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(HANSARD)

Tuesday, May 21, 2024

The Honourable RAYMONDE GAGNÉ,
Speaker

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THE SENATE

Tuesday, May 21, 2024

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

Prayers.

[*Translation*]

SENATORS' STATEMENTS

INTERNATIONAL DAY AGAINST HOMOPHOBIA, TRANSPHOBIA AND BIPHOBIA

Hon. Diane Bellemare: Honourable senators, the International Day Against Homophobia, Transphobia and Biphobia was observed on May 17. That's why today I'd like to thank the Canadian parliamentarians involved in the Canadian Pride Caucus, which aims to advance the rights of 2SLGBTQI+ people. This community and their family members can rest assured that they have parliamentarians acting as their guardian angels within the Parliament of Canada.

My thanks go out in particular to the co-chair and co-founder of this caucus, Senator René Cormier, for his involvement in this cause and also for his benevolence towards me when, in 2018, my son, the youngest in the family, began to explore a trans identity, something that I didn't see coming, but that he had sensed.

My 24-year-old son was as straight as they come. He was handsome, popular with the girls, athletic and an artist in his own way. When his sweetheart, a photography student, began taking artistic photos of herself with my son in drag, I suspected nothing about his gender identity. The photos were so beautiful and romantic. They were like paintings.

Little by little, cross-dressing gave way to androgynous everyday dress. He got rid of his beard and kept his skin smooth. The romantic relationship that was supposed to last a lifetime ended after six years. That was when, less than a year ago, he told us that he was going to start taking hormones, that he was changing his given name and that he was a she.

From what I have read about transness, his story is rather typical and ordinary, but for a parent it is not. I have a few childhood friends and extended family members who came out as homosexual when they were teenagers. Even after we found out, nothing changed about their appearance or who they were or who they still are. Gender incongruence is a different story. It is difficult to understand and involves a change in appearance and identity.

However, this reality has always existed. Evidence of that has been found in Egypt and Ancient Rome. Transness is often associated with cross-dressing. Many societies, including Indigenous peoples here in Canada and some Asian communities, are very accepting of transgender individuals. However, not much is known about this reality and it is difficult to estimate how common it is because of the many obstacles that these people must overcome before making their gender identity known.

Colleagues, transgender and non-binary identities aren't a fad. We need to respect the courage of those who dare to break the mould. In closing, I'd like to say that the most important thing, as a parent, isn't to understand but to accept the child's gender and sexual identity. The battle against homophobia and transphobia is also waged at home, in parent-child relationships that must be respectful, caring and loving. Thank you. *Meegwetch*.

Hon. Senators: Hear, hear.

[*English*]

MOOSE JAW WARRIORS

CONGRATULATIONS ON WINNING WESTERN HOCKEY LEAGUE CHAMPIONSHIP

Hon. Denise Batters: Honourable senators, I am very happy to rise today and congratulate the Western Hockey League, or WHL, champion, the Moose Jaw Warriors.

The Warriors have had an incredible WHL playoff run. In 20 playoff games this year, Moose Jaw had only one regulation loss. The people of Moose Jaw are thrilled to cheer on their beloved Warriors' best season ever. This is the Moose Jaw Warriors' first WHL championship in their 40-year history.

The Warriors started this remarkable playoff season with series wins over the Brandon Wheat Kings and Swift Current Broncos. Then, Moose Jaw faced the Saskatoon Blades in an all-Saskatchewan Eastern Conference championship. The Warriors won that thrilling seven-game series in which six out of seven games went into overtime, including the deciding game seven. That is a Canadian Hockey League record.

Next up was the Western Hockey League final against the Portland Winterhawks. Moose Jaw shocked the U.S. crowd by winning both games in Portland. They came home up 2-0.

Last week was huge for Moose Jaw and their gorgeous arena. To kick off the week, the legendary band, Foreigner, rocked the rink and showed Moose Jaw just how "Urgent" it was for the Warriors to be "Hot Blooded" yet as "Cold as Ice" the next two nights.

I was elated to attend game three at the jam-packed Moose Jaw arena. My husband, Dave Batters, was Moose Jaw's member of Parliament the last time they went to the WHL final. I wore Dave's 2006 Warriors jersey for luck, and it worked: They won again in overtime. I thought the roof might blow right off the building that night when that crowd roared.

Then, Moose Jaw swept the WHL championship by winning game 4 at home, in front of their ecstatic fans. The Warriors are a community-owned club, and they are spurred on by their fantastic fans at home in "the Jaw" and on the road. Thank you to all the people in Moose Jaw who have so loyally supported the Warriors for 40 years, and thank you to all those who had the vision, fortitude and stamina to press to build the outstanding Moose Jaw Events Centre, the 4,500-seat home of the Moose Jaw Warriors. I am also so proud of how hard my husband Dave worked as Moose Jaw's MP to secure federal infrastructure investment for this major successful project.

Now, the Moose Jaw Warriors will compete for junior hockey's biggest prize, the Memorial Cup, which will be held in Saginaw, Michigan. Head Coach Mark O'Leary leads a very deep and talented team, with players like Jagger Firkus, who led the WHL regular season and playoff scoring; Brayden Yager; Matt Savoie; and WHL playoff most valuable player and Warriors captain, Denton Mateychuk. But the heart of this Moose Jaw team was best expressed last week by hometown boy Atley Calvert, who said, "We had a special group and we're going to be brothers forever."

Go Warriors go. Bring home that Memorial Cup.

Thank you.

COLONEL GRAY HIGH SCHOOL SENIOR CONCERT BAND

Hon. Jane MacAdam: Honourable senators, I rise today to recognize the Colonel Gray High School Senior Concert Band from my home province of Prince Edward Island.

I had the pleasure of meeting these talented students earlier today. As part of their visit to the Senate, I had the opportunity, with the Usher of the Black Rod, to show them Canada's Upper Chamber. We showcased its evident splendour and shared the rich history and traditions that have carried on for over 150 years as senators provide sober second thought to legislation, defend regional interests and voice issues of national importance.

It is now my turn to share with you their musical contributions and accomplishments. I would like to start by saying that Colonel Gray High School holds a special place in my heart, as it does for several other Island senators who share a special connection to this school. My son Robert is the school principal. The school has the largest senior high music program in the province, made up of two large jazz bands and two large concert bands. These bands and small ensembles put on numerous concerts throughout the year for the school and local community, including a big musical every two years at the Confederation Centre of the Arts.

The senior concert band has performed since the 1960s and was the first high school concert band in the province. It currently includes 63 students, many of whom augment local ensembles, including the Prince Edward Island Regiment Band; the University of Prince Edward Island Jazz and Popular Music Ensemble; the Wind Symphony; the Holland College Community Band, The Welshmen; and the Prince Edward Island Symphony Orchestra.

In addition to performances in Prince Edward Island, the band has played in Nova Scotia, New Brunswick, Quebec and Ontario, as well as Massachusetts and New York. Garnering a reputation for high-level talent, the band regularly receives gold standard performances at regional and national music festivals.

In speaking today to acknowledge these brilliant and artistic youth, I also want to highlight the impact their dedication has brought to the cultural fabric of our Island. Music has provided these students an outlet to express themselves and to connect over an art form, all while sharing its beauty with the rest of the province. As is often said, "When words fail, music speaks."

• (1410)

Finally, I would like to acknowledge the leadership and dedication of the school's music director and conductor, Shawn Doiron, as well as Andrew Petrie and Sandra Forbes, who also play a major part in the success of the music program. Although these leaders and talented students could not join us in the gallery today, I am proud to share with you their achievements and wish them all the best in their future efforts and performances.

Thank you.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Mr. Mehran Omidvar, Senator Omidvar's husband, and her grandson, Kiaan Miller.

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

Hon. Senators: Hear, hear!

4-H CANADA CITIZENSHIP CONGRESS

Hon. Robert Black: Honourable senators, it's my pleasure to rise today to share with you that this week 4-H Canada is hosting its fifty-first annual Citizenship Congress.

There's no debating that the Citizenship Congress connects 4-H members. For over five decades, countless youth 4-H members from across Canada have come together in Ottawa to learn more about citizenship and our government.

This week, 4-H Canada youth delegates from across the nation have gathered in Ottawa to further enhance their skills in teamwork, communication, leadership, collaboration and problem-solving. Through diverse programs, 4-H Canada continually refines these vital life skills in each of its members.

Established in 1972 with the aim of uniting 4-H members, the Citizenship Congress welcomes 55 youth delegates to Ottawa this week. I extend my very best wishes to them as they embark on several significant events in the days ahead. Their dedication and perseverance serve as an inspiration to many, including myself.

The highlight will be on Saturday at 1:30 p.m. when they will engage in this very chamber on the topic:

> Be it resolved that the Government of Canada should prioritize access to clean water for personal and domestic use over access for private and/or commercial use.

I eagerly anticipate their insightful debate here in the chamber. These members, along with their counterparts nationwide, symbolize our nation's future, encompassing Canadian agriculture and the vibrancy of our urban and rural communities. Colleagues, rest assured, the future appears promising.

I am especially thrilled to welcome the two representatives from Ontario, Leah Emiry and Rebecca Sommerville, and their chaperone, Darrell Bergsma. I look forward to meeting all 4-H members in Ottawa during the informal parliamentary breakfast reception I am hosting on Thursday, May 23.

Again, I extend an invitation to all of you, my senate colleagues, to join me at this event on Thursday from 8 a.m. to 9 a.m. in room 310 of the Wellington Building.

Come out and meet the youth delegates from across Canada. I know how much they look forward to interacting with as many of my Senate colleagues as possible.

Thank you. *Meegwetch*.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Firooz Khan Auobi, who is accompanied by the United Strikers team. They are the guests of the Honourable Senator Ataullahjan.

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

Hon. Senators: Hear, hear!

FIROOZ KHAN AUOBI

Hon. Salma Ataullahjan: Honourable senators, I rise today to share the story of Firooz Khan Auobi, an Afghan refugee who has shown compassion, determination and solidarity since coming to Canada.

Firooz came to Canada in January 2023, and within 10 days, had found his first job. He has now moved on to a job at Amazon. In an effort to foster a sense of community and create a familiar and safe space, Firooz founded the United Strikers, a football — or soccer — team composed of other Afghan refugees he had met at work.

His generosity and determination to make the United Strikers a reality was such that he paid for all the jerseys and equipment himself. The members of the United Strikers not only share a passion for football, but also share similar life goals they are all working hard to achieve. Some even dream of becoming professional football players.

Even though most would view this as a refugee success story, Firooz confessed to me that he misses home and longs to go back to Afghanistan and to see — once again — the beautiful pomegranate garden surrounding his home in Kabul. Those of us who know Afghanistan, Kabul and all of Afghanistan is renowned for its stunning gardens and abundance of food that used to grow there. As someone who has made frequent trips to Afghanistan, I will never forget the majesty of the mountains, the serene valleys and the happy people.

Firooz credits his father as being his rock and his greatest supporter in this journey. I wanted to share Firooz's story today to highlight the importance of empathy and community in Canada, and I am proud to do so in the presence of the United Strikers.

Firooz, thank you for all your hard work, and I wish the United Strikers — those who are here and those who couldn't join us because of exams — continued success.

Thank you.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Senator Busson's granddaughters Brooklyn and Madison Fairhead, who are accompanied by their parents, Brent and Mariko.

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

Hon. Senators: Hear, hear!

THE LATE ARTHUR L. IRVING, O.C., O.N.B.

Hon. Jim Quinn: Honourable senators, I rise today to pay tribute to one of Canada's most important entrepreneurs and business leaders who passed away on Monday, May 13.

Arthur Irving was not only proud to be a Canadian, but he also cherished his province of New Brunswick. He was the middle son of K.C. Irving, one of Canada's most renowned citizens, who set the stage for his three sons — James, Arthur and Jack — to grow the Irving Group of Companies, becoming one of the largest family-owned companies in Canada.

I was fortunate to meet Arthur many years ago. He was a man who embraced his employees and appreciated the work they did on behalf of the company. I was a young chief officer on board one of the Irving oil tankers and witnessed Arthur coming up the gangway just to check things out, and in doing so, thanking crew workers for their hard work and support.

After becoming the CEO of Port Saint John, I would see Arthur and other members of the Irving family to discuss strategic plans for modernizing and growing the port. I appreciated the business that he and his family provided the port community, as it was among the keys to the rebirth of our port, regaining its position as one of the most important ports on the eastern seaboard of North America.

The Irving Refinery — Canada's largest and one of the world's most modern refineries — is the port's largest customer and most certainly one of New Brunswick's largest employers. Thousands of our residents throughout New Brunswick are direct employees of the companies Arthur led, and thousands of others are employed by the companies that his other family members have grown over the years.

As was noted in the *Telegraph-Journal* newspaper:

> His public image tended to be all business all the time, but Arthur's friends and family unanimously talk of a highly personable man who shook hands with everyone and usually remembered their names —workers, customers, and anyone he met. They also said that he did so much more, which may never be fully appreciated.
>
> Giving back whether via funding scholarships, gardens, expanding Ducks Unlimited conservation efforts and in numerous other ways, with little, if any fanfare was simply the right thing to do to help his city, province and region.
>
> One way or another, we have all benefited.

In addition to serving as the Chancellor of Acadia University, Arthur was awarded multiple awards and honours including the Order of New Brunswick and the Order of Canada as well as being inducted into the Canadian Business Hall of Fame.

I was privileged to attend Arthur memorial service this past Saturday, and it was clear that he was admired by people from all walks of life. Yes, a firm negotiator, but certainly a respected one. His phrase, "Thank you for the business," was often referenced in tributes and underscored his obvious success and respect for customers. I'm fortunate to call Arthur Irving my friend and know he will be sorely missed by our community, his province and country. His wife, Sandra, and daughter, Sarah, were always by his side, and I offer our sincere condolences to the entire Irving family. Rest in peace, my friend.

• (1420)

ROUTINE PROCEEDINGS

STUDY ON ISSUES RELATING TO SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY GENERALLY

TWENTY-FIRST REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE DEPOSITED WITH CLERK DURING ADJOURNMENT OF THE SENATE

Hon. Ratna Omidvar: Honourable senators, I have the honour to inform the Senate that pursuant to the orders adopted by the Senate on February 10, 2022, and May 9, 2024, the Standing Senate Committee on Social Affairs, Science and Technology deposited with the Clerk of the Senate on May 21, 2024, its twenty-first report (Interim) entitled *Act Now: Solutions for Temporary and Migrant Labour in Canada* 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 Omidvar, report placed on the Orders of the Day for consideration at the next sitting of the Senate.)

CANADIAN SUSTAINABLE JOBS BILL

NOTICE OF MOTION TO AUTHORIZE ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE TO STUDY SUBJECT MATTER AND SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE TO CONSIDER DOCUMENTS AND EVIDENCE GATHERED DURING THE STUDY

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

> That, notwithstanding any provision of the Rules, previous order or usual practice, if Bill C-50, An Act respecting accountability, transparency and engagement to support the creation of sustainable jobs for workers and economic growth in a net-zero economy, is adopted at second reading:
>
> 1. it stand referred to the Standing Senate Committee on Social Affairs, Science and Technology;
>
> 2. the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to examine and report on the subject matter of the bill; and
>
> 3. during its consideration of the bill, the Standing Senate Committee on Social Affairs, Science and Technology be authorized to take into account any public document or evidence received by the Standing Senate Committee on Energy, the Environment and Natural Resources during its study

of the subject matter of the bill, as well as any report from that latter committee on the subject matter of the bill.

[*Translation*]

PROHIBITION OF THE EXPORT OF HORSES BY AIR FOR SLAUGHTER BILL

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-355, An Act to prohibit the export by air of horses for slaughter and to make related amendments to certain Acts.

(Bill read first time.)

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

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

[*English*]

QUESTION PERIOD

GLOBAL AFFAIRS

INTERNATIONAL CRIMINAL COURT

Hon. Donald Neil Plett (Leader of the Opposition): Government leader, on Monday morning, prosecutors at the International Criminal Court announced that they would apply for arrest warrants for the Prime Minister of Israel and the Israeli defence minister. In the hours following this outrageous announcement, the leaders of all nations around the world made their views on this matter publicly known as to whether they welcomed it or rightfully condemned it. People knew where they stood. However, our country's Prime Minister has been silent. The entire Trudeau cabinet has been silent, leader. Why hasn't the Prime Minister condemned this or said anything about it? What is the Trudeau government's position on this?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. Indeed, the actions of the prosecutor in seeking those warrants have caused great concern around the world, and many leaders have taken the opportunity to speak out. I know our Deputy Prime Minister is reported to have made it clear that any equivalency between Hamas and Israel is unfounded.

Canada's position has always been to support the international legal regime. It is monitoring very carefully, and is aware of these applications for warrants. The government respects the independence of the process. If there are further statements from the government, they will be made in due course.

Senator Plett: The U.S. President is also respecting that, and yet he had the courage to come out and condemn this outrageous act.

After nine long years of this incompetent government, Prime Minister Trudeau provides no serious leadership to our country and has no moral compass — none. The Prime Minister is in Philadelphia today, and he has a short media availability scheduled. Is he going to say anything about it this afternoon, leader, or is he hoping to avoid saying anything entirely?

Senator Gold: Thank you for the question. I do not agree at all with your characterization of the Prime Minister's moral compass, nor do I know what his speaking engagements or intentions are.

NATURAL RESOURCES

LIQUEFIED NATURAL GAS

Hon. Leo Housakos: Senator Gold, foreign investment jobs and economic development should be the focus of the Trudeau government. Instead, what we've seen over the last nine years is a focus on ideological and environmental radicalism. Instead of embracing a strong business case that has been made over and over again about developing and exploiting our natural gas and transforming it into LNG, the Trudeau government continues to stand in the way. While we have friends and allies around the world like the United States, Qatar and Australia that are developing their LNG with fervour and creating more wealth for their societies, Canada is getting poorer and poorer.

Senator Gold, when is the Trudeau government going to get out of the way and allow for Canada and Canadians to start developing our natural gas industry and LNG, which will pave the way forward to wealth and prosperity once again for Canada?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. This government has made and will continue to make important investments to ensure that our economy, whether our resource-based aspects or other aspects, is well positioned to take advantage of the changing capital markets and the changing demands of both citizens and corporations in this changing environment.

