On June 14, Minister Freeland announced a review of Canada's involvement with this bank after a Canadian who worked there revealed its deep connections to Beijing's regime, leader. Minister Freeland said this review would be taken expeditiously.

That was five months ago. What's taking so long, leader? Why isn't five months long enough for the Trudeau government to know it should leave this bank?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. Indeed, over the course of several years, as we know, and as we have discussed in this chamber on many occasions, our relationships with China have changed. China's position in the world has changed. That led this government to reconsider some assumptions that it and previous governments had made about the extent to which it would have confidence in China to be a reliable, rules-based partner. In that regard, the review is under way. I have not been advised as to when the report or the conclusions of that inquiry will be released.

**Senator Plett:** I'm not sure the Prime Minister's relationship has changed too much. At a Liberal fundraiser 10 years ago, Justin Trudeau had no problem expressing his admiration for the basic dictatorship in Beijing. At the Asia-Pacific Economic Cooperation Economic Leaders' Week 2023 last week, however, when he was asked if Beijing's president was a dictator, he couldn't find the answer. Leader, what's changed? Why can't he say it? Why can't the Prime Minister give a straight answer on anything?

**Senator Gold:** A responsible prime minister has to take into account the diverse range of interests — human, economic and geopolitical — with regard to his words. It is much easier when one is in opposition to say whatever one thinks; there are no actual consequences. But there are when the Government of Canada speaks on the world stage.

## CANADIAN HERITAGE

### ACTION PLAN ON COMBATTING HATE

**Hon. Mary Coyle:** Senator Gold, yesterday was the Transgender Day of Remembrance, which was first observed in 1999 to memorialize those who have been murdered as a result of transphobia and to address serious issues of anti-trans hate and violence. Ten senators rose in this chamber last month to speak to Inquiry No. 5 and call on the government to fulfill its promise to develop a robust anti-hate action plan, which would combat the threats to the safety, well-being and rights of 2SLGBTQI+ Canadians.

Senator Gold, building on Senator Dupuis' question regarding anti-hate speech legislation, could you tell us when that promised anti-hate action plan will be delivered?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question, and for reminding Canadians and me of the importance of those interventions in the Senate. I have shared those with my family; it touches us personally.

The government has been very clear that the stigma of discrimination that sexually diverse and gender-diverse folks continue to face is unacceptable. I have been informed that the government is currently working on the action plan, which is being supported by nearly \$200 million in funding. I take a personal interest in that, and I shall continue to pursue it.

**Senator Coyle:** Senator Gold, thank you for that. We know that the current so-called "parental rights" campaign, which is focused on undermining the rights of transgender children in schools, is being fuelled by dangerous disinformation and the power of algorithms.

Senator Gold, what is the government doing to prevent these dangerous disinformation campaigns and to protect our most vulnerable children, yesterday being National Child Day in Canada.

**Senator Gold:** Thank you for the question. As we know, the government has passed legislation to protect rights for transgender and gender-diverse Canadians. The government passed legislation to ban conversion therapy, and will continue to take every action necessary to protect and promote the rights of all Canadians, including those in the LGBTQ2 community.

[Translation]

## AGRICULTURE AND AGRI-FOOD

### SUPPORT FOR AGRICULTURAL SECTOR

**Hon. Lucie Moncion:** Senator Gold, we know that the agricultural sector is very important for Canada, representing just over 10% of our country's GDP. We also know that the agricultural sector receives significant subsidies through the various programs run by Agriculture Canada.

Can you give us an overview of the programs that will be put in place by the federal government to support Canada's agricultural sector, and how much money will be allocated to the various programs over the next few years?

• (1540)

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question. Farmers have long been responsible stewards of the land and are already adopting sustainable practices. However, the government recognizes that additional support is needed to meet Canada's ambitious climate goals and avoid the worst impacts of climate change.

In 2021 and 2022, the government committed more than \$1.5 billion to ensure that our country's agriculture and agri-food sector is successful and sustainable. Several programs have delivered on that commitment, including the Resilient Agricultural Landscape Program, the Sustainable Canadian Agricultural Partnership and the On-Farm Climate Action Fund.

**Senator Moncion:** You did not mention the \$3.5-billion fund that was put in place for the 2023-28 strategy.

Could you give us a bit more information on this program that covers five major issues or priorities that the federal government wants to address over the coming years?

**Senator Gold:** Thank you for the question. I am unable to provide you with the details of this program. I will undertake to make further inquiries to obtain the information you are looking for.

[English]

## GLOBAL AFFAIRS

### ISLAMIC REVOLUTIONARY GUARD CORPS

**Hon. Donald Neil Plett (Leader of the Opposition):** Leader, a recent report from Global News has revealed the depth of the Iranian regime's interference in our country. A B.C. lawyer has compiled a list of 700 Islamic Revolutionary Guard Corps, or IRGC, agents who engaged in violent or financial crimes, and now live freely here. A man whose wife and daughter were murdered on Flight PS752 says that the RCMP told him they could not protect him against threats from members of the Iranian regime. The FBI warned a well-known Iranian journalist that it is not safe for her to come to Canada — it's shameful. She came here anyway, which is a testament to her bravery.

Leader, there can be no more excuses. Will the Trudeau government finally list the IRGC as a terrorist entity today?

[ Senator Moncion ]

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. The activities of Iran and its agents, both within its country and around the world, are cause for enormous concern. Canada has been clear and vocal, and has taken concrete action to address the variety of actions that Canada considers unacceptable: Iran's human rights violations against its citizens, especially women; its interference in elections; and its sponsoring of terrorism. We are witnessing the ravages of this in the Middle East as we speak.

The government is satisfied that the measures it has taken are appropriate. The government will always consider further measures, as it is actively doing so as we speak.

**Senator Plett:** I don't know what more it will take for the Trudeau government to defend our freedoms, act with common sense and criminalize the IRGC. After Hamas attacked Israel, Minister LeBlanc said that he asked his security officials to update their advice about listing the IRGC as a terrorist organization. What happened after that, leader? What advice did they give?

**Senator Gold:** I am not in a position to — nor would I ever — disclose advice that is given to ministers, or that ministers have shared with me in confidence. It is simply not the case that the government is indifferent to the actions of Iran — nefarious as they too often are — and how they have contributed to global instability and human rights abuses of the worst kind.

### UNITED NATIONS TREATY ON THE PROHIBITION OF NUCLEAR WEAPONS

**Hon. Marilou McPhedran:** My question today is directed to the government leader, Senator Gold.

I just returned from two days of meetings with young leaders from many different parts of Canada for the first Youth-Parliament Nuclear Summit. Today presented to a number of parliamentarians was a youth declaration with specific recommendations. Chief among those recommendations from the young leaders, both online and in person in the Senate buildings, was for Canada to send a delegation to next week's meetings at the UN headquarters in New York — the second meeting of states parties to the Treaty on the Prohibition of Nuclear Weapons. To date, there has been no announcement. Other NATO members are sending delegations. When will Canada announce its decision?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question, which is a follow-up question to one that you've raised with me before. I don't have any further updates on the government's intentions with regard to that, but I will certainly continue to pursue it.

**Senator McPhedran:** Thank you. I have a brief supplementary that relates to parliamentarians.

A number of parliamentarians, myself included, have indicated to the government that we would be delighted to be official observers to this meeting. That does not necessarily mean that we



would be delegates as part of an official Canadian delegation. I wonder if you could seek clarification on our request to be noted by the Government of Canada as observers.

**Senator Gold:** I would be pleased to do so.

## PUBLIC SAFETY

### ANTI-SEMITISM

**Hon. Donald Neil Plett (Leader of the Opposition):** Leader, over the last few weeks, there have been appalling acts of violence and intimidation directed at Jews and Jewish schools, synagogues, community centres and businesses across Canada, most particularly in Montreal — some right next door to your home, Senator Gold. I stand in unity with Jewish Canadians during this terrible moment in our history.

Twice last week, the Prime Minister threw blame on Israel for the war with Hamas. Both Israel's prime minister and their leader of the opposition condemned his accusations. The Centre for Israel and Jewish Affairs said that Prime Minister Trudeau's rhetoric is fuelling anti-Semitism here in Canada. One of his former Liberal MPs said that his words could "... further fan the flames of Jew-hatred ..."

Where is the Prime Minister's moral compass, leader?

**Hon. Marc Gold (Government Representative in the Senate):** First of all, I thank you for your support for the Jewish communities of Canada, of which I'm a member. It is indeed a dark time for us. Jews do not feel safe. After terrorist Hamas' invasion of Israel and the butchering of innocent civilians, anti-Semitic actions have risen — not decreased.

The Prime Minister has been clear in unequivocally condemning Hamas' butchery. He has also been clear in stating that all civilian lives are precious, and that all efforts need to be taken — as the Israel Defense Forces, or IDF, is doing to minimize civilian casualties as it pursues its efforts in Gaza to address the threat that Hamas poses to Israel.

**Senator Plett:** Michael Mostyn of B'nai Brith Canada said:

... Justin Trudeau has a duty to de-escalate the violent threats facing Canadian Jewry and must not allow his government to become a primary source of inflammatory disinformation ... His recent remarks failed in that regard.

That's a quote, Senator Gold. Leader, where is the Prime Minister's leadership? He has none whatsoever — does he?

**Senator Gold:** The Prime Minister's statements, which are a matter of public record, strike an appropriate balance between respect for human rights and international law — brutally violated in the invasion by Hamas and, indeed, in breach of the ceasefire that existed before Hamas invaded Israel. His leadership remains constant as a supporter both of the right of Israel to defend itself under international law and the right of Palestinians to live in security in the hope that, one day, a two-state solution will be within reach.

## DELAYED ANSWERS TO ORAL QUESTIONS

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

Response to the oral question asked in the Senate on December 13, 2022, by the Honourable Senator Omidvar, concerning aid workers in Afghanistan.

Response to the oral question asked in the Senate on March 29, 2023, by the Honourable Senator Boisvenu, concerning victims' rights.

Response to the oral question asked in the Senate on May 4, 2023, by the Honourable Senator Seidman, concerning the regulation of vaping fluids.

Response to the oral question asked in the Senate on June 20, 2023, by the Honourable Senator Plett, concerning the costs of legal proceedings.

Response to the oral question asked in the Senate on June 20, 2023, by the Honourable Senator Pate, concerning debt collection.

## JUSTICE

### AFGHANISTAN CRISIS

(Response to question raised by the Honourable Ratna Omidvar on December 13, 2022)

#### Department of Justice

The Attorney General of Canada will not create an interim measure to guarantee the non-prosecution of Canadian international aid organizations providing humanitarian aid in good faith until such time as the *Criminal Code's* terrorist financing offence is amended.

Under subsection 2.3(1) of the *Criminal Code*, both Attorney General of Canada and provincial Attorneys General have concurrent jurisdiction to prosecute any terrorism offence. Thus, even if the Attorney General of Canada was to issue such an interim measure, it would not prevent provincial Attorneys General from giving their consent to prosecute such cases.

The creation of any exemption to the *Criminal Code's* terrorist financing offence and the scope of such an exemption is one best addressed by Parliament in order to ensure that a careful balance is struck between the benefit of providing humanitarian aid and preventing the financing of terrorism.

To this end, Bill C-41, *An Act to amend the Criminal Code and to make consequential amendments to other Acts*, was introduced by the Government on March 9, 2023. This Bill would amend one of the *Criminal Code's* anti-terrorist

financing offences in order to facilitate, among other things, the delivery of much-needed international assistance in geographic areas controlled by terrorist groups.

#### VICTIMS' RIGHTS

*(Response to question raised by the Honourable Pierre-Hugues Boisvenu on March 29, 2023)*

##### Department of Justice

The Government has undertaken a number of measures to address gender-based violence. For example, in 2019, former Bill C-75 strengthened criminal laws in the context of intimate partner violence (IPV), with the goal of enhancing victim safety. In 2021, changes to the *Divorce Act* came into force, which promote safe and appropriate responses in cases involving family violence.

Budget 2021 announced \$112M to Justice Canada for initiatives that assist victims and survivors of sexual assault and IPV, such as supporting free independent legal advice and independent legal representation programs nationally, for victims of sexual assault and IPV; assisting victims of IPV to access and navigate the family justice system and improve justice system responses; and supporting supervision services for parenting time and transfers.

With respect to the *Canadian Victims Bill of Rights*, the Government tabled its response to the Standing Committee on Justice and Human Rights' report entitled *Improving Support for Victims of Crime* on April 17, 2023. That response reiterated the Government's commitment to strengthening efforts to implement victims' rights and to continuing to work in partnership with all levels of government, Indigenous partners and non-governmental organizations to increase access to services and supports for victims of crime.

#### HEALTH

##### REGULATION OF VAPING FLUIDS

*(Response to question raised by the Honourable Judith G. Seidman on May 4, 2023)*

##### Health Canada

Canada remains committed to preventing youth vaping and has taken a number of measures to that effect, including enhanced public education, increased compliance and enforcement of existing rules and advancing regulations to put in place more controls.

We continue to examine the complex issue of regulating flavoured vaping products, recognizing that flavours may play a role in appealing to youth and supporting adult smoking cessation. This regulatory proposal is still under consideration.

The *Tobacco and Vaping Products Act* (TVPA) currently has several provisions aimed at protecting young persons, including advertising that could be appealing to young persons and the restriction of flavours that appeal to young persons, such as confectionery, dessert, cannabis, soft drink, and energy.

#### PUBLIC SAFETY

##### COSTS OF LEGAL PROCEEDINGS

*(Response to question raised by the Honourable Donald Neil Plett on July 20, 2023)*

##### Department of Justice

At the Federal Court stage of the litigation, the French and Mahaffy families requested that \$ 33,195.01 in costs be ordered against the Attorney General of Canada. In response, counsel for the Attorney General of Canada submitted, before knowing how the Federal Court would decide the case, that whoever was the successful party should be awarded \$ 19,142.27 in costs, in accordance with Column III of Tariff B of the Federal Courts Rules.

After the Federal Court decided the case in favour of the Attorney General of Canada and ordered the Applicants to pay \$ 4,000 in costs, counsel for the Attorney General of Canada advised the Applicants' counsel that the Attorney General of Canada would not seek to collect the \$ 4,000 from the Applicants.

In a related case heard and decided at the same time, the Federal Court also ordered the Canadian Broadcasting Corporation to pay costs to the Attorney General of Canada.

At the Federal Court of Appeal stage, all of the parties in both sets of proceedings mutually agreed that none of the parties would seek costs against one another.

#### FINANCE

##### DEBT COLLECTION

*(Response to question raised by the Honourable Kim Pate on June 20, 2023)*

##### CANADA REVENUE AGENCY (CRA)

Offsetting is a standard operating procedure used by the CRA to collect outstanding taxpayer debt. Offsetting involves proactively applying tax refunds and benefit payments to tax and other government debts. In May 2020, the CRA paused most offset mechanisms in response to the COVID-19 pandemic.

In October 2022, the CRA began offsetting personal income tax refunds to recover outstanding debt from COVID-19 benefits. As of the end of May 2023, the CRA

has offset almost \$380 million in T1 refunds, as well as benefits and credits to outstanding Canada Emergency Response Benefit (CERB) debt.

Offsetting and allocation automatically applied to all business COVID-19 wage/rent subsidies since inception and as of July 6, 2023, the CRA has offset and allocated approximately \$648 million in business credits. Allocation is when a credit from a wage/rent subsidy is applied to a subsidy balance of the same type.

The CRA will always strive to support anyone experiencing hardship to the best of its ability. For CRA-issued COVID-19 benefits call 1-833-253-7615 for individuals and 1-800-959-5525 for businesses.

Canadians also remember the tragic death of 21-year-old Osama Ali in Edmonton. The young man was killed in June 2023 by a man who was on interim release while awaiting sentencing for committing manslaughter in 2020. The perpetrator had removed his GPS bracelet, which was a condition of his release, and he was on the run when he killed Mr. Ali.

Unfortunately, throughout our study of Bill C-48, we heard stories of other recent examples of repeat offenders committing violent offences that endangered the public.

Let's not forget Sûreté du Québec Sergeant Maureen Breaux, who was killed in the line of duty in March 2023, stabbed by an individual while she was making an arrest. According to *Le Devoir*, and I quote:

The man . . . had a criminal record, notably for violent acts committed in the past . . . had also been found not criminally responsible for his actions due to mental disorders on a number of occasions, and had been hospitalized.

While I support this bill, I deplore the fact that it doesn't go far enough to protect Canadians from people charged with violent or gun-related offences who pose a significant risk of reoffending if released on bail. The commission of serious offences by people on bail not only puts the public at risk, but also has the potential to seriously undermine Canadians' confidence in the integrity of the bail system.

Let me remind senators that the key measure in Bill C-48 is to place the onus on defendants in a greater number of situations, at the bail hearing, to prove to the judge that their pre-trial release is justified. There's nothing revolutionary about this measure.

Over 30 year ago, the Supreme Court of Canada upheld the constitutionality of the measure that put the onus on the accused at the bail hearing to show cause for pre-trial release in cases involving repeat offenders or those accused of serious crimes and who present a danger to public safety.

In its 1992 ruling in *R. v. Morales*, the Supreme Court deemed as constitutional subparagraph 515(6)(a)(i) of the Criminal Code, which applies to any repeat offender accused of committing a crime while out on bail for another indictable offence.

In its ruling in *R. v. Pearson*, which was handed down on the same day as *Morales*, the Supreme Court found consistent with the Charter paragraph 515(6)(d) of the Criminal Code, which places the onus on a person accused of drug trafficking.

Bill C-48 does not really propose anything new. It simply adds other types of recidivism and serious offences for which the onus is on the accused to justify their release at the bail hearing.

I support these measures, but I find them to be timid. More specifically, I find it deplorable that this bill fails to include a series of inherently serious offences for which it seems obvious

• (1550)

## ORDERS OF THE DAY

### BUSINESS OF THE SENATE

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, pursuant to the order adopted December 7, 2021, I would like to inform the Senate that Question Period with the Honourable Steven Guilbeault, P.C., M.P., Minister of Environment and Climate Change, will take place on Wednesday, November 22, 2023, at 2:20 p.m.

[*Translation*]

### CRIMINAL CODE

#### BILL TO AMEND—THIRD READING—DEBATE

On the Order:

Resuming debate on the motion of the Honourable Senator Gold, P.C., seconded by the Honourable Senator LaBoucane-Benson, for the third reading of Bill C-48, An Act to amend the Criminal Code (bail reform), as amended.

**Hon. Claude Carignan:** Honourable senators, I rise today at third reading of Bill C-48, whose short title is An Act to amend the Criminal Code (bail reform).

This bill was introduced to address the concerns of Canadians, provincial and territorial premiers, and police organizations. They are all concerned, and rightly so, about the many violent incidents that have taken place recently, many of them committed with weapons by repeat offenders who were released on bail.

For example, Canadians still remember Karolina Huebner-Makurat, whose life was cut short in Toronto in 2023 by a stray bullet. One of the people involved in the shooting had a long criminal record and was on conditional release after committing other offences.

to me that the onus should be on the accused to justify their release. In my speech at second reading, I gave you several examples of the offences that I think should be included in Bill C-48.

Here are two more examples of offences not covered by Bill C-48 that were brought to my attention by police officers following my speech at second reading.

The first is aggravated assault of a peace officer, as set out in section 270.02 of the Criminal Code. Anyone committing this offence is liable to imprisonment for up to 14 years.

The second is the offence set out in section 85 of the Criminal Code, which concerns the use of a firearm in the commission of an offence or when the accused flees after committing an offence. To show how serious this offence is, it is liable to up to 14 years in prison and, a rarity in criminal law, the sentence must be served consecutively to any other punishment.

Moreover, in 2007, the Supreme Court of Canada stated in *R. v. Steele* that this offence was created to curtail the proliferation of firearm-related crime. The Supreme Court found that Parliament's objective in passing section 85 was to ". . . prevent the danger of serious injury or death associated with the use of firearms . . ." The court added that "[t]he use of a firearm in the commission of a crime exacerbates its terrorizing effects . . ."

I therefore find it illogical that an offence as dangerous as the one set out in section 85 is not covered by Bill C-48. In this context, the press release issued by the Department of Justice on May 16, 2023, said the following:

There are specific challenges facing our bail system posed by . . . firearms, and other dangerous weapons that need to be addressed.

For all serious violent offences not covered by Bill C-48, the current law will remain the same, meaning that people charged with these offences must be released before trial under the least severe conditions of release possible, unless the Crown prosecutor can prove to the judge that detention or more severe conditions are justified.

On another point, I don't think the current government has done a very good job in recent years of reassuring Canadians when it comes to gun crime. Its approach to this issue has been inconsistent.

On the one hand, the government is proposing in Bill C-48 to add four serious firearms offences that would entail a reverse onus at bail hearings.

On the other hand, by passing its Bill C-5, this same government made it possible for offenders to serve their sentence in the community for three of these four offences. We are talking about offences set out in sections 95, 98 and 98.1 of the Criminal Code, namely the possession of a prohibited or restricted firearm with ammunition, breaking and entering to steal a firearm and robbery to steal a firearm.

With Bill C-48, the government is proposing to make it harder for individuals who have committed these three serious offences to be released before their trial. However, once they have been found guilty beyond a reasonable doubt of these same offences, then Bill C-5 allows them to serve their sentence at home rather than in prison.

I don't think that I'm the only one who thinks that the government's inconsistent and contradictory approach here is worrisome and inappropriate.

I would also like to say that I disagree with the Senate committee's decision to reject the amendment proposed by Senator Boisvenu. That amendment had to do with the measure set out in Bill C-48 that proposed putting the onus of proof on the person accused of committing a repeat offence involving a weapon for the bail hearing.