These include investments not only in our natural resources sector — to say nothing of the pipeline which is now on stream — but equally and more importantly in the workers of Canada who are looking for opportunities to take advantage of the next and future generations of well-paying, sustainable jobs. In that regard, the business case that this government is making is for investment in our future, which is a future that is for the benefit of all Canadians.

Senator Housakos: This government can't even spell the word "business." When you came into power Canada was an energy superpower, and that is no longer the case. We have lost ground and have been surpassed by other nations. That is the fact. The other fact is that we have had leaders from Germany, Italy, Poland, Greece, Japan, Taiwan — I can go on and on — who have come into this capital begging Canada to develop LNG.

The question remains: When will your government get out of the way and allow Canadians to build prosperity in LNG, which is badly needed all over the world?

Senator Gold: The position of this government, senator, perhaps unlike other potential governments, is to be a partner in the development of a strategy to position Canada going forward. To say "get out of the way" is, with all respect, simply empty rhetorical nonsense.

[*Translation*]

HEALTH

SUPERVISED CONSUMPTION SITES

Hon. Julie Miville-Dechêne: Senator Gold, I want to revisit an issue that my colleague, Senator Housakos, raised recently, because I visited the supervised consumption site near Atwater Market in Montreal.

If I understand correctly, Health Canada has authorized the use of hard drugs at this new site, which is just five metres away from an elementary school. I observed that students on the playground saw drug users gathered at the entrance to the site. Is that really appropriate, Senator Gold?

• (1430)

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. My understanding is that the site is a provincial site, which means the federal government has no authority.

I'm also told that the province determines how the site operates.

Senator Miville-Dechêne: Still, if I'm not mistaken, authorization for the injection of hard drugs is within Health Canada's purview. According to a recent study by Professor Carolyn Côté-Lussier, this injection site located near an elementary school constitutes an unfair burden for the children and families of Saint-Henri who attend the school and who are already facing issues related to relatively high crime rates, poverty and marginalization. Why risk it? Why did Health Canada give this site the green light?

Senator Gold: Thank you for the question. This location is under provincial jurisdiction. Health Canada approved the province's request to establish a site to reduce the harms associated with hard drugs.

[*English*]

GLOBAL AFFAIRS

ISRAELI-PALESTINIAN CONFLICT

Hon. Yuen Pau Woo: Senator Gold, on May 10, the United Nations General Assembly voted overwhelmingly to support Palestine's admission as a member. Canada is a long-standing supporter of the two-state solution, but we did not vote in favour of that motion. Can you explain the contradiction?

Hon. Marc Gold (Government Representative in the Senate): There is no contradiction, Senator Woo. Canada's long-standing position — along with that of many of its allies — is that any progress toward a two-state solution must involve the direct negotiations and discussions between the parties to such an accord. Regrettably, that has not been possible for a very long time, and one can point fingers any which way one wants. However, Canada's abstention on this reflects long-standing Canadian policy that, indeed, all governments have subscribed to.

Senator Woo: Yet, the vast majority of the UN General Assembly, including many of our allies, voted in favour of the motion. I have to say that your explanation — along with the explanation that appears to be coming out on the International Criminal Court, or ICC, request for arrest warrants — sounds like gobbledygook to me.

I see that the government has now imposed sanctions on four Israeli settlers in the West Bank. Will the government also look at imposing sanctions on the Israeli governmental authorities that are aiding and abetting these crimes?

Senator Gold: First of all, it is simply incorrect that the government is aiding and abetting these crimes. Nor, with all due respect, is the response gobbledygook. It is the same General Assembly that described Zionism as racism. Majority rule does not necessarily make for principled decisions. Canada's position on a two-state solution and the conflict is a principled one and shall remain so.

AGRICULTURE AND AGRI-FOOD

AGRICOMPETITIVENESS PROGRAM

Hon. Robert Black: Senator Gold, with the announcement of the 2024 federal budget, 4-H Canada — it's a 4-H day — received the devastating news that Agriculture and Agri-Food Canada, or AAFC, is slashing its funding under the federal AgriCompetitiveness Program. AAFC cites changes to government priorities as the reason for this decision. Consequently, important program initiatives such as Citizenship Congress, which is taking place here in Ottawa this week, are no longer being considered a priority. The real losers are youth across this country. Despite being encouraged to apply for alternative grants through other departments — for example, Canadian Heritage — 4-H Canada has now faced outright refusal. The funds that would have supported participant travel to the Citizenship Congress must now be sourced elsewhere.

Senator Gold, there is a serious concern about the funding decisions that have been chipping away at 4-H over the years. My question is this: How does the government justify these cuts? What steps are being taken to ensure programs vital to our youth through organizations like 4-H Canada receive the necessary funding they need to continue?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for your ongoing advocacy not only on behalf of 4-H but, more generally, on behalf of the sector in which it plays such an important role.

The Government of Canada will continue to support our youth in a variety of ways through youth employment, mental health supports, leadership programs and entrepreneurial supports. I understand that your questions and concerns about funding are important ones. I will certainly bring them to the minister's attention.

Senator Black: Senator Gold, can you clarify what changes in government priorities have led to the decision to cut funding for 4-H Canada under the AgriCompetitiveness Program? What kind of government does not prioritize its youth? How are they supposed to survive these cuts, which continue to snowball each and every year?

Senator Gold: As I said, senator, the government continues to support youth. With regard to your question of priorities, the government has several priorities that it is engaged in pursuing, all within a prudent, responsible fiscal framework. They include transformative investments in clean energy, creating lifelong careers, improving housing affordability and so on. This is the challenge of governing, and this government is doing what it can to meet those important priorities.

[*Translation*]

INDUSTRY

CANADIAN ENTREPRENEURS

Hon. Amina Gerba: My question is for the Government Representative.

Senator Gold, a recent survey by the Business Development Bank of Canada shows that the mental health of our entrepreneurs is a concern. Most of the groups in question are newcomers, young business owners or women. This reality coincides with an alarming 100,000 drop in the number of entrepreneurs in Canada over the past 20 years. Senator Gold, what is the government doing about the recurring mental health issues faced by our entrepreneurs in terms of supporting them, and stemming the decline of entrepreneurship in Canada?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. The Government of Canada has taken a number of steps in Budget 2024 to support our young entrepreneurs. These steps include $50 million over five years, starting in 2024-25, to create new mental health funding for youth that allows them easier access to the mental health care they need. This amount comes on top of the $60 million allocated over five years to Futurpreneur, which opens access by young entrepreneurs to financing, mentorship and other forms of support to help them start and grow their businesses.

Senator Gerba: Senator Gold, Black women and women from Indigenous communities face a number of challenges, ranging from problems securing financing for their businesses to systemic racism. What specific tools or resources has the government put in place to help them face these challenges?

Senator Gold: Thank you for the question. The Black Entrepreneurship Program is a partnership between the Government of Canada, Black-led business organizations, and financial institutions. With an investment of up to $265 million over four years, this program will help Black business owners and entrepreneurs grow their businesses and succeed, now and into the future.

PRIVY COUNCIL OFFICE

AGENTS OF PARLIAMENT

Hon. Claude Carignan: My question is for the Leader of the Government.

Leader, my question has to do with budget cuts to the Office of the Information Commissioner. The Trudeau government has not kept its promises on access to information. On the contrary, the situation is getting worse every year, to the point where the Information Commissioner has spoken about the Trudeau government's culture of secrecy. The commissioner announced last week that the government was cutting her office's budget by 5%. Is this your government's way of punishing a commissioner who takes her job too seriously?

Hon. Marc Gold (Government Representative in the Senate): That is absolutely not the case. The government appreciates Ms. Maynard's work and it is committed to ensuring that her office has access to the funding she needs to be able to continue her important work.

• (1440)

According to the information that I have, a standard form is used to adjust the budgets of all public service organizations, while taking into account things like salary changes in collective agreements. This system has been in place for many years.

Senator Carignan: A few months ago, the Auditor General also complained about the fact that the government is stubbornly refusing to give her enough funding to do her work. Does this government have a general policy of muzzling officers of Parliament and prevent them from doing their job properly?

Senator Gold: No. As I just mentioned, a standard approach has been in place for a long time, and it applies to 90 government organizations. This approach is set out in Schedules I, IV and V of the Financial Administration Act. More funding was allocated in the Main Estimates to ensure that she can continue to do her important work.

[*English*]

CANADA MORTGAGE AND HOUSING CORPORATION

AFFORDABLE HOUSING

Hon. Donald Neil Plett (Leader of the Opposition): Leader, a Bank of Canada report released earlier this month shows that Canadians who are already struggling to pay their mortgages may fall further behind over the next two years. The Bank of Canada says that about half of all outstanding mortgages are held by borrowers who have yet to face higher rates. By 2026, the median monthly cost for Canadians with a variable-rate mortgage and fixed payments is projected to rise by over 60%. This is the consequence of the Trudeau government's inflationary spending and taxes — isn't it, leader? What do you think is going to happen to those families?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question with regard to mortgages. The government has taken important measures to protect homeowners with the strengthened Canadian Mortgage Charter which builds on the government's existing guidance and expectations for how financial institutions are to work with Canadians to provide tailored relief.

As interest rates continue to decline — as the government predicted it would, despite skepticism from other quarters — I am advised that more than 99% of mortgage holders in Canada are in good standing. Mortgage delinquencies in Canada have remained consistently low, and are at their lowest level in decades — just 0.16%, on average, in 2023. That's a 55% decrease compared to 2014.

Things may be difficult — and are difficult — for individual Canadians, but it is not because of the government's support in this area at all.

Senator Plett: It's only because of this government. He is absolutely not worth the cost. Thank you for helping me with that. Let's do that together now.

According to the Bank of Canada, even mortgage holders with fixed rates will see their payments increase. They are projected to climb by 20% next year and in 2026. Does the Trudeau government honestly think families can afford this, leader? How many Canadians are going to lose their homes?

Senator Gold: Thank you for your questions. The Government of Canada has demonstrated, and will continue to demonstrate, its support for Canadians — for homeowners, for those seeking to acquire their first home and for renters. The government has brought forward a suite of programs to assist Canadians, and they will continue to be there for Canadians.

INDIGENOUS SERVICES

SUPPORT FOR INDIGENOUS COMMUNITIES

Hon. Paula Simons: My question is for the Government Representative. A year ago, as we discussed in this chamber before, the Little Red River Cree Nation and the community of Fox Lake were devastated by wildfire. A month ago, I asked you about the challenges that the community faced because of the warm winter and the repeated flooding of ice bridges by BC Hydro. The community was able to bring in almost no supplies to rebuild in the wake of that fire.

I have a fresh question for you today. On Thursday, the band council met and declared a local state of emergency. On Friday, they sent a heartbreaking letter petitioning the government for assistance in dealing with the fact that, in the last six months, there have been six suicides, two homicides and numerous suicide attempts. The community is gripped by gang violence and drug addiction. They are asking for help.

What response might you have for a community that is asking for help with mental health, drug addiction and gang suppression?

Hon. Marc Gold (Government Representative in the Senate): First and foremost, to the members of the community who are suffering through this constellation of horrible events, I send my sympathies and the sympathies of the Government of Canada.

I have every confidence that the government will support the Little Red River Cree Nation. I'm not aware of the letter, nor am I aware of what the government response is, but I have confidence it will be there for the community in this hour of its need.

Senator Simons: Thank you very much. As we discussed last month, one of the additional challenges facing the nation is that new Transport Canada rules mean that they cannot use their barges to bring in federal workers. No RCMP officers can come by barge over the river; no federally funded health care workers can come by barge over the river. I have been attempting to obtain a response from Transport Canada regarding that situation for a month now. Can you update us with anything?

Senator Gold: Again, I'm not in a position to update you on that particular issue. However, I'll bring it to the attention of the relevant minister.

[*Translation*]

EMPLOYMENT AND SOCIAL DEVELOPMENT

CANADA DISABILITY BENEFIT

Hon. Éric Forest: My question is for the Government Representative in the Senate. According to a movement known as Disability Without Poverty, over 1.5 million Canadians living with a disability also live in poverty. That's why hopes were so high when Parliament passed Bill C-22, An Act to reduce

poverty and to support the financial security of persons with disabilities by establishing the Canada disability benefit, last June. The act created a framework, but the terms and conditions of the federal contribution were unknown at the time.

When the 2024 budget was tabled, we found out that the Canada disability benefit provides a maximum of $2,400 a year, or $200 a month, to low-income persons with disabilities starting in July 2025. This measure had been presented as a historic means of lifting people out of poverty. It came as a bitter disappointment to the national director of Disability Without Poverty, since the benefit falls far short of meeting their needs. As far as the CEO of the Daily Bread food bank is concerned, this $2,400 benefit is woefully inadequate. We understand that the new benefit complements the various programs offered by the provinces. How does the government —

The Hon. the Speaker: Thank you, Senator Forest.

Hon. Marc Gold (Government Representative in the Senate): I thank the honourable senator for the question. As I've said a number of times very sincerely, the Government of Canada understands that people are disappointed in the benefit amount at this point in the program, even though that amount is historic.

As I've explained, this is what happens when extremely hard choices have to be made. Every single government that has to balance a great many different priorities while holding to a sensible, reasonable budget, faces this same challenge. The government understands that people are disappointed, but this is just the beginning of a historic process. The government will do better in the future.

Senator Forest: We know this measure is in addition to benefits already provided by the provinces and territories, where support measures can vary widely. Going forward, might it be possible to even out the disparities from one province to the next for people with disabilities and people living in poverty?

Senator Gold: Thank you for the question. Quite honestly, I can't answer that directly. As you know, this has to do with provincial jurisdiction and health care agreements between the provinces and the federal government, but I'm sure this important issue will be addressed during negotiations in the coming years.

• (1450)

[*English*]

PUBLIC SERVICES AND PROCUREMENT

PURCHASE OF QUEBEC BRIDGE

Hon. Jim Quinn: Senator Gold, why is the Government of Canada buying the Quebec City rail bridge — which is an intraprovincial bridge providing a rail link connecting Quebec City with the other side of the St. Lawrence River, all of which is located exclusively in Quebec — with $1 billion announced to repair and maintain the structure?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. My understanding is that the plans and desire to acquire this bridge have been a long-standing priority of the Government of Canada which was finally able to be realized recently. It will not be the only such bridge owned by the federal government. Beyond that, I don't have the full history of the plan, but it has been a long-standing priority to acquire it.

Senator Quinn: Senator Gold, why is the Government of Canada, according to Minister Duclos, making a policy exception and only requiring the Province of Quebec to pay 25% of the $1-billion cost, with the federal government covering 60% and the Canadian National Railway, or CN, providing the remaining 15%? This is more than the normal 50 cents on every dollar offered for most infrastructure programs. Why is this exception being made?

Senator Gold: Thank you for the question. Again, I don't have the details of the negotiations that went into this, so I'm afraid I'm not in a position to respond to the question.

CANADA MORTGAGE AND HOUSING CORPORATION

AFFORDABLE HOUSING

Hon. Yonah Martin (Deputy Leader of the Opposition): Leader, my question concerns the Bank of Canada's recent warning about an upcoming steep rise in mortgage payments for many Canadians. Over the next two years, more mortgage holders will be renewing at higher interest rates. These interest rates were fuelled by the Trudeau government's inflationary spending.

In March, Equifax reported that mortgage delinquencies had grown by 52% in the last year. In my province of British Columbia, it was even worse, at 62%. In Ontario, they rose by a staggering 135%.

Given the Bank of Canada's warning, how much does the Trudeau government project the mortgage delinquency rate will increase over the next two years?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question, which I attempted to respond to earlier today when your colleague asked it.

I'll repeat what I said in response to the question from Senator Plett because you mentioned mortgage delinquencies. Mortgage delinquencies are down. They are lower now than they were the year before. Frankly, I think we should all acknowledge that we don't really know how adjustments to the overall interest rate may affect fixed and variable mortgages. Some people have variable mortgages, which increased significantly because of the rise in interest rates, and they may be in a better position when they renew their mortgages. We will see.

Senator Martin: On the contrary, mortgage delinquencies are up, but I won't go into the numbers again.

Many Canadian families are already at the breaking point. This morning, Statistics Canada reported mortgage interest costs went up 24.5% between April 2023 and April of this year. Yet the Bank of Canada's report makes it clear these costs are about to get worse. Why didn't your government listen to the warnings about the consequences of its inflationary spending?

Senator Gold: Well, the short amount of time I have to answer this question is not enough to remind the Senate of all the economic indicators that showed, despite the ongoing drumbeat of "inflationary spending," that inflation is down, our credit rating is up and our economy is performing well.

ORDERS OF THE DAY

CANADIAN SUSTAINABLE JOBS BILL

SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Yussuff, seconded by the Honourable Senator Pate, for the second reading of Bill C-50, An Act respecting accountability, transparency and engagement to support the creation of sustainable jobs for workers and economic growth in a net-zero economy.

Hon. Mary Coyle: Honourable senators, "Keep the jobs. Cut the carbon. Build the future." This is the slogan of Blue Green Canada, a membership organization comprising labour, environmental and think tank organizations.

Colleagues, "Keep the jobs. Cut the carbon. Build the future." That is, in essence, the purpose of Bill C-50, An Act respecting accountability, transparency and engagement to support the creation of sustainable jobs for workers and economic growth in a net-zero economy — the economy of the future of Canada and the world.

While we cut the carbon and build our future net-zero emissions economy, we must ensure we have good-quality jobs for Canadians from coast to coast to coast.

Colleagues, five years ago, the government committed to introducing legislation to support workers while unlocking economic opportunities. In February 2023, the government released an interim Sustainable Jobs Plan for 2023 to 2025. That plan outlined 10 actions, including the commitment to introduce this legislation.

This legislation aligns with the United Nations 2030 Agenda for Sustainable Development and specifically with a number of its Sustainable Development Goals, including Goal 7, on affordable and clean energy; Goal 8, on decent work and economic growth; Goal 9, on industry, innovation and infrastructure; Goal 11, on sustainable cities and communities; and Goal 13, on climate action.

Senator Yussuff, the eminently qualified sponsor of Bill C-50, has explained the background of the bill, highlighted its key elements and cited support for Bill C-50 from various quarters. I will remind you of a few points he made; it has been a little while.

The bill is fundamentally about workers — protecting their rights and interests, supporting their families and enabling their communities to grow.

Climate change is causing economic change. Change can be good or devastating. Recognizing change and having the will and means to prepare our economy and those who work in it to embrace that change is of fundamental importance.

Bill C-50, the Canadian sustainable jobs act, articulates a number of guiding principles.

It establishes a sustainable jobs partnership council with representation from labour, industry, Indigenous communities, environmental organizations and other experts. It will designate ministers responsible for planning and implementation. It will create a sustainable jobs secretariat to assist and coordinate federal actions and requires updated action plans every five years.

As Canada works hard to align its workforce policy with its climate policy, this act will ensure workers have a seat and voice at the table.

Senator Bellemare, our in-house economist, spoke at second reading as well, agreeing with the fundamental principles of Bill C-50 and saying that it is important to facilitate a labour market transition. However, she did raise questions about some of the details in the bill. As she said, ". . . the devil is in the details."

She questioned whether Bill C-50 will allow a labour market transition plan to be developed and implemented within a reasonable time frame and with noticeable results in terms of sustainable jobs.

Senator Bellemare reminded us that the Employment Insurance, or EI, system in Canada remains the primary source of funding for public interventions in the labour market.

She also highlighted important studies on the impact of the green transition on the labour market, which show that the success of these plans depends heavily on the workforce's ability to carry them out. She cited a Canadian Chamber of Commerce report, which stated:

> A recent study scanning 48 countries found that only one in eight workers has the skills relevant to a net-zero economy. This research also concluded that there is a growing demand for workers with net-zero skills, but this demand is not being met by today's labour force.

Senator Bellemare said the green transition will create new jobs and transform existing ones. She cautioned that Canada's economy is affected by the accelerating changes in climate and technology, including AI and demographics.

Skills upgrading will play a vital role in workforce development in Canada, and EI will be one of the major funding sources.

Given this, Senator Bellemare suggests that EI commissioners sit on the sustainable jobs partnership council and that those with the labour and industry seats on the council be appointed to represent the most representative workers' and employers' associations rather than on an individual or personal basis.

She ended her second reading speech with a call for urgency.

• (1500)

Colleagues, on this matter of urgency and on the matter of the context of this labour transition, I wanted to share with you some points relevant to our debate on the Canadian sustainable jobs act made by panellists at our recent Senators for Climate Solutions session. It was entitled "Keeping the Lights On, Ensuring Energy Security and Stability During the Transition to Net Zero and Beyond."

I will quote excerpts from the presentations of two panellists, Dr. Fatih Birol, Executive Director of the International Energy Agency, and Mr. Mathieu Johnson, Vice President for Strategy and Development at Hydro-Québec.

Dr. Birol provided a snapshot of some of the indicators and the trends of the global transition to net-zero emissions. He said:

> Energy is at the heart of the climate debate because more than 80% of the emissions causing climate change come from the energy sector, which means without fixing the problem in the energy sector, we have zero chance to reach our climate goals.

The most important sector in energy use is electricity generation. In 2023, of all power plants built in the world in that year, 85% were renewable, with about 5% nuclear and 10% powered by fossil fuels.

As for transportation, only 4 years ago, 1 in 25 cars sold in the world was electric. This year, it is expected that one out of five cars sold will be electric. In China, almost every second car sold today is electric.

Dr. Birol continued:

> Our numbers show that this year, the total energy investments in oil and gas, renewables, nuclear, et cetera are about US$3 trillion. Of this, US$1 trillion is for fossil fuels, and US$2 trillion is for clean energy investments — with clean energy investments doubling in the last 10 years.

I notice a trend here.

Dr. Birol says there are three reasons for that:

> One is simple economics — renewables are now cheaper compared to fossil fuel alternatives. Solar is the cheapest source of electricity generated in most of the world.
>
> The second reason is energy security. Many governments . . . understand that clean energy is not just good for the environment . . . . Since it is usually generated locally, reliance on other countries —

— I will not name them —

> — will be reduced, thus resulting in greater energy security.
>
> The third reason for clean energy investment and fast clean energy transitions is industrial policy. Today when you look at clean energy manufacturing — solar panels, windmills, batteries, electrolyzers for hydrogen — there is one country dominating: China. This is not necessarily driven by climate policies, but by China's industrial policy.

Dr. Birol illustrated how quickly the transition is moving and how industrial policy and global climate policy have come together.

Our panel discussion also looked at the real-world case of Hydro-Québec, the fourth-largest hydro producer in the world. Vice President Mathieu Johnson spoke of the scale and scope of the challenge his company faces in this transition.

I will share a few key excerpts. He said:

> I'll start by sharing with you what is keeping us up at night. Historically, what utilities have been doing when they do forecasts is they ask themselves what is going to happen by 2050 and then they do an action plan according to what they think is in their crystal ball. We at Hydro-Québec used to do that. But if we take this approach, we will not get to carbon neutrality by 2050 because we are asking ourselves the wrong question. It is not what is going to happen, but rather what needs to happen by 2050 in order to meet the targets that we set as a society, starting with the outcome and do the reverse engineering to identify what actions we need today. It might change. There is a lot of disruption. There are new technologies, so the plan will evolve.

> We need to double the electricity produced in Quebec in order to be carbon neutral by 2050. We are going to have to build the same capacity in the next 25 years that it took us 80 years to build previously. That is the scale of the challenge.
>
> There will be new hydro, and also we are going to rely on wind power in Quebec. Just in the next 10 years, we will need to cover an area equivalent to 15 times the area of the Island of Montreal with wind turbines. It is enormous. To connect the power to the consumer, we will require 5,000 new kilometres of transmission lines.
>
> Currently, we've been investing on average $4 billion a year on capital expenditures. For the next 10 years, Hydro-Québec will have to invest over $150 billion on capital expenditures.
>
> The biggest challenge we —

— in this case Hydro-Québec —

> — have is the workforce. If we don't have the workers, we will not be able to spend all that money to build new assets in order to electrify. Even at our current rate of annual capital expenditure, we are experiencing serious labour shortages.
>
> We estimate that we will need 35,000 employees just to work on our projects in Quebec over the next 10 years — at peak, it is going to be 20% of the current construction workforce that we have in Quebec.
>
> We need to change the way we do things.
>
> The recipe that we have been using for the last 80 years cannot be the recipe for success for the next 25 years.

Mr. Johnson particularly stressed the importance of forging a completely new kind of relationship with Indigenous partners.

The urgency that Senator Bellemare spoke of becomes immediately real when we listen to Hydro-Québec's Vice President Mathieu Johnson's telling of the scope, scale and pace of the challenges that this important utility faces. Dr. Birol echoed the same scope, scale and pace points on a global level.

Colleagues, Canada cannot afford to miss this boat. We even have a chance to captain some new boats in this significant and historic industrial and labour transition to a net-zero future.

Many countries are already further down the road — or should I say "stream," to keep with the boat reference — in their efforts to keep the jobs, cut the carbon and build the future.

Honourable colleagues, let's move Bill C-50, the Canadian sustainable jobs act, to committee for thorough study. Canadian workers need it. Canadian industry needs it. Our communities and regions need it.

Colleagues, Bill C-50 is one essential component of our plans to ensure a prosperous and sustainable future for generations to come here in Canada and globally. Let's move it forward without delay.

Thank you, *wela'lioq*.

(On motion of Senator Martin, debate adjourned.)

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Gold, P.C., seconded by the Honourable Senator LaBoucane-Benson:
>
> That the following Address be presented to Her Excellency the Governor General of Canada:
>
> To Her Excellency the Right Honourable Mary May Simon, Chancellor and Principal Companion of the Order of Canada, Chancellor and Commander of the Order of Military Merit, Chancellor and Commander of the Order of Merit of the Police Forces, Governor General and Commander-in-Chief of Canada.
>
> MAY IT PLEASE YOUR EXCELLENCY:
>
> We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, I rise today to continue my response to the Speech from the Throne. As you know, I will use this time to go over Trudeau's legacy. Today I will focus on another important component of that legacy, the cultivation of a divided Canada.

I know many of you will be tempted to leave the chamber as I speak, but I want you all to know, colleagues, I am not doing this for the benefit of those of you in the chamber. I am doing this for the benefit of the almost 1 million viewers who watched the last speech I made about Trudeau's legacy. I am doing it for the 6 million plus Conservatives who voted for the Conservatives and a different prime minister in the last election, and I am doing it for the 3 million extra voters who want to vote for someone other than Justin Trudeau in the next election.

• (1510)

Colleagues, in 2015, Justin Trudeau and the Liberal Party of Canada formed government with the promise of national unity and sunny ways. As you will see, their record is one of dismal failure. It would be unfair not to acknowledge that the world is very divided. In the past decade, the political climate — certainly in Western democracies — has seen the embrace of radical ideologies, the doctrines of which have been adopted into policy.

The rise of identity politics is dividing citizens by gender, race, religion and perceived level of oppression. The narrowing of acceptable thought punishes those who fall outside the lines. This has spurred populist revolts by those who feel abandoned and disregarded by the established elite groups. More and more people define themselves in opposition to the system, which further fuels division. Canada has not been immune to those forces; however, a leader with any integrity or sense would acknowledge the political climate, as well as remind citizens of who we are as a country, our common goals and our principles, and focus on moving forward with policies that could bring us together.

Justin Trudeau has done precisely the opposite. He plays the game of division by taking a very predictable ideological stance in every quarrel and then literally insulting and dismissing those who disagree with him, all the while preaching a vacant message of unity.

In 2024, it should be clear to every Canadian that our "sunny ways" Prime Minister has left the country far more divided than he found it. Is there a person in Canada who can honestly say that we are more united and unified than we were prior to Justin Trudeau taking office?

Colleagues, our country is a mess, and I fear that this is not by accident. It would appear that Trudeau's divide-and-conquer politics are intentionally stoking the flames of division. It is a calculated attempt to distract Canadians from the failures of his government. If they hate their neighbours, or if they are divided into distinct group identities, they can each blame the other for Canada's problems. If they are afraid, maybe they will forget about the myriad of crises happening simultaneously throughout our country, which has leaked into our own homes, including the inability to pay the bills and put food on the table.

When recently trying to defend the indefensible — in this particular case, the ill-timed carbon tax increase — Trudeau stated, "My job is not to be popular."

An Hon. Senator: He's doing a good job of that.

Senator Plett: No, Prime Minister, it is not. It is also not your job, Prime Minister, to cultivate polarization and ostracize swaths of the Canadian population who disagree with you.

John Ibbitson wrote the following in *The Globe and Mail* in October:

> . . . every Prime Minister's highest priority should be to leave the federation stronger, or at least not weaker, than they found it.

He noted, "By that measure, Mr. Trudeau's tenure has been a failure."

Honourable senators, allow me to walk you through some of the many ways our national unity has unravelled during and under Trudeau's watch.

The COVID-19 pandemic was, indeed, a challenging time for leaders around the world. Their citizens were dealing with the loss — or fear of loss — of loved ones, the economic uncertainty as a result of lockdowns, the mental health impact of isolation, the inability to mourn the loss of family members together, and the list goes on. When the vaccines eventually came, so did the onslaught of fear. Many were left wondering: How effective are these vaccines in preventing transmission? What are the risks? Is it safe and advisable for children to be vaccinated? There was a wide range of medical opinions on this.

The U.S. Centers for Disease Control and Prevention, or CDC, and the World Health Organization, or WHO, and public health officers were making recommendations on what they perceived to be the most complete and relevant data available. Yet, other scientists and health professionals were making different recommendations. Many Canadians found the research and data presented by alternative sources to be compelling, and were not willing to blindly trust their respective public health authorities. This was compounded when previous recommendations and assertions by public health officials were later deemed to be incorrect or no longer advisable. Many mental health experts warned of a shadow pandemic with respect to mental illness, as well as the detrimental impacts on children and their learning, given the school closures.

The growing division was palpable. Some saw those who did not want to get the vaccine as nothing but a group of uneducated, anti-vaxxer, religious radicals and conspiracy theorists. Some on the other end of the spectrum would post pictures on social media to mock individuals wearing masks outside, or would refer to anyone following the CDC guidelines as "sheep."

By the end of 2021, the Public Health Agency of Canada announced the requirement for essential service providers, including truck drivers, to be fully vaccinated by January 15, 2022. These mandates would prevent an estimated 26,000 unvaccinated truck drivers, who are required to regularly cross the border, from doing their jobs. As we all know, the response from truck drivers across the country is what came to be known as the "Freedom Convoy."

Protesters occupied the downtown core of Ottawa, requesting to speak to and hear from the Prime Minister, and they announced that they would not leave until the mandates were repealed. While thousands of protesters certainly supported the concerns of the truckers, the overall protest quickly became a broader call to action on COVID-19 restrictions generally and their impact on Canadians' autonomy, mental health and freedom to earn a living.

The truckers — who, ironically, were praised by Justin Trudeau in the early days of the pandemic, along with an empty ThankATrucker hashtag — ultimately became Trudeau's

political target and enemy. Truck drivers, who spend their days alone in the cabs of their vehicles, suddenly became a threat to public health if they were unvaccinated.

Of course, when asked in the House of Commons to produce data linking truck drivers to COVID-19 infections in Canada, neither the Minister of Health nor the Chief Public Health Officer were able to do so. These men and women were literally fighting for their right to work. They were exercising their right to protest in the nation's capital, and they had come together with other concerned Canadians to stand in opposition to government overreach that was becoming pervasive.

A leader with any capability or integrity may look at the stark divide plaguing the nation and respond by acknowledging the struggle among Canadians and the difficulty of navigating changing and conflicting information. That leader may remind Canadians that we have a common goal: to minimize the risk of death and illness among Canadians and to resume life as usual, including the ability to earn a living as quickly as possible.

What did Trudeau do? Did he acknowledge the fears of many Canadians who were concerned about their mental health, or their ability to pursue a livelihood, or their autonomy with respect to their health care choices? Did he give the protesters who had travelled all this way, and who had felt left out of the conversation, the opportunity to be heard? No, he ran from the problem, quite literally hiding from Canadians and waiting for the right opportunity to attack.

• (1520)

As is the case with nearly every large-scale protest, there were a few bad actors who showed up to promote a message of hate that had nothing to do with the protest itself. As soon as the media gave those hateful individuals the time of day, the Prime Minister pounced. The media reports were all Trudeau needed to dismiss and name-call truckers and the millions of Canadians supporting them.

Two years after the fact, it is still hard to believe — even with regard to the Prime Minister, who has a terrible track record of division — that he called millions of Canadians racists, misogynists, insurrectionists and the fringe minority — his words. He even called their views intolerable. In a televised speech he asked Canadians, how can we tolerate these people? Let me repeat. The Prime Minister asks about those who oppose him: How can we tolerate them?

Of course, the Prime Minister knew that the few racist idiots did not speak for or represent the valid concerns of truckers. Rather than using his position of power to unite at the height of COVID-19 tensions, he dismissed and disregarded the concerns of Canadians who felt left out of the conversation, powerless and desperate, and he insulted them. He intentionally painted them all with the same brush in an attempt to justify his failure to engage with them.

As Jennifer Laewetz said in a special to the *National Post*:

> It was like watching a leader pour gasoline on an already-burning fire. Here we had a leader who had no issue creating an environment of intolerance for anyone who did not fall into line. . . .

To make it worse, his MPs and supporters started doing the same thing. She said:

> . . . A government that had pledged to crack down on online bullying was making it acceptable for Canadians to harass their neighbours for making a different medical choice.

Even Liberal Member of Parliament Joël Lightbound took note of his discomfort with the situation when he stated:

> . . . I can't help but notice with regret that both tone and the policies of my government changed drastically on the eve and during the last election campaign.
>
> From a positive and unifying approach, a decision was made to wedge to divide and to stigmatize. . . .
>
> . . . And now that we have one of the most vaccinated populations in the world, we've never been so divided.

This is a powerful statement from a member of the Prime Minister's own caucus.

The week after Mr. Lightbound's comments, in response to a question from a Jewish member of Parliament, Melissa Lantsman, the Prime Minister doubled down on his characterization of the protesters saying:

> Conservative Party members can stand with people who wave swastikas. They can stand with people who wave the Confederate flag.

This is our Prime Minister, colleagues. Imagine, Justin Trudeau associated a Jewish member of Parliament with a swastika. He was so intent to divide the world between good and evil — and, of course, put his political adversaries in the evil camp — that he forgot who he was speaking to. This is Justin Trudeau. He will never hesitate to insult his adversary. He will never hesitate to go over the top and paint anyone who disagrees with him as evil. In his mind, he does not have political adversaries; he has enemies, and since he is Canada, his enemies are Canada's enemies. With this attitude, it has proven impossible for him to simply debate and come to a compromise or an agreement. It is always good — him — versus evil, the other side.

When asked to apologize for his remarks to Ms. Lantsman, he refused and left the chamber. He was not willing to back down from his in-group and out-group, us-versus-them view of Canadians. Instead of trying to understand the concerns and the impact of his government's measures on the citizens he is mandated to represent, he used his power to shut them down.

As I said when we were debating the Emergencies Act motion in February 2022:

> This is a Prime Minister who does not like opposition. He admires the basic dictatorship of China. He does not listen; he preaches. He does not debate; he insults. He does not convince; he imposes.

When the Prime Minister unleashed his most appalling, divisive tool — invoking the Emergencies Act and freezing the bank accounts of protesters and those who supported them — he stoked the flames of division in a way that we are still recovering from today. It was an international embarrassment and will be a stain on our country's history.

While the use of the Emergencies Act has now been deemed unreasonable and a violation of the Charter by the Federal Court of Canada, the effects are still being felt. In a survey done by the Canadian Hub for Applied and Social Research at the University of Saskatchewan, 40% of those surveyed said they have reduced contact with friends or family over an argument about the pandemic. I spoke to one of those just last week. This is nearly half of the country, colleagues. Not only has the Prime Minister divided Canadians by region, partisanship and vaccination status, his divisive rhetoric and actions are literally ripping families and friendships apart.