• (1600)

In its current form, Bill C-48 requires the accused to prove to the judge that their release is justified when they are accused of committing a violent offence involving a weapon, if they were convicted of the same type of offence during the last five years. These two offences have to be punishable by sentences of 10 years or more for the reverse onus to apply, and the person has to be prosecuted on indictment.

Senator Boisvenu's proposed amendment, which was rejected by the committee, would have replaced the five-year time limit with 10 years. Senator Boisvenu was proposing to correct an inconsistency in Bill C-48 that had actually been pointed out by the Canadian Association of Chiefs of Police.

In fact, a representative from the association, Jason Fraser, explained this problem during his testimony before the Senate committee. He said the following, and I quote:

[*English*]

When we're talking about serious violent offenders, we're dealing with a small subset of the population that inflicts an incredible amount of harm, and in some circumstances, those individuals are being sentenced to lengthy periods of imprisonment, only to come out and reoffend. The five-year limit would create a situation where someone could spend five years in jail and come out and that offence will not be captured by this provision. . . .

To place that arbitrary five-year limit really runs the risk that we're not going to capture the very offences that we're looking to capture.

[*Translation*]

During the Senate committee's clause-by-clause study, a lawyer with Justice Canada, Shannon Davis-Ermuth, admitted that the current wording of Bill C-48 could result in an offender who serves a long prison sentence, say, 10 years, not being captured by the reverse onus set out in Bill C-48 even if they commit a weapons offence after being released from prison.

To fix that problem, I would like to put forward an amendment to Bill C-48. I'll start by pointing out that this bill has to go back to the other place so MPs can study the amendments adopted by the Senate committee and Senator Boisvenu's amendment, which was adopted by the Senate at third reading.

Rather than increase the limit from 5 to 10 years, as Senator Boisvenu proposed, my amendment would specify a five-year limit when an offender is serving a prison sentence. My amendment does not change the type of weapons offences covered by the reverse onus set out in Bill C-48. It bears repeating that the reverse onus applies when an offender was convicted of an offence against a person with the use of a weapon where the maximum term of imprisonment is 10 years or more, if the offender is accused of committing such an offence again.

The only thing my amendment changes is that the five-year period between the two offences provided for in Bill C-48 does not come into effect until the offender has finished serving their prison sentence for such an offence.

My amendment therefore has the advantage of being targeted. It simply adds offenders serving a prison sentence of more than five years to the reverse onus measure in Bill C-48.

If my amendment does not pass, offenders who reoffend after serving a long prison sentence for a weapons offence will not have the burden of proving to the judge that their conditional release is justified.

When a person serves more than five years in prison, they are currently excluded from the reverse onus provided for in Bill C-48 if they commit a subsequent offence with a weapon, because the five-year limit between the two offences will have expired before their release from prison. This exclusion is illogical, since offenders serving a sentence of more than five years in prison are more likely to pose a greater threat to public safety than offenders serving shorter sentences.

This exclusion is not only inconsistent, but it poses a significant risk to public safety and it is more likely to undermine public confidence in the conditional release system.

In effect, my amendment will only target offenders who have been convicted of very serious weapons offences, as Canadian courts consider a five-year prison sentence to be very severe. In practice, such long prison sentences are not handed down when the circumstances of the offence are not deemed to be very serious or when the offender does not have a lengthy criminal record.

Since my amendment targets the most serious and dangerous gun violence offenders, it responds specifically to the problems that Bill C-48 aims to address, namely, and I quote from the bill's preamble:

Whereas repeated acts of violence, serious offences committed with firearms or other weapons . . . all have a harmful impact on victims and communities and undermine public safety and confidence in the criminal justice system;

MOTION IN AMENDMENT—DEBATE ADJOURNED

**Hon. Claude Carignan:** Therefore, honourable senators, in amendment, I move:

That Bill C-48, as amended, be not now read a third time, but that it be further amended in clause 1 (as amended by the decision of the Senate on October 26, 2023), on page 3, by replacing lines 11 to 13 with the following:

“cused has, within five years of the day on which they were charged for that offence, been previously convicted of or been serving a sentence of imprisonment for another offence in the commission of which vio-”.

**The Hon. the Speaker:** In amendment, it was moved by the Honourable Senator Carignan, seconded by the Honourable Senator Seidman, that Bill C-48, as amended, be not now read a third time, but that it be further amended in clause 1 as amended by the decision —

**Hon. Senators:** Dispense.

**The Hon. the Speaker:** Dispense?

**Hon. Senators:** Yes.

**Hon. Marc Gold (Government Representative in the Senate):** Would the senator take a question?

**Senator Carignan:** I'd be happy to take a question, but I've already moved my amendment, and the Rules state that my time is up, so I can't extend my time.

**The Hon. the Speaker:** Senator Carignan, I'll just say that we have been fairly flexible about that practice, so would you take a question?

**Senator Carignan:** I imagine it would require unanimous consent, but I won't consent given that Senator Gold is the one who wants to ask me a question.

**The Hon. the Speaker:** Do we have unanimous consent for the senator to take a question?

**Senator Carignan:** No, I don't consent.

**The Hon. the Speaker:** Sorry, I misunderstood. Okay.

(On motion of Senator Dalphond, debate adjourned.)

[English]

#### THE ESTIMATES, 2023-24

NATIONAL FINANCE COMMITTEE AUTHORIZED TO STUDY  
SUPPLEMENTARY ESTIMATES (B)

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate),** pursuant to notice of November 9, 2023, moved:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (B) for the fiscal year ending March 31, 2024; and

That, for the purpose of this study, the committee have the power to meet, even though the Senate may then be sitting or adjourned, and that rules 12-18(1) and 12-18(2) be suspended in relation thereto.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

• (1610)

#### GREENHOUSE GAS POLLUTION PRICING ACT

BILL TO AMEND—THIRD READING—MOTION IN AMENDMENT—  
DEBATE

On the Order:

Resuming debate on the motion of the Honourable Senator Wells, seconded by the Honourable Senator Batters, for the third reading of Bill C-234, An Act to amend the Greenhouse Gas Pollution Pricing Act.

And on the motion in amendment of the Honourable Senator Moncion, seconded by the Honourable Senator Dupuis:

That Bill C-234 be not now read a third time, but that it be amended, in clause 2,

(a) on page 2, by replacing lines 24 to 37 with the following:

“of the day on which this Act comes into force.”;

(b) on page 3, by deleting lines 1 to 9.

**Hon. Marc Gold (Government Representative in the Senate):** Honourable senators, I rise today to speak to Bill C-234 and the amendment put forward by Senator Moncion.

I will state at the outset that this has been a challenging bill to deal with, and I commend colleagues who have tried to come up with approaches that respond seriously to the impacts of climate change while being fair to farmers and those in different regions of the country.

[Translation]

There's no denying the devastating impact of climate change on Canadians and people around the world. The increasing incidence of forest fires and extreme weather events is taking a toll. If we don't take decisive action to reduce greenhouse gas emissions, climate change will exacerbate sea level rise, ocean acidification, heat waves, storms, forest fires, floods, droughts and mass extinctions.

[English]

In fact, Canada is warming faster than the world as a whole, at more than twice the global rate, and our Arctic is warming at about three times the global rate.

Colleagues, in 2021, the national average temperature was 2.1 degrees Celsius above the 1961-90 reference value. In that same year, a new Canadian record-high temperature of 49.6 degrees Celsius — nearly 24 degrees Celsius higher than normal — was set in the British Columbia village of Lytton, which was destroyed by fire days later that summer. The heat dome that affected the province for two weeks was responsible for over 1,000 new local daily temperature records and contributed to an early and above-average wildfire season. The extreme heat also had human health consequences, causing 619 deaths in British Columbia.

Colleagues, a few years earlier in Québec, the deadly 2018 heat wave was responsible for nearly 90 deaths.

The proposed legislation before us, Bill C-234, seeks to widen the already broad fuel charge exemptions granted to farmers under the Greenhouse Gas Pollution Pricing Act by expanding not only the definition of “eligible farming machinery,” but also the definition of “qualifying farming fuel” to include propane and natural gas.

There are concerns that the bill could undermine Canada's federal carbon-pricing framework by proposing sector-specific exemptions and removing financial incentives to reduce emissions, even where greater efficiencies are achievable through current technology.

Farming is critical to our country. We must safeguard our ability to feed our citizens and those around the world, and Canadian farmers understand the importance of reducing

emissions, as they are the first to be impacted by climate change. This is why the pollution pricing policy reflects the realities of Canada's agricultural industry and why Canada has a host of programs to support and assist farmers. We have supply management systems for milk, eggs, chickens and maple products. We have insurance programs for crops. We have trade protections. Moreover, we have financing programs for farms and farm equipment, and laws to prevent the seizure of farming assets.

Top economists agree that carbon pricing is the cheapest and most effective way to reduce carbon emissions. The rising price is a powerful signal to consumers that fossil fuels will become more expensive and the adoption of cleaner alternatives will result in long-term savings. The logic of carbon pricing is simple: emissions impose an environmental cost with pollution so that users are encouraged to reduce emissions, especially at this time of climate crisis.

The carbon price is not a punishment, but an incentive to seek alternatives and take action to reduce emissions to meet our targets.

Under the current federal system, farmers specifically are exempt from the diesel and gasoline fuel charge used for operating combines, tractors, trucks and some machines. The carbon price paid by farmers in the eight provinces and the territories in 2023-24 is estimated by the Parliamentary Budget Officer to be \$13 million in connection with propane and \$63 million in connection with natural gas, for a grand total of \$76 million. Of this total, 58% will be paid by farmers in Ontario, 22% by those in Alberta, close to 16% by those in Saskatchewan and close to 4% by those in Manitoba. Those in the Atlantic provinces will pay less than 1% of the total.

It was the three provinces of Alberta, Saskatchewan and Ontario that challenged the constitutionality of the federal scheme, as was their prerogative, rather than implementing provincial regimes adapted to their reality as their counterparts in other provinces and territories had done.

In 2021, colleagues, as you know, the Supreme Court of Canada concluded that the levies imposed by the Greenhouse Gas Pollution Pricing Act are “. . . constitutionally valid regulatory charges . . .” and are not, strictly speaking, a tax.

Interestingly, it is these same three provincial premiers who have written to senators urging them to pass Bill C-234 as is, without amendment. It is worth noting, however, that none of them have ever supported placing a price on pollution. For those who disagree with and disapprove of the current system in place under the Greenhouse Gas Pollution Pricing Act, I would very much welcome — and the Government of Canada would welcome — concrete suggestions from premiers and the Conservative Party as to how we address climate change going forward.

Colleagues, nowhere is the threat of climate change more tangible than in our agricultural sector. As Agriculture and Agri-Food Canada observes:

Changes in temperature and precipitation patterns will increase reliance on irrigation and water-resource management, notably across the Prairies and the interior of British Columbia where moisture deficits are greatest, but also in regions where there has not traditionally been a need to irrigate.

This department adds:

In many parts of the country, wetter than normal springs will present challenges such as the need to delay seeding. Flooding and other extreme events, including wildfires, may result in loss or relocation of livestock and damage to crops; and increased frequency and intensity of storms could result in power outages, affecting livestock heating and cooling systems as well as automated feeding and milking systems.

[*Translation*]

At \$2 billion, the cost of weather-related damage on Canadian farms in 2018 was the fourth-highest ever. According to a recent article in *The Globe and Mail*, in 2016, forest fires in Alberta cost almost \$9 billion. The forest fires we're seeing across Canada will only get worse year after year. As Professor Mike Flannigan of the University of Alberta said, these fires are “due to climate change.”

• (1620)

[*English*]

For Alberta crop farmers, we must not forget about 2019, the “. . . harvest from hell . . .” As an article in *The Western Producer* remarks, the estimated total value of unharvested crops in Alberta due to severe weather events that year was \$778 million. Clearly, colleagues — and it is certainly the position of this government — we must act now on the climate to assist farmers.

The Greenhouse Gas Pollution Pricing Act sets minimum national standards of greenhouse gas price stringency to reduce greenhouse gas emissions, and it imposes a price on carbon in provinces that have not enacted legislation to achieve the federal targets. That is why it is called a backstop system.

This price seeks to incentivize individuals and businesses to make more environmentally sustainable purchasing and consumption choices, to redirect their financial investments and to reduce their greenhouse gas emissions by substituting carbon-intensive goods for low greenhouse gas alternatives.

In 2019, *The Wall Street Journal* published the “Economists’ Statement on Carbon Dividends,” which states that “. . . a carbon tax offers the most cost-effective lever to reduce carbon emissions at the scale and speed that is necessary. . . .” There are over 3,000 signatories to this statement, including nearly 30 Nobel laureate economists.

Colleagues, it should also be noted that gasoline and diesel for farm use represent approximately 97% of on-farm greenhouse gas fuel emissions. These fuels are the ones that have always been exempted under this program because the government and the program recognize that farmers currently don’t have a choice to run their combines and tractors save with either gas or diesel.

On December 15, 2021, the government introduced Bill C-8, the Economic and Fiscal Update Implementation Act, 2021, which was adopted by Parliament and received Royal Assent on June 9, 2022. The bill provided that fuel charge proceeds paid by farmers are returned to farming businesses in backstop jurisdictions via a refundable tax credit.

In Budget 2021, it was acknowledged that “. . . many farmers use natural gas and propane in their operations . . .” — two fuels that are excluded from the definition of “. . . qualifying farming fuel . . .” under the Greenhouse Gas Pollution Pricing Act. The government therefore announced its intention to return a portion of the proceeds from the price on pollution directly to farmers in backstop jurisdictions.

The Greenhouse Gas Pollution Pricing Act contains specific programs to support Canadian farmers. As I’ve said, most fuel use on farms is already exempted from the fuel charge which would otherwise apply. Bill C-234 attempts to increase the exemption by expanding the definition of “. . . eligible farming machinery . . .” to include not only “. . . property used for the purpose of providing heating or cooling to a building or similar structure used for raising or housing livestock or for growing crops . . .” but also “. . . an industrial machine or a stationary or portable engine, including a grain dryer . . . .” The bill also goes on to include “. . . marketable natural gas and propane” under the definition of “. . . qualifying farming fuel . . . .”

[*Translation*]

The tax credit in Bill C-8 returned fuel tax revenues to farmers in a way that does not conflict with the objective and benefits of such a tax, which are to incentivize behavioural changes that will lead to overall emissions reductions.

The current government’s strategy for fighting climate change is not limited to putting a price on pollution. It also sets up a multi-faceted approach that includes substantial public investment in researching, developing and adopting clean technology for the agricultural sector.

[*English*]

The numbers speak for themselves. The government has committed over \$1.5 billion to accelerate the agricultural sector’s progress on reducing emissions and to remain a global leader in sustainable agriculture, as well as \$495.7 million for the Agricultural Clean Technology Program.

[ Senator Gold ]

What we have before us today, with Bill C-234, is a proposal to replace a system designed to induce behavioural change, including among farmers, with a system that gives farmers temporary financial relief for eight years.

Bill C-234 has within it an eight-year sunset clause, at which time the exemption would be reviewed. However, as written, this review and any subsequent extension would not be in the hands of legislators.

Senator Moncion’s amendment eliminates Bill C-234’s mechanism to extend the exemptions beyond the sunset period by Governor-in-Council resolution or by any other method that did not require the approval of Parliament. While her amendment retains the entirety of the substance of the bill, including the eight-year sunset clause, the amendment would allow Parliament to extend the exemption, should it see fit to do so, only by passing a new bill. Most importantly, for our purposes, it would ensure that the parliamentary process is followed; there would be full debate and proper committee study on any subsequent bill.

Colleagues, our role in the Senate is to conduct a comprehensive review of legislation passed by the other place, as we have done with government bills. Bill C-234 is no different. It is entirely appropriate for the Senate to propose meaningful improvements, and, in my view, to ensure that Parliament has a say in whether or not an exemption should be extended in eight years’ time. This is within our purview, and I submit to you, respectfully, that it is a meaningful improvement to the law as drafted.

Without Senator Moncion’s amendment, the extension after eight years could proceed with a simple resolution passed in both chambers or by a decision of the executive branch, with no role for parliamentary scrutiny and oversight or committee examination and study, all of which are central to the work we do in Parliament and in this chamber. Senator Moncion’s amendment increases the likelihood that a future extension would receive proper scrutiny and a fair hearing.

Therefore, for these reasons, from a policy and process perspective, I would respectfully submit that this amendment merits your support in this chamber.

Colleagues, the more clarity we give farmers now about when the exemption in Bill C-234 will expire, the greater the chances that they’ll prioritize energy-efficient technologies over the coming years.

Other amendments may yet come forward before our debate on this bill is finished, and it is up to us to debate them and determine their merits. But in speaking to this one amendment, ensuring that Parliament and this chamber are given every opportunity to study any potential extension to this exemption, is, in my view, simply doing our jobs.

On a concluding note, I wish to thank all the stakeholder groups who reached out. These past months, senators have had the opportunity to meet nearly two dozen representatives from various groups both supportive of and opposed to Bill C-234. Their thoughtful insights were, as always, most helpful to our studies.



Thank you very much for your kind attention.

[*Translation*]

**The Hon. the Speaker pro tempore:** Senator Moncion, do you have a question?

**Hon. Lucie Moncion:** Yes, I would like to ask Senator Gold a question.

**The Hon. the Speaker pro tempore:** Senator Gold, will you take a question?

**Senator Gold:** Gladly.

**Senator Moncion:** Senator Gold, you said that the forest fires cost \$9 billion, and you also mentioned the \$778 million that was linked to a heat dome that ruined certain crops. Can you tell us who pays for this \$9 billion and for the nearly \$1 billion in lost crops? Who is footing the bill for those losses at the end of the day, once all the processes in place have been followed through to the end?

**Senator Gold:** I thank the honourable senator for her question. I don't have exact figures on the amount of money, but we are all paying, and especially farmers. It's taxpayers and governments who have to pay to ensure that families can return to their homes if they haven't been affected by fires. Farmers pay when their crops fail to meet their needs and expectations.

In short, the cost to Canada, to Canadian citizens, to industry and to the governments that must support us in these difficult circumstances is enormous. The cost is enormous and, unfortunately, it's unlikely to go down.

• (1630)

Although we can't predict the future, experts keep telling us that, without a serious effort to reduce greenhouse gas emissions and pollution as quickly and effectively as possible, we will continue to suffer the damage and impacts linked to climate change.

**Senator Moncion:** I have a supplementary question.

You mentioned several payers, but you didn't talk about insurance companies, which play an important role. Insurance companies bear the cost of premiums, but in the end, doesn't this mean that all Canadians will see their insurance premiums go up and that they will end up footing the bill?

If I understand everything you said correctly, you've reached the same conclusion, in other words, that these incidents are costly for all Canadians.

**Senator Gold:** At the end of the day, one way or another, we're the ones who pay, be it through taxes or insurance premiums.

I myself am currently renewing my own insurance, and it's expensive. You are absolutely right. The economic burden resulting from climate change is very heavy.

That doesn't mean it's easy to be a farmer in Canada or that farmers don't need our support. That is not the case at all. However, when we analyze a bill or a government program, we have to look at all the costs. We need a solid understanding of the costs and benefits of a given program or bill.

[*English*]

**Hon. Colin Deacon:** Thank you, Senator Gold, for your speech. I have no issues with the carbon tax in my own life. I think you know that I'm a big believer in our addressing climate change, leading the Senate working group on environment and climate change to make sure that we become a carbon neutral organization. I also live 12 feet above sea level, so I have a personal interest in the issue on the Atlantic Ocean.

In your speech, there are two things that I didn't hear, and perhaps I missed them. One was this: Why were the cleanest fuels that farmers use missed? What was the reason for the oversight when the exemptions were originally provided on gasoline and diesel but not provided on natural gas and propane?

The second was this: At what point is this government going to start to take advantage of the opportunity to do that which is recognized globally? We need to start to sequester atmospheric carbon. We have to pull the carbon out of the atmosphere, and farmers can play an incredibly powerful role in that. At what point are we going to start to take advantage of the role that they can play — a huge role — in sequestering carbon? This bill will only minimally reduce the amount of carbon they produce.

Thank you, Senator Gold.

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question — there were two aspects to your question. When this government focused on diesel and gas and exempted all farmers across this country from its use, it was not an oversight on the part of the government. It was a recognition that if you're running a combine, tractor or truck, you don't have a choice. Although — as I said — they represent 97% of the emissions on a farm, it was thought necessary and appropriate, in recognition of the important role farmers play, that they be exempted from the price on pollution. It was not an oversight at all. It was a deliberate policy choice that this government made and is entitled to have made in the overall approach to climate action that is taken.

That action is my bridge to the second question. It is true that economists from around the world — Nobel Prize laureates, others and, notably, middle-of-the-road and conservative economists — recognize that a price on pollution is the most effective policy instrument to create the incentives for behavioural change and is the tool that is the most cost effective. But it's not the only tool in the government's approach. This government has a comprehensive climate change plan. It is small comfort to hope that other parties — or at least one other party — will have a plan when it comes into government. Right now, this government has a plan, and it's entitled to legislate its plan and make its policy choices, which it has done. In that regard — as one should know by reading the material that the former environment minister produced under his term and that the current one is carrying forward — many issues are being examined as part of an overall approach to reducing emissions

and taking advantage of technology, whether it's carbon sequestration, which you mentioned, clean hydrogen and many other issues.

The point to be underlined here, though, is that in the arsenal of policy tools, programs, incentives, subsidies and rebates that make up the suite of initiatives, a price on pollution is the central, most effective, most market-sensitive, affordable way to do it. Yes, it increases the price on pollution. That's why it works. It changes behaviour. This government has taken steps to provide transitory, transitional support for farmers and others, whether it's for those who are forced to heat with oil, which is one of the dirtiest forms of fossil fuels, in creating an exemption for three years in the Atlantic provinces — in your neck of the woods — with strong incentives and support for heat pumps. These are targeted measures to provide the incentives to change and support for that change. Carbon sequestration is one of those tools among many.