A year after the vaccine mandates came into force and a year after the government's use of the Emergencies Act, after what could have been a year of reflection, in a public appearance Trudeau stated that he did not force anyone to get vaccinated but rather "encouraged." The internet was quick to provide clips of the Prime Minister saying things such as:

> The bottom line?
>
> Proof of vaccination will be required by no later than the end of this month for all federal employees.
>
> And by mid-November, enforcement measures will be in place to make sure that everyone is vaccinated.

That doesn't sound like encouragement to me.

This, however, did not faze the Prime Minister. He carried on dividing and conquering, stoking fear and division and operating as if he and his government were untouchable.

To top it all off, he cynically called an election in the middle of the pandemic. He tried to get the majority that he could not get two years earlier. He used COVID-19 as his platform.

Colleagues, many Canadians entered the pandemic with different health and social circumstances, a range of views on how they thought it should be handled and how they expected their fellow Canadians to act. That is normal. That's the beauty of a pluralistic society.

Where things went awry is when the Prime Minister — who preaches "Diversity is our strength" — suddenly expected the country to think exactly the same way on every critical issue, and then he mocked, insulted and punished those who deviated from the acceptable line of thinking.

Faced with the pandemic, he did not act as a leader or unifier. Justin Trudeau decided to divide Canadians during the pandemic for his own political benefit. This, colleagues, will be his legacy.

Let me now turn to immigration. Of all the files the Trudeau government has botched, one would argue this one takes the cake, although the ArriveCAN app was certainly competing.

• (1530)

Canadians are fundamentally pro-immigration. Our culture and economy have been enriched and strengthened by immigration, and our diversity has always been a source of pride for Canada. It is quite profound, then — and a tragic truth — that a government could mismanage this critical file so badly in eight years that it's actually starting to turn Canadians from a favourable view on immigration.

A recent Focus Canada report surveyed 2,002 Canadians on their attitudes about immigration and refugees — a sample size, the researchers note, that produces accurate results within 2.2 percentage points. According to the data, Canadians are now significantly more likely than a year ago to say there is too much immigration to our country, dramatically reversing the trend dating back decades. For the first time, a growing number of Canadians are questioning how many immigrants are arriving. According to the research:

> This expanding view that Canada is taking in too many immigrants is driven in large part by rising concerns about how newcomers may be contributing to the housing crisis. . . .

Among the most concerned citizens, according to the study, are first-generation Canadians.

The state of immigration in our country, colleagues, is truly a mess. Even Trudeau himself said at a press conference in early April:

> Over the past few years we've seen a massive spike in temporary immigration . . . that has grown at a rate far beyond what Canada has been able to absorb.

He provided an example: In 2017, 2% of Canada's population was made up of temporary immigrants; today, it's 7.5%. "That's something we need to get back under control," he said, adding that temporary immigration has "caused so much pressure in our communities."

What is ironic, as Robyn Urback notes in *The Globe and Mail*, is that it was these types of remarks about immigration that caused Trudeau to accuse the Conservatives of fear mongering. For example, when Conservative MP Steven Blaney asked about the massive backlog in immigration applications in 2018, Trudeau responded, ". . . it is completely irresponsible of the Conservatives to arouse fears and concerns about our

immigration system and refugees." Trudeau then went on to blame the Harper Conservatives for their irresponsible management of the immigration system.

As Urback states:

> Since then, we are to infer, the immigration system has been managed responsibly, and the proof is in the Liberal government now frantically trying to reverse course from even a few months ago.

Colleagues, in November 2022, the government released its plan to bring in nearly 1.5 million new permanent residents by 2025 — despite, as we now know, an internal report at Immigration, Refugees and Citizenship Canada that warned the deputy minister, among others, that population growth was outpacing housing supply and would continue to put pressure on Canada's health care services.

This came after Trudeau's ill-conceived tweet responding to Donald Trump, essentially opening the door for migrants to flood into Canada. After his tweet in 2017, over 18,000 migrants illegally crossed the border. After entering illegally, they claimed asylum as refugees and were permitted to stay and access the myriad of social programs Canada has to offer, including education, social assistance, housing and health care. That number continued to skyrocket the following year.

This will be part of Justin Trudeau's legacy. He adhered to the Century Initiative, the irresponsible plan to increase Canada's population to 100 million before 2100 — all this without any planning or investment in the infrastructure and social systems to integrate the newcomers. When it became clear that Canada could receive such a massive influx, as he had been warned by his own officials, Justin Trudeau started blaming those same immigrants for the problems. He is now on a crusade to reduce the same numbers of asylum seekers, temporary workers and foreign students that his own government increased. He is not only trying to run away from his failed immigration policies, he is trying to run against them. Justin Trudeau has managed to shatter the more than 125-year-old Canadian consensus on the benefits of immigration.

When Justin Trudeau ran out of excuses for the difficulties Canadians are facing, especially on housing, he started blaming immigrants. He targeted international students and temporary foreign workers — as if he was not the guy who let all those people into Canada in the first place.

Because of his incompetence, Justin Trudeau has managed to change Canadians' positive vision of immigration, and then he decided to pit Canadians against immigrants for his own political benefit. This will be his legacy.

As I said, Trudeau's divisive policies have spanned nearly every portfolio. I will turn my focus now to his energy policy and his repeated antagonizing of Western Canada.

Many of us in this chamber remember the hostile approach of Pierre Elliott Trudeau to the booming oil industry in the West in the 1970s and early 1980s — from freezing oil prices, to imposing taxes on oil exports in order to subsidize imports for eastern refiners, to the disastrous National Energy Program, or NEP. Tensions were so high between the federal government and the West that then premier of Alberta Peter Lougheed called the export tax, ". . . the most discriminatory action taken by a federal government against a particular province in the entire history of Confederation."

The notorious NEP that followed was sold by the government as a way to redistribute some of the oil wealth from Alberta while keeping prices low for Canadians. In reality, it was a way for the government to curb some of its $14.2 billion deficit and high inflation rates, and it set the stage for a battle between the provinces and for western alienation. It led to the first upswing of western separatism and contributed to the tanking of a previously thriving economy. Many thousands of people lost their jobs and homes and attributed this directly to the program. When the National Energy Program was first announced, as the CBC reflected in a 2020 article:

> . . . it was more than just a financial hit, or the sense that the federal government was overstepping its constitutional bounds and meddling with Alberta's resources. It was a shot of adrenalin right into the restless heart of western alienation.

Wow, and that was our CBC.

Thankfully, accompanying the election of the late, great Right Honourable Brian Mulroney and the announcement that Canada was "open for business," the NEP was formally terminated in its entirety.

Colleagues, it has been over 40 years since the National Energy Program was enacted; however, for many reasons, it still feels very fresh to Albertans. Its history is a looming reminder of what is possible — especially now, with another Trudeau in office who has demonstrated that the proverbial apple has not fallen far from the tree.

In 2019, Trudeau brought forward Bill C-69, the Impact Assessment Act, later dubbed the "No More Pipelines" bill, which set up a new authority to assess industrial projects — such as pipelines, mines and interprovincial highways — for their effects on public health, the environment and the economy. In effect, it created more red tape around bringing Canadian oil to market and gave the federal government the power to trump major projects like oil mines and oilsands projects if they deemed them to not be in the public interest. It was a gross infringement of exclusive provincial jurisdiction and has since been ruled unconstitutional by the Supreme Court of Canada.

• (1540)

In 2021, Trudeau first announced the GHG emissions cap that his government would place on one industry alone: the oil and gas sector. There was no simultaneous commitment to reduce emissions from other sectors of the economy — including transportation, which accounts for almost as much emissions as the oil and gas sector.

The proposed regulations were brought forward in December of this year and, as promised, they single out the oil and gas industry and exempt the remaining 73.4% of GHG emissions from other sectors. At best, this is scientifically unjustified. At worst, it is an outright attack on the West.

As political science professor Lydia Miljan stated in an article for *The Globe and Mail* after the announcement:

> Demand for oil and gas will continue. We live in a large, cold and sparsely populated country that relies on natural gas and heating oil to keep us warm and gasoline and diesel to keep us moving. Putting caps on domestic emissions will not change our demand for oil or gas. It will simply shift our supply from Canadian sources to countries that are willing to sell it to us.

This is shameful. Likewise, analysts at the Fraser Institute, in a contribution to the *Calgary Herald*, stated:

> . . . every credible forecast of world energy consumption indicates that oil and gas will continue to dominate the global energy supply mix for decades. . . .

They continued, stating:

> . . . constraining oil and gas production and exports in Canada would merely shift production to other regions, potentially to countries with lower environmental and human-rights standards . . .

The feeling of Western alienation was further exacerbated by the carbon tax, specifically the carve-out favouring Atlantic provinces when pleas for relief from Western provinces were ignored. Trudeau's carbon tax exemption ensures that the rural residents of Atlantic Canada using home heating oil will enjoy a three-year pause on taxation, while requiring households using other fuels to pay up. For Justin Trudeau, the folks protesting his carbon tax are ". . . conspiracy theorists and extremists." You can feel his openness to debating his policies.

Add to this the requirements for clean electricity that target Alberta and the picture is complete. Like his father before him, Justin Trudeau is punishing Western Canada, particularly Alberta, hoping the rest of Canada will thank him for it. The only difference is that what was presented as an energy policy in 1980 is now disguised as an environmental policy. Again, like his father, Justin Trudeau is pitting one region of Canada against another for crass political reasons. Like his father, Justin Trudeau will leave office having alienated Western Canada.

Justin Trudeau decided to pit region against region for his own political benefit. These divisions in Canada will be his legacy.

Pierre Elliott Trudeau's tenure in office fuelled the creation and rise of separatist movements, first in Quebec, then in Western Canada. History is now repeating itself: another Trudeau with the same result.

In an article for *The Globe and Mail* entitled, "National unity is fraying under Trudeau's watch," John Ibbitson eloquently paints a picture of a unified Canada before Trudeau took office and aptly captures provincial divides and the rebirth of separatist movements in Canada.

Allow me to read directly from this article, as the point he illustrates is a crucial one:

> When the Liberals won their majority government in October, 2015, they had a golden opportunity to reverse decades of Liberal unpopularity in the West. The Grits had taken 17 seats in British Columbia, seven in Manitoba, four in Alberta and one in Saskatchewan. They were well placed to grow that vote with policies that consulted rather than dictated, that recognized the importance of the resource-based Western economy and that respected the distinct societies of the Prairies and B.C.

He continues:

> Mr. Trudeau inherited a federation at peace. In Quebec, the Parti Québécois was out of government and in decline, and the federal Bloc Québécois was decimated, having taken only 10 seats in the 2015 election. Things were quieter on the federal-provincial front than at any time since the 1950s. Surely this was a time to strengthen national bonds – between English and French, between the Heartland and the West.

Ibbitson goes on to note the recent resurgence of the Bloc Québécois, rising French-English tensions and the even more profound estrangement of Alberta. He notes the increasing divides and that, according to polls, the Conservatives would trounce the Liberals if an election were held today.

He continues:

> What went wrong? In a word: Bossiness. The Liberals imposed conditions on the provinces before granting health funding. They imposed a carbon tax on provinces that didn't meet federal carbon-reduction targets. Bill C-69 imposed such intrusive conditions on resource development that the Supreme Court ruled the law unconstitutional.
>
> The Liberals decided that national priorities justified using the federal spending power to dictate terms to the provinces. They were willing to let the Prairie oil-and-gas sector suffer in order to meet carbon-reduction targets. The result: increasing resentment towards Ottawa across the country.

He concludes, "This is Canada today, on Justin Trudeau's watch."

When Stephen Harper called the 2015 election, the Bloc Québécois was down to 2 seats; it now has 32. And because of Justin Trudeau's attacks on provincial rights, the separatist Parti Québécois is now leading the polls in Quebec and pushing for another referendum on independence before the end of the decade.

Instead of focusing on what a prime minister should — files that fall under federal jurisdiction, such as criminal justice, national defence, foreign affairs, and national monetary and economic policy — Justin Trudeau continuously meddles in provincial jurisdictions. Almost all the budget announcements made by the Liberals in recent weeks were about a new program in a provincial jurisdiction. Isn't that ironic? Justin Trudeau wants to manage kindergartens, take over school food programs, arbitrate tenant-landlord relations and manage the provinces' health care systems.

After all, he and his fellow Liberals know better than all premiers of all political stripes. Forget regional wisdom and experience. For him, provinces are mere regional managers of his policies. What is ironic about his need to manage any and all programs in the country is that he is unable to manage what is actually under his own jurisdiction. When you see what is going on in passport offices, how our immigration policy is managed and how our Armed Forces are underequipped, you cannot help but hold your breath in fear as you wait to see what will happen with all the new programs that Team Trudeau is putting together.

Trudeau's attacks on provincial jurisdictions have one objective: changing the channel on his failures in the files under federal jurisdiction. Of course, in the process, he has created fights with premiers across the country. Even leaders of provincial NDP and Liberal opposition parties are distancing themselves from the federal Liberals.

The B.C. Liberals had to change their name to ensure no one would think they support Justin Trudeau's policies.

• (1550)

Fighting with the provinces was one of Pierre Elliot Trudeau's favourite pastimes. It may have been profitable in the short term for the Liberal Party in the 1970s, but it almost destroyed our country. Justin Trudeau is using the same recipe that his father used back then — pick fights with the provinces. Even the lonely Liberal premier left, Andrew Furey, from Newfoundland and Labrador, is attacked by Trudeau.

Hopefully, Canadian voters will soon put an end to the Liberal regime so that Pierre Poilievre can go back to working in collaboration with the provinces, not against them. We will soon go back to a period of mutual respect, dialogue and collaboration between the provinces and the federal government, like we always have when the Liberals are not in power. In the meantime, we know that these divisions between levels of government in Canada and the resurgence of the separatist movement in Quebec will be part of Justin Trudeau's legacy.

Colleagues, tackling controversial issues is an unavoidable aspect of leadership. Achieving unanimous support for proposed policies among citizens is next to impossible, yet in Canada, there once existed a common belief in ultimate objectives and fundamental values. This is no longer the case.

Under Justin Trudeau's leadership, Canadians are less likely to engage in thoughtful discourse and more likely to distance themselves from someone they disagree with. After all, their own Prime Minister is constantly choosing winners and losers, identifying the morally righteous and the morally unacceptable and making disparaging comments about the half he doesn't agree with. He has not only fuelled discourse on the pressing issues of the day but reignited division on issues many of us thought we had long transcended — for example, divisions on the basis of religion.

Many of us considered Canada a place where citizens were free and empowered to practise the religion of their choice, both in the context of a Charter right and as a culturally valued principle. While this right still exists, Trudeau's unwavering adherence to his ideology has dictated that certain faiths are to be valued more than others.

Since the spring of 2021, True North has counted 47 churches or church buildings that have been burned or destroyed by arson. Another 53 have been targets of acts of vandalism — and not a word from our Prime Minister. An attack on a place of worship is repugnant — on any place of worship. Our government cannot vocally denounce attacks on some religions and remain silent when others are targeted, but this is what we have in Canada under Justin Trudeau.

For example, he has pledged to remove the charity status of pregnancy crisis centres, which are often affiliated with the Christian faith, because they have a different opinion than he does on the topic of abortion — more intolerable views. He has yet to act on the promise, but the threat still looms for these charities. As some of the advocates for the pregnancy centres have stated, if their charitable status were stripped, it would set a dangerous precedent and would affect far more than just crisis centres. For example, it would impact churches, camps and ministries. The Liberal talking points have specifically singled out pregnancy crisis centres as the type of organization that would be targeted.

Some have wondered about the language and what would be classified as an anti-abortion organization. For example, would a place of worship that opposes abortion qualify? As David Cooke from Campaign Life Coalition stated:

> Whenever charitable status is revoked, donations go down. . . . If they don't have tax-exempt status they're going to have to start paying property tax, and that property tax will just kill them, it's just going to shut them down.

Pregnancy Care Canada has helped hundreds of thousands of women by providing material supplies such as diapers, formula and clothing; prenatal education; parenting programs; and even post-abortion support and care. By any measure, this is a charity.

When Minister Freeland's office was asked by the *National Post* whether or not churches could lose their tax-exempt status and by what metric the Canada Revenue Agency would determine an organization was providing dishonest counselling, they did not provide answers, just reiterated the Liberal platform promise.

You'll remember this isn't the first time Liberals have targeted pro-life groups. In 2017, the government required groups participating in the student summer jobs program to declare that they were not pro-life, which disqualified a number of religious organizations across Canada from receiving the Canada Summer Jobs subsidy. Prior to that, in 2014, he stated that all of the Liberal candidates had to share his view on abortion to run for the party — how progressive.

On an issue on which Canadians are divided, rather than taking the position of previous prime ministers who stated repeatedly they would not reopen the debate on abortion, Justin Trudeau has inserted himself squarely in the middle of the debate, once again choosing winners and losers, a right side and a wrong side, tolerable Canadians and intolerable Canadians. On an already impassioned and emotional debate, Trudeau has done nothing to ease tensions and instead has driven a wedge even further.

Let me quote a May 17 article from the *Toronto Sun* under the headline "Trudeau is stoking the fires of division":

> Another day, another attack by Prime Minister Justin Trudeau on a Conservative premier.
>
> He's attacked Saskatchewan's Scott Moe over the carbon tax. He's assailed Alberta's Danielle Smith over almost everything.
>
> This week, Trudeau targeted New Brunswick Premier Blaine Higgs, calling him a "disgrace" on women's rights and criticizing him for his policies on gender identity. . . .
>
> By importing American politics, Trudeau is stoking the fires of division. . . .

With respect to the Israel-Hamas war, Trudeau has made numerous jumbled, incomprehensible statements and has tried to take a public position of neutrality, while sending some MPs to mosques to deliver one message and others to synagogues to deliver another message. The Liberals have now supported a motion that makes a false equivalency between the State of Israel and the terrorist organization Hamas and, in doing so, have alienated members of his own caucus, like the Jewish member of Parliament Anthony Housefather, who stated that the motion crossed the line.

Trudeau's embarrassing and incoherent foreign policy positions and the division among his own caucus have even caught the attention of international media. *The Economist* published an article in April entitled "Justin Trudeau is beset by a divided party and an angry electorate," noting that Trudeau has had to quell several angry exchanges among Liberal MPs over Canada's role in the war in Gaza. They reference the original NDP motion calling for a ceasefire and a recognition of the Palestinian state and note that more than half of Trudeau's caucus supported the motion before it was watered down. The article notes, "Had it gone ahead, it would have laid bare a split among Liberal MPs." It goes on to say that the amended version ". . . avoided an embarrassing display of foreign-policy incoherence," but notes that three Liberal MPs broke rank and voted against the motion, while many did not show up for the vote at all.

On this issue, Trudeau delivers his typical platitudes, calling on Canadians to stop "entrenching division" and to "remember who we are," but his position on neutrality and moral relativism have contributed to a fractured Canada. The absence of leadership from the Prime Minister and his government has consequences. Only a few days ago, right here on Wellington Street, a mob was cheering for Hamas and celebrating the October 7 massacre.

• (1600)

Trudeau's lack of moral clarity is simply staggering and has emboldened the wave of anti-Semitism and Jew hatred that we are witnessing right across Canada.

It is clear that these anti-Israel movements are coordinated and financed from overseas. Instead of protecting Canada from yet another foreign interference in our public debate, the Trudeau government is completely missing in action.

This lack of leadership and moral clarity from Justin Trudeau combined with the pandering by the Liberals for votes from certain communities is causing more and more divisions in Canada.

We now have tensions in Canada between the Muslim and Jewish communities like we have never seen before. It is also the case for tensions between the Chinese community or between Sikhs and Hindus.

Canada is built on respect between all communities. A true leader would make it clear: All Canadians will be treated equally, and Canadians must respect each other. But Justin Trudeau has fuelled the divisions for electoral purposes, and he will leave behind a more divided Canada. This will be his legacy.

Finally, the housing crisis, particularly the affordability component, has the potential to divide us even further — to the extent of a revolt, according to a recent RCMP report. A heavily redacted RCMP report was made public in March as a result of an access-to-information request made by Matt Malone, Assistant Professor of Law at the British Columbia's Thompson Rivers University.

The report warns of a plausible descent into civil unrest in the near future once Canadians recognize the hopelessness of their economic situation. The report reads:

> The coming period of recession will also accelerate the decline in living standards that the younger generations have already witnessed compared to earlier generations.
>
> For example, many Canadians under 35 are unlikely ever to be able to buy a place to live. . . .

This is truly sad. There is now a divide between those who own a home and those who can only dream of doing so. Young Canadians, and in particular young families, are plagued by the issue of affordable housing. According to *The Economist*, young Canadians are the world's fifty-eighth happiest, just ahead of youth in Ecuador, a country racked by gang violence.

The data from the RCMP report is accurate according to available statistics. The recent analysis by the Royal Bank of Canada demonstrates that housing affordability has reached worst-ever levels in Canada. For example, currently only the wealthiest 26% of Canadian families will ever be able to afford a single-family home. When Trudeau took office, a household earning the median income could cover the costs of owning an average home by spending 39% of their pay. Now that figure is 64%. It went from 39% in 2015 to 64% today. Sky-high interest rates and the housing crisis — both of Trudeau's doing — are preventing Canadian families from owning a home.

As the RCMP report reads, economic forecasts for the next five years and beyond are bleak.

We have seen badly managed economies in the past, but I never thought I would see a Canadian government destroy the financial security of its citizens so profoundly that the RCMP would have to start planning for civil unrest. That, colleagues, is Justin Trudeau and the Liberal Party of today.

Faced by this growing discontent, the Liberals decided to open two other fronts: attack the so-called wealthy, and try to pit young Canadians against their parents. It is always the same story with the Trudeau Liberals. Instead of working to correct the problems, they find ways to blame someone else.

The Trudeau champagne socialists have decided to wage a class warfare. They are attacking not only big U.S. companies; they are also attacking Bell and Rogers. Running away from their record, the Liberals are telling us that grocery chains are to blame for inflation. When did we start with grocery chains? They've been around for a while. Now they are blamed for inflation. Now they have decreed what they call the "ultra rich" should pay for the Trudeau deficits.

The same guys who are giving billions upon billions to car manufacturers are complaining that capitalism is bad. The same guys who are complaining that Loblaws is making too much money gave them millions of dollars to change their fridges. The same guys who are complaining that there aren't enough rentals on the market have decided to increase the taxes of the people who buy, renovate and manage small apartment buildings. And the same guys who say they do all this for future generations are saddling them with hundreds and hundreds of billions of dollars worth of debt.

And the message from the Trudeau government in its last budget could not be clearer: If young Canadians cannot find a home, feel they are underemployed or have lost hope for their future, it is not because of the Liberals who have been in power for the last years. It is the boomers' fault.

Justin Trudeau has decided to pit Canadians against Canadians, according to their age or their income, for his own political benefit. This will be Justin Trudeau's legacy.

Colleagues, defining Canadian identity has always been a challenging endeavour, yet we know that it includes the ideals of optimism, tolerance and unity. Trudeau's leadership has undeniably fostered division within Canada, leaving us in a state of weakened unity, heightened anger and, for many, a sense of hopelessness — a state antithetical to a cohesive Canadian spirit.

While navigating controversial issues is an inherent aspect of governance, it is unacceptable for a leader to actively cultivate discord, sow division among citizens or disparage dissenting voices. He has created several classes of Canadians, divides us by race, sexuality, vaccine status, region and age. He has declared some segments of our population intolerable. It's a prime example of the divide-and-conquer strategy intended to distract from his very own failings as the Prime Minister of our country. A more divided Canada — that is the legacy of Justin Trudeau. A change of government, colleagues, has never been more critical.

The essence of Canadian spirit endures, albeit fragile. Memories linger for a time of solidarity and prosperity. There remains hope for a future where unity is restored, where the federal and provincial governments collaborate, where separatist sentiments dissolve, where racial tensions fade into history, where immigration is viewed as an enrichment of our society, where international conflicts do not spill into our streets and where politicians do not use cheap populist rhetoric to divide and conquer.

What is clear, colleagues, is that Canada needs a common-sense Conservative government led by Pierre Poilievre who will restore our unity. The challenges that we will face in order to repair our broken country are immense. But, colleagues, it is together that we will achieve this task of rebuilding Canada after these nine long years of darkness.

• (1610)

I started this as a "Netflix series." That was episode 2 of season 1. I still have a fair bit more to say on this topic, because there is just no end to the amount of fuel that I get from this Prime Minister. I will speak to episode 3 in the very near future.

On that note, colleagues, I would like to adjourn the debate for the balance of my time. Thank you, colleagues.

Some Hon. Senators: Hear, hear.

(On motion of Senator Plett, debate adjourned.)

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

MOTION TO AUTHORIZE COMMITTEE TO STUDY ROLE OF NON-AFFILIATED SENATORS—DEBATE ADJOURNED

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of May 1, 2024, moved:

> That the Standing Committee on Rules, Procedures and the Rights of Parliament be authorized to examine and report on the role of non-affiliated senators, including mechanisms to facilitate their full contribution to and participation in a modernized Senate; and
>
> That the committee submit its final report no later than December 19, 2024.

Hon. Frances Lankin: Honourable senators, I appreciate the opportunity to say a few words on this motion. The Speaker pro tempore just read it into the record, but I want to repeat it so that we're clear about the actual wording of the motion. I'm going to make the case that it's a very narrow application, and I hope this Senate Chamber — collectively around the groups and caucus — sees merit in moving forward with this on an expeditious basis so that we can begin to address what I think are some long-standing, and clearly outstanding, injustices to the rights and privileges of senators who choose to sit as non-affiliated with any of the independent groups or with the opposition caucus.

The wording of the motion is as follows:

> That the Standing Committee on Rules, Procedures and the Rights of Parliament be authorized to examine and report on the role of non-affiliated senators, including —

— and this is the important part that I want to underscore —

> — mechanisms to facilitate their full contribution to and participation in a modernized Senate . . . .

The motion goes on to say that the committee should submit its final report back to us in this chamber no later than December 19 of this year. We all know, on a procedural basis, that if a committee has not completed its work, it can come back and seek an extension from this chamber. It is then up to the chamber to determine, at that point, whether that's done. That gives us a runway of, let's say, six months regarding the time frame that we have for when the chamber is in session and when it is not.

One of the reasons I wanted to kick off this discussion today is because I spent a fair bit of the eight-plus years that I've been here thinking about rules and modernization. I served on those committees on and off, and then on again and off again, over a period of time. I heard often in our debates and discussions at committee and in this chamber about the rights of individual senators, and that we must be careful that the majoritarianism does not trample upon the rights of individual senators. Yet, over and over again, that is exactly what we do if a senator chooses to stay outside of the way in which we have collectively decided to organize ourselves, with the majority being in groups of independent senators, in the opposition caucus and in the Government Representative Office for the purpose of carrying through, overseeing and managing this chamber's deliberations on government legislation.

I've often heard — sometimes in situations where I don't understand what the relevance is in defending against modernization and rule changes — that this will somehow trample upon the rights of individual senators. Yet, certainly, many of the procedures and some of the Rules do that: They trample upon the rights of individual senators.

I have some examples. When I first came to the Senate, I remember a certain senator opposite who was the chair of the Standing Committee on Internal Economy, Budgets and Administration at the time — and he has since publicly said he was wrong in doing this, so I am not chastising him; I am just remembering — when he pulled a fast one at committee with new, naive, untrained and uneducated senators in terms of the way things proceed here. As opposed to the choice of calling those individual senators "independent," he decided to call them all "non-affiliated." It was interesting at that time, because it wasn't clear to me what that meant in terms of the status of the Rules and their application. I believed that I came with the right — as an individual senator — to all rights and privileges.

What I quickly found out was that unless I belonged to a group — and there was only a duopoly at that point in time until we launched the Independent Senators Group — I had no right to sit on a committee. It would suggest that I had a right if you look at the Rules and procedures, but I had no mechanism to get there, because we organized ourselves around procedures much more so than the Rules, with a preference for the process of groups putting forward names.

There was another thing that was really interesting: I was part of arguing for and fighting really hard to establish the principle of proportionality so that there was some kind of relationship between the number of seats on a committee and where senators came from around the chamber. I believe very strongly in that, but that very quickly meant if you weren't part of a group, you didn't get to be part of proportionality in the numbers, and, as a non-affiliated senator, you sat outside of that.

I remember we tried to address this in the Independent Senators Group. We went through a process of people putting forward their names — and there is still a similar process in place — and it was around one's first choice of committee, second choice of committee, et cetera. You might not have received either of those, but you would get a seat on a committee. We opened that up and invited non-affiliated senators. I remember, at the time, Senator Bellemare had moved to the Government Representative Office. There wasn't a prohibition on Government Representative Office senators sitting on committees, but as proportionality was dealt out, they were also dealt out of that process.

The prohibition wasn't there then, and Senator Bellemare came and participated as we put our names on sticky notes on boards and all of that. We worked to try to accommodate. We felt it was the responsibility of the Independent Senators Group — and now

there are two more, so I'm not talking only about the one; it's just what existed at the time — and we all claimed our proportionality.

The only way that a non-affiliated senator gets to sit on a committee — which should be an absolute right — is, because of the procedure, they must go cap in hand to the leadership processes of each of the other groups, including a caucus and three groups, to beg for a seat. When it serves the purposes of those groups — because they can't fill a seat and the numbers are down — they'll give a seat, but it is always, as I understand it, and others will speak to this, with the proviso that the seat remains belonging to that group. That's because of proportionality.

How do we address proportionality and respect that? I believe that's a fundamental principle, but how do we ensure there are seats for the non-affiliated senators? I'm not going to provide a response as to what that looks like, but that needs to be answered. We can't, in all good conscience, continue this.

Let me quickly say there are other issues, such as the ability to know exactly what is going on in the scrolls. When I arrived here, scroll notes — this is for the listening public — would be the process of how we decide what business would be going on every day. We notify each other as to which senators from around the chamber are going to speak. The access to that is not an open, transparent access for non-affiliated senators. People have tried to adapt and bring forward their points of view or their requests to speak, but where is the right to have your name considered equally with everyone else's in an organized group or caucus to get a question in Question Period or to make a statement?

• (1620)

When I was in the Ontario legislature, the Speaker had full responsibility for managing that. We would submit names, but if an independent — which happened from time to time, usually if someone was ejected from a caucus — stood up, the Speaker had the right — and they tried to balance it based on whether they had asked a lot of questions and had the opportunity. Again, it's procedure, but let's look at that and understand it. How do we ensure that the right and principle to do your job, to represent your constituencies, to represent the interests of Charter groups, equality-seeking groups, regional groups — whatever it is — that every senator has the right to defend those principles and bring those issues forward into the fray?

What about — I'm going to use a word that often inside the business is disparaging, and I am kind of using it that way — the horse-trading that goes on with private member's bills from the House of Commons or Senate public bills, which are essentially private member's bills? How does a non-affiliated senator have their bills considered when it's the interests of various groups that are being traded off in bringing forward and ensuring there are equal numbers? Senator McPhedran — her bill on voting age — how long has that been around? I think she'll probably tell us. Her bill on non-disclosure agreements, which I'm very intrigued to have a good deliberation on — she'll tell us how long that has been around. How do we move these things forward?

Of course, being in a group doesn't determine that you'll get it. I think of Senator Pate, who sits directly behind me, whose bill rested at the report stage for how long before this chamber? I think it was eight or nine months before this chamber finally dealt with it. All of the horse-trading that went on kept excluding that because there was some objection within a group.

This is not the way we should be doing business. Bills deserve to be considered, and if they're no good, the committee should reject consideration of them. There is a process for that. It shouldn't rest on horse-trading, nor should it rest on who your friends are, who you get along with or who you are ideologically aligned with. It's a process that should respect individual senators' rights in bringing these things forward. There is a lot that I hope will be discussed at committee, but that's where I think it should be discussed.

I'm not going to continue speaking about this because it's not my voice that needs to be heard; it's the voice of non-affiliated senators and those in particular who have held that status for a long time, who have had that experience and can enlighten this chamber. I know from discussions with Senator Bellemare and the committee that if this motion is passed, they will be invited to come and be witnesses before that committee. That is where the dialogue has to happen.

The independent groups who fought for proportionality have to figure out how we keep proportionality but maybe not all of the committee numbers — the numbers on each committee. How do we carve out a process and a right for independent senators? We may hear some suggestions. If not, the rich debate that can go on at Rules, I think, can provide this.

This motion has come forward. It's an opportunity for us to engage in what is a natural extension of some of the debates and deliberations we have had. What are the rights and privileges of all independent senators? How do we organize ourselves in the way in which we have chosen thus far? I have some suggestions about that for the future, but that's for another debate. How do we organize ourselves without denying the basic rights and principles of full participation to non-affiliated senators?

There is a rub in how we develop it. It's like a cultural change. This institution — very slowly, I might add, which for some is fine, but for others there is a sense of impatience — is moving towards a different type of modernized Senate that has a different set of sensibilities about how we interact with each other. It is now the time to ensure that as we continue to move forward, we have built in full recognition, understanding, representation and respect for the rights and privileges of all senators as independent senators, whether they are in a group, a caucus or whether they sit non-affiliated.

With that, my last plea is that since I'm aware that at least three of the non-affiliated senators intend to speak, I ask you to listen and to consider. I know that there has been a request to the various groups from caucus to inform each other of whether there are other speakers to come forward. I'm going to ask people to listen to the non-affiliated senators and to move as quickly as the chamber is comfortable with in passing this motion unanimously and sending it to committee so that the real work, dialogue and, hopefully, progress can get started.

Thank you very much for your time. I appreciate it, colleagues.

The Hon. the Speaker: Senator Lankin, will you take a question?

Senator Lankin: Yes.

Hon. Denise Batters: Senator Lankin, in drafting, you and the government group drafted an eight-page omnibus Rules change motion. Why didn't you put non-affiliated senators anywhere in there? I assume that you consulted to some degree with the leaders or leadership of other groups. Did you consult with any of those non-affiliated senators when you did that, and if not, why not?

Senator Lankin: That is a good question — if not, why not? The fact is, I did. I appreciate your approach so much, Senator Batters, as we've been back and forth a few times on Rules. We sat on the steering committee together, and I understand completely where you're coming from.

Yes, I consulted with the groups. I looked to see if there was a consensus about what could be accomplished. I particularly asked all of the leaders if they wished me to come and meet with their groups. I was informed where that would be desired, and I was told where it wouldn't be desired or that I didn't need to come to that group. I was never invited, let me put it that way.

The Hon. the Speaker: Senator Lankin, the time allowed for debate has expired.

Hon. Marilou McPhedran: Honourable senators, I am grateful to be back to health following my third bout of COVID, which prevented me from participating in some recent important debates in this chamber. I am grateful to Senator Lankin for her alert that this motion was coming today, and I thank Senator Bellemare for her invitation to discuss what, in my experience, is entrenched discrimination against unaffiliated senators, exacerbated in the rules adopted while I had to be absent.

To Senator David Richards, with today's announcement, we welcome you to our little unaffiliated corner of the chamber.

An Hon. Senator: Hear, hear.

Senator McPhedran: Colleagues, you may recall that in the debate on the recent Senate Rules changes, I asked Senator Plett a question about equality among all senators. His assurance that I was his equal put me in mind of the great philosopher Aristotle, who was not a fan of democracy and is attributed with saying, "To be the same is to be entitled to the same; to be different is to be treated differently."

As an unaffiliated senator, I am different from you, Senator Plett, and I am treated differently.

Based on conversations, it seems that many senators do not realize that the entirely closed system of internal governance in this place in effect precludes senators from accessing their Charter rights available to us outside this system. More on that in later speeches, but it can be a shock when a senator first learns of this reality.

Soon after the Constitution Act, 1982, with its entrenched Canadian Charter of Rights and Freedoms, became the supreme law of this land, the Aristotelian notion of formal equality was dismissed by the Supreme Court of Canada. In *Andrews v. Law Society of British Columbia*, the court set a precedent by exposing hierarchy in the guise of equality as never before, dismissing the old theory of formal equality — much liked by Senator Plett and Aristotle — which, in the words of esteemed Yale law professor Catharine A. MacKinnon, produces very little real social equality and, in fact, serves to protect inequality.

• (1630)

The recent Rules debate exposed these contrasting interpretations of equality. Appearing before the Rules Committee, Senator Tannas once explained:

> The motion proposes a series of changes to the Rules of the Senate aimed at providing equality to all groups in the Senate. The changes centre around actions that, up until now, have been reserved for the government and the opposition and levels up the other groups by providing equal rights and responsibilities.