**Senator C. Deacon:** There's recognition that it's a tool. Unfortunately, we're one of the last countries to move in implementing that tool, yet we're increasingly punishing farmers for the small amount of carbon they produce relative to the huge amount they can sequester. That imbalance is troubling, and I wonder if you hear any knowledge or have any insight as to whether or not any movement will occur. Because all we've heard so far — those of us who asked Agriculture and Agri-Food Canada — is that they're not interested.

**Senator Gold:** Thank you for your question. Let's remember that addressing climate change is not simply a whole-of-federal-government initiative. It engages the provinces, the industry and farmers who are at the forefront of it and who are innovating. There are provinces in the West that are at the forefront of developing and implementing new technology. There are pilot projects across this country to test out different approaches.

Therefore — again to your question — we're debating a bill here that the government does oppose, but more importantly, we're debating an amendment that would restore parliamentary oversight and study so that at such time as a government of the day may choose to extend this exemption beyond the eight years, we as parliamentarians — those of you who will still be here; I'll watch from the sidelines, given my age — will nonetheless have an opportunity to study and ask those questions to the government of the day.

**Hon. Mary Jane McCallum:** My question is simple. If the amendment passes, then you're voting for the bill?

• (1640)

**Senator Gold:** The government supports this amendment. I will be voting in favour of the amendment.

As honourable senators know, if this or any other amendment passes, then we will vote on the bill at third reading, as amended; at that point, having done its work to improve the bill, I expect this chamber will pass the bill. Then, it will go back to the House of Commons. It will be inscribed in their Order of Precedence.

[ Senator Gold ]

Many colleagues here, I'm sure — I'd be happy to answer questions on this — understand the system in the House is quite different than ours. When a private member's bill is amended, it is automatically put on a list for debate. It is scheduled in an orderly calendar. This bill will be debated in the House of Commons as it works its way through the Order of Precedence. The House of Commons, the opposition and the government — because it's a minority government — will have an opportunity to consider Senate amendments and decide what the will of the House is.

But for the moment, it's sufficient to say we support this amendment. It will improve this bill.

**Hon. Donald Neil Plett (Leader of the Opposition):** Senator McCallum, you clearly didn't have your question answered, as we usually don't at Question Period. I can assure you how I will vote, Senator McCallum, and I'll end it there.

Honourable senators, I too want to speak to this bill. I'm happy Senator Gold, at least, has finally admitted the government is opposed to it. He has been doing his level best not to do that. He usually doesn't get involved in private members' business, but he did here.

Colleagues, we all spent the last week in our provinces and in our regions. I did as well. I come from a very rural part of the country. There are many grain, hog and dairy farmers, all of them very much dependent on the heat and drying mechanisms they have. In my province, there is still a lot of corn out there that they are harvesting and need to dry.

I attended a hockey game on the weekend that my youngest grandson was playing at. I had farmers come to me and thank me and our party for the work we are doing on behalf of farmers. They were telling us how they felt abandoned by this government, by Senator Gold, Minister Guilbeault and the Prime Minister, how they felt abandoned and how they could not wait for the next election when we would come forward with our climate action plan. The first one will be to axe the tax — axe this tax.

Colleagues, I want to take a moment today and reflect on how things have gone over the last weeks. Senator Cordy in her welcome address to our new senators talked about a "silly season;" indeed, we have that twice a year, at least. We've entered into ours early this year. That "silly season" was clearly out there on Thursday, November 9.

I want to talk about that because Canadians need to know what is happening in this chamber. We have Canadians watching us. Believe me, Canadians have started taking an interest in the Senate, more than in all of the years I have been here, ever since our Prime Minister invoked that horrible Emergencies Act that was so unnecessary; since that day, people across the country have been watching what the Senate is doing. They are watching today.

We have farmers in Ottawa today, some in the chamber. I thank them for coming. I thank the farmers who are here in Ottawa today. This week, they are planning on staying here. They want to see this bill passed.

The way things have transgressed here in the last while, I want to take a moment to talk about that because I think it's important. It was evidenced during our Senators' Statements today how important it is to talk about how things have transgressed here.

When we have questions of privilege arising from people expressing their opinions and getting frustrated with stalling tactics, questions of privilege arise from that. For as long as the Senate has been here, 150-some years, we have had that. We have taken it on the chin.

There are senators who have been here during what I call "the good times" where things would have happened as happened last Thursday; then, we would have gone out and had a beer together with the person that we were fighting with. Instead, we have what we have now: accusations made.

I don't know whom one of the questions of privilege is referring to. I do want to say that — and it may have been referring to me, to a different senator or a group of senators — as Senator Wells said earlier, I was called a "bully" last Thursday by a senator in this chamber. I was called a "bully." I want to talk about that for a second.

I don't like being called a "bully." I also don't like being a bully, but I am passionate. I am passionate and I am dedicated to what I believe. I will never apologize for that. I will fight hard for my cause and my party, but I want to do it in a respectful manner, colleagues, and if I didn't on Thursday, that isn't acceptable.

My wife asked me, "When are you schoolchildren all going to grow up?" We are becoming similar to what the House of Commons is in their Question Period. I take some responsibility for that.

I'll tell you, colleagues, this is very personal. Our present government still has not outlawed me going into my private room and praying. I'm sure they're working on a bill to do that, but they haven't yet. They're outlawing prayers at Remembrance Day services. They have not outlawed prayer yet.

I pray every night: "God, help me to not let others dictate your attitude; do not let your frustrations be dictated or be encouraged by others; be professional; be hard; be hard-headed, but be professional, God." That's what I want.

I sometimes win that fight. I don't always. On Thursday I got angry. I got very angry. I don't think I conducted myself unprofessionally, but I got angry.

• (1650)

Thursday, when we wanted to debate Bill C-234 and we wanted to call a vote to help our farmers across the country, we were impeded and stopped from doing that by an adjournment motion that I found very hard to accept. We had an amendment made by Senator Moncion, and she and I had a short discussion about it. She had every right to make that amendment; there is no question. I do not, for one second, disagree with her right to make that amendment.

Frivolous as it was, the intent of the amendment is to kill the bill. Let's be clear: That is the intent of the amendment. It doesn't matter how one twists that around; the intent is to kill the bill. When Senator Gold says it won't kill the bill, he is not speaking the truth. An amendment will kill this bill. It will not see the light of day. We will not get it back into this chamber. Senator Cotter was clear about that when he spoke about this. That's the intent of this amendment.

Nevertheless, we bring amendments forward at third reading that have not passed at committee, so I won't stand here and point fingers at somebody else for doing exactly what we have done on occasion, probably to stall. But let's at least be honest about that.

Then, when Senator Moncion was not done speaking or at least when she was just sitting down, Senator Clement was on her feet to adjourn the debate. The Speaker was standing while Senator Clement was standing, which, of course, Your Honour, you know we should not do. When the Speaker stands, we should be sitting, which I pointed out to Senator Clement. I don't know whether she heard me, but I pointed out to Senator Clement that she should not be standing when the Speaker is.

When the Speaker sat down, we had three senators standing here and Senator Clement, which makes four senators. Senator Tannas was standing over on the other side.

She first recognized Senator Clement, and then we spoke up. Then she asked Senator Batters whether Senator Batters had a question, and Senator Batters said she did. She asked Senator Moncion a question, and Senator Moncion answered the question. I think there was only one question. Senator Wells and I were immediately on our feet, as was Senator Clement, and we were on our feet to debate. Senator Clement adjourned the debate, and the Speaker recognized her.

I stood on a point of order; I called out a point of order. The Speaker heard me call out the point of order. I have yet to receive a ruling on the point of order — I still haven't received it — yet, here we are debating again.

She then again recognized Senator Clement to adjourn, and Senator Clement's explanation for adjourning, both to us and to iPolitics, was that she adjourned because other senators wanted to speak. That's paraphrasing it. "I adjourned because other senators still wanted to speak."

That's a bit of an oxymoron, senators: "Senators want to speak, so I'll adjourn." I can understand somebody adjourning when people are calling for the question and you're not ready for the question. Then somebody adjourns the debate, and you have a vote on an adjournment motion. You win or lose that, and you move on. But when somebody is standing to speak on debate, the Speaker doesn't allow an adjournment motion. But here we had it; we had an adjournment motion.

We called a bell, and we were frustrated — rightfully so, I believe. We were very rightfully frustrated because we wanted to debate an amendment.

Senator Wells, the sponsor of this bill, was on his feet. He's the sponsor of the bill, and he was not allowed to speak, because the Speaker ruled that an adjournment motion could come ahead of debate. I have never seen that. Twice since I've been in the Senate, since 2009, something similar has happened.

The first instance was very distinctly different in that Senators Lankin and Petitclerc, regarding the national anthem bill, tricked us, and they did the right thing. It was a bill that had been debated for quite some time. They wanted the question called. We didn't want it debated any longer, but we didn't want to vote on it, because we thought we would lose the vote. Therefore, we made sure that there wasn't a vote taken. I think Senator Petitclerc's seat was directly in front of Senator Lankin's, and as Senator Lankin was sitting down, Senator Petitclerc had her hand up. The Speaker recognized her, and Senator Petitclerc called previous question, and that was the end of it.

Now, I went and had words with the Speaker, but he was right.

Senator Lankin and I have talked about that. She won one there, and I accept that, but that was in a situation where somebody wanted to call the question and somebody else wanted to stop it. It was not a situation where somebody wanted to debate. I have never heard of something like that.

I don't know why Senator Clement would have done that, and I do know that Senator Clement is not by herself in that — clearly it was a team effort; I understand that. Nevertheless, then we're called bullies because we're upset. It is not because we lost, but because it wasn't right. It still isn't right. It still hasn't been corrected.

Now we have questions of privilege that we need to deal with as a result of that. I'm not raising a question of privilege. I had words with that senator. To me, it's over. I don't need any recourse; I'm good.

I will be passionate again, and I will fight again. I will do what I can to move the Conservative cause ahead. In this case, it is not the Conservative cause but the farmers' cause.

Colleagues, this is a bill that supports farmers. Farmers are both smart and efficient. Farmers know what is good for farmers. If somebody took offence to my comment about people from Montreal and Toronto who have never been on a farm not knowing better than farmers, I hope you don't raise a question of privilege on that, because I will say it here again: Farmers know better what is good for farmers than lawyers or plumbers from Montreal or Toronto. I agree on that.

[ Senator Plett ]

On Thursday last week, on November 9, I had two farm groups in my office, back to back. The first farm group comprised grain growers and hog farmers who are not dependent upon supply management; as a matter of fact, they oppose supply management. They were in my office, and they wanted to talk about two issues. They were very clear when we sat down: "We have two issues, senator. The first one is Bill C-234. You need to get Bill C-234 passed, senator. We need Bill C-234. We need to be able to heat our barns, and we need to be able to dry our grains. We need it passed."

Then they said, "The other bill we want to talk about, senator, is Bill C-282. You have to defeat Bill C-282. It's a bad bill. It will hurt our negotiations." It was Bill C-282, was it not, Senator Gerba? I got a quizzical look there from Senator Woo, and I wanted to make sure I had the right bill number.

They wanted me to make sure that bill didn't pass. They agreed, all six of them in my office. We talked about it, and I told them that I was fighting Bill C-234 and that it was a full load for me right now and we would get to Bill C-282. I said it was on a priority list for the Progressive Senate Group and that, at scroll, we negotiated based on what other groups' priorities were, and I said that I believed Bill C-282 was there and it would, in due course, go to committee.

• (1700)

They left. The next group that came in was a group of dairy farmers, chicken farmers and egg producers. They said, "Senator, we have two bills that we need your help with. We need you to pass Bill C-234 because we need to heat our chicken barns and our egg barns. We need your help on Bill C-234. What can you do to help us?" I told them what we were doing. I asked, "What's the other bill?" They said it's Bill C-282: "Senator, we need you to pass Bill C-282 as fast as possible."

#### POINT OF ORDER

**Hon. Lucie Moncion:** I have a point of order. Senator Plett, can you speak on the amendment, please?

**Senator Plett:** Address the Speaker, please, not me.

**Senator Moncion:** Your Honour, could Senator Plett address the amendment, please?

**The Hon. the Speaker pro tempore:** Senator Plett, do you want to speak on the point of order?

**Senator Plett:** Yes, I want to speak on the point of order. I probably, in the last five minutes, used the term "Bill C-234" at least 20 times, Your Honour and colleagues. How am I not speaking to Bill C-234?

**The Hon. the Speaker pro tempore:** Senator Wells, do you have something to say on the point of order?

**Hon. David M. Wells:** Yes, Your Honour. The first 80% of Senator Gold's speech was about how luminaries around the world say how good the carbon tax is, and not at all about the amendment. Generally, in these speeches, in my history here, I've always given some latitude as well to speeches if they are generally on the topic.

## SPEAKER'S RULING

**The Hon. the Speaker pro tempore:** Honourable senators, in my honest opinion, I believe that Senator Plett has done his best, as well as Senator Gold, to give some context to the issues that we're debating right now. Therefore, Senator Plett, please continue your speech.

BILL TO AMEND—THIRD READING—MOTION IN AMENDMENT—  
DEBATE

On the Order:

Resuming debate on the motion of the Honourable Senator Wells, seconded by the Honourable Senator Batters, for the third reading of Bill C-234, An Act to amend the Greenhouse Gas Pollution Pricing Act.

And on the motion in amendment of the Honourable Senator Moncion, seconded by the Honourable Senator Dupuis:

That Bill C-234 be not now read a third time, but that it be amended, in clause 2,

- (a) on page 2, by replacing lines 24 to 37 with the following:

**“of the day on which this Act comes into force.”;**

- (b) on page 3, by deleting lines 1 to 9.

**Hon. Donald Neil Plett (Leader of the Opposition):** Thank you, Your Honour.

Before I was called, we were talking about Bill C-282. The supply management people want that bill. The point I'm making, colleagues, is that they are unified from coast to coast to coast on Bill C-234 without — for Senator Moncion's sake — this frivolous amendment. They are unified from coast to coast to coast. Every farmer wants Bill C-234. It's important for them.

Colleagues, farmers know best. If they can find efficiencies to bring down the carbon footprint, they will do that because it benefits them as much as it benefits anyone else. They are good stewards.

The other thing we had on Thursday, colleagues — and I'm probably going to get jumped on here again, but nevertheless — we had had a leaders' meeting that Tuesday morning, and we had talked about the passage of Bill C-234. We had a verbal agreement by five leaders that Bill C-234 would come to a vote on Thursday last week.

[Translation]

## POINT OF ORDER

**The Hon. the Speaker pro tempore:** Senator Dalphond, are you raising a point of order?

**Hon. Pierre J. Dalphond:** Yes, Your Honour. I remember that Senator Plett accused me of publicly saying what was said in a leaders' meeting, because it was considered confidential and the subject was not to be discussed in this chamber. I'm therefore reciprocating his point of order.

[English]

**The Hon. the Speaker pro tempore:** I'm not sure that there was a point of order in there, but I understand what you're saying, and I believe Senator Plett also understands.

BILL TO AMEND—THIRD READING—MOTION IN AMENDMENT—  
DEBATE

On the Order:

Resuming debate on the motion of the Honourable Senator Wells, seconded by the Honourable Senator Batters, for the third reading of Bill C-234, An Act to amend the Greenhouse Gas Pollution Pricing Act.

And on the motion in amendment of the Honourable Senator Moncion, seconded by the Honourable Senator Dupuis:

That Bill C-234 be not now read a third time, but that it be amended, in clause 2,

- (a) on page 2, by replacing lines 24 to 37 with the following:

**“of the day on which this Act comes into force.”;**

- (b) on page 3, by deleting lines 1 to 9.

**Hon. Donald Neil Plett (Leader of the Opposition):** Honourable senators, our leaders' meetings are attended by staff, they are not confidential, and I will speak about them. I will speak about them here, and if that is not acceptable, I'm sure I won't be invited to the next one. Today's was cancelled for some unknown reason, so maybe that's why.

Nevertheless, we had an agreement, and Senator Cordy had to go and first ask Senator Dalphond whether he agreed before she could agree, but told us she would get back to us. In fact, she told me on Thursday that she would get back to us and that she did not say we did not have agreement.

Nevertheless, we've also been told many times by the different leaders that they do not whip so they cannot guarantee anything. They can hope. We make an agreement, and they can hope, but they cannot guarantee. But on Thursday evening, three of the five leaders, even though they didn't control their caucuses and don't whip — they just speak to people; they don't whip. I don't know what the terminology of whipping is, because apparently I do,

and they don't. Nevertheless, three of the five leaders voted in favour of the adjournment motion so that we couldn't move along.

Senator Moncion, I will now talk for a while, and then I might get off track later again, but I will now speak for a while specifically about your amendment. Pay attention.

The first thing I want to point out about this frivolous amendment is that Senator Batters' ask is similar to the one presented at committee. I believe that was Senator Batters' question. I want to point out that this amendment is, in fact, not similar to the one presented at committee. It is not similar — it is identical. It is exactly the same amendment that was considered and defeated by the Standing Senate Committee on Agriculture and Forestry.

Of course, as I said earlier, and as Senator Moncion took advantage of, our Rules permit senators to move amendments at third reading that have already been defeated at committee. I find it odd that this amendment was the one chosen, since it adds no substantive value at all. Contrary to what Senator Gold was telling us, it provides no substantive value at all. Senator Moncion's amendment seeks to remove a part of the bill that permits the government to initiate an extension of the sunset clause. As the bill is currently written, the sunset clause can be extended beyond eight years by the following process.

First, the government must be the one to initiate the extension by drafting a resolution providing for the postponement of the exemption. This resolution must specify how long that extension will be. Second, the government's resolution is then debated by both houses of Parliament and voted on. If it is passed by both houses, the exemption is extended as per the criteria proposed by the government in the resolution.

I have trouble understanding why Senator Moncion would refer to this as a low-bar approach to extending the exemption when an extension can only be initiated by the government through an order-in-council, only the government can determine the length of the extension, and the extension is not granted unless it is approved by both the House of Commons and the Senate. That, honourable senators, is a pretty high bar. It is not some backdoor regulatory process that we only find out about after it is published in the *Canada Gazette*. It is public, democratic, accountable and can fail at any point if it does not have the support of the government and both houses of Parliament.

Furthermore, colleagues, this method of extending the time frame of a sunset clause is not unique to this bill. It has been used before, and it was incorporated into Bill C-30, the Fair Rail for Grain Farmers Act, as a means of allowing the government to expeditiously extend the rail interswitching provision under that law, and that is what the government did.

• (1710)

Back in April 2016, the Liberal government announced that it would use this very mechanism to “. . . work with Parliament to postpone for one year the repeal of certain provisions of the *Canada Transportation Act* that were enacted in 2014 by the *Fair Rail for Grain Farmers Act*.” Cabinet drafted the corresponding

proposal, which was then considered by both houses of Parliament and passed unanimously in this chamber on June 8, 2016. I'm not sure whether Senator Moncion had done her homework to find out about that. She was not yet in the Senate when that happened; I believe she was appointed later that year.

Colleagues, my point is very simple. The measure contained in Bill C-234 to extend the sunset clause is neither unique nor controversial. It was incorporated into previous legislation, and its utility is evidenced by the fact that it was used by the current government, with the consent of Parliament, to extend a sunset clause. It has already proven to be legitimate and efficient for Parliament to manage existing sunset provisions in an expeditious manner, and there is no reason to remove it from Bill C-234.

Senator Moncion's amendment is not only unwarranted, but also carries no practical value. It will not change the scope of the exemption or the limit of its application. From a policy perspective, it will have zero impact for eight years and even then could easily be overwritten by an amendment tucked away into a budget implementation act.

If you were opposed in principle to the exemption provided by this legislation, then you would propose an amendment that seeks to diminish it. If you were concerned about the scope of the exemption, then you would seek to limit it. If you did not like the sunset clause, then you would seek to shorten or eliminate it, yet this amendment does nothing of the sort. It does not propose to change or challenge the exemption. All it does is remove the flexibility for government to extend the time frame of the exemption in an expedited fashion.

However, while the amendment has no practical value, it carries significant political value for the Liberal government for one simple reason. Again, colleagues, it will kill the bill. You've seen the movie *Kill Bill*. This was discussed extensively at report stage. To repeat what Senator Cotter said at committee:

. . . every amendment that we introduce into this bill puts in jeopardy the likelihood that the exemption in any form doesn't see the light of day, and that seems to me to be sad and ironic since . . . we supported an aspect of the exemption itself at this committee particularly with respect to grain drying.

Senator Cotter is correct. With this bill, it is all or nothing. Amending this bill is the same as defeating it. Colleagues, in my view, this is the undisguised motivation behind this amendment. It serves no other purpose. It was already considered at committee and defeated. It does not substantively change the impact or implementation of the bill, and it could be easily overwritten by a future government.

In fact, in practical terms, the amendment is so benign that it would probably be an acceptable compromise to move the bill along — if it moved the bill along — except for one small problem. It guarantees that the legislation will never become law. Senator Gold has been clear in his comments that the government opposes this, even though the majority of the House supports it — unanimously by four parties and joined by a handful of Liberals. Colleagues, the only utility of this amendment is to carry the government's water and defeat the bill, even though it

was passed — as I said — in the other place with the unanimous support of the Bloc, the Conservatives, the NDP and the Green Party, along with the support of a handful of Liberals.