My Conservative colleagues made cogent points on their concerns and their contention in committee that the duty and function of the official opposition require a privileged role apart from those held by other groups.

Although I am hopeful that I will be able to address the Rules Committee should this motion succeed, today, I wish to speak to all of you, my honourable colleagues, on equality of senators qua senators rather than the equality of groups that bestow privilege only to senators in a caucus — a very different experience for a senator who stands alone and unaffiliated with any group.

After more than seven years in this place, I have lost count of the number of senators and officials who have opined that, "All senators are equal." The reality is far different. Unaffiliated senators are disadvantaged by sessional orders, leadership decisions, less access to resources and no group protections, which diminishes the ability of unaffiliated senators to exercise the same rights and privileges as other senators. The adopted changes put forward by the Government Representative Office, or GRO, further entrench group privileges but do nothing to advance functional equality of unaffiliated senators vis-à-vis those with group affiliations.

Please note, colleagues, that the choice to sit without affiliation is as political, thoughtful and deliberate as the choice made by others to join a caucus. When I left my caucus to sit without affiliation, I was aware I would be giving up obvious advantages that come with group membership. I was pretty much prepared for that. However, what I was unprepared for and what I cannot accept is that as an unaffiliated senator, I am expected to accept daily discrimination and give up, in practice, my substantive

equality as a senator. If there is sincere belief in the substantive equality of senators that is more than lip service, then, indeed, this motion is an important opportunity to increase transparency, accountability and fairness in this chamber.

Senator Saint-Germain, the powerful leader of the largest Senate group who sits on the Rules Committee, indicated in this chamber that the purpose of moving the recent amended Rules is to "uphold respect for the principle of senatorial equality" and "to prevent there being two classes of senators in this chamber" — which she asserted is a fundamental principle of democracy. I wholeheartedly agree with her assertion on equality as a fundamental principle of democracy among senators. However, I regretfully and respectfully disagree that those particular amendments prevent the creation of second-class citizens in this Red Chamber.

The reality is that there already exists different classes of senators. In principle, all senators are equal under the Rules. But the way Senate leaders have long implemented these Rules has resulted in ongoing, structural inequalities, and our recent Rules updates, by not fully addressing them, only add to the further entrenchment of these disparities. As such, I am grateful to Senator Lankin and the GRO for moving this present motion centred on unaffiliated members of the Senate, and I am hopeful it may bring needed scrutiny and constructive modernization that is noticeably absent from the Rules recently adopted.

I do not want to belabour what was a difficult — albeit necessary — debate over the recent Rules changes. However, to illustrate my point regarding the customary omission of unaffiliated member concerns, I hope it is helpful to provide some concrete examples. Thanking Senator Lankin for her examples, time allows me to share only two.

First, the new Rules increase the statement period to 18 minutes based on current Senate group proportionality. This was lauded as a move toward greater fairness and equality. However, it effaced me from the equation and does nothing to advance equality among all senators, further entrenching how unaffiliated senators are effectively shut out and necessitating direct appeals to the entirely discretionary application of a kind of noblesse oblige of group leaders to use our voices in this chamber.

However, Senate rule 4-2 (3) simply states that, "A Senator making a statement shall be limited to one intervention, of no more than three minutes." The *Rules of the Senate* say nothing regarding the distribution or allocation of these 18 minutes of statement time. The current division of statement slots between groups is the result of private leadership decisions for a particular notion of efficiency and group privilege. But you won't find this in the Rules.

I note that in the other place, provisions have been put in place for several years to entitle unaffiliated members one statement per every certain number of weeks. Such an accommodation is modest, proportional and respects the principle of equality. Are Senate leaders and caucuses prepared to do this? I hope the Rules Committee will consider such common-sense, equitable proposals as part of their upcoming study. Barring such acknowledgment and action, perhaps it would be more accurate for senators to refrain from the homily of "equality of senators" and limit themselves to the more accurate statement of "equality of group senators."

My second example is the de facto erasure of unaffiliated members because the new Rules are predicated on the justification that, "This is an area in which recognized parliamentary groups should be part of the process," which was used by the GRO in the briefing documents provided to senators. This repeated rationale for expanding powers and roles to caucus leaders can be found in sections 3-3, 9-5, 9-10, 12-3 and 12-26, for example. This promotes expansion of group powers on the rationale of serving members, but ignores that unaffiliated senators have zero representation in the process unless, once again, leaders deign to exercise their version of noblesse oblige.

As I consider this present motion, I'm reminded of a statement made by Senator Woo, who was responding to the fifth report of the Committee on Rules, Procedures and the Rights of Parliament last October:

> There are . . . those who would deny us the ability to fully exercise our equal rights as senators who are not part of the government. They would have us as second-class senators who are allowed, from time to time, to sit in the front of the bus, but only with their consent. The modest changes to the *Rules of the Senate* and to the Parliament of Canada Act to date have been offered grudgingly and with the condescension of noblesse oblige. . . .

Senator Woo was referring to perceived inequality among Senate groups and caucuses. His every word, however, is equally applicable to the functional disparity between unaffiliated and affiliated members.

I was heartened by the strong words of honourable colleagues such as Senator Batters who argued against the recent Rules changes partly because they did nothing for unaffiliated senators. Senator Batters sits on the Rules Committee, so I trust that she will bring to the committee that same energy and sincere defence of unaffiliated members' rights and privileges and — most importantly — access to resources for the full exercise of our senatorial rights.

• (1640)

As I conclude, I ask you to hear me as if it were you — as if you'd made a principled and deliberate choice to serve without affiliation. Now ask yourself what kind of equality you would want for yourself in order to fulfill your promise to do your best to serve your region and represent those who do not have privileged access to Parliament.

As unaffiliated senators, we understand that intragroup agreements supplement and interpret Senate rules in a manner seen to enhance efficiency. We also recognize that proportionality is a reality.

Honourable colleagues, we are not seeking special rights, but only a genuinely equitable balance of opportunities and access so that we can fulfill the oath we took to serve. Agreements that purposely or by consequence deny opportunity to unaffiliated members, or conversely, restrict opportunities only to group

members by design, cannot be viewed as equitable nor as advancing independence. This is formal — not substantive — equality.

Can this Senate honestly claim equality among all senators? Is this the Senate you want? Entrenching the new rules gives groups and leaders additional powers and in many respects places the new reality of multiple caucuses on a more equal footing regarding operational function and responsibility — but leaves unaffiliated senators disadvantaged relative to their colleagues vis-à-vis accessing Senate services and information necessary for the functioning of their offices and preparation to fulfill their chamber and committee obligations.

Honourable senators, in the name of fairness and longer-term effectiveness, I ask you to examine more closely the direction we are going in this chamber, to ask if this inequality strengthens democracy and to examine why a perpetually inequitable house would be the Senate we want now and for the future.

Thank you. *Meegwetch*.

Some Hon. Senators: Hear, hear.

Hon. David M. Wells: Would the Honourable Senator McPhedran take a question?

The Hon. the Speaker: Senator Wells, unfortunately, the time allowed for debate has expired.

Hon. Mary Jane McCallum: Honourable senators, I rise today to join debate on Government Motion No. 167, which directs the Standing Committee on Rules, Procedures and the Rights of Parliament to study and report on the role of non-affiliated senators in a modernized Senate.

I will be repeating some things that I have already said, but they do bear repeating.

First, to be clear, I did not become non-affiliated purely by my own choice, but rather as a result of my experience within a group. While affiliated, I faced issues that my colleagues did not. There were instances, both involving committee and not, that demonstrated I could not remain within the group while being treated disrespectfully and inequitably.

While I was able to shed the oppression that I faced within a group, I now face new oppression as a non-affiliated senator: oppression by omission. One need look no further than the recent changes adopted in the previous suite of amendments to the *Rules of the Senate* to understand the uphill battle our small collective continues to face.

At no point did that recently adopted package of amendments mention, consider or serve to improve the standing of non-affiliated senators. On the contrary, it served to further entrench and improve the lives of those already considered the "haves" in this chamber — that is, those who have the benefit of group standing, with all the resources, protections and voice that offers. In benefitting the "haves," the Senate further marginalized the "have-nots" by leaving us further behind.

While I understand many of those previous amendments were reflective of recent changes to the Parliament of Canada Act, not all of them were. It is therefore disappointing to me that this opportunity to improve the lives of all senators — not just those in need of equity and greater consideration — was not seized while the door was open.

Honourable senators, though the intentional seclusion of non-affiliated senators within that recent suite of amendments was frustrating for me — as it was tantamount to a lost opportunity — I am pleased with the promptness with which the motion before us has arisen.

Many of you know that changes to the *Rules of the Senate* are not an everyday occurrence and that the opportunity to bring about meaningful modernization is finite and incremental. However, we must ask ourselves this: If we all proudly tout the Senate as being new and improved — a modernized, more representative institution that is more fit for the 21st century — how can we, in good conscience, continue to willfully allow some senators to be treated as second-class?

Honourable senators, I purposely came to the Senate to bring along the voices and solutions of the First Nations people with whom I had worked for 40 years. When I came here, I thought that if I made senators aware of the institutional racism that existed in communities and determined our lives, you would help to bring about needed change. When you continue to silence me, you also continue to silence those voices, communities and solutions. I am disappointed by this discrimination. That is not what I expected to experience when coming here.

I asked to sit at this top corner. When someone asked me why, I said, "So that people can see how marginalized I have become from the very people who were supposed to represent the Indigenous people who don't have voices." Think about that.

Modernization without equity is complacency, and complacency is not conducive to modernization.

I urge my colleagues in every corner of this chamber to reflect on this reality and the fact that, as per the Rules, some of your colleagues are not afforded the right to sit on committees — which is arguably the most crucial aspect of a senator's job. They are not afforded the right to make Senators' Statements — which are critical to raising awareness or acknowledging important events and individuals in our work. They are not afforded the right to ask questions during ministerial Question Period — which is vital to ensuring senators can do their work in holding the government to account. The list goes on.

Honourable senators, we are left to beg for scraps at the table in the hopes that one of the established groups or caucuses will afford us a seat on a committee or a spot to make a statement or ask a question.

What is permitted to happen is worse than inequity. It is shaming, demeaning and dehumanizing. You have elected to reside in your current groups or caucuses; I have no choice but to reside as non-affiliated. I have made the determination that I will remain non-affiliated at this point. What makes us that much

more expendable, or less consequential, that we have all normalized this second-class treatment? Tradition is not an excuse to treat others inequitably.

• (1650)

Honourable senators, the opportunity that this motion presents is long overdue and of critical importance. As the *Rules of the Senate* were recently amended to better accommodate and reflect the current complexion of the Senate, it is high time that we also take a fulsome and responsible look at the role and function of non-affiliated senators. I welcome this study. I look forward to the recommendations and improvements it may yield to better ensure equity and equality of all senators. I urge all my honourable colleagues to support its speedy referral to committee.

Kinanâskomitinâwâw. Thank you.

[*Translation*]

Hon. Patrick Brazeau: Colleagues, since this motion will likely end up before the committee, we've been asked to support it to move forward. I'd like to say a few words about this motion.

[*English*]

Honourable senators, when I arrived here 15 years ago, there were five non-affiliated senators at the time: Senator McCoy; Senator Cools; Senator Rivest; Senator Dyck, who was an independent NDP senator at the time; and Senator Prud'homme.

Here I was, a young kid looking at these non-affiliated senators, and I thought to myself, "poor them." I thought "poor them" because, at that time, there were two parties. There was the Liberal Party and the Conservative Party and a few independent senators, and I thought to myself — as a young person joining the Senate — "poor them," because they weren't treated equally. They didn't have the same power as other senators. There weren't too many of them who were chairs or deputy chairs. There weren't too many who were able to make senators' statements or ask questions, and they didn't have any financial resources because they weren't part of a group.

Having said that, I want to focus my remarks on the fact that there is the perception out there that we are all equal in this chamber. I have always said — and I'm sure you have always said — that it doesn't matter what seat we occupy in this place, because it's a darn good seat, and we can't forget that. But, having said that, we are all equal. We are all equal from the time we get named until a certain point, and that point is when a senator decides to join a group. That's when everything changes. The same thing happens when a senator decides not to join a group, because, colleagues, I'll tell you this: Sometimes it's a very lonely place. Since 2018, I have seen senator after senator be named to this place — sitting behind me — and I'm hopeful that maybe I'll create a non-affiliated group, but, unfortunately, there are better recruiters in the Senate than me. It's very interesting to see the recruiters come from different groups, and sit here to try to get these individuals to join their groups. It's a very interesting procedure.

Colleagues, when a decision is made either to join a group or not to join a group, that's when the equality is over. First of all, before I say these next few words, I want to thank Senator Tannas, Senator Saint-Germain and Senator Cordy, who is leading the Progressive Senate Group, as well as the Government Representative Office, and Senator Plett and the Conservatives, because I feel that I have been — for the most part — given the floor when I have asked. But that is not always true. There have been times when — like my colleague — I have had to beg. Sometimes news stories happen, and you want to make a senator's statement, but, unfortunately, when you're non-affiliated, not only do we have to go see the Liberals and the Conservatives, but now there are also five different heads of groups, which includes the Government Representative Office. It becomes a little more difficult.

I think that we have to keep those things in mind, because it's not normal that senators should have to beg to gain a spot to speak on something. Sometimes — I'll speak for myself again — we have to wait three or four weeks before we can gain a spot to either make a senator's statement or to ask a question. Sometimes the question or statement becomes irrelevant because it's a month later, but I don't complain about that because I'm proud to be here working with all of you. Individually, I don't need to join a group to be able to work with you. I'm non-affiliated. I consider myself one of the luckiest human beings in Canada because I get to work with great human beings all across here, regardless of whether they are Conservative or Liberal, or if they are big "L" or small "C" — it doesn't matter. But the perception that we're all equal is not true.

I'm not going to delve into a conversation about what was in the minds of the forefathers, because the forefathers had in mind two political parties and a partisan institution, just like the other one.

That's what the Fathers of Confederation had in mind. That doesn't mean that we cannot change it. I think that we need to change it because, 15 years ago, non-affiliated senators were not equal to other senators. Today, in 2024, they are not equal to other senators. If we do not do anything today to address this issue, I will be the first person to tell you that in 10 or 15 years — if we don't do anything — nothing is going to change.

It's up to us collectively to see if non-affiliated senators are worthy of being treated equally. On the Senate website, it states that there are currently 11 non-affiliated senators. Obviously, that includes the three from the Government Representative Office, but that in itself is a problem because we need nine members to be able to form a group. Here we are — we are 11 — but we can't form a group because we have to delete 3 from that group, so that leaves us with 8 senators. Therefore, non-affiliated senators cannot form a group yet.

Thank you, Senator Richards, for joining us. Perhaps we will be on our way to forming our own group, but even if we don't, all that I ask of all of you is to keep an open mind about the fact that we are not equal. I understand that some people — perhaps the older folks — may have the view that if you want to be treated equally, then join a group.

In my case, I did that, and it didn't turn out so well. I'm proud to be where I am. I'm proud to be working with all of you. But let's take this motion seriously, and let's deal with it. We're adults. This is not "Romper Room," even though sometimes it does feel like "Romper Room." Let's deal with this once and for all. Thank you.

(On motion of Senator Martin, debate adjourned.)

[*Translation*]

PUBLIC COMPLAINTS AND REVIEW COMMISSION BILL

BILL TO AMEND—MOTION TO AUTHORIZE NATIONAL SECURITY, DEFENCE AND VETERANS AFFAIRS COMMITTEE TO STUDY SUBJECT MATTER—DEBATE ADJOURNED

Hon. Marc Gold (Government Representative in the Senate), pursuant to notice of May 9, 2024, moved:

> That, in accordance with rule 10-11(1), the Standing Senate Committee on National Security, Defence and Veterans Affairs be authorized to examine the subject matter of Bill C-20, An Act establishing the Public Complaints and Review Commission and amending certain Acts and statutory instruments, introduced in the House of Commons on May 19, 2022, in advance of the said bill coming before the Senate;
>
> That, for the purposes of this study, the committee be authorized to meet even though the Senate may then be sitting or adjourned, with the application of rules 12-18(1) and 12-18(2) being suspended in relation thereto;
>
> That the committee submit its final report to the Senate no later than June 13, 2024; and
>
> That the committee be authorized to deposit its report with the Clerk of the Senate if the Senate is not then sitting, provided that it then be placed on the Orders of the Day for consideration at the next sitting following the one on which the depositing is recorded in the *Journals of the Senate*.

He said: Honourable senators, I rise today to speak to Motion No. 172, which seeks to authorize the Standing Senate Committee on National Security, Defence and Veterans Affairs to conduct a pre-study of Bill C-20. This bill would create a new public complaints and review commission for the RCMP and the Canada Border Services Agency, or CBSA.

The bill would significantly strengthen independent oversight and the handling of complaints for the RCMP by establishing clear deadlines, reporting requirements, including disaggregated data, and sanctions if the review procedure is not followed. The bill would also create the first independent complaints and review process for the CBSA.

• (1700)

[*English*]

Bill C-20 would fill a long-standing, glaring gap in our law enforcement landscape, finally providing genuine, independent recourse to people who feel they've been wronged by a border official.

Many senators will be aware of how long this chamber has been clamouring for such a mechanism. It was notably recommended by a report of the Senate Standing Committee on National Security, Defence and Veterans Affairs in 2015, and it was the subject of a bill proposed by former senator Wilfred Moore, first in 2014 and again in 2016.

In 2017, former Clerk of the Privy Council Mel Cappe wrote a report for Public Safety Canada analyzing the options and considerations with regard to the establishment of a review body for the Canada Border Services Agency, or CBSA. One of his main recommendations was that a single agency cover both the CBSA and the Royal Canadian Mounted Police, or RCMP.

In keeping with that recommendation, the government introduced the former Bill C-98 in 2019. That bill was adopted by the other place in June of that year, but died on the Order Paper in the Senate.

After the 2019 election, the government reintroduced the legislation, but that bill was sidelined when COVID-19 hit and everyone's priority became dealing with the pandemic.