Colleagues, this bill is entirely non-partisan. It is a multilateral effort to protect our agricultural industry. It has broad support across the agricultural sector and serves the practical purpose of ensuring that the existing exemptions provided to the agricultural industry are amplified uniformly. Yet, at the eleventh hour, the government has now decided to make this political because of a tactical mistake they made in passing a carbon tax exemption that favoured one region of the country over the rest. Now they have decided to position Bill C-234 as a referendum on the carbon tax and, as a whole, on the future of Minister Guilbeault's tenure as the Minister of Environment and Climate Change.

This is regrettable, colleagues, because now, instead of fighting for farmers, Minister Guilbeault is fighting for his job. Instead of working to keep the price of food down, he's been working the phone lines and calling senators to ask them to make sure this bill does not pass. Colleagues, he admitted that. He said: "No, we do not whip senators, but yes, I called them and I talked to them." Minister Wilkinson has made his calls.

You know whether he has called you or not — I don't — but he admitted he called senators to talk to them. He didn't call senators to ask them how their day was going. I think we all agree with that.

The question now is whether his efforts will succeed. After saving the bill by defeating the committee's report, will Liberal-appointed senators now cave and do the minister's bidding? I don't know the answer to that, but I hope — for the sake of farmers — the answer is no.

It is obvious that for some senators the answer is yes. Senator Moncion introduced this frivolous amendment, and immediately after she did so, as I said, debate was adjourned. I still don't know the purpose of it, but here we are debating it, except it's now a week later.

Again, colleagues, farmers know best. Our farmers are expected to feed almost 10 billion people by 2050, and we are taking every tool out of the tool box they need to do that. I'm not sure whether Senator Dalphond believes that eggs come from Safeway or the farm, but in my province, they come from the farm. You can have eggs at Safeway or Sobeys in a cooler, and it won't matter if the temperature goes up or down a little bit, but you can't vary the temperature in a barn full of 10,000 little chicks.

The question was posed by Senator Deacon about the emissions exempted, and 97% of farm emissions are exempted, according to Minister Guilbeault. I have a paper here from the Agriculture Carbon Alliance and what they say about Minister Guilbeault's newest concerns about Bill C-234. They have said:

We have been unable to substantiate the minister's claim that 97% of emissions are exempted. What we do know is that despite existing exemptions for on-farm fuel use, farmers are still reporting carbon pricing bills that range from the thousands to the hundreds of thousands of dollars each year. If this cost for farmers equates to carbon taxes of

only 3% of on-farm emissions, the cost to farmers greatly outweighs any potential for emissions reduction, with no viable alternative — none. For necessary farm practices, the need to provide farmers with financial relief and making more working capital to invest in efficiencies becomes even more evident.

Then they say this about the \$500 million for grain drying:

The minister is incorrect in his assertion that the federal government allocated \$500 million for energy-efficient grain dryers.

On June 16, 2021, Minister Bibeau, in her role as Minister of Agriculture and Agri-Food, announced \$167 million for the Agricultural Clean Technology Program.

• (1720)

This program allocated \$50 million for energy-efficient grain dryers. This was a welcome announcement. However, agricultural stakeholders quickly pointed out that while \$50 million for grain dryers may sound like a lot of money, in reality, colleagues, that would purchase fewer than 500 new grain dryers and there are more than 65,000 grain farmers in Canada. So even with full uptake, the \$50 million would still mean that approximately 64,500 grain farmers would not access funding for more energy-efficient grain dryers.

Colleagues, this is not that big of a deal for the government, except that it is their signature plan. And Minister Guilbeault has said he's resigning if there is another carve-out. I'm going to ask him tomorrow whether he will keep his promise. I hope he does if we pass it. I'll encourage it. I hope you'll all join me.

Colleagues, let's not hide behind an amendment. If you want to kill this bill, then stand up whenever we get to it. Let's defeat this amendment. Let's defeat every other amendment. And if you truly want to kill this bill, then stand up in this chamber when the final vote is called and vote against it. Don't hide behind something and then say that we are trying to improve it, because that's not the case. We all know that, and the farmers know that. If anybody here thinks you're pulling the wool over farmers' eyes by making them believe you are somehow helping them, colleagues, they're not that dumb. They know what this will do, so vote against it.

Colleagues, we have debated this before: I have far too often — here and in other places — accused senators of being government senators when you say you are independent. You are not government senators. You may have been appointed by the Prime Minister, but you are not government senators. Many of you — most of you — have told this chamber that, when the other house sends us a bill that they have passed, we have an obligation to do one of two things: We either improve it and send it back, or we vote for it — not vote against it. This amendment doesn't improve the bill; it's voting against it. That's not our job.

Senator Gold is correct when he says they have a minority government, but that's what Canadians elected. Canadians didn't want them to have a majority government because they didn't want them to have complete control. So now, when we finally have a chance to show the world — to show Canada — that

we're going to stand up for them, that we're going to stand up against the tyranny over there, let's take the opportunity to do it. You're not voting against the person who appointed you, because he said to be independent. You have all told us that. I think he probably also said "and don't join the Conservative caucus," at least it was certainly implied, and so you haven't, but let's show that independence.

When this comes to a final vote, when this amendment comes up — and any other frivolous amendment — colleagues, at least vote against it. Then when the bill comes for a final reading, if you really believe this is not good for the country — if you really want to pay double and triple for the eggs that you're buying now, if you really want to bankrupt farmers — then vote against the bill. But vote against it; don't sugar-coat it.

Colleagues, I am going to stand up for farmers. I will do my best to do that, and I will remain passionate.

Just as a closing comment, a few weeks ago, colleagues, we welcomed a group of young ladies here. We were unanimous in that welcome, because it was something we could all get behind. When you can't get behind it, we can still be friends and work together. We don't need to try to get other senators in trouble. We don't need to come forward with different questions of privilege and different points of order. Let's take each other's opinion seriously.

I'm not going to, in any way, suddenly, after this speech, start taking it easy on Senator Gold during Question Period. I can assure you of that, but I will try to be fair. And I will try to be fair here, but I will be passionate. If something like last Thursday happens again, I will probably do the same thing. I'm not sure. Colleagues, I ask you to vote against this amendment at the first available opportunity. Vote for farmers. Vote for Bill C-234. Thank you, colleagues.

**The Hon. the Speaker pro tempore:** Senator Gold, do you have a question?

**Senator Gold:** Would the senator take a question?

**Senator Plett:** No, because, when I am asked a question, I like to give an honest answer, not like we have at Question Period. Sorry, I won't.

**The Hon. the Speaker pro tempore:** Senator Simons, do you have a question?

**Hon. Paula Simons:** I do, if Senator Plett would accept a question.

**Senator Plett:** As I said to Senator Gold, Senator Simons, respectfully, I will not take questions.

[ Senator Plett ]

**Hon. Yuen Pau Woo:** Let me start by thanking Senator Clement for moving the adjournment last Thursday to allow senators time to prepare their speeches and join the debate on Senator Moncion's amendment. Those senators who wanted to speak that night can speak today, and we're hearing from some of them. I look forward to hearing all of your interventions on this amendment. I was not in the chamber last Thursday, and I was watching the debate by video. As soon as I saw that Senator Moncion had moved her amendment, I texted all my ISG colleagues to say "please try and hold the debate so that I can return and debate it in person."

**An Hon. Senator:** Aha.

**Senator Woo:** Yes, "aha," indeed. I take some responsibility, and I'm so proud of my colleague Senator Clement for doing her job as the ISG liaison. I want to thank all senators who voted in favour of the adjournment and thereby allowed me to join the debate without taking away the rights of other senators who also wanted to debate.

I want to especially thank Senator Moncion for introducing this amendment, because it is identical to the one that I proposed at the Agriculture Committee during clause-by-clause consideration. Some of you will be wondering why we are considering an amendment at third reading that was already defeated in committee. Indeed, Senator Plett just made a big fuss about that, but it is the same Senator Plett who made a big fuss about the need to revise an amendment that was passed by the committee concerning, you'll recall, the exemption of barns from the fuel charge. If we can reject an amendment that was adopted at committee, why can't we reconsider an amendment that wasn't? Senator Plett cannot have his cake and eat it too.

Consider too, colleagues, that this amendment, the amendment moved by Senator Moncion, was defeated in committee on a 7-7 tied vote — hardly a decisive outcome. It is precisely these kinds of situations that lend themselves to reconsideration by the Senate as a whole. But there is an even more important reason to reconsider the amendment: The clause in question has nothing to do with barns or grain dryers or even carbon pricing, which are arguably technical issues best left to senators in committee who spent the time hearing from expert witnesses, as I did. On those issues, one could say that senators who did not take part in the committee hearings are at a disadvantage because they may not be fully informed about the issues. On this amendment, though, the issue is not about agriculture. It is about the duties and responsibilities of legislators, the role of parliamentarians and the Senate as an institution.

• (1730)

Honourable senators, this amendment is about us. You don't need to have spent one minute in committee to have a view on the question. That is why Senator Moncion is right to put the question to us in third reading debate. It's a question not only for members of the Agriculture Committee, but for all senators.



And here is the question: Are we willing to abdicate our responsibility as legislators by allowing an express lane for the renewal of this bill when the sunset period of eight years is over? Because that is what the bill permits in its current form. A Governor-in-Council order, together with motions from the other place and the Senate, will be all it takes for further extension of the exemptions — no first, second and third reading debates in the House of Commons; no first, second and third reading debates in the Senate; no committee hearings in either place; no witnesses and no room for amendments. Just an up or a down vote on a motion devoid of evidence and without any consultation. This denial of normal legislative procedure is even more egregious when you consider the current arguments for the bill.

Advocates have consistently argued that eight years is about right for a transition period because alternative energy technologies for grain drying and barn heating options will emerge in that time. They have not, on the face of it, challenged the principle of a fuel charge for the purpose of incentivizing change, but focused on the lack of alternatives at the current time. Here is what the Executive Director of Grain Growers of Canada said:

... eight years is probably the magic number in terms of the research and development required for companies to create viable alternatives.

Given the optimism around the availability of lower emission energy options by 2031, why then are we paving the way for exemptions to be ushered through Parliament with a wink and a nod rather than following our nominal legislative process? The reason is that supporters of the bill want to make it easy to extend the exemptions in 2031 even if there are abundant energy saving and emissions-reducing alternatives at that time. This bill is rigged to favour an extension of the exemptions and, in Senator Wells' words — properly applied — “The fix is in.”

Let's be very clear: The extension mechanism proposed in this bill is idiosyncratic, to say the least. Senator Plett is correct in pointing to a 2014 bill concerning rail transport of grain, which had a similar provision, but that bill is one instance out of 16 bills that talk about postponement which uses this mechanism — one out of sixteen.

Since 2015, where there has been a postponement of coming into force in bills passed by Parliament, not a single one has used the express lane mechanism proposed in Bill C-234.

Some of you will be thinking to yourself that farmers will want to embrace available alternatives in eight years, so there's no need for an extension of the exemptions. However, the reality is that by shielding farmers from gradual increases in the fuel charge from now until 2031, the adjustment shock at the end of eight years will be so great that they will inevitably lobby for further exemptions, even if there are alternative energy options. The express lane for an extension that has been set up under this bill would make it easy for politicians to accommodate those pleas.

You can see how Bill C-234 not only undermines the logic of pollution pricing and intensifies political pressure to abandon the regime, but also creates the legislative pathway for an extension to happen with relative ease.

Let's be clear. Senator Moncion's amendment does not take away the possibility of an extension. It simply asks that we do it the right way. If there is a case for an extension in eight years, we should do what we have done with Bill C-234, namely, put it through normal parliamentary scrutiny. This is particularly true for a more independent Senate that should be looking at bills from a non-partisan lens.

I understand the immense political pressure placed on parliamentarians from powerful lobbyists such as farmers, but that is a problem for MPs, not senators, especially not independent senators. Whatever your views on the substance of this bill, this is not a vote about farmers. It is a vote about protecting the integrity of the legislative process and the credibility of a more independent, less partisan upper house.

Colleagues, I've spoken specifically to the amendment. I want to let you know that I also intend to speak to the main motion, but I won't digress at this time. I hope you will give me that option. With full disclosure, my presence in the chamber is a little uncertain the next few days, but I very much would like to re-enter the debate because there's much more to be said as to the flaws and difficulties of Bill C-234.

For now, though, we're considering an amendment that is important in protecting the integrity of our institution and the legislative process. I support the amendment. I will vote for it, and I hope you will as well. Thank you.

**Hon. Mary Jane McCallum:** Honourable senators, I rise today to join debate on Senator Moncion's amendment to Bill C-234, An Act to amend the Greenhouse Gas Pollution Pricing Act.

Colleagues, there exists a great and prevailing uncertainty for me now as it relates to this bill generally and this amendment specifically. I would like to thank Senator Moncion for bringing this amendment forward, although I note, as Senator Batters pointed out during the last sitting and for the third time today, that this amendment is, verbatim, an amendment that was brought forward and defeated in clause-by-clause consideration of the bill during the Agriculture Committee's deliberations on this bill. This amendment was defeated in a tied vote: seven for; seven against.

Colleagues, I've been told at various times by various senators that an amendment would kill the bill; that an amendment would not kill the bill; that the amended version proposed by this motion is agreeable to the government; and that the government does not want the bill to pass at all. At present, I find myself with more questions than I previously did.

Due to this uncertainty, there are fundamental questions that remain unanswered and need to be clarified when heading into a vote on the amendment and then on to the bill itself.

The first such question revolves around the rationale for this amendment. We are all aware of the Agriculture Committee's report on the matter, which featured a much more profound amendment in terms of its practical impact on the bill's output. This amendment, which was subsequently defeated in the report stage, would have limited the bill to grain drying equipment only, thereby excluding the heating and cooling of barns, greenhouses and other structures. The nature of that amendment flagged a more widespread concern with the core intent of the legislation and what it sought to accomplish. This is not necessarily surprising given the profound issues this bill deals with, when weighing greenhouse gas emissions against the easing of financial burdens for farmers and the possible trickle down effect that this will have on easing cost of living and grocery prices for Canadians.

• (1740)

However, my initial reading around these discussions is that there is a grave concern on the part of the government about creating a new carve-out in the carbon tax. This was made explicit when Minister Guilbeault of Environment and Climate Change Canada blatantly said there would be no more carve-outs to this government's carbon-pricing scheme as long as he's in cabinet. This is a strong signal to send, flagging the government's resolute approach in opposition to this bill.

I'm confused because I have been told because the government would be supportive of the bill if the amendment before us passes. This motion, as we all know, would specify that the eight-year sunset period remain firm, and any potential extension be done through legislation as opposed to an order-in-council and concurrent motions by both houses of Parliament. Why, then, would the government be willing to support this bill should this amendment pass, given that the carve-out issue would remain unaddressed?

Another large question arises: Why would the government — which has been explicit in not wanting further carve-outs in the carbon-pricing scheme — do an about-face in their support of this bill when it still provides the same carve-out and has the same ultimate impact and outcome, the only difference being the parameters around an extension set to occur nearly a decade from now. If that is the case, why do we not refrain from amending this bill then and send it back unamended?

Honourable senators, as I mentioned, I have also been given conflicting information on what such an amendment would do in terms of killing the bill or not. On the face of it, such an amendment would not kill the bill in practice, but the process of amending likely would.

Again, as the amendment is focused on the sunset clauses, it would not change what the bill will accomplish over its initial lifetime. However, would the act of amending a private member's bill and sending it back to the Commons have the effect of killing the bill? As the other place follows a very specific format to their sittings, as distinct from our practice here in the Senate, I cannot speak competently to if and when the House would examine, deliberate and vote on any amendments that were received from the Senate.

However, as we collectively know, timelines are more tenuous and less predictable in a minority government. It should be noted, colleagues, that the current and unamended version of this bill passed with widespread support in the other place. The Conservatives, Bloc Québécois, NDP and Green Party all voted unanimously in support, as did a small handful of Liberal MPs. Nevertheless, and given the government's position on the bill, there remains much conflicting information on what a potential amendment would do to this bill's ability to eventually come to a final vote. Let it be said, however, that I am in no way advocating foregoing amendments to any bill so long as the amendments are meritorious.

Colleagues, as I am not a member of the Agriculture Committee, I found it beneficial to review the committee's proceedings on Bill C-234, especially in relation to clause-by-clause consideration. When the amendment before us was raised by Senator Woo in committee, Senator Plett raised a point I thought bears repeating. While this amendment signifies concern around the proposed logistics of extending this legislation beyond its initial eight-year period, this approach to extending sunset through an order-in-council with coinciding motions of both houses has precedent, specifically through the former Bill C-30, the Fair Rail for Grain Farmers Act.

As Senator Plett stated in committee, this sunset clause was legislated by the previous Conservative government, with the current Liberal government opting to exercise this provision and extend Bill C-30's sunset after they formed government. As such, this type of approach to sunset clauses within the federal legislation has been utilized before.

Honourable senators, alongside the conflicting information I have been given on various aspects of this amendment, and Bill C-234 more generally, there are additional uncertainties that arise. One such uncertainty has to do with Budget 2021.

There were two initiatives within Budget 2021 that are highly relevant to the legislation and amendment before us. That year's budget created a tax credit for farmers that would return to them a portion of the proceeds from the price on pollution:

It is estimated farmers would receive \$100 million in the first year. Returns in future years will be based on proceeds from the price on pollution collected in the prior fiscal year, and are expected to increase as the price on pollution rises. . . .

Of equal and great interest, Budget 2021 also states:

Budget 2021 also proposes to ensure the recently expanded \$165.5 million Agricultural Clean Technology program will prioritize \$50 million for the purchase of more efficient grain dryers for farmers across Canada.

Honourable senators, combined, these two initiatives in Budget 2021 were intended to help farmers to be better situated in transitioning to lower-carbon ways of farming. Again, this raises more questions than answers, as I do not know the status of the commitment to purchase more efficient grain dryers, and I'm also awaiting information from the Library of Parliament on the average amount of Budget 2021 tax credit per farm per year.

As these initiatives are theoretically intended to address the issues examined in the legislation before us, it will have a critical bearing on our decisions. This raises legitimate questions on whether the issues contemplated in discussions surrounding this bill and amendment would not be better served by being addressed through public policy as opposed to the legislative channel.

As you can see, colleagues, it is a lot of work to separate the wheat from the chaff with what is before us both in this amendment and the bill itself. It is not surprising that different sides will have different perspectives on what the “truth” of the matter is. However, it does serve to complicate the issue greatly, and I personally am intent on sorting through these conflicting assertions and various realities to understand the truth of the matter so that I can make an informed decision in the best interests of those whom I serve.

I thank you for listening, and I hope that the debates to follow will shed further light on some of these discrepancies. Thank you.

**Hon. David M. Arnot:** Honourable senators, I rise today to speak to the amendment to Bill C-234 proposed by Senator Moncion.

Colleagues, the debate on this bill inside and outside of this chamber has been heated — a fitting description, I believe, given the nature of the commentary and the concerns with keeping farmers’ costs manageable when it comes to heating and cooling hog barns, poultry buildings and grain drying.

While I advocate for turning the temperature down on our debate, I’m a staunch believer in stoking the fires under the bigger-picture efforts that respond to climate change. I believe that there is a fundamental disconnect between the debate that we are having and four interconnected concerns: first, a balanced response to the needs of farmers; second, the need for food security in our country; third, the need for knowledge and understanding about climate change in the general populous; and fourth, a measure of certainty that the efforts being taken to combat climate change through carbon pricing are founded on a fair, transparent mechanism that is independent of government.

• (1750)

Before I dig deeper into these issues, I will advise you that I am voting in favour of Bill C-234, but not in favour of the amendment, and here is why:

This summer, I met with the President of the Saskatchewan Association of Rural Municipalities, Mr. Ray Orb, and his executive, on a couple of occasions. I also attended the Saskatchewan meetings of the Standing Senate Committee on Agriculture and Forestry regarding the study on soil health in Canada. I spoke to farmers like Ian Boxall, the President of the Agricultural Producers Association of Saskatchewan; academics like Dr. Angela Bedard-Haughn, the Dean of the College of Agriculture and Bioresources at the University of Saskatchewan; and innovators like Steven Siciliano, the CEO of Environmental Material Science in Saskatchewan. I was impressed with their

balanced, reasonable advocacy on issues facing those in rural municipalities, and in working with the agricultural sector in Saskatchewan. My comments are informed by these discussions.

These leaders, experts, producers and scientists describe repeatedly how farmers are keenly aware of the relationship between the environment, best practices, technology and input costs.

We’ve heard from our colleagues that natural gas and propane are used to power machinery and equipment necessary for various farming operations. Farmers paid over 75% more for machinery fuel in the second quarter of 2022, compared with the same quarter in 2021. This increase in fuel prices significantly impacts the overall input costs for farmers.

Honourable senators, Bill C-234 considers the significant increases and challenges in the business of food production for farmers by exempting federal carbon pricing, primarily the fuel charge, and from specific on-farm situations, including barn heating and cooling and grain drying.

Farmers are innovators, relying on science, technology, commerce and other expert advice to be successful. They are keenly aware of the effects of climate change. They are not in denial. They are responding because they have to. They have to deal with the simultaneous threats of droughts, floods and forest fires. Farmers have always been problem solvers and creative thinkers.

Senators, I ask you this question: Can you think of any group in Canada that is more sensitive to climate change and the weather than dryland farm producers in Western Canada? I cannot.

Even with science, expertise and experience, farming is a huge gamble every year. Farmers invest millions of dollars in inputs with nothing certain about the ultimate harvest, other than a requirement for optimism and hope. The hope that lies in farmers’ hearts is based on science, commerce and, fundamentally, their courage.

The Secretary of the Treasury of the United States, Janet Yellen, recently stated there’s a “. . . need to accelerate investments in food and agriculture systems, particularly by the private sector . . .” in order to build resilience against food insecurity and humanitarian crises. I know that in Canada the private sector and farmers are making those investments.

Secretary Yellen also said that governments need to provide favourable policy environments that are predictable, transparent and incentivize the right kinds of investment.

Predictable, transparent policies are required now because we need innovation. Farmers cannot make changes to their farming operations using innovations that do not currently exist.

Like farmers, most Canadians are not in denial about climate change. A Leger poll from September of this year reported that 72% of Canadians are worried or are very worried about climate change.

The truth is that climate change is costing Canadians dearly. This includes insured losses from catastrophic weather events, which totalled over \$18 billion between 2010 and 2019.

The Intergovernmental Panel on Climate Change reported:

By the 2050s, parts of Manitoba, Saskatchewan, Alberta, British Columbia, Yukon, Ontario and the Northwest Territories will experience water scarcity in the growing season.

Investing in climate change education and in farmers is also essential to individual consumers over the long term. The Canadian Federation of Agriculture reports that Canadians spent 11% of their disposable income on food in 2022.

The 2023 edition of Canada's Food Price Report forecasted that, conservatively, a typical family of four will spend \$16,222.80 this year — that's an increase of \$1,065.

It is not surprising that as food costs increase, Canadians have changed their shopping habits to buy foods that cost less, as well as buying less food overall and turning to food banks to meet their nutritional needs.

In March of 2023 — this year — there were over 1.9 million visits to food banks in Canada, surpassing the previous year's record high.

This year's usage represents a 32% increase from 2022, and a 78.5% increase from 2019.

One third of food bank clients are children.

Evidence for food insecurity is growing in this country. There's also evidence, gleaned from the experiences in Quebec and British Columbia, that higher costs to the farmer associated with carbon pricing do not currently translate into increased costs for consumers. Farmers are absorbing those costs for now. That is going to be less likely as the carbon levy, or fuel charge, increases to \$170 per tonne by 2030.

This brings me to the final point of disconnect: the need for education and dialogue about climate change.

The Parliamentary Budget Officer confirmed that about 80% of households in Canada receive more money back from the rebate than they pay in carbon pricing.

A recent Angus Reid Institute survey found that among those who receive more, or about the same amount, in a rebate compared to what they spend, almost 80% support the carbon tax. This is from people who understand carbon pricing because they've done the calculations.

But even though most citizens receive financial benefit from carbon pricing rebates, there's declining support amongst Canadians. This does not make sense; it does not follow, and it is not logical.

There is, I believe, a two-part explanation.

First, as Mark Carney, the United Nations Special Envoy on Climate Action and Finance, observed at a recent conference in Ottawa:

Many Canadians are struggling. They're struggling not because of the carbon tax, which gets rebated, they're struggling because of broad increases in energy prices and food prices, the impact on wages . . . the lingering effects of COVID as well.

Second, an article in *Canada's National Observer* stated last week that the Government of Canada is “. . . failing to communicate the benefits in a way the public understands.”

Colleagues, if I were to suggest an amendment to this bill — and to be clear, I'm not — I would advocate for a clearer carbon pricing mechanism. It would be one that is fair, equitable and determined in an independent and objective manner — carbon pricing policies without the perception of favouritism to one region of the country or one economic sector in the country, and policies that all Canadians can understand and support.

In my home province of Saskatchewan, it's an all too frequently expressed sentiment that there is little empathy in the federal government toward agriculture, or indifference at best. That may or may not be fair, and it may or may not be accurate. But the point is that Western alienation and Northern alienation are real. It is exacerbated by the perceived ambivalence by other regions in Canada to the needs of those in the West and the North.

What we need in Canada is a national vision that is unified around a common goal. A carbon pricing regime should be the foundation for that unified goal.

The United Kingdom, Sweden and New Zealand, to name a few countries, have independent or largely independent oversight of carbon pricing, including public awareness and education.

I invite the federal government to strongly consider amending the Greenhouse Gas Pollution Pricing Act to create an independent carbon pricing body in Canada — a body that reports to Parliament, and not to the executive branch of government, with a strong mandate to provide unbiased public education.

Misinformation and misleading arguments have gained traction in Canada. One reason, I believe, is that most Canadians do not have sufficient knowledge on the issues to make an informed decision on carbon pricing. Of those who do have sufficient knowledge and information, as I said, 80% favour a reasonable carbon price policy.

As Secretary Yellen stated, taxing carbon dioxide emissions and rebating the revenue to consumers is “. . . the textbook solution to the problem of climate change.” Positive change usually comes in increments. If a complete paradigm shift is required to deal with —

• (1800)

**The Hon. the Speaker pro tempore:** Senator Arnot, I feel bad about having to interrupt you. You still have 3 minutes and 25 seconds left for your speech, but we’re now at six o’clock.

**Senator Arnot:** But I have the best punchline ever.

**The Hon. the Speaker pro tempore:** Honourable senators, it is now six o’clock, and, pursuant to rule 3-3(1), I’m obliged to leave the chair until eight o’clock when we will resume unless it is your wish, honourable senators, to not see the clock. Is it agreed to not see the clock?

**Some Hon. Senators:** Agreed.

**Some Hon. Senators:** No.

**The Hon. the Speaker pro tempore:** Honourable senators, leave was not granted. The sitting is, therefore, suspended. I will leave the chair until eight o’clock. Thank you.

(The sitting of the Senate was suspended.)

[*Translation*]

(The sitting of the Senate was resumed.)

• (2000)

#### BUSINESS OF THE SENATE

**The Hon. the Speaker:** Honourable senators, yesterday, Senator Saint-Germain gave written notice, and today she gave oral notice of a question of privilege pursuant to rule 13-3.

In accordance with rule 13-5(1), I now recognize the Honourable Senator Saint-Germain.

[*English*]

#### QUESTION OF PRIVILEGE—DEBATE

**Hon. Raymonde Saint-Germain:** Honourable senators, pursuant to the written notice I provided to the Clerk of the Senate yesterday afternoon and pursuant to rule 13-3(1), I rise this evening on a question of privilege related to the attempts of intimidation of senators that occurred within the Senate Chamber and the Senate of Canada Building on Thursday, November 9, 2023.

This is my earliest opportunity to raise this question of privilege in conformity with the first of four criteria needed for a question of privilege to be given priority, since the Senate adjourned a few minutes after the vote.

As one of the Senate leaders, I feel that it is my duty and obligation to bring this very concerning matter to the Senate’s attention and request that it be dealt with diligently. Parliamentary privilege allows us to conduct our business free from obstruction and intimidation. To quote rule 13-1:

A violation of the privileges of any one Senator affects all Senators and the ability of the Senate to carry out its functions. The preservation of the privileges of the Senate is the duty of every Senator and has priority over every other matter before the Senate.

Unfortunately, this unalienable right was breached on Thursday, November 9, following a routine motion to adjourn debate on an amendment. The events in question affected numerous senators and had a negative impact on the Senate as an institution, as requested by the second criterion, which states that a question of privilege must “. . . be a matter that directly concerns the privileges of the Senate, any of its committees or any Senator . . .”

After Senator Bernadette Clement moved to adjourn debate on an amendment to Bill C-234 in an effort to preserve the rights of some independent senators from various groups who wished to speak and participate in the debate, some Conservative senators demonstrated physical and verbal intimidation directed at members of my group and myself.

After violently throwing his earpiece, the Leader of the Opposition stood before Senator Clement and me as we sat at our desks, yelling and berating us for proposing this routine motion that would see debate resume the following week, when we returned.

Facing such aggression for this ordinary practice that would extend debate — routinely used by the opposition, I might add — demonstrated the intense pressure to pass the bill that day and infringed upon senators’ right to do their job properly.

Senator MacDonald shouted the word “fascists” at the Independent Senators Group, the ISG. This is not the conduct and language expected of honourable members of the upper house and is yet another aggravating factor in this affair, going far beyond the required order and decorum in this chamber.

Threats were made that business in committees chaired by ISG senators would be blocked as retaliation for seeking adjournment of the debate — simply to enable debate to continue beyond the 40 minutes after which it had started.

Senator Plett pointed fingers at Senator Moncion, Chair of the Internal Economy Committee. As a member of that committee and Chair of its Human Resources Subcommittee, I consider this an attempt to block important work done on behalf of Canadians.

These threats were extended to the Government Representative, warning that the legislative agenda would stall as a result of this adjournment.

And even when the time came to vote on the adjournment motion, another threat was made to a senator from another group that the bill he sponsored would be in danger if this senator voted according to his convictions.

Your Honour, colleagues, this threatening behaviour did not stop inside the chamber. At least two Conservative senators — Senator Batters and Senator Housakos — retweeted a post made by a member in the other place that not only spread misinformation about the proceedings but encouraged members of the public to call and harass Senator Bernadette Clement and Senator Chantal Petitclerc about what had transpired. The tweet in question — which resembled a “Wanted” poster from the 1800s Wild West — elicited high volumes of threatening phone calls and emails to these independent senators. It got so out of control that one of our senators had serious reasons to fear for her physical safety and was forced to leave her private residence and spend her weekend elsewhere in a secure location.

It got so out of control that the Senate security team, together with local police, is still working on this case.

The fact that a social media post retweeted by Conservative senators welcomed and encouraged this behaviour is, quite frankly, reprehensible. These senators are now limited in their accessing the Senate of Canada Building and, notably, were limited today because of the risk caused by the protest that occurred.

Not only is this completely unacceptable and abhorrent, it is also ironic. Senator Plett raised a point of order on June 6, 2019, regarding a social media post from the Honourable Murray Sinclair, who, he felt, misrepresented a procedural move.

In his ruling on June 13, former Speaker Furey reminded senators:

. . . when you are using social media, please take your time before you send out tweets. If it is something you think will be offensive and you are not really sure whether or not it is something that is appropriate, I suggest you do not send, because it reflects poorly, not just on the people who are doing it, but on the whole chamber.

We have the enormous privilege of being members of the Upper House of the Parliament of Canada. With this enormous privilege comes enormous responsibility. . . .

Again, on social media, Senator Wells accused the ISG leadership of working in concert with the Speaker of the Senate — a baseless claim which cast a negative shadow on my group and on the institution represented by our Speaker.

Independent senators, along with all senators, as members of the chamber have the right to speak, to move motions and to participate in debate. The physical and verbal threats, bullying and harassment experienced by members of our group and members of other groups that day by Conservative senators could have the intended consequence of curtailing the business of senators out of fear.

Senators should not be afraid to move motions. They should not be threatened with retaliation and delay and obstruction for participating and following the Rules. All these facts seem to

demonstrate quite clearly that a grave and serious breach was committed and needs correcting, as is required by the third criterion.

The majority of the upper chamber acts with humility, respecting the rights and privileges bestowed upon us and representing minority interests of Canadians in a way that upholds the highest standards and decorum. Our work is too frequently at the mercy of a small partisan group which is awarded with a disproportionate amount of power because they are connected to a partisan group in the House of Commons. This group has access to a large research budget and, apparently, the time and energy to bully and spread misinformation about honourable senators who are doing work on behalf of Canadians and the communities they represent. If the behaviour of November 9 continues, the important parliamentary work we are all here to do is in jeopardy.

• (2010)

Honourable senators, we are all here to act honourably. That is not done through intimidation, doxing and online lies. We are not doing that when we shout and scream in this chamber across the aisle because a motion was moved that we disagree with. We are not doing that when we intimidate our members and obstruct them from participating freely in this chamber.

As a remedy for this breach — the fourth criterion — one option could be a referral to the Senate Standing Committee on Rules, Procedures and the Rights of Parliament. I would like to flag, however, that four senators implicated in this breach are members of the Rules Committee: Senator Batters, as Deputy Chair, Senator Wells, Senator MacDonald and Senator Plett, as an ex officio member. I would suggest that you explore other options.

Your Honour, I would also ask for a diligent response. A line has been crossed, and your decision on this matter will influence our doctrine for decades to come. We are at a tipping point, and action must be taken.

I will close my remarks with a relevant quote from *Beauchesne's Parliamentary Rules and Forms, Sixth Edition* for your consideration:

It is generally accepted that any threat, or attempt to influence the vote of, or actions of a Member, is a breach of privilege. Direct threats which attempt to influence Members' actions in the House are undoubtedly breaches of privilege.

Your Honour, a handful of bullies must no longer be allowed to make this house dysfunctional. Let's not wait until it's too late and we're blamed for letting ourselves be intimidated. The time to act is now. Let's stop accepting this behaviour. Let's stop being afraid to express ourselves without hindrance for fear that the escalation and reprisals will be even worse.

Your Honour, I respectfully ask that you consider this question of privilege so we may get back to honourably serving Canadians in a chamber free from obstruction and intimidation.

Thank you.

**Some Hon. Senators:** Hear, hear.

**Hon. Marc Gold (Government Representative in the Senate):** Honourable senators, I'm rising to speak on the question of privilege raised by Senator Saint-Germain. Let me say at the outset that disagreement is acceptable and expected in civil discourse and in a parliamentary chamber of debate, so is being upset. That is also to be expected. We're human. However, being upset and disagreeable to the point of intimidation is simply unacceptable.

Let us be clear as to what occurred in strictly procedural terms. Senator Clement was recognized on debate, and she proposed to adjourn the debate on the motion in amendment related to Bill C-234, a motion that is entirely in order under rule 5-7(g) and rule 6-10(2). As former Speaker Furey noted on May 2, 2019, when a motion to adjourn debate was recognized despite others who had wished to intervene on debate:

I'm going to recognize that and it is the right of the House to reject that if they so wish.

Just like the events of Thursday, November 9, the Senate had their right to decide whether the debate would be adjourned or not. Subsequently, on Twitter at 5:03 p.m. that same day, which was the same time that the vote took place, Senator Wells tweeted the following:

BREAKING C-234 Friends, the fix is in. The Speaker @SenGagne of the Senate in concert with the ISG leadership has shut down debate on the critical piece of legislation. The Speaker failed to fairly allow debate on an amendment that already failed at committee. There were speakers ready to speak on the frivolous amendment and they were on their feet to speak and the Speaker deliberately did not recognize those ready to speak. In my eleven years in the Senate I have never seen a speaker shut down debate when speakers were ready and willing and asking to speak. A shameful day for our chamber and the practice of sober second thought.

Furthermore, Senator Wells quickly answered to his own tweet by drawing distinctions of character between certain members of the Independent Senators Group:

Correction to my original tweet: I should have referred to ISG LEADERSHIP, not many of the ISG senators, many of whom support Bill #C234 and are fair dealers.

In the chamber, those of us who stayed throughout the evening witnessed what followed, and what followed were displays of intimidation, angry finger pointing and inappropriate outbursts. On November 15, the Member of Parliament for Regina—Qu'Appelle then tweeted out the photos and phone numbers of two senators, accusing them of shutting down debate.

Colleagues, let's be clear as to the context of what occurred. The adjournment motion was moved on the first day of third reading debate. There is nothing that is irregular about this. As

the Government Representative, I accept the adjournment of government legislation each and every day. It's, quite frankly, a regular occurrence in this chamber. This is a chamber of critical reflection, of sober second thought. It is our job to debate legislation. It is our job to suggest improvements. I'm not always happy about it. You know that from my interventions both in committee and in the chamber. But I accept that it happens. If I disagree with it, I will ask the full chamber to make a decision.

Page 226 of *Senate Procedure in Practice* states that with respect to the collective and individual privileges of senators, "The individual privileges that senators enjoy include . . . freedom from obstruction and intimidation."

Pages 230 to 231 of the second edition of Maingot also state:

Members are entitled to go about their parliamentary business undisturbed. The assaulting, menacing, or insulting of any Member on the floor of the House or while he is coming or going to or from the House, or on account of his behaviour during a proceeding in Parliament, is a violation of the rights of Parliament. Any form of intimidation . . . of a person for or on account of his behaviour during a proceeding in Parliament could amount to contempt.

As Speaker Parent noted in a decision on November 4, 1999, concerning the intimidation of a Member of Parliament:

. . . if a member is subjected to threats and intimidation, he or she is clearly hindered in the fulfilment of the parliamentary duties . . .

Let me also refer you to a ruling by Speaker Furey on June 13, 2019, based upon a point of order that was raised by Senator Plett regarding insinuations and accusations that were levelled at him by another parliamentarian on social media:

I, therefore, ask senators to focus on the substance of the issues we are addressing, and to avoid criticizing individuals or groups. By all means question and challenge policies and positions, but this should be done without undermining and attacking others who advance a particular point of view. This applies in the Senate, in committee, and outside proceedings.

Colleagues, this was not our finest hour. Let me remind you of the great import of the work we conduct here in this chamber. However, just as important as the work we do is the way in which we do it — the way in which we conduct ourselves in a manner that fits the elevated status of this chamber.

Therefore, Your Honour, I would ask you to take this matter under advisement, based upon the events that have unfolded, to determine whether a breach of privilege has occurred under rule 13-2(1) and provide guidance to this chamber as to how we ought to conduct ourselves as a responsible, respectful parliamentary chamber.

**Hon. Donald Neil Plett (Leader of the Opposition):** Your Honour, obviously I want to speak to this issue. I want to take a couple of minutes to intervene on the question of privilege by Senator Saint-Germain. I do not have remarks for the substantive issues she raised, and I'm going to ask your indulgence and your permission, as is normal in situations where somebody has been accused of things. In this case, a number of people have been accused of things, and some of them are travelling on parliamentary business and, for those reasons, can't be here.

• (2020)

I'm going to ask your permission to present my thoughts on this at a later time, Your Honour, and I hope that you will accept that.

But I want to immediately raise the issue of the notice that Senator Saint-Germain sent. Section 13-3(1) of the *Rules of the Senate of Canada* states:

. . . a Senator wishing to raise a question of privilege shall provide the Clerk with a written notice, indicating the substance of the alleged breach . . . .

The notice must contain some details and some substance of the alleged breach.

I think, Your Honour, if you will read the notice carefully, it does not fulfill that obligation.

In a ruling he made on October 26, 2006, Speaker Kinsella said this about notices of questions of privilege:

. . . I feel that the proper reading of the rule demands that the notice be sufficiently explanatory and comprehensive. In other words, the notice must clearly identify the matter that will be raised as a question of privilege.

Speaker Kinsella quotes another ruling, this time by Speaker Molgat on June 21, 1995, where Speaker Molgat said the following:

. . . The purpose of giving notice is to enable Honourable Senators to know what is coming so that they can have an opportunity to prepare. . . .

I have hardly been given an opportunity to prepare on this, Your Honour.

Why else would there be notice? They must have an opportunity to get themselves ready for the discussion. It is not meant to delay the work of the Senate. It is simply meant to bring order.

I submit that Senator Saint-Germain's notice did not provide sufficient details on the incidents she is referring to in order for other senators to prepare. Just like Speaker Kinsella ruled in 2006, I think that this failure to provide details in a notice means that the question of privilege cannot proceed.

Your Honour, should you not agree with that ruling and should you think that the question of privilege can be raised, even if the notice lacks the details that are quite clear in the *Rules* here, I reiterate that it did not allow us time to fully prepare, and I would

therefore ask your permission to present additional remarks at a later date so that all senators named have sufficient time to prepare as well. Thank you, Your Honour.

**The Hon. the Speaker:** I will now continue, and we'll come back to your question, Senator Plett. I will ask Senator Clement to please — I have you on the list, Senator Wells.

**Hon. Bernadette Clement:** Honourable senators, I was going to let this issue go. I have lots of other work to do, but it's important for me to speak. After I adjourned debate on an amendment to Bill C-234, there was significant reaction. A senator came and stood over my desk and yelled at me and Senator Saint-Germain in very close proximity. I froze. A million things go through your mind in a moment like that because, sadly, you question yourself and how you are to blame for the anger. You tell yourself to stay quiet until it's over, until you can just get back to work. There was no fight or flight; it was a freeze. It's remarkable that your brain can question whether you are to blame in that moment.

Colleagues told me they were taken aback by what they saw. We know menacing conduct makes the chamber unsafe and tarnishes the reputation of this institution. We know that no member should be bullied into silence.

We heard in this chamber an earlier reference to bullying, and I want to provide a different perspective. Bullying is not passion, and cannot be excused as such. I've been down this road before. One example of many that comes to mind was around the council table many years ago after a fellow councillor yelled at me. His behaviour was excused as passion, and when I gently asserted in response, I was told that I must be tired and in need of a vacation.

Bullying is not passion. And while this isn't the first time I've had an angry man yell at me, this is the first time I'm taking such a very public stand. If not here in this place from my seat as a senator, then when?

Earlier, it was also mentioned that questions of privilege existed 160 some-odd years ago, for as long as the Senate has been here. There was a reference to the good times when senators took it on the chin and then went out for a beer instead of raising a question of privilege. I want to point out that 160 years ago — even 100 years ago — the Senate didn't look like this. I have respect for this institution — trust me — for its history and for its role in democracy, but it wasn't until 1930 that women were allowed to be here in this chamber as senators. Perhaps passion took a different form when everyone in this chamber looked the same. Times have changed. Bullying is not passion, and no one should have to take it on the chin. Experiencing this type of aggressive behaviour here in my workplace was jarring. But it didn't end when I walked out of the Senate. Senators took to Twitter and one of them said, "Friends, the fix is in."

Listen, I can appreciate disagreement. I live in spaces where respectful disagreement is the norm: in courtrooms, council chambers and communities. I understand that some senators were disappointed that Bill C-234 didn't breeze through on November 9th. I get it. But a tweet like this that questions the integrity of both myself and our respected Speaker gave me pause. I even Googled "the fix is in" just to see if I correctly



understood the implication made by my colleague. Sure enough, “the fix is in” means the outcome of an event or process has been covertly manipulated.