In March 2022, when then Minister of Public Safety Marco Mendicino was here for Question Period, Senator Cordy highlighted some of this history, including the work of former Senator Moore. She asked when Parliament would, ". . . finally achieve what I think is an extremely important policy?"

The beginnings of an answer came two months later in May 2022 when the government introduced its legislation a third time. The new version was amended — and I would argue improved — in several ways, notably to strengthen review mechanisms for the RCMP and to require reporting of disaggregated demographic and race-based data. It's that bill — Bill C-20 — that is the subject of this motion.

Our colleagues in the other place have completed committee study of Bill C-20, and are currently debating it at report stage. It seems on track to get to us in June, meaning that five years since senators last had a bill before us to establish independent review for the CBSA, we will finally have another opportunity to achieve this long-standing objective. I think we all understand that if we wait until we receive the legislation to start studying it, our odds of passing it before the summer would be low.

My motion, therefore, proposes that the National Security Committee begin a pre-study now. That would give us the best chance of passing Bill C-20 before we rise for the summer break.

Colleagues, this leads to the natural and legitimate question of why we shouldn't just wait to deal with Bill C-20 in the fall. I think the answer to that is twofold and relates firstly to the substance of the bill and secondly to the history of this file.

[*Translation*]

The substance of this bill concerns basic rights and freedoms, but especially, CBSA's authority to infringe on them with relatively little accountability. Colleagues, more than six million people enter Canada every month. In some months, that number doubles. These millions of people from across Canada and around the world interact with a border officer without the protection of any kind of independent monitoring or complaint mechanism.

Most of these interactions occur without incident and most officers are competent professionals. Travellers arriving at the border, however, are in a vulnerable position. They necessarily relinquish some of their privacy and mobility rights to an officer who wields a great deal of power under the circumstances. Travellers who feel mistreated need a better option than to take their complaints to the CBSA itself, or go to court.

[*English*]

A review mechanism is needed to help protect the many millions of travellers who submit to questioning and examination when seeking entry into Canada. There are also thousands of people deported or detained by CBSA every year, and these are individuals even more vulnerable than travellers at the border. Some of their most fundamental freedoms, including freedom of movement and the freedom to be in Canada, are largely in the hands of the CBSA.

Every day that goes by without adopting Bill C-20 is another day that people on the vulnerable end of this power imbalance have nobody to complain to about mistreatment or discrimination other than the CBSA itself.

On the one hand, we could say that this issue has existed for years; what's another few months? On the other hand, given the chance to fix a long-standing problem involving fundamental rights and freedoms, we could choose to simply fix it now.

This brings me to the history of efforts to establish an independent accountability mechanism for the CBSA. The CBSA was created in 2003. In the 20 years since, calls for independent oversight have come from many quarters.

As I mentioned at the beginning of these remarks, those calls have often come from the Senate of Canada. Members of this chamber have made recommendations and proposed legislation in this regard more than once.

[*Translation*]

However, such calls have also come from experts and lobby groups that, for years, have been asking Parliament to address this issue as a matter of urgency. Indeed, implementing independent oversight for the CBSA without delay was a recurring theme in testimony and briefs to the committee studying Bill C-20 in the other place. Amnesty International wrote, "Amnesty welcomes the introduction of Bill C-20" and noted that "independent oversight of the Canada Border Services Agency" is "long overdue."

The Canadian Council for Refugees wrote, "we welcome this bill as a long overdue measure."

The Canadian Association of Refugee Lawyers wrote, "The establishment of an independent oversight mechanism for the CBSA is desperately needed and long overdue."

[*English*]

The Grand Chief of the Mohawk Council of Akwesasne declared his support for Bill C-20, noting that he also supported the government's first attempt to get this done five years ago. The National Council of Canadian Muslims told the committee that:

> . . . one of our key battles over the last two decades has been in calling for oversight of the Canada Border Services Agency.

In other words, many people have been pushing for a long time to make this happen.

It's also true that many people in successive governments and parliaments have missed opportunities to make it happen much sooner. I would argue that doing our best to move quickly on this bill now is a matter of respect for the advocates who have worked so hard for so long.

To be fair, many stakeholders, including some of those I quoted, recommended amendments to Bill C-20. After hearing their testimony, the committee in the other place did, indeed, amend the bill in several ways. A pre-study would allow senators to hear from stakeholders to understand to what extent the House of Commons' amendments addressed their concerns and be in a position to potentially proceed expeditiously if senators are satisfied.

Essentially, my argument boils down to this, colleagues: Bill C-20 is about protecting fundamental rights and freedoms. It's Parliament's third try in five years to get this done, and stakeholders have been telling us for years that it's urgent. Even if the National Security Committee does a pre-study, we still may not manage to pass the bill by the summer, but let's at least get started rather than foreclosing the possibility.

Colleagues, this leads me to make a few points about what this motion does not do. It does not prevent thorough study. The committee could hear the same testimony it would hear during a regular study. This is especially true given that the House of Commons committee has already completed its clause-by-clause study, so in all likelihood, we know exactly what the bill will look like when it comes our way.

• (1710)

This motion does not tie the committee's hands. If, having completed the pre-study, senators on the Standing Committee on National Security, Defence and Veterans Affairs, or SECD, feel that they have more work to do — more witnesses to hear from, more analysis to undertake or amendments to make — they will be free to do so when we receive the bill.

This motion does not commit us to passing the bill before the summer or, indeed, ever. A month from now, if enough senators feel that we're not ready for the question and Bill C-20 should be amended or further debated, then that's what will happen. This motion simply gives us options. Without a pre-study, we would essentially be precluding the possibility of passing the bill before the summer. With a pre-study, we would be keeping that option open. It's as simple as that.

Let me address one final point. Some senators have mentioned to me — I'm sure we will hear this in debate — that Bill C-20 has been in the other place for two years, and they've wondered why we should treat it with urgency when our colleagues in the other place up the street haven't seemed to do so. That's a fair question to which I will offer two answers.

First, I do not speak for all members of Parliament so I am not entirely sure why Bill C-20 has taken them this long, other than observing that a minority Parliament is a complicated institution and it is not uncommon to find bills moving more slowly than the government would like. From the government's perspective, however, Bill C-20 is the third try in five years to get this done, and that is probably the best indication of the government's commitment to this file.

Second, and most importantly, as senators, we can and should make up our own minds about what deserves to be treated expeditiously. Senators, you are free to be annoyed with our colleagues in the other place for moving too slowly. You are free to pin the blame for delay on the government, the opposition, on neither or on both, but our main consideration has to be what's in the best interests of Canadians.

For years, we've been hearing that there is a crying need for an independent review of the Canada Border Services Agency, or CBSA, and for more effective review of the RCMP. We've been hearing that this is especially important to the communities that are most affected by systemic racism and discrimination.

We've seen promising legislation get waylaid, first by an election and then by a pandemic.

The calls for action have come from experts and stakeholder groups, as well as from within our ranks here in the Senate, including from former senator Wilfred Moore, who worked so hard to advance this cause; from the senators who wrote the 2015 report of the Committee on National Security and Defence, including Senator Dagenais, who was on the committee then as he still is now; from Senators Jaffer and Oh, who co-authored an article in 2017 calling for proper independent oversight of CBSA's immigration detention practices; from Senator Cordy, who raised this issue with the minister in 2022; and from Senator Omidvar, who has championed this cause for a long time and who is continuing her advocacy as sponsor of Bill C-20.

It has been a long and winding road to get to this point, but here we are. However annoyed or frustrated you may be about the various causes of delay over the last 20 years or the last 20 months, the choice before us is a stark one, and it is simply this: Do we pass the motion and preserve the possibility of adopting Bill C-20 before we rise, or do we reject the motion, conceding right now that the project of creating an independent review mechanism for the CBSA will be delayed again by another three months or more?

I urge honourable senators to make the first choice. I encourage you to pass this motion, to keep our options open and do everything that we can to institute independent review for the CBSA and improved review for the RCMP as soon as possible.

Thank you.

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

Senator Gold: Of course.

Senator Plett: Thank you, Senator Gold. You have already answered my question in part but not entirely. I'll continue, and by way of introduction to my question I'll state some of what you have already stated.

You are right that this bill was introduced May 19, 2022, two years ago. Second reading was done in November 2022 after two days of debate. The committee took six months just to start its study. The committee had 13 meetings on the bill. The government then took another seven months to start debate at the report stage. The bill has had one day of debate at the report stage. You say it's urgent.

The bill comes into effect on the date set by the order-in-council. Is this just another bill that we're asked to rush through, and nothing will happen?

We have heard from you that we are now in a rush. You said that a bill like this started five years ago. This government has been in power for nine years. You did not say today that it's the opposition's fault that the bill hasn't come through. You didn't blame anyone. I'm sure if you had someone to blame, you would; I would. I'm also not blaming the government. Maybe it was the opposition, but so far we haven't heard of anyone filibustering us over there. However, today we're in a hurry, so much of a hurry that we have to do a pre-study when we know, at the end of the day, that you can simply do time allocation if you feel like doing it. You've shown us that very clearly.

We don't know for sure if the bill will come to us the way we think or hope that it might, so we may have something else.

What's the hurry? I don't want to put words into your mouth, but you have indicated to us that we still have five weeks — or something to that effect; I heard that this morning — indicating we have quite a bit of time. If we get Bill C-20 next week, we still have four weeks. Why is that not enough time to get this bill? It seems like everyone loves this bill and wants to support this bill. Why is four weeks not enough? Why do we have to do the pre-study?

Does that basically mean that you're giving the government time to not send it to us until the last week, and then you will use the argument that we've done the pre-study so let's not bother with it further? You have not explained that in your comments today.

That will be my only question because I will clearly make my comments, as you have already suggested I might. I will do that in the not-too-distant future, but if you could at least answer that, please.

Senator Gold: Thank you for the question. I tried to be very clear in my speech.

This is an important bill. What it creates is an important measure of protection for the fundamental rights and freedoms of those who were caught up either in CBSA procedures or were simply trying to navigate coming to the country.

What I said, as clearly as I could, is that a pre-study gives us the option of a fulsome study and gives us the option — if the Senate so decides, if the committee so decides once we receive the bill and if this chamber so decides — of dealing with this matter before we rise. As I said very clearly, there is nothing in this motion that puts a timeline on that and ties the hands of the committee. It is simply giving us the option to do what we are here to do, which is to study and apply ourselves to the rigorous examination of important government bills, and this is an important bill.

I didn't use the term "urgent." I am simply offering the Senate an opportunity to authorize one of our committees, which currently has the capacity to study this bill because it does not have government legislation, to do the work that we've been summoned here to do: seriously study important government legislation. As I shared with leaders this morning, I do not know exactly when we will receive it because it is caught up in the other place and it is a minority Parliament. Certainly, this minority Parliament makes it difficult to know with some precision when bills will finally come to us, but it's simply to give us an opportunity to do the study.

• (1720)

If I knew that we were getting the bill in two days, then I wouldn't be here making this pitch. But I don't know when we will get it, and I wanted to offer the Senate — and it's in your hands — the opportunity to give ourselves a chance to move this forward in the most effective way possible.

Senator Plett: I'm wondering why we don't do pre-studies on Bill C-49 and Bill C-58. We don't know when we're getting them. Let's just pre-study every bill that we have because you can't give us an answer as to when we're getting them.

Your Honour, I will be speaking on this. I'll take the adjournment of the debate.

(On motion of Senator Plett, debate adjourned.)

CRIMINAL RECORDS ACT

BILL TO AMEND—THIRD READING—DEBATE

Hon. Kim Pate moved third reading of Bill S-212, An Act to amend the Criminal Records Act, to make consequential amendments to other Acts and to repeal a regulation, as amended.

She said: Honourable senators, I rise today on the unceded and unsurrenderred territory of the Algonquin Anishinaabeg to commence third reading of Bill S-212, An Act to amend the Criminal Records Act, to make consequential amendments to other Acts and to repeal a regulation.

This legislation aims to remove unnecessary obstacles to community integration for those with criminal records who have been held accountable for their actions, who have fulfilled all aspects of their sentences and are trying to contribute to their communities.

Bill S-212 proposes three key measures.

First, Bill S-212 would return to the wait periods for record relief established by the Criminal Records Act when it was first enacted, namely, two years from the end of sentence for summary convictions and five years for indictable offences. Currently, these wait periods are 5 and 10 years, respectively, with several types of records never becoming eligible for record relief.

Second, Bill S-212 would make it the responsibility of the government to ensure that records expire cost-free once wait periods elapse, provided that there have been no subsequent convictions or charges. People would no longer have to navigate costly and onerous application processes that too often subvert the overarching goal of encouraging public safety via successful community integration.

Third, Bill S-212 provides for expiry rather than suspension of criminal records. As with record suspensions, people would not be required to disclose expired records, which should limit the proliferation of record checks for applications for housing, education, employment, volunteer opportunities and even long-term care placements.

Except in circumstances related to sexual assault convictions, record expiry would be permanent, and people would not face the spectre of expired records being revoked or ceasing to have effect.

Expired records would, however, continue to be available to police databases for legitimate investigative purposes.

Bill S-212 would also maintain the current system of vulnerable sector checks by which expired records related to sexual assault would continue to appear on special record checks required when people apply to work or volunteer with children, seniors or others deemed vulnerable.

Honourable colleagues, as we discuss Bill S-212 today, you will hear the four following themes.

First, automated record expiry is not a new idea. It is one which the current government has spent nearly a decade considering and moving toward by incremental steps.

Second, these government commitments to reform the records system must be understood as a crucial part of Canada's work to redress its colonial legacy, as records have systemically extended and reinforced the inequality and injustices of mass incarceration of Black and Indigenous people.

Third, record expiry is feasible and practical. Canada has a system of automated record expiry for youth records and, before the end of this year, will be rolling out automated expiry of records related to historical drug possession. We have the infrastructure needed to make Bill S-212 a reality.

Fourth, as underscored by the amendments to this bill at committee, responding to concerns raised by representatives of some police services, record expiry and public safety go hand in hand. Everyone benefits when people are able to integrate safely and successfully into the community.

Our collective work on Bill S-212 builds on nearly a decade of government initiatives related to criminal record reform. In the Forty-second Parliament, the government released the results of two public consultations on the current record suspension system, one by the Parole Board of Canada, in 2016, and the other by Public Safety, in 2017.

In 2018, the Standing Committee on Public Safety and National Security in the other place published a report on the record suspension system with recommendations that garnered all-party support. The conclusions of all these studies are the following: Fees are prohibitive; wait times are too long; options for automated expiry without applications should be explored.

Two government bills also recognize the injustice and inaccessibility of the current record suspension system. Bill C-66 introduced a no-fee and simplified application process for expiry of records received because of discriminatory criminalization of members of 2SLGBTQIA+ communities.

Bill C-93 provided a similar process following the decriminalization of cannabis possession for individuals with previous possession convictions, particularly given that "war on drugs" style policies had disproportionately targeted and criminalized Black and Indigenous people.

These bills were deemed necessary precisely because the current record suspension system is both out of touch and unresponsive. Tens of thousands of people lived for years with the stigma and barriers that attached to criminal records, even though their discriminatory and now decriminalized convictions should not exist. Their behaviours never presented a risk to public safety, yet Canada's records system continued to marginalize them and was incapable of providing effective relief.

How many people are currently unable to find jobs or safe housing or to support themselves and feed themselves and their families because of criminal records that have nothing to do with risk to public safety but everything to do with unequal access to the financial and legal resources necessary to attain record relief, let alone to avoid the circumstances that put them at risk of criminalization in the first place?

The Canadian Association of Elizabeth Fry Societies told the Legal and Constitutional Affairs Committee the following:

> One person in our network, for example, completed her sentence some years ago. She's gained employment delivering a front-line service that helps others in her community. She recently learned she has to move from her apartment. However, she's been unable to find new and secure housing because of record checks on housing applications. She has disclosed to us that she's fearful that she's going to have to try to complete her job while living in her vehicle.

The Fresh Start Coalition, a group of more than 85 civil society organizations that work alongside those with the lived experience of criminalization, has reached out to many of us to advocate for an automated or spent record regime such as that which Bill S-212 proposes. The coalition has helped amplify the voices and experiences of people like Kimberly, whose criminal record exists within a context of three decades of physical and sexual abuse. Kimberly was able to escape an abusive partner but remained trapped in low-paying and precarious work. She once found better employment only to be part of a mass firing of all recent hires with records just a few weeks later. She retrained, taking online classes at night while working full time during the day, only to learn after a year that she could not complete her entry-to-practice exam because of her record. In Kimberly's words:

> Pretty much every time my criminal record comes up, when it's pertaining to employment . . . . I know I have to talk about my personal life again. I've got to talk about the things that I've worked so hard to socially overcome, mentally overcome, physically overcome. And every time, it's right back on my doorstep.
>
> Everybody says, "Oh, everybody has skeletons in their closet." Nope, mine are right here behind me, shackled to my ankles, and they just walk right behind me every step of my day, everywhere I go.

• (1730)

Who benefits from such a system? Who does it keep safe? Although the two pieces of legislation introduced by the government to improve access to record relief for some types of

convictions are laudable, they are also far too limited. As of May 2024, more than four and a half years after the introduction of expedited cannabis pardons, only 1,331 people had applied for this record relief, representing little more than 1 in 10 of the 10,000 people the government estimated the legislation might benefit, which itself was only a small fraction of those with cannabis possession records.

Of these 1,331 applicants, 476 were rejected due to technical issues. In other words, more than one in three people who came forward looking to move on from a cannabis possession record were turned away because even a no-cost application process designed to be as simple and supportive as possible was too complex.

Record relief is sometimes falsely characterized as being tantamount to excusing criminal actions or ignoring public safety. Neither is true. Allowing records of conviction to expire after periods of living crime-free increases people's prospects for community integration and thereby contributes to public safety.

Indeed, at committee, the Canadian Association of Chiefs of Police and the Federal Ombudsperson for Victims of Crime were among the witnesses supportive of Bill S-212 on these grounds. Their position echoes abundant empirical evidence and data demonstrating that requiring people to complete an application to obtain record relief does not enhance public safety outcomes. Rather, the best predictors of successful integration into the community include access to a job and the ability to live for a few years without a new charge or conviction.