Let me be clear, there was nothing covert and no manipulation in my adjournment. The implication of collusion undermines all the work that we do in this chamber. I am trying to do my job. My colleagues at scroll have heard me say so many times that it’s my job to ensure my colleagues have an opportunity to speak, and when folks weren’t ready to speak during that last sitting, it was my job to ensure that they had a chance at the next. We heard speeches tonight from Senator Woo and Senator Arnot on opposite sides of the issue debating, which is what we’re supposed to be doing. We continued to debate today.

I told you earlier that the attempts at intimidation didn’t end when I left the Senate building. When a tweet was posted with my photo and the photo of Senator Petitclerc, asking Canadians to call us about Bill C-234, the consequence was a threat to my safety, made to the staff answering the phone. I’m sure when colleagues in this chamber reposted that photo they didn’t expect that it would leave me feeling unsafe. I know that. I went to social media to defend my honour and to explain my job, but the tone had already been set by tweets that lacked nuance and failed to explain how we do things here.

These posts led to confusion, frustration and unkindness. I was subjected to anger, outrage and hate. I won’t repeat the words I read or the words my staff read. No one should be subjected to the racism and misogyny embedded in those tweets. This online toxicity is a reflection of the toxicity in our political system and vice versa. Careless communication on social media can hurt democracy and can lead to mistrust.

[*Translation*]

The tone had already been set by tweets that lacked nuance and failed to explain how we do things in this chamber. These posts led to confusion, frustration and unkindness. I was subjected to anger, outrage and hate. I won’t repeat the words I read or the words my staff read. No one should be subjected to the racism and misogyny embedded in those tweets. This online toxicity is a reflection of the toxicity in our political system and vice versa. Careless communication on social media can hurt democracy and can lead to mistrust.

• (2030)

[*English*]

Canadians deserve to know that adjournment doesn’t mean a bill is being nixed, but that nuanced explanation wasn’t offered by people pointing the finger at me.

Canadians should be told the truth. As a member of the Independent Senators Group, I vote my conscience. My vote is not whipped. I do not answer to any minister. The ISG Charter is quite clear on that front.

Canadians deserve to know that senators treat each other with respect. Most days, that’s true, but what took place in the chamber on November 9 was unacceptable.

I stand today because I have spent so much of my time encouraging young women to run for office and to take up public office — young women, people with diverse backgrounds and voices — and I must raise my voice when women in this chamber are not spoken to respectfully and with decorum.

I hesitated to speak, but if hostility and aggression silence me in my position of leadership, then what am I supposed to say to the young women I mentor? I have to be able to tell them that we’re paving the way for them, the way Jean Augustine did, the way that Mary Mack did, the way that Daurene Lewis did, and Huguette Burroughs and Cairine Wilson.

We are leaders. Our words matter. Our actions matter.

Thank you, *nia:wen*.

**Hon. Rebecca Patterson:** Honourable senators, I rise to participate in the debate on this question of privilege and offer a few points for the Speaker’s consideration. I’m not going over any of the key points of order or process. I just want to give you some atmospheric to take into account.

Colleagues, civility is an important part of debate in Parliament, as we’ve heard. I mentioned earlier today that the Senate is a place for sober second thought and civil discourse on issues that matter to all Canadians. We not only speak to each other, we also have to listen to each other. But for our debates to be effective, they must occur in an atmosphere of civility and receptivity. Civility is not just about being polite. It should encompass the importance of restraint. We often have differing views on issues here, and how we respond is important.

I’d like to remind all senators of the words of our late colleague, the Honourable Senator Shugart, who said the following in this place:

Honourable senators, whether it is what we say to or about each other, or how we learn again to listen and dialogue with others who don’t share our outlook, or how we guard the health of our institutions — we need to relearn the virtue of restraint.

Canada is a big, diverse country — geographically, socially, culturally, economically and philosophically. For each of us, for parties and for institutions, restraint may begin with acknowledging that our point of view — legitimate as it is — is not the only point of view.

We have benefited from restraint in this country, and, in these times, we need it again. May we all find it within ourselves to practise restraint.

As someone who has worn a uniform for over 34 years of service to Canada, I've seen first-hand what the ultimate extreme of lack of civility and restraint can do and the impact it has on the body politic. I can assure all of you that Senator Shugart's words were as conscientious now on this question of privilege as when he spoke them.

Your Honour, as you review the arguments presented today and prepare your findings, I hope you will address the need for civility between colleagues and the importance that our rules and processes are followed in the interest of fairness and equity.

Thank you.

**Hon. David M. Wells:** Honourable senators, I don't have prepared remarks, but I do have very specific things I'd like to say about some of the things that occurred and some of the things that were said tonight.

First, Senator Gold and Senator Clement, you tell part of the story, but what I would like to do is read from Hansard from that night just so everyone knows exactly what happened and, perhaps, motivated some of the actions. I don't condone many of the actions that happened, but I think it's important to have that context, because we're having the discussion.

After Senator Moncion presented her amendment, which was fair — we all understand that that's fair — it says:

**The Hon. the Speaker:** On debate, senator — honestly, Senator Clement?

**Hon. Bernadette Clement:** Was it a question?

**The Hon. the Speaker:** It is on debate.

**Hon. Denise Batters:** I have a question.

**The Hon. the Speaker:** Leave to permit questions? Usually after an amendment we go on debate.

That's important, colleagues, to remember.

**Senator Clement:** Okay.

**The Hon. the Speaker:** Is there leave to allow questions?

Will you take a question, Senator Moncion?

**Senator Moncion:** Yes, I will.

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

**Hon. David M. Wells:** No, I was going to go on debate.

**The Hon. the Speaker:** Senator Clement, you have a question?

**Senator Clement:** I do not.

Senator Batters then asked her question of Senator Moncion, and Senator Moncion answered.

I had already indicated that I was ready to go on debate. I had stood. Then Senator Clement, who had also stood, I believe, after me, said, "Your honour, I move adjournment of the debate."

Then a lot of discussion continued from that:

**Hon. Donald Neil Plett:** On debate.

**The Hon. the Speaker:** I recognized Senator Clement.

There was a lot of back and forth.

Senator Plett put forth a point of order. Senator Housakos spoke on it, and then the Speaker said, "I will say that I did recognize, first of all, Senator Clement. She was going to adjourn debate. . . ." That was even though I had told you, Your Honour, long before Senator Clement wanted to adjourn that I was on debate.

That was the first signal that I had that perhaps something was amiss, and I think it was legitimate. I stood up in the chamber. I said, "on debate," before any suggestion of adjournment, and you recognized it. You answered me. You answered by saying, "Senator Clement, you have a question?" I don't know why, if I'm up on debate, you would ask another senator if there was an intervention to be made.

Colleagues, it went on. On the point of order, I spoke. I asked the Speaker if we were still on the point of order. The Speaker said, "No. I can hear the arguments."

**Senator Wells:** Thank you. From where I stand, I can see you and I can see Senator Clement. I know that I was standing, and I also saw that you struggled to remember my name. I understand that; that's not an issue personally with me at all. It was then that you deferred to Senator Clement. But I know clearly, Your Honour — and I guess you can choose whom you wish to recognize, but I know that I was standing up on debate with respect to Senator Moncion's —

— amendment.

You answered me, saying, and correctly:

Senator Wells, you were not actually — you interpreted my — reading my mind. But I must say that I did remember your name. I recognized Senator Clement, and she has the right to adjourn the debate.

And this is even though you had already heard me say I was on debate, long before Senator Clement asked for adjournment. That was the other item that concerned me. It's in the transcript. It's not hearsay. It's not from my foggy memory. It's in the transcript.

You recognized me. There perhaps was an out if you didn't recognize me and you went to someone whose name you recalled, but you clearly said, "Yes. No, I recognized you."

Further, I'm the sponsor on debate. It's not unexpected that I would want to speak right away on an amendment, which I was prepared to do without notes. I know the file well.

• (2040)

We often quote the rules of procedure and state what those rules are here; where there is no rule, we often say, "and with usual practice." It is usual practice, colleagues, that if there are senators up on their feet, ready and willing to debate — this doesn't stop other senators who may not be ready to debate or in chamber — but as I said, in my years here, I've never seen debate quieted with an acceptance of an adjournment motion when the request to go on debate happened prior to that adjournment motion. Of course, I was the subject of it and frustrated by it, but it was another indication to me that maybe something was amiss. I think it's fair for me to say that.

With respect to my tweet, I'm glad Senator Gold read it out. If anyone follows or wants to follow me on Twitter — and many people are highly engaged in this debate, as we all know, colleagues — when I send a message out, I tag the Canadian Cattlemen, the Canadian Canola Growers Association, the Agriculture Carbon Alliance and a bunch of other people who want to know about the processes of the Senate. That's not unusual for me. I don't do it frequently, but I do it from time to time. I've done it in regard to this bill as the sponsor, knowing that people want to know what's happening — and people wanted to know what was happening that Thursday evening.

I wasn't permitted to go on debate after clearly indicating I wanted to before the adjournment motion. That frustrated me, and I think that frustration was valid. It's up to others to decide if I'm a bully, but I made no bullying comments in my tweet. It was a process tweet, which I frequently make. It was a message that contained the tags that I made. I made no threats and no bullying occurred from me. Bullying is not something I do or something I condone or ever will from my colleagues, children or friends. I will stand up in opposition to it and speak on it when I see it happen.

Colleagues, as I said, I have no prepared remarks, but I feel very strongly about this. I don't think our process was followed. I think that's clear from the reading of the transcripts. I reacted to that with a process tweet that I believed was accurate, based on what I saw in front of me, based on what everyone — all those who were listening and paying attention — saw in front of them.

Thank you, colleagues.

[Translation]

**Hon. Renée Dupuis:** Colleagues, I didn't expect to rise today in the Senate in support of a question of privilege. However, I think we should not let impunity prevail in this chamber.

It is very important to clarify that the parliamentary privileges that senators enjoy are not, in fact, absolute. I will start with addressing the object of the question of privilege. The *Companion to the Rules of the Senate*, at page 361, defines privilege as follows:

**Privilege** The rights, powers and immunities enjoyed by each house collectively, and by members of each house individually, without which they could not discharge their functions . . . . Privileges include: freedom of speech in the Senate . . . and, in general, freedom from obstruction and intimidation.

Rule 13-1 states the following:

A violation of the privileges of any one Senator affects all Senators and the ability of the Senate to carry out its functions. The preservation of the privileges of the Senate is the duty of every Senator and has priority over every other matter before the Senate.

This is why I feel it is my duty to support the question of privilege raised by Senator Saint-Germain as facilitator of the Independent Senators Group, of which I am a member.

The events that unfolded in the Senate chamber during the debate on Bill C-234 during the sitting on Thursday, November 9, and even more so immediately after the suspension of proceedings leading up to the vote on Senator Clement's motion to adjourn the debate on the bill, seriously call into question our collective and individual responsibility to maintain decorum in our proceedings. Furthermore, the impugning of motives that we heard did not go unnoticed.

The shouts directed first at the Speaker, literally in front of the Speaker's chair in this institution, and then directed at the facilitator of the Independent Senators Group, the ISG, and at least one other member of the ISG leadership team, over a period of time long enough to leave no doubt as to their nature, constitute what the Canada Labour Code, human rights legislation and jurisprudence qualify as harassment and intimidation. They are attacks on the very authority of the institution of the Senate and on women senators in their capacity as members of the leadership team of a recognized parliamentary group, in addition to being personal attacks aimed directly at them.

What's more, not only the people targeted by this behaviour, but also the other members of the Senate who were present, myself included, suffered the adverse effects of this abuse of power. That's not to mention the accusations of collusion between the chair and the Independent Senators Group that were made in the media. These are very serious accusations against the institution of the Senate itself and a recognized parliamentary group. The very credibility of the institution is at stake, in addition to its members who were personally targeted and other members, senators who were present in the chamber on Thursday, November 9 when these events took place.

We know that the Canada Labour Code Part II was recently amended to extend workplace harassment and violence prevention to both houses of Parliament. According to the

Canadian Centre for Occupational Health and Safety, workplace intimidation and harassment constitute violence that may take various forms, including swearing, insults, anger-related incidents, inflicting psychological stress. Intimidating behaviour includes disputing decisions made by colleagues and leadership.

The term “harassment” is defined as treating a person in such a way as to undermine their dignity or physical or emotional health. Harassment includes offensive, belittling, hostile or undesired words or behaviour. The term “intimidate” is defined as using one’s strength or authority to make someone feel afraid.

We now know that those who engage in harassment or intimidation can no longer use their intentions as a pretext for their offensive behaviour. After years of fighting discrimination, particularly against women, we are finally weeding out those who claim that they never intended to offend anyone. The impact on the person who is being harassed or intimidated is the determining factor. The verbal attacks that we witnessed against these women senators are a form of sex-based discrimination, and we cannot allow it to go unchallenged. The question of privilege is therefore well-founded, at least from that perspective. The protection against intimidation afforded by the *Rules of the Senate* has to mean something and measures must be taken when that protection is attacked. It is the duty of the Senate to ensure that all of its members are protected, whether male or female.

For all these reasons, I believe that the question of privilege raised by Senator Saint-Germain should be accepted, because it meets the four criteria mentioned in rule 13-3.

• (2050)

I want to quickly conclude by addressing the issue of the notice given by Senator Saint-Germain. Here is what rule 13-3 states regarding the fact that the notice must indicate the substance of the alleged breach:

[*English*]

Just to be clear, the substance is defined as the essential meaning.

[*Translation*]

In that sense, since the notice explicitly mentions that the senator wants to address intimidation tactics that took place in this chamber, it precisely indicates the substance of the alleged breach.

Before I conclude, I will say that during what others called the “good times,” there were no women here. Well, there are women here now, and they are not going anywhere. They are going to stay right here and keep fighting, including for their granddaughters, like my own.

Thank you.

**Some Hon. Senators:** Hear, hear.

**Hon. Pierre J. Dalphond:** Tonight is difficult for me, because it reminds me of an incident involving Senator Duncan and me when we were debating the bill on the United Nations Declaration on the Rights of Indigenous Peoples three years ago.

[ Senator Dupuis ]

I thought at the time that we should have raised a question of privilege to put an end to this toxic environment, but we decided not to bother. We accepted the situation and let it go.

It is time to draw a line in the sand and ensure that this never happens again.

Colleagues, I wholeheartedly agree with the eloquent words of Senator Saint-Germain, Senator Dupuis and especially Senator Clement. There is no place for bullying in this chamber, in our society, within our families, with our friends or anywhere. Enough is enough. Bullying has gone on long enough, and anyone who does not understand this needs to do some soul-searching and perhaps think about a career change.

I would, however, like to focus on one specific point, the technical point raised by Senator Plett to the effect that the notice was out of order. I’d like to add to what Senator Dupuis said so eloquently before me. Like her, I’d like to draw your attention to rule 13-3(1), which reads as follows:

Except as otherwise provided, a Senator wishing to raise a question of privilege shall provide the Clerk with a written notice, indicating the substance of the alleged breach . . . .

I will say that again:

[*English*]

. . . a written notice, indicating the substance of the alleged breach . . . .

[*Translation*]

The written notice is the first notice. However, that is not all. Rule 13-3(4) states, and I quote:

The Senator who has given written notice of a question of privilege shall be recognized during Senators’ Statements for the purpose of giving oral notice of the question. The Senator shall clearly identify the subject matter that shall be raised as a question of privilege . . . .

Let me repeat that last part:

[*English*]

The Senator shall clearly identify the subject matter that shall be raised as a question of privilege and indicate a readiness to move a motion . . . .

[*Translation*]

There was a written notice that we all received yesterday, and we received a three-minute oral notice during Senators’ Statements today. What did we learn from reading the notice we received last night? Honourable senators, there is a saying in the courts that goes something like, “When the facts are bad, plead matters of procedure.” That is what is happening today.

I will prove to you that this matter of procedure does not hold water. The notice is very short and includes 15 or so lines; I will indicate the points that Senator Saint-Germain covered today that are found in the written notice.

First point:

. . . at the next sitting of the Senate, I will raise a question of privilege concerning attempted intimidation of senators . . .

Second point:

. . . that occurred on Thursday, November 9, 2023 . . .

Third point:

. . . within the Senate chamber and within the Senate of Canada Building.

Fourth point:

. . . that immediately before and during the time provided for the ringing of the bells to call a vote on a motion to adjourn until the next sitting of the Senate . . .

Fifth point:

. . . a motion in amendment to Bill C-234 . . .

The only item of information that is missing is the one Senator Plett raises: He was not mentioned by name, he did not recognize that he was being referred to, and he was taken by surprise.

I think it is indicative of the problem with bullies, which is that they do not recognize when they are being bullies.

This question of privilege is specific and detailed enough to be perfectly admissible. As for the other three criteria, I have no doubt that they have been met.

Thank you.

**Some Hon. Senators:** Hear, hear.

[*English*]

**Hon. Denise Batters:** Your Honour, first of all, I will require additional time to prepare remarks because, just as Senator Dalphond outlined in his remarks, there's a pretty sizable amount of detail that is missing: Anything that pertained to me or Senator Housakos about the retweet of a tweet occurred days later, the following week, and nowhere in the written notice that was provided. The written notice specified only Thursday, November 9 as the date, in this building, and the time frame of immediately following the bells.

I would submit this, with respect to what Senator Plett was mentioning earlier: Not only did Senator Saint-Germain's written notice last night lack the adequate notice required for a question of privilege, but Senator Saint-Germain's Senator's Statement today, early this afternoon — hours ago — also lacked the adequate notice required for a question of privilege. With the

written notice, there were no senators specified and no behaviours specified. It simply listed Thursday, November 9, as the date, and this building being the location.

It was the same in the Senator's Statement early this afternoon — hours ago — which would have afforded those of us who were named tonight to be able to prepare some sort of defence. No senator was specified and no behaviour was mentioned. It simply listed Thursday, November 9 as the date, as Senator Dalphond just mentioned. There was nothing about anything during the following week. There was only a brief reference to social media, and this is how I wrote it down at the time: “. . . which also had a follow-up on social media.” There was a definite implication that it had occurred that day in the immediate time frame of the bells on Thursday, November 9, and not later than that.

When looking at the *Companion to the Rules of the Senate*, it states, “Notice must include some content indicating the subject being proposed for debate and decision.”

In a ruling on June 21, 1995, Speaker Molgat reiterated the explanation for notice:

. . . The purpose of giving notice is to enable Honourable Senators to know what is coming so that they can have an opportunity to prepare. Why else would there be notice? They must have an opportunity to get themselves ready for the discussion. It is not meant to delay the work of the Senate. It is simply meant to bring order.

Obviously not having any opportunity whatsoever to prepare for this tonight, I would request that I have additional time to prepare some further remarks to respond to these allegations, which I take very seriously.

I would like to say just a few very brief things: First of all, it was a retweet; it was not my primary tweet. As well, it was certainly not doxing. Doxing would be retweeting —

**The Hon. the Speaker:** Senator Batters, you have the floor.

• (2100)

**Senator Batters:** Thank you.

It was certainly not doxing. That post that was put out did not contain anyone's personal emails or phone numbers. The emails and phone numbers on that tweet are from those two particular senators' offices — their Senate office emails and their Senate phone numbers. I certainly in no way intended to harass anyone or provide any venue to do anything like that. I hear from farmers every day who are extremely upset about this bill not being passed. They wanted to know who was holding up this bill. This tweet gave them the Senate office phone numbers — which, of course, are funded by taxpayers — in order to be able to contact these senators if they so choose.

I ask for additional time to prepare additional remarks. Thank you for your consideration.

[Translation]

**The Hon. the Speaker:** I am going to have to briefly suspend the session due to a technical problem with the television audio. We will resume as soon as the issue is fixed.

The problem seems to have been resolved.

[English]

**Senator Batters:** I'm wondering if Hansard will have picked up my remarks. Senator Wells said that you couldn't hear until the end of the remarks.

**The Hon. the Speaker:** Yes, it was transcribed. It was only the sound.

[Translation]

**Hon. Chantal Petitclerc:** Madam Speaker, colleagues, I, too, would like to add my voice to this question of privilege.

[English]

I speak while having in mind a ruling from former Speaker Furey on social media presence, asking us at the time to always be mindful and careful. I have to say that it is a very unpleasant moment when you wake up and find yourself on social media with your photo and some sort of a mock "most wanted" poster stating a lie and asking Canadians to call and email my office.

[Translation]

Honourable senators, I have been in this chamber for seven years, and in that time, I have taken a stand on a few sometimes polarizing issues. I was sometimes the target of criticism and insults, and I will put up with that to a certain extent. This is not the first time that our office has received calls and criticism from citizens, but this is different, and I have to wonder where we, as senators, draw the line when it comes to our responsibility and commitment to this chamber's principles and decorum. As my colleagues have demonstrated — and I thank them for doing so — that line has clearly been crossed.

I was even more certain of that yesterday, when my nine-year-old son came home from school and asked me why his mother was "on a gangster picture against farmers." Apparently an adult who knew his friend unintentionally showed him the social media post.

[English]

I'm sorry, but maybe I don't share the same sense of humour as the Leader of the Opposition. When my son comes back from school with stories like this, and when violent and threatening messages — with language I won't repeat — are left with my staff, numerous times, for days, well, no, I don't feel like going out for a beer and laughing it out.

**Some Hon. Senators:** Hear, hear.

[Translation]

Of course, I realize that this content could have been shared with my son and that he could have heard things through other channels, since we are public figures. There is a very important distinction, however. The issue I want to raise, Your Honour, is this: colleagues in this chamber made the deliberate choice to spread, and thus validate, misinformation. Colleagues who presented us as targets and knowingly chose to hide nuances and cover up the truth did so to focus the public's ire on us. Colleagues of ours chose to be selective with the truth and to amplify false messages while being fully aware of the possible impacts of that choice. They crossed a line, and I find this attitude deplorable and unacceptable.

[English]

As I was explaining to my son that, no, fair play was not a rule respected by all my colleagues, it made me reflect that we need to not stay silent in the face of this sort of behaviour. What is the line that should not be crossed? Are we not called to the Senate of Canada and asked to be honourable, to hold high standards in the chamber, in our committees, when we attend events, at schools and in all spheres of communication, including social media? We all have decisions to take and choices to make. We know the impact of what we choose to post, comment upon and amplify.

[Translation]

When it comes to intimidation, we cannot be part of the problem and the solution at the same time; we have to choose. I hope that this chamber will make the right choice. It has been widely observed, here and elsewhere: These days, elected members, parliamentarians, are the target of threats, harassment and violence.

[English]

I believe we can do better. We can be better if we choose to.

[Translation]

Madam Speaker, I will close with an invitation. I believe that we have an opportunity here to reflect and collectively take a firm position. What does the word "honourable" mean in 2023?

[English]

What line should never be crossed, and can we commit to not be silent when that line is crossed? I know that I won't be silent.

Thank you very much, Your Honour.

**Some Hon. Senators:** Hear, hear.

[Translation]

**Hon. Lucie Moncion:** Madam Speaker, in light of my other colleagues' speeches, I don't have much to add to the discussion, other than to say that the four criteria for parliamentary privilege have been met and that my colleagues' eloquence speaks for itself. My own speech would not measure up.

I thank each and every one of my colleagues who spoke tonight; let's move on to the next speech.

**The Hon. the Speaker:** There are still a few senators who wish to speak. I am wondering whether you have any comments to add or any new arguments to make to help me make my decision regarding this question of privilege. If any senators have any new points to make, I'd be happy to hear them.

[*English*]

**Hon. Andrew Cardozo:** It is with great sadness that I rise on this matter about the events that took place on November 9. As we adjourned, I was in the area of my seat — sitting or standing, getting up to move out — and I noticed a kerfuffle on the other side of the chamber, primarily one senator yelling at three other senators very loudly and at very close quarters. I walked over to that area to be a witness to what was happening — to be a present but silent witness and to intervene, if necessary. Too often in society, when we see things that are wrong, we look the other way, and I chose to be a witness.

Today, I have listened carefully and closely to the remarks of Senator Saint-Germain, Senator Bernadette Clement and Senator Chantal Peticlerc, who were the three senators seated across at this incident.

• (2110)

What I want to add to this evening is to say that, as a silent witness, the events that they have painfully described — that took place on November 9 — were 100% as I observed them. To me, this was a very shocking and very sad event to take place in this august chamber.

[*Translation*]

**Hon. Julie Miville-Dechêne:** I will be brief, because it is true that a lot has been said already.

I want to come back to the minutes after the events, once the cameras were turned off. I was on the other side, a bit farther away, but I had no trouble recognizing the intimidating body language and looming stance of a furious man. Getting angry is normal, especially in politics, but using that anger as a weapon to intimidate colleagues is unacceptable. That goes beyond “passionate” behaviour, as Senator Plett called it earlier.

Both inside and outside this chamber, some have impugned the competence and integrity of our colleagues, Senators Clement and Peticlerc. Such tactics have no place in the Senate or anywhere else. They have no place in our society. They belong to a macho political culture that we don't have to tolerate anymore. Several of us female senators have been subjected to intimidation tactics from other senators over the past few years. We took it on the chin and didn't dare call it out.

I want to thank Raymonde Saint-Germain et Bernadette Clement for speaking up and saying that this was not unacceptable.

I will close with a quote from Senator Housakos. On November 9, he said the following:

... they need to be debated in a spirit of confidence that this institution respects rules and procedures. At the end of the day, if we have difficulty with those rules and procedures, I think it makes it very difficult to arrive at strong conclusions that the public, stakeholders and Canadians across the country have faith in.

A bit later, he added this:

That is how a democracy works in a credible way.

I agree with Senator Housakos. A credible democracy functions in a climate of trust and respect for rules and procedures. However, the intimidation we saw in the ranks of his party on November 9 falls far short of this standard. It clearly justifies the question of privilege raised today by my colleague Senator Saint-Germain.

**Hon. Senators:** Hear, hear.

[*English*]

**Hon. Marilou McPhedran:** I hope this will be experienced as helpful by colleagues here in the chamber.

I would like to place this debate this evening in a larger international context. I'd like to ask all of us affected by this — and I mean, all of us — to bear in mind that there have been tremendous setbacks the world over in every country in terms of the quest for gender equality. It's partly COVID; it is partly changes in governments.

The point I wanted to make tonight is that the research in every single country, including Canada, indicates that women in public life — women holding public office — are targets much more often. The effect — and we are seeing it, again, from the research — is an increase in the number of women who say, “I can't go on. I can't have my children subjected to this. I can't have the loss of my own freedom as a result of being targeted.” I'm not addressing intent here necessarily. I'm addressing the impact and consequences. I'm also addressing Canada's leadership the world over in gender-based analysis.

When we apply that, we have to take into consideration the men and the women who were involved. We also have to put it in the modern context of social media. I would reference the International Development Research Centre, or IDRC, and the National Democratic Institute as the two that I'm most familiar with, which are active right now; the research clearly demonstrates that it's partly what happens inside legislatures and parliaments the world over. It is also enormously exacerbated by the use of social media.

I also want to note what I think is a fact: Much of what has been described to us tonight happened after the microphones were turned off — when there was no longer a record. As helpful as Senator Wells may have felt that he was being by quoting from Hansard, we need to look at the entire situation because it isn't only what happens in the formality of our proceedings.

I will close by saying that I was honoured to be brought to Jordan by our Canadian embassy a few months ago in order to work with women in public, political life — many of them were parliamentarians, from five different countries in that region. The focus of that meeting was the following: What is causing the loss of women in public life? That is where the research to which I'm referring was laid out. The truth of the matter is that it's happening everywhere. It's potentially happening here in this chamber right now.

Part of gender-based analysis is to remember that we have to pay attention when we are looking at racialization and gender identity, as well as the targeting of women holding positions of authority. Yes, it is because I am a feminist activist, but it is also because there are procedures here that predate the circumstances we're discussing tonight. They were put in place to create an environment of fairness and courtesy. I believe that everyone in this chamber believes in that as a core value of what we do and how we do it.

We have lost our way, it would seem. I would ask that we bear in mind gender-based analysis as part of the process of re-establishing the core values of why we're here, what we do and how we do it. Thank you very much.

**The Hon. the Speaker:** There are three senators who wish to speak. Again, please share additional arguments because I've heard a number of good arguments around this question.

**Hon. Tony Loffreda:** I did prepare something; I will share it. I was witness to this when it happened.

[*Translation*]

Honourable senators, it is with some hesitation that I rise this evening to take part in this debate on the question of privilege raised by Senator Saint-Germain. However, I feel the need to participate, because what I witnessed last Thursday both surprised and disturbed me.

[*English*]

The *Rules of the Senate* remind us that:

A violation of the privileges of any one Senator affects all Senators and the ability of the Senate to carry out its functions. The preservation of the privileges of the Senate is the duty of every Senator and has priority over every other matter before the Senate.

I wholeheartedly agree with this. If one senator's privilege is breached, every senator's privilege is breached.

• (2120)

Senators will also know that, according to the appendix in our Rules, the privileges we all enjoy as Senators include “. . . freedom from obstruction and intimidation.” What I witnessed in the chamber and beyond the official proceedings could certainly be considered intimidation. What transpired last week was, in my view, unacceptable.

[ Senator McPhedran ]

We all have a right to work in a safe and healthy environment. Canadians are watching us. We must be exemplary in our behaviour. We should have zero tolerance for intimidation in this chamber. I will not repeat what Senator Saint-Germain said earlier. I think she eloquently explained and convincingly defended her question of privilege.

I will not comment today on the procedural matter that took place either. I believe that the Speaker was in the right to recognize Senator Clement when asked for the adjournment of the debate on Bill C-234. We heard some colleagues argue that what transpired was wrong; however, the fact that the debate adjourned gave us an opportunity to further debate the bill earlier today and gave other senators an opportunity to participate. We know this is a hotly contested bill, and it is only fair to allow other senators to share their views. Indeed, I very much appreciated the debate we had not long ago, and I look forward to our ongoing discussions on this matter as we contemplate the merits of this bill. In the end, I think we will gain more insight into this piece of legislation and give the bill the attention and consideration it rightfully deserves without expediting its passage. We need to get this right.

Colleagues, any question of privilege deserves our utmost consideration. It is a crucial moment that calls for our collective attention, collaboration and adherence to our rules and procedures. In this esteemed chamber, let us always prioritize collaboration and working together toward common goals. Respect for each other's perspectives is paramount as it fosters an environment where diverse ideas can flourish, enriching our discussions and decisions.

While navigating this question of privilege, let us not forget the importance of following proper procedures. Established protocols ensure fairness, providing a framework within which we can address issues with clarity and impartiality.

It is disheartening to witness the unintended consequences of recent events, including threats made against a staff member. This underscores the importance of fostering an environment where our discourse is characterized by respect and understanding rather than hostility.

In my previous life in the realm of business, we engaged in discussions about ideas and strategies without undermining the authority of our industry or established institutions, recognizing that doing so would essentially be detrimental to our own standing. I think it's no different in the Senate. We must always respect each other as we debate and disagree on matters of national importance.

It is equally important to respect our presiding officer and her authority. As Senator Shugart reminded us in his maiden speech, which I repeat because it is important:

. . . whether it is what we say to or about each other, or how we learn again to listen and dialogue with others who don't share our outlook, or how we guard the health of our institutions — we need to relearn the virtue of restraint.

Out of respect for our former colleague and, above all, out of respect for one another and the Canadians we humbly serve, I think we ought to take note of Senator Shugart's wise counsel.



Of course, this does not prevent us from debating or disagreeing with one another or arguing respectfully for or against the bill. Our former Speaker the Honourable George Furey said:

Argue and debate loud and clear, but please never fall victim to ad hominem or personal attacks, no matter how subtle they are. And never assign motives to the decisions and debates of others. You belittle yourself with such attacks, and the Senate in general.

Moving forward, I hope for a more informed and constructive dialogue. Let us focus on the merits of the bills before us, engaging in debates that enrich our understanding and contribute to the betterment of our nation.

In conclusion, let this moment be a testament to our commitment to collaboration, respect and procedural integrity. By upholding these principles, we strengthen the foundation on which our collective success is built.

Your Honour, I hope you will take into consideration my comments as you consider Senator Saint-Germain's question of privilege and whether or not a prima facie question of privilege has been established. Colleagues, thank you for your attention.

**Hon. Kim Pate:** Honourable senators, I want to thank my colleagues for raising this issue. From the moment I walked into this chamber, the sorts of things we've heard about tonight that have previously happened became evident. Perhaps because of the work I'd been doing or the times I'd been before committees, many people who worked in this chamber — both as senators and as staff — approached and talked to me about many of these issues.

What became very clear is that often the focus was on "gotcha" moments, avoiding responsibility, delaying, denying, deflecting, defending the indefensible, or going on the offence if you needed defence. This struck me as I heard my colleagues today.

I want to point out that we have a moment here today. This is the first time these issues have been raised in this way. What I would like to contribute to this, Your Honour, is to say that we've all worked in different ways, whether as parents, mentors or teachers — in whatever capacity — to try to help model the types of behaviours we want to see in the world and the ways we want to treat other people.

I want to encourage us to rise to this moment, and I ask you to consider this in your deliberations. I think it's clear a prima facie case has been made. When you see and hear the impact, that is the moment, that is the issue. When you witness an attempt to blame the very people who've experienced that impact or to avoid responsibility, we must all think about who benefits from that perspective.

None of us benefit from that perspective. When we make mistakes — because we all make mistakes — if we each encourage ourselves to take responsibility for them, try to remedy them as best we can and move on from them in a way that honours all of us, then we honour not just ourselves and this institution, but the entire work of this country. Thank you.

**Hon. Ratna Omidvar:** Your Honour, I take your point that we should only speak when we add arguments, and I wish to very briefly do that. I was not in the chamber on November 9 because I was recovering from surgery, but I did watch the debate online. I could not, obviously, see on SenVu what transpired immediately after the debate, but I have sort of got a sense of what happened from all the speeches and the comments.

The three senators who have spoken — Senators Petitclerc, Saint-Germain and Clement — were all leaders before they came to the Senate, and they are leaders here today. In addition, Your Honour, Senator Clement is a Black woman. Senator Petitclerc graces us in this chamber every day with her wheelchair. Even though I don't see them in these lights only, these things are very much part of their identities and presence here, and I would ask you to take that into consideration as you make your ruling on the question of privilege.

**The Hon. the Speaker:** Thank you, senators.

[*Translation*]

Honourable senators, this is a fundamental issue, which raises troubling questions. I have wanted to allow all senators to speak fully.

Senator Plett has noted that some colleagues who have been mentioned are not here, and has requested that there be a chance to present additional arguments. This is not unprecedented, and we all, I am sure, wish to ensure full information and complete arguments.

I will, therefore, receive brief additional arguments on Thursday, at the end of Government Business. Senators should avoid repeating arguments already made, and, I emphasize, be focused.

[*English*]

## BUSINESS OF THE SENATE

**The Hon. the Speaker:** Honourable senators, today, Senator Wells gave written notice of a question of privilege pursuant to rule 13-3.

In accordance with rule 13-5(1), I now recognize the Honourable Senator Wells.

• (2130)

### QUESTION OF PRIVILEGE—DEBATE

**Hon. David M. Wells:** Honourable senators, I rise today to bring to the Senate's attention a serious breach of the Senate's collective rights and privileges. I also wish to say that I take no pleasure in doing so.

According to rule 13-1:

A violation of the privileges of any one Senator affects all Senators and the ability of the Senate to carry out its functions. The preservation of the privileges of the Senate is the duty of every Senator and has priority over every other matter before the Senate.

As required under rule 13-3(1), written notice of this question of privilege was given to the Clerk of the Senate this morning and was circulated to all senators. As you all heard, I gave oral notice earlier today during Senators' Statements, pursuant to rule 13-3(4).

As senators will also be aware, in order to raise a question of privilege and to determine whether or not a breach has occurred, the conduct in question must meet certain criteria, as outlined in rule 13-2(1):

In order to be accorded priority, a question of privilege must:

- (a) be raised at the earliest opportunity;
- (b) be a matter that directly concerns the privilege of the Senate, any of its committees or any Senator;
- (c) be raised to correct a grave and serious breach; and
- (d) be raised to seek a genuine remedy that the Senate has the power to provide and for which no other parliamentary process is reasonably available.

Senators, the conduct to which I'm referring occurred at the end of our sitting week, on Thursday, November 9, the last day the Senate sat before the break week, so this is the earliest opportunity I have to raise this question of privilege.

Colleagues, now let me go through the events of that Thursday, which, to my mind, have given me no other choice but to raise this question of privilege. In relating to you these events, I'm sure you'll see that, in turn, the remaining criteria for raising a question of privilege have also been fulfilled.

As you may recall, on that Thursday, Bill C-234 was debated in the chamber at third reading. Following debate, an amendment was put forward and the debate was adjourned. There was some disagreement on the floor as to who should have been recognized on debate, given our usual practice of allowing debate to continue, at which point either the question would be called or the debate would adjourn.

A point of order ensued and it was decided that a one-hour bell would take place. As the Senate Chamber was suspended and prior to the vote, Senator Moncion walked over from her seat and accused me of bullying. I was shocked and chose not to respond. Out of respect for my colleague and those around my seat in the chamber who witnessed the accusation, I did not engage with her in the heat of the moment lest it pour fuel on the fire. I turned to my left and walked away without saying a word.

Honourable senators, the Senate is a place of decorum, and senators who know me see how I conduct myself inside and outside this chamber. I speak respectfully, I attack no one personally and I abide by the rules, which is why I'm raising this question of privilege. If by behaving the way I do I can be accused of bullying, then anyone can; and if anyone can, then the only alternative is silence in debate.

Senators, parliamentary privilege exists to permit Parliament to conduct its duties without interference. According to *Senate Procedure in Practice*, on page 226, the individual privileges that senators enjoy in order to fulfill their responsibilities include "freedom from obstruction and intimidation."

It further states that:

The privileges of Parliament are immunities conferred in order to ensure that the duties of members as representatives of their constituents may be carried out without fear of intimidation or punishment, and without improper impediment. . . .

This is a matter that directly concerns a senator. Senator Moncion crossed the chamber, and with people all around me, accused me of bullying. As I mentioned earlier, I said nothing and walked away. At worst, honourable senators, you can interpret an accusation like that as an attempt at intimidation. At best — and I prefer to interpret it this way — it appeared to me as imposing an improper impediment to the performance of my duties. It may not have been intended as such by Senator Moncion. I doubt very much it was a premeditated accusation, and I'm willing to concede that it may have been a result of the heat of discussion on the chamber process of her amendment.

But the Senate has no place for heat-of-the-moment accusations, if that's what it was. We are the chamber of second thought, which means we deliberate before we speak. We are the place of sobriety in thought, which means we are clear-headed and contemplative. The accusation against me was neither of these. As such, I'm raising this to correct what I consider a grave and serious breach. The accusation made by Senator Moncion has an impact on me as a senator and on my work in this chamber.

As Marleau and Montpetit wrote on privilege:

The unjust damaging of a Member's good name might also be seen as constituting an obstruction. . . . the unjust damaging of a reputation could constitute such an impediment.

Colleagues, especially in today's society, this sort of unfounded and unjust accusation is serious and should not, under any circumstances, be present in any workplace, much less in this

chamber. This action, and any future actions such as this, directly impedes my and our ability to freely do our jobs. It also affects how I and others may debate in the future, or even worse, creates an atmosphere that may hinder any senator from even contemplating engaging in free debate, lest they be accused of bullying.

Honourable colleagues, in my third reading speech, I mentioned that I wanted to be the sponsor of this bill because it seemed like advocating for fairness was the right thing to do. You may recall I closed my speech with the following:

The debate on this bill has been vigorous, contentious, affects significant public policy and has forced me to do my homework. It has included not just honourable colleagues but sparked an important debate among farmers, ranchers and growers, public policy-makers and consumers. It's an excellent example of what the Senate does best, and it has been an honour to be a small part of it with you. . . .

Colleagues, this is how I speak and this is how I conduct myself, not just in my almost 11 years in the Senate but all of my life.

Which brings me to the final criteria mentioned in raising a point of privilege — to seek a genuine remedy. I'm not interested in besmirching the important work we have done here, including the amendment by Senator Moncion, which she has every right to do, and the vigorous interventions made by Senator Woo and Senator Dalphond. I appreciate their comments. All the arguments presented deserve debate, according to our rules and usual practices, and that challenge function is built into the Westminster system. Should a breach of privilege be found in this case, I can only speak for myself, but I would be satisfied if Senator Moncion were to stand up in this chamber and simply acknowledge the remark that she made and withdraw it. That would be the end of it.

Still, I think it's important for all of us to agree on the type of decorum that should be applied in the Senate. We are the current caretakers of this institution, but it is here for all Canadians. We must ensure that our custody includes it being a respectful workplace. We have processes to deal with disagreements among us, even serious or heated ones. However, an open, unsubstantiated and false charge on the floor of the Senate is not one of them. It directly impacts not just me, but all of us, and not just now, but in the future if we don't address such issues when they arise. We regularly talk about the rules of debate, and by any metric or boundary, this falls outside.

If we permit senators to be intimidated or impeded in their duties, what does that say about us? This is not only a revered institution, but it is also our everyday place of work. It is necessary for us to honour both aspects. We must have a safe workplace, and that must include from the injudicious use of words and serious and false accusations. To be accused of being a bully these days is a serious charge, one that carries with it an onerous stigma. It is something that is taken very seriously by this entire institution and our society. It is absolutely critical that no senator feels impeded or silenced for fear of being accused or negatively labelled. Thank you, colleagues.

[*Translation*]

**Hon. Lucie Moncion:** Honourable senators, I rise today on the question of privilege raised by Senator Wells on the issue of the conduct of a senator on November 9, 2023.

The notice that Senator Wells sent to the Clerk of the Senate says the following, and I quote:

While the sitting of the Senate was suspended for an hour to the call of the bell, the senator in question approached my seat and made a serious accusation.

Since Senator Wells' allegations concern me, it is understandable that I would feel the need to speak to the issue.

Let me say, at the outset, that my speech seeks to correct the alleged facts, as well as giving some context to inform the Speaker of the Senate's deliberations on the prima facie merits of this question of privilege.

• (2140)

Here is how the events went down. I saw a post on X that read, "The Speaker @SenGagne of the Senate in concert with the ISG leadership has shut down debate." I went over to speak to Senator Wells before the end of the bell and told him:

[*English*]

"David, I was not expecting bullying from you."

No other words were exchanged, and my body language was not threatening, I can assure you of this. Senator Wells did turn around and did not answer. I was not threatening. To provide context, the post from Senator Wells I am referring to is the following:

BREAKING C-234 Friends, the fix is in. The Speaker @SenGagne of the Senate in concert with the ISG leadership has shut down debate on the critical piece of legislation. The Speaker failed to fairly allow debate on an amendment that already failed at committee. There were speakers ready to speak on the frivolous amendment and they were on their feet to speak and the Speaker deliberately did not recognize those ready to speak. In my eleven years in the Senate I have never seen a speaker shut down debate when speakers were ready and willing and asking to speak. A shameful day for our chamber and the practice of sober second thought.

I viewed this post as an attempt to impede senators and the Speaker in the discharge of their duties. The allegation of collusion between senators and the Speaker are what I call "a serious accusation," to use the words of my colleagues. For those reasons, I decided to go to Senator Wells to let him know how I felt about this post. I have a cordial relationship with Senator Wells, and this was my way of letting it be known that I was not expecting this kind of behaviour from him. I've always considered Senator Wells a gentleman. I have always had the utmost respect for Senator Wells.