Research and government data revealed that after a relatively small number of crime-free years, people with records are no more likely than anyone else to commit a crime. This means we can support both public safety and community integration of individuals with records by removing barriers to record expiry and, in particular, to opportunities for jobs and other meaningful connections.

If we want a just system that delivers on its promises to make communities safer and does not discriminate against those who are poor, racialized and most marginalized, Canada's experience tells us — as did so many witnesses at committee — that we need to eliminate current cumbersome application processes. We need to encourage the government to implement Bill S-212.

In 2021, during the Forty-third Parliament, the government introduced Bill C-31. Although it did not advance prior to prorogation, this legislation proposed eliminating some of the system's numerous application requirements, allowing pardons for some convictions currently ineligible for record relief and reducing wait times to five years for convictions for indictable offences and three years for summary conviction offences.

Then, in 2022, during the Forty-fourth Parliament, the government reduced application fees from more than $658 to $50. This was a major advancement but has not eliminated cost-related barriers. While $50 may not sound like much, for those who are most marginalized, the cost of a record suspension could mean going hungry, being without safe shelter or a coat and boots, or denying food security or other essentials to their kids. While application fees are now capped at $50, other steps of the application process quickly generate costs of hundreds if not thousands of dollars, from police checks, fingerprinting, travelling to retrieve records, consulting lawyers or — in too many cases — getting scammed by businesses that do little to assist people with their records while charging unconscionable fees.

In addition to these hidden costs, as the St. Leonard's Society of Canada told us at committee, there are people ". . . who went through the initial stages of the application process only to find that they have discovered outstanding fines —" in connection with their sentence "— that they could not afford to pay. They just gave up."

By removing the requirements to make an application, Bill S-212 would eliminate hidden and too often punitive and prohibitive costs. Enshrining this process in legislation could help ensure that if a government wanted to create additional fees or raise costs in the future, it would need to bring this measure forward in legislation for transparent debate in Parliament rather than being able to take such actions behind closed doors.

Next, in August 2022, the government released the results of new public consultations focused on automated record expiry. They reported that almost all participants ". . . strongly support the development of an automated system."

In the fall of 2022, the government introduced a form of automated expiry in Bill C-5. I do not need to remind colleagues that this chamber voted in favour of this measure by a nearly three-quarter majority. Under the terms of Bill C-5, by November 2024, all records for simple possession of drugs will expire automatically two years after the end of a person's sentence.

During debate on Bill C-5, the Government Representative in the Senate explained why this measure was particularly important in a bill that aimed to address systemic discrimination against Black and Indigenous peoples in the criminal legal system. He said:

> When a person is convicted of simple drug possession, their past and future convictions must be kept separate and apart from other records of convictions within two years after the sentence. This means that their criminal record will be suspended and they will not have to submit a request and pay and fees.

He continued, saying:

> This will enable individuals convicted of simple drug possession to continue living their lives. They can continue their schooling, explore employment opportunities or participate in their communities without being held back by a prior conviction of simple possession.
>
> This addition provides the bill with a mechanism to reduce the stigma associated with simple possession convictions.

Honourable colleagues, the burden of a criminal record disproportionately falls on Indigenous, Black and racialized communities, extending and exacerbating layers of systemic racism within the criminal legal system, from racial profiling, to over-surveillance, to mass incarceration. Today, African Canadians represent 3% of the population but 9% of those in federal prisons. Indigenous peoples represent 5% of those in Canada but 32% of those in federal prisons. More than half of women in federal prisons are now Indigenous.

It is easy to talk about the need for reconciliation. Many have already drawn parallels between mass incarceration and too many other racist exercises in institutionalization and dislocation from community, from residential schools to forced apprehension into the child welfare system. It is clear that we need to do better, but what does that really look like when the people we meet going into prisons are still mostly Black and Indigenous — and when, even after they have served their time, they cannot find second chances to contribute to their families and communities because criminal records continue to punish?

Canada's pathway to reconciliation is a long one, and it requires us to reckon with the injustices of the criminal legal system and the reality that criminal convictions are not meted out equally. Bill S-212 is a small step toward this work. It is no coincidence that both in this chamber and beyond, those urging us forward are often those working with and on behalf of racialized communities, whose members are most affected by criminal records and least able to pay to navigate the current system for record suspensions. Just look at the voting patterns in this chamber alone. As a White woman, there is a home truth that I feel compelled to underscore: It is clear that it is mostly our Black and Indigenous colleagues who recognize the vital importance of legislation like this bill and vote accordingly. I call on all of us to step up.

Because of Bill C-5, the government is currently required to build a system for automated record expiry for some types of records, the very infrastructure needed to make Bill S-212 an easily delivered and cost-effective reality for most, not just some people who need and deserve immediate relief from a criminal record. So what are we waiting for?

Of the 3.8 million Canadians with criminal records, 9 in 10 do not have a pardon or record suspension. At committee, the Parole Board of Canada told us:

> For fiscal year 2022-23, we are on track to receive approximately 15,500 record suspension applications, which will represent a . . . 29% increase . . .

This number represents only 0.4% of people with criminal records. At this rate, it would take 221 years to deal with all current criminal records.

• (1740)

In the meantime, each person who does not have a record suspension is having the consequences of their conviction prolonged indefinitely beyond their sentence and being hindered as they work to integrate and contribute in meaningful ways to their communities.

The government acknowledges that the record system is unfair and untenable. It is doling out $18 million to community groups to assist their clientele in navigating the complex process of applying for record suspensions.

The government is also making incremental progress towards an automated system for record expiry; however, people with records can least afford to wait longer for relief. Tony Paisana of the Canadian Bar Association told the Legal Committee:

> . . . we have been chipping away at this problem for long enough that I think a more revolutionary change is necessary. The record suspension or pardon system has been the subject of much debate for the better part of 25 years, and we don't seem to be improving it in any scalable way that seems to be making a difference for Canadians.
>
> The financial impediments introduced about a decade ago were actually a step backwards as opposed to a step forward, and now we have basically come back to where we were a decade ago in terms of the financial impediments. The process itself is the same. Those problems remain the same.
>
> . . . In my respectful view, the time has come for a more significant change in light of the difficulties we've had with this problem for the better part of three decades.

Automated record expiry is not a new idea. It is relied upon as part of the record system in countries such as the United Kingdom, France, Germany and New Zealand. In Canada, the Youth Criminal Justice Act has operated based on automated expiry of records for nearly two decades. Committee witness Catherine Latimer, currently the executive director of the John Howard Society of Canada, was previously a government lawyer in the Department of Justice with lead responsibility for the development of the YCJA. When asked about the YCJA record system and how it became the first system in Canada to integrate record data from the federal and provincial systems seamlessly enough to permit automated record expiry, she had this to say:

> We had many long discussions with record holders in the provincial system . . . police, court administrators, you name it. We worked through the challenges, and we developed a workable solution. Frankly, nobody has been really complaining about the record management system in the Youth Criminal Justice Act, and it's been in effect for 20 years now. It's probably a decent precedent that [the Minister of Public Safety] and others could take a look at to bring the provinces on side. I think it could be done relatively simply.

Through the government's obligation under Bill C-5, the proverbial wheels are already in motion when it comes to an automated record expiry system. Bill S-212 provides the next progressive step to address injustice and inequality in the criminal record system. It is backed by decades of evidence and thoughtful consideration and responds to Recommendation 69 of the report of the Senate Human Rights Committee entitled *Human Rights of Federally-Sentenced Persons*, which this chamber has endorsed not once but twice.

Through amendments at the Legal Committee, Bill S-212 now also responds to concerns raised by some colleagues and witnesses representing police services. Bill S-212 makes relief from records the norm rather than the exception it is under the current record suspension system. The Canadian Association of Chiefs of Police and the Ontario Provincial Police in particular raised concerns about losing swift access to centralized data regarding criminal record history that they currently rely on in their investigations if records were purged from the Canadian Police Information Centre database as they expired. The committee responded by agreeing to my amendment to create an exception that would continue police access to expired records for limited investigative purposes.

Modelled on the current Youth Criminal Justice Act system, this amendment means that expired records would be kept separate and apart from other records in the CPIC database, as is currently the case for pardoned and suspended records. Police would have a new power to access these expired records without the individualized request for ministerial approval that is currently required so long as this access is for legitimate investigative purposes.

At the same time, however, Bill S-212 ensures that individuals do not need to disclose the fact that they have expired criminal records and firmly maintains the bill's safeguards against expired records appearing on record checks for non-police civil purposes, including applications for housing, employment, volunteering and, except in limited cases, related to vulnerable-sector checks.

Bill S-212 would preserve the current vulnerable-sector check process such that expired records relating specifically to Schedule 1 and Schedule 2 convictions. Those that have to do with child abuse and sexual assault would continue to appear as part of a vulnerable-sector check that individuals may be asked to complete, for example, when applying for work or volunteer positions alongside persons considered vulnerable, whether because of age, ability or circumstance.

The Legal Committee's amendments address concerns about upholding public safety by ensuring police continue to have access to the investigative tools upon which they rely. In doing so, the amendments acknowledge that public safety goals are undermined, not enhanced, if police use of expired records crosses the line from legitimate investigative into discriminatory practices, or if people are marginalized, stigmatized and isolated because they cannot gain access to meaningful record relief.

This brings us to the question, colleagues, of what we stand to lose if we do not pass Bill S-212. We heard repeatedly at committee that people who have served their time and have been held accountable for their actions need employment, housing, educational and volunteer opportunities. Criminal records impair their ability to integrate and contribute positively to their families and communities. Witnesses talked about how this bill is vital for the safety, health and well-being of these individuals, their families and their communities.

One witness at committee Rachel Fayter used her own experience to illustrate this point. Ms. Fayter is currently a PhD candidate in criminology with 10 years of social work experience and a master's degree in psychology. In her own words:

> . . . Despite these assets, I was unable to find work in my field after sending out over 100 resumés and having dozens of interviews. After several months, I was forced to work two minimum-wage, part-time jobs, selling burritos during the day and stocking grocery store shelves overnight. . . .
>
> . . . it was extremely difficult to find an apartment, and I had to ask my professors for letters of reference to support me in accessing housing.

Ms. Fayter told us at committee that:

> . . . The current system and having a criminal record . . . promotes stigma and discrimination and excludes people from society. People are out on the streets because they cannot find housing. They are frustrated because they cannot access education. They're not able to obtain regular, meaningful employment. I know of many people who have been forced into sex work, including stripping.

Colleagues, Ms. Fayter and so many others have so much to contribute to our communities. People unable to get access to criminal records relief are bearing the burden of an unjust and inaccessible system that fails to let people move on with their lives and fails to make our communities safer. I have served as a reference for far too many folks who are being denied access not just to employment or volunteer opportunities, but also to education, housing, mental health and even seniors care because of their records.

It is those most marginalized — Indigenous, Black and other racialized people, those with disabling mental health issues, impoverished people — who are least able to access record suspensions. Systemic inequalities mean that these groups are already disproportionately likely to be criminalized and disadvantaged both in advance of and following a criminal record. Most low-income and middle-income Canadians are struggling to access housing, employment and other supports. Criminal records not only add another layer of discrimination: they pile on the barriers.

Bill S-212 alone will not address all the current issues with the criminal record system. It is, however, a meaningful lifeline supporting integration for people who have served their time and have worked hard to move on from crime.

Honourable colleagues, in the event that it is at all unclear, please allow me to put it simply. The evidence is extensive and strong that without a record expiry system in Canada we are discriminating against those who are most marginalized. The government increasingly acknowledges this reality through its public consultations and steps towards forms of automated records expiry, but people in desperate need are in need of support. As they seek to rejoin society, integrate into the community, to stay safe and healthy and to support and care for their families, they can't afford to keep waiting. Let us work together to bring about long overdue evidence-based changes to the criminal records system in Canada. I look forward to your support as we strive to ensure positive movement in this and so many interrelated areas. *Meegwetch*, thank you.

Some Hon. Senators: Hear, hear.

• (1750)

ADJOURNMENT

MOTION NEGATIVED

Hon. Donald Neil Plett (Leader of the Opposition) moved:

That the Senate do now adjourn.

The Hon. the Speaker: It was moved by the Honourable Senator Plett, seconded by the Honourable Senator Housakos, that the Senate do now adjourn. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: No.

Some Hon. Senators: Yes.

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

Some Hon. Senators: Yea.

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

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion the "nays" have it.

And two honourable senators having risen:

The Hon. the Speaker: Do the whips, liaisons or the senators designated under rule 9-5(1) have advice as to the length of the bells?

There is no agreement, so it will be one hour. The vote will be held at 6:50.

Call in the senators.

• (1850)

Motion negatived on the following division:

YEAS
THE HONOURABLE SENATORS

Batters	Manning
Black	Marshall
Boehm	Martin
Busson	Plett
Carignan	Richards
Coyle	Seidman
Downe	Simons
Housakos	Sorensen
MacAdam	Tannas
MacDonald	Wells—20

NAYS
THE HONOURABLE SENATORS

Aucoin	Lankin
Bellemare	Loffreda
Bernard	Massicotte
Boniface	McBean
Cardozo	McCallum
Clement	McPhedran
Cotter	Mégie
Cuzner	Miville-Dechêne
Dalphond	Moodie
Dean	Osler
Forest	Oudar
Gerba	Pate
Gold	Ravalia
Harder	Ross
Hartling	Saint-Germain
Jaffer	Varone
Kingston	White
LaBoucane-Benson	Woo—36

ABSTENTIONS
THE HONOURABLE SENATORS

Al Zaibak Robinson—2

CRIMINAL RECORDS ACT

BILL TO AMEND—THIRD READING—DEBATE

On the Order:

> Resuming debate on the motion of the Honourable Senator Pate, seconded by the Honourable Senator Moodie, for the third reading of Bill S-212, An Act to amend the Criminal Records Act, to make consequential amendments to other Acts and to repeal a regulation, as amended.

Hon. Mobina S. B. Jaffer: Honourable senators, Bill S-212, An Act to amend the Criminal Records Act, to make consequential amendments to other Acts and to repeal a regulation, would implement the system of an automated criminal record expiry to help remove barriers to jobs, housing and other supports necessary for successful integration into the community.

The Legal Committee worked hard on its study of this bill. We heard from 29 witnesses over the course of eight meetings and five months. A meaningful and comprehensive review resulted in an amendment moved by Senator Pate to address concerns from some police services about maintaining access to expired records during an investigation.

I want to emphasize that the committee heard from those who have lived experiences of victimization, criminalization and the effects of criminal records, as well as their advocates. Notably, I would like to share the story of PhD candidate Rachel Fayter, who served a five-year sentence in federal prison. Despite completing her sentence and parole without any violations, Ms. Fayter faced persistent barriers to housing, employment and travel outside of Canada. After months of seeking employment, Ms. Fayter was forced to work two jobs, taking an immense toll on her physical and mental health. Additionally, she explained how a criminal record made her repeatedly susceptible to police harassment.

As many other witnesses reminded us, Black and Indigenous people have disproportionately experienced the injustices of the inequalities associated with the current criminal record system. The Federal Ombudsperson for Victims of Crime was among the witnesses who explained that criminal records are a vicious circle. Prisons are filled with some of the most marginalized and impoverished in Canada. For too many, the situation giving rise to their criminalization and incarceration is closely linked to systemic inequality and lack of access to health care, mental health care, housing, legal services and countless other supports.

For these individuals, every other system has failed — the ones allowed to fall through the cracks are the ones expected to find the legal and financial resources to navigate a punitively complex criminal record suspension system. When they cannot, criminal record checks become an additional barrier to integration. The vicious circle continues, particularly for those experiencing systemic discrimination, including Black, Indigenous and racialized people, as well as women, those with disabilities and those living in poverty on the streets.

Honourable senators, no one benefits if people are abandoned instead of supported in finding opportunities to move on from their convictions in order to contribute to their communities.

• (1900)

Bill S-212 will increase public safety and prevent further victimization. At committee, the government stated that it:

> . . . would like to move forward with . . . an automatic sequestering of criminal records system, as soon as possible.

Bill S-212 will help them do this.

Dating back to public consultations in 2017, the government had received feedback —

The Hon. the Speaker: Senator Jaffer, I'm sorry, but I have to interrupt.

Honourable senators, it is now seven o'clock. Pursuant to rule 3-3(1), I am 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: I hear a "no."

Honourable senators, leave was not granted. The sitting is, therefore, suspended, and I will leave the chair until eight o'clock.

(The sitting of the Senate was suspended.)

(The sitting of the Senate was resumed.)

• (2000)

Senator Jaffer: Honourable senators, dating back to public consultations in 2017, the government had received feedback from the public demonstrating strong support for automated record expiry. Bill C-5, passed in 2022, requires the government to implement automated record expiry for drug possession convictions by November 2024. However, the government provided community groups with $18 million to help people navigate application processes that we know to be unjust, instead of implementing automated solutions.

I will share the testimony of Samantha McAleese, Adjunct Research Professor in the Department of Sociology at Carleton University, who recounted her experience on the front lines at the John Howard Society of Ottawa. Namely, she supported a woman named Sabrina in successfully receiving a pardon, enabling her to complete her field placement and training to

become a nurse. Sabrina expressed that individuals should not be indefinitely condemned for past mistakes; rather, they should be supported in trying to build a better life.

Her statement highlights the structure of violence faced by those with criminal records, which is made worse by bureaucratic hurdles of record-suspension application processes.

Senators, I would like us to reflect. We are a very small country. From the statistics I've read, 1 in 10 people have some kind of criminal record, which means that 1 in 10 people in a very small country are not completely able to be productive. They are not able to get the jobs they deserve. Is that the country we want? I suggest we don't.

Honourable senators, we have a duty to act specifically to represent members of marginalized groups, including those who have waited far too long for a just records system. Bill S-212 is not simply a step toward justice; it is a necessary means to breaking the cycle of marginalization and supporting the reintegration of individuals into society.

Thank you very much, senators.

The Hon. the Speaker: Senator Moodie, on debate.

POINT OF ORDER NEGATIVED

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

I would ask that our senator now be heard.

The Hon. the Speaker: By "our senator," whom do you mean?

Senator Plett: I apologize, Your Honour. I thought that might be self-explanatory, but maybe it isn't. That speaker is Senator Housakos, Your Honour.

The Hon. the Speaker: Honourable senators, the motion that was just moved