You were kind to me, senator, when I had COVID in France. You were the only one who really cared. You called me during the day; you even brought me food because I was alone in my room. I've always cherished this part of our relationship. When I went to see you, I was not aggressive, just disappointed.

I do not consider it relevant to conduct a comprehensive analysis to determine the applicability of each criterion for establishing the prima facie merit of a question of privilege.

On November 9, respectfully, to conclude a prima facie case of privilege had been made in relation to the situation described by Senator Wells would create a dangerous precedent for three reasons.

First, to say that this amounts to a grave and serious breach as per rule 13-2 is unreasonable. The threshold to meet and demonstrate a breach that is grave and serious must be higher than this. To recognize a breach for our purposes would risk encouraging frivolous privilege claims and be disruptive to our parliamentary work.

Second, in light of the recent debate on Senator Saint-Germain's question of privilege and the behaviours I personally witnessed in the chamber on November 9 toward the Speaker and some Independent Senators Group senators, it seems obvious to me that this subsequent question of privilege is being raised as an attempt to deflect attention from the events that truly transpired on that day. This question of privilege aligns with the behaviour we have observed, which is hindering senators from fulfilling their duty.

Third, to recognize a breach when efforts are made to prevent the harassment of colleagues and the Speaker on social media would go against our Senate policy on harassment and violence prevention. I would like to underline the word "prevention" in the title of our policy.

The Senate Harassment and Violence Prevention Policy applies to all senators and applies to conduct occurring within the Senate precinct as well as in any other place or context where a person to whom this policy applies is engaged in work for the Senate or is otherwise representing the Senate, including in social events and on social media.

Given that inappropriate or unwelcome conduct that forms part of parliamentary proceedings, as well as questions of order and decorum, does not fall within the purview of this policy, a question of privilege may be the first course of action. However, the application of parliamentary privilege is not unlimited. The harassment policy applies to all conduct that does not form part of those proceedings even if it occurs in the Senate Chamber or in a committee room.

I do not expect the Speaker to rule on this, however I make this point to explain why not only was my intervention justified, but also to say that to conclude that this amounts to a breach of Senator Wells' — or any other senator's — privilege would lessen the very foundation of the policy we have adopted and would go against progress that has been made so far to provide senators and Senate staff with the tools to prevent harassment in the workplace.

It is crucial to emphasize that true instances of workplace harassment and violence are unequivocally unacceptable. All senators have a responsibility in ensuring a culture of respect in the Senate.

To conclude, I believe that a ruling recognizing a breach in relation to the question of privilege raised by Senator Wells would create a dangerous precedent for the Senate, but, most importantly, it would send a message that it is okay to be passive when we witness concerning behaviours.

I can assure you that Senator Wells' question of privilege will not discourage me from doing what I believe is right and fair in the future. We must contribute to a work environment that is respectful and one in which we treat each other with dignity and respect. It is our collective duty to do so.

Now, Senator Wells, you said in your speech that you would accept an apology from me if I withdrew the comment. When we came back this week, I would have gone to you and spoken to you about this specifically. Receiving a point of privilege was disappointing, but I understand where you're coming from. You want an apology from me, I apologize Senator Wells, and I apologize in front of this whole chamber, but I would have —

**Some Hon. Senators:** Hear, hear.

**Senator Moncion:** Like I did with other senators in this room, when I have done something wrong or when I believed that people had been offended, I went to them, we spoke about the situation and things were settled. Doing it this way is a more public way — and I don't think your point of privilege is adequate — but I am providing you with the apology. Thank you.

**Hon. Donald Neil Plett (Leader of the Opposition):** I want to at least put on the record a few comments and I'll kind of start at the back end.

Senator Moncion inferred, I believe, that Senator Wells' question of privilege was a result of a notice that we got last night from the Speaker's office, or wherever it came from, about Senator Saint-Germain's question of privilege. I want to state here, on the record, that at about 7 or 7:30 p.m., Senator Wells and I were on a significantly lengthy phone call because Senator Wells texted me and asked if I could speak. He called me because he wanted to let me know that he was raising a question of privilege.

I think — and I'm not going to put words in his mouth here — Senator Wells told me that he had already checked with our interim clerk about some of the procedures on how he needed to do this. He was informed he needed to have his letter in by ten o'clock this morning, and so on. For Senator Moncion to suggest that Senator Wells did this as a result of that is incorrect. None of us had seen what Senator Saint-Germain was going to do, that hers was going to come out.

• (2150)

As a matter of fact, after I hung up from Senator Wells, about 15 minutes later, he texted me the letter that Senator Saint-Germain had in fact supplied. I had not yet seen it. I then opened my email, and, of course, it was there as well. But I had not

looked up my email, and so there was no correlation between these two. Senator Wells had determined he was going to do this. He told me what it was about, and we discussed it.

I, as you know, colleagues, Your Honour, gave a lengthy speech earlier today where I made some comments at the start of my speech in explaining myself. I had decided — and of course, this is all somewhat immaterial because anybody can say, “Well, you’re saying that now to get off the hook.” I don’t need to do that. I think I’m proud enough of a person that I can take it on the chin and I can take whatever is handed to me, but my caucus colleagues will know that I had wanted to offer an apology for my conduct last week.

The reason I didn’t — and maybe I’m even hurting it now — was because of the question of privilege. I did not want a senator to be able to say, “Look, Plett apologized, so that means he admitted what he did was wrong.” Because there are senators here who would use that. Unfortunately, there are senators here who speak very nicely, don’t use bad language, but they are as biting as somebody who raises their voice.

So I was encouraged not to do that, so I didn’t do that. Now I’m saying that it was my intention, and you can take it for what it’s worth.

None of us are very happy with what happened on Thursday, and we all have our reasons. Senator Moncion said she simply went over and said — and maybe I’m paraphrasing — “You are bullying.” She said she hadn’t called him a bully, but “you are bullying.” Senator Moncion called me a bully. I didn’t raise a question of privilege, and I didn’t use Senator Moncion’s name earlier, because I didn’t think it was necessary. She called me a bully — not in front of a lot of people. I don’t know if anybody heard, and I don’t care. We had words, we discussed.

Senator Moncion said she has a cordial relationship with Senator Wells. I would like to believe I’ve had the same cordial relationship with Senator Moncion in the last number of months, and so I actually took her calling me a bully as, “Don, start checking yourself a little bit.” I took it as an admonition. I didn’t argue with her. As a matter of fact, the reason I was over there was because I was talking to her about her amendment, and she said, “I have every right to make this amendment.” I said, “Absolutely, you do.” There is no question about it. We do it; I was accused of doing it earlier today, and, of course, we have done it. I’m the first one to admit that I have used the rule many times in this chamber. And I said to Senator Moncion, “I have no issue with that. My issue is that you’re not admitting why you’re doing this,” but it was a conversation between us. Senator Moncion then said to me that I was a bully. That’s okay.

But, Your Honour, what you’re going to need to determine here as you deal with both of these questions of privilege is what the correct word is. Is just calling somebody a bully okay, but speaking loudly at somebody, not calling them anything, is not okay? You have a tough job, Your Honour. I don’t relish the position you’re in, but I don’t think there’s a whole lot of difference between these two, other than maybe the magnitude of one versus the other. But you can’t be a little bit wrong. Either you’re wrong or you’re right.

Senator Wells has a perfectly legitimate case that calling him a bully in front of other people is a question of privilege. Your Honour, I just again want to reiterate that we don’t need to do things because others have done them. We do them on our own. Senator Wells did it on his own. I made my speech on my own. I made it again today, but, Your Honour, I think if there is a prima facie case in one, there is a prima facie case in the other. Thank you.

**Senator Moncion:** I just have a quick question to Senator Plett.

**The Hon. the Speaker:** We are in a question of privilege. I’m here to hear arguments.

**Senator Moncion:** I understand. This is about what he was saying about bullying.

**Senator Wells:** This may help conclude the issue I have. I’ve never in my life asked for an apology, and I didn’t in this case, so I just want the record to be clear. I recognize Senator Moncion perhaps misheard me. I just want to repeat what I said. Should a breach of privilege be found in this case, I can only speak for myself, but we would be satisfied if Senator Moncion stood up in the chamber and simply acknowledged the remark she made and withdrew it. For me, that would be the end of it. I recognize, Senator Moncion, that you’ve apologized, and I didn’t ask for that. That’s not what I do, but I do appreciate the sentiment.

**The Hon. the Speaker:** I’m going to ask Senator Wells: Do you wish to pursue this matter in light of Senator Moncion’s apology?

**Senator Wells:** Given the debate and the open discussion we’ve had as well as my professional and personal regard for Senator Moncion, I consider this issue closed.

(Question of privilege withdrawn.)

[Translation]

**The Hon. the Speaker:** We will now resume where we left off at 6 p.m.

Senator Arnot has three and a half minutes remaining.

[English]

## GREENHOUSE GAS POLLUTION PRICING ACT

BILL TO AMEND—THIRD READING—MOTION IN AMENDMENT—  
DEBATE

On the Order:

Resuming debate on the motion of the Honourable Senator Wells, seconded by the Honourable Senator Batters, for the third reading of Bill C-234, An Act to amend the Greenhouse Gas Pollution Pricing Act.

And on the motion in amendment of the Honourable Senator Moncion, seconded by the Honourable Senator Dupuis:

That Bill C-234 be not now read a third time, but that it be amended, in clause 2,

(a) on page 2, by replacing lines 24 to 37 with the following:

**“of the day on which this Act comes into force.”;**

(b) on page 3, by deleting lines 1 to 9.

**Hon. David M. Arnot:** Thank you, Your Honour. Quite frankly, I don't know where I was when I left off, so I'll start again from the beginning.

**An Hon. Senator:** Nice try.

**Senator Arnot:** Positive change usually comes with increments. If a complete paradigm shift is required to deal with climate change, then a major investment should be made in innovations and public education that demonstrate action and build understanding for behaviour change that is beyond minor increments.

Senators, I said earlier that farm producers have to have optimism and hope. I too have optimism and hope. My optimism and hope are based on the fact that I believe Canadians, armed with information about the role of carbon pricing and about climate change, will make the necessary behavioural change in respect of their carbon pollution.

To do this, they need certainty — certainty through food security and certainty that carbon pricing reflects a fair and equitable standard, a standard that also considers the contributions and the investments of Canadian agricultural producers to the larger Canadian economy as it moves toward a net-zero future.

Bill C-234, unamended, will help farmers bridge between new and anticipated innovations and carbon-pricing increases in the future. Bill C-234, unamended, is only an intermediate step for farmers. It is not a solution. Solutions will require investments in innovation and public education, solutions that I believe are best provided by an independent carbon-pricing body.

Senators, I'm reminded of the words of the First Nations statesman, the words of Chief Mistawasis at Treaty 6 negotiations in August of 1876 at Fort Carlton, just a few kilometres north of present-day Saskatoon, Saskatchewan.

• (2200)

He said to us that we should keep in mind our children and our children's children, children of future generations, children not yet born. In doing so today, I say that the passage of Bill C-234 unamended is an investment in the needs of the farm community in Canada today. Thank you.

## ADJOURNMENT

**Hon. David Richards** moved:

That the Senate do now adjourn.

He said: Honourable senators, we have had a very long and emotional day, and I propose we adjourn the Senate.

**The Hon. the Speaker:** It is moved by the Honourable Senator Richards, seconded by the Honourable Senator Black, that the Senate do now adjourn. Is it your pleasure, honourable senators, to adopt the motion?

**Some Hon. Senators:** Agreed.

**Some Hon. Senators:** No.

**The Hon. the Speaker:** All those in favour of the motion, please say, “yea.”

**Some Hon. Senators:** Yea.

**The Hon. the Speaker:** All those opposed to the motion, please say, “nay.”

**Some Hon. Senators:** Nay.

**The Hon. the Speaker:** I think the “nays” have it.

*And two honourable senators having risen:*

**The Hon. the Speaker:** Two senators having risen, do we have an agreement on the bell? We will have a vote at 11:01. Call in the senators.

• (2300)

[*Translation*]

**Hon. Pierre J. Dalphond:** Madam Speaker, I believe if you seek it you will find unanimous consent in the chamber to cancel the vote and adjourn the sitting until tomorrow.

[*English*]

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

**Hon. Senators:** Agreed.

*(At 11:02 p.m., pursuant to the order adopted by the Senate earlier this day, the Senate adjourned until 2 p.m., tomorrow.)*

## CONTENTS

Tuesday, November 21, 2023

	PAGE		PAGE	
<b>Business of the Senate</b>		<b>Canada Revenue Agency Act (Bill S-258)</b>		
The Hon. the Speaker . . . . .	4807	Bill to Amend—Thirteenth Report of National Finance Committee Presented		
<b>New Senators</b>		Hon. Percy Mockler . . . . .	4814	
Introduction . . . . .	4807	<b>Canada Early Learning and Child Care Bill (Bill C-35)</b>		
Congratulations on Appointments		Seventeenth Report of Social Affairs, Science and Technology Committee Presented		
Hon. Marc Gold . . . . .	4807	Hon. Ratna Omidvar . . . . .	4815	
Hon. Rose-May Poirier . . . . .	4808	<b>Investment Canada Act (Bill C-34)</b>		
Hon. Raymonde Saint-Germain . . . . .	4808	Bill to Amend—First Reading . . . . .	4815	
Hon. Rebecca Patterson . . . . .	4809	<b>Bill to Amend the Criminal Code and the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (Bill S-15)</b>		
Hon. Jane Cordy . . . . .	4810	First Reading		
<b>Visitors in the Gallery</b>		Hon. Marc Gold . . . . .	4815	
The Hon. the Speaker . . . . .	4810	<b>National Strategy for Children and Youth in Canada Bill (Bill S-282)</b>		
<hr/>				
<b>SENATORS' STATEMENTS</b>		First Reading		
<b>Question of Privilege</b>		Hon. Rosemary Moodie . . . . .	4815	
Notice		<b>Internal Economy, Budgets and Administration</b>		
Hon. Raymonde Saint-Germain . . . . .	4811	Notice of Motion to Amend Chapter 2:06 of the <i>Senate Administrative Rules</i>		
<b>Question of Privilege</b>		Hon. Lucie Moncion . . . . .	4815	
Notice		<b>Energy, the Environment and Natural Resources</b>		
Hon. David M. Wells . . . . .	4811	Notice of Motion to Authorize Committee to Meet During Sitting of the Senate		
<b>Canada-Africa Parliamentary Association</b>		Hon. Rosa Galvez . . . . .	4816	
Hon. Amina Gerba . . . . .	4811	<hr/>		
<b>The Late Karl Tremblay</b>		<b>QUESTION PERIOD</b>		
Hon. Claude Carignan . . . . .	4812	<b>Environment and Climate Change</b>		
<b>Support for Food Producers</b>		Carbon Tax		
Hon. Pamela Wallin . . . . .	4812	Hon. Donald Neil Plett . . . . .	4816	
<b>Visitors in the Gallery</b>		Hon. Marc Gold . . . . .	4816	
The Hon. the Speaker . . . . .	4813	<b>National Defence</b>		
<b>Davie Shipyard</b>		Aircraft Procurement		
Hon. Rosa Galvez . . . . .	4813	Hon. Claude Carignan . . . . .	4816	
<b>Antimicrobial Resistance Awareness Week</b>		Hon. Marc Gold . . . . .	4816	
Hon. Mohamed-Iqbal Ravalia . . . . .	4813	<b>Canadian Heritage</b>		
<hr/>				
<b>ROUTINE PROCEEDINGS</b>		Quebec Music		
<b>Ethics and Conflict of Interest for Senators</b>		Hon. Julie Miville-Dechéne . . . . .	4817	
First Report of Committee Presented		Hon. Marc Gold . . . . .	4817	
Hon. Judith G. Seidman . . . . .	4814	<b>Justice</b>		
<b>Study on the Federal Government's Constitutional, Treaty, Political and Legal Responsibilities to First Nations, Inuit and Métis Peoples</b>		Mandate Letter		
Sixteenth Report of Indigenous Peoples Committee Deposited with Clerk During Adjournment of the Senate		Hon. Renée Dupuis . . . . .	4817	
Hon. Brian Francis . . . . .	4814	Hon. Marc Gold . . . . .	4817	

## CONTENTS

Tuesday, November 21, 2023

	PAGE		PAGE
<b>Global Affairs</b>		<b>ORDERS OF THE DAY</b>	
Canada-China Relations		<b>Business of the Senate</b>	
Hon. Jean-Guy Dagenais . . . . .	4817	Hon. Patti LaBoucane-Benson . . . . .	4823
Hon. Marc Gold . . . . .	4818		
<b>Canadian Heritage</b>		<b>Criminal Code (Bill C-48)</b>	
Canadian Radio-television and Telecommunications Commission		Bill to Amend—Third Reading—Debate	
Hon. Marty Klyne . . . . .	4818	Hon. Claude Carignan . . . . .	4823
Hon. Marc Gold . . . . .	4818	Motion in Amendment—Debate Adjourned	
<b>Environment and Climate Change</b>		Hon. Claude Carignan . . . . .	4825
Federal Court Decision		Hon. Marc Gold . . . . .	4825
Hon. Donald Neil Plett . . . . .	4818		
Hon. Marc Gold . . . . .	4818	<b>The Estimates, 2023-24</b>	
<b>Global Affairs</b>		National Finance Committee Authorized to Study Supplementary Estimates (B)	
Canada-China Relations		Hon. Patti LaBoucane-Benson . . . . .	4826
Hon. Donald Neil Plett . . . . .	4819		
Hon. Marc Gold . . . . .	4819	<b>Greenhouse Gas Pollution Pricing Act (Bill C-234)</b>	
<b>Canadian Heritage</b>		Bill to Amend—Third Reading—Motion in Amendment— Debate	
Action Plan on Combatting Hate		Hon. Marc Gold . . . . .	4826
Hon. Mary Coyle . . . . .	4819	Hon. Lucie Moncion . . . . .	4829
Hon. Marc Gold . . . . .	4819	Hon. Colin Deacon . . . . .	4829
<b>Agriculture and Agri-Food</b>		Hon. Mary Jane McCallum . . . . .	4830
Support for Agricultural Sector		Hon. Donald Neil Plett . . . . .	4830
Hon. Lucie Moncion . . . . .	4819	Point of Order	
Hon. Marc Gold . . . . .	4820	Hon. Lucie Moncion . . . . .	4832
<b>Global Affairs</b>		Hon. David M. Wells . . . . .	4833
Islamic Revolutionary Guard Corps		Speaker's Ruling . . . . .	4833
Hon. Donald Neil Plett . . . . .	4820	Bill to Amend—Third Reading—Motion in Amendment— Debate	
Hon. Marc Gold . . . . .	4820	Hon. Donald Neil Plett . . . . .	4833
United Nations Treaty on the Prohibition of Nuclear Weapons		Point of Order	
Hon. Marilou McPhedran . . . . .	4820	Hon. Pierre J. Dalphond . . . . .	4833
Hon. Marc Gold . . . . .	4820	Bill to Amend—Third Reading—Motion in Amendment— Debate	
<b>Public Safety</b>		Hon. Donald Neil Plett . . . . .	4833
Anti-Semitism		Hon. Paula Simons . . . . .	4836
Hon. Donald Neil Plett . . . . .	4821	Hon. Yuen Pau Woo . . . . .	4836
Hon. Marc Gold . . . . .	4821	Hon. Mary Jane McCallum . . . . .	4837
<b>Delayed Answers to Oral Questions</b>		Hon. David M. Arnot . . . . .	4839
Hon. Patti LaBoucane-Benson . . . . .	4821	<b>Business of the Senate</b>	
<b>Justice</b>		The Hon. the Speaker . . . . .	4841
Afghanistan Crisis . . . . .	4821		
Victims' Rights . . . . .	4822		
<b>Health</b>			
Regulation of Vaping Fluids . . . . .	4822		
<b>Public Safety</b>			
Costs of Legal Proceedings . . . . .	4822		
<b>Finance</b>			
Debt Collection . . . . .	4822		



## CONTENTS

Tuesday, November 21, 2023

	PAGE		PAGE
<b>Question of Privilege—Debate</b>		<b>Business of the Senate</b>	
Hon. Raymonde Saint-Germain . . . . .	4841	The Hon. the Speaker . . . . .	4853
Hon. Marc Gold . . . . .	4843		
Hon. Donald Neil Plett . . . . .	4844	<b>Question of Privilege—Debate</b>	
Hon. Bernadette Clement . . . . .	4844	Hon. David M. Wells . . . . .	4854
Hon. Rebecca Patterson . . . . .	4845	Hon. Lucie Moncion . . . . .	4855
Hon. David M. Wells . . . . .	4846	Hon. Donald Neil Plett . . . . .	4856
Hon. Renée Dupuis . . . . .	4847		
Hon. Pierre J. Dalphond . . . . .	4848	<b>Greenhouse Gas Pollution Pricing Act (Bill C-234)</b>	
Hon. Denise Batters . . . . .	4849	Bill to Amend—Third Reading—Motion in Amendment—	
Hon. Chantal Petitclerc . . . . .	4850	Debate	
Hon. Lucie Moncion . . . . .	4850	Hon. David M. Arnot . . . . .	4858
Hon. Andrew Cardozo . . . . .	4851		
Hon. Julie Miville-Dechéne . . . . .	4851	<b>Adjournment</b>	
Hon. Marilou McPhedran . . . . .	4851	Hon. David Richards . . . . .	4858
Hon. Tony Loffreda . . . . .	4852	Hon. Pierre J. Dalphond . . . . .	4858
Hon. Kim Pate . . . . .	4853		
Hon. Ratna Omidvar . . . . .	4853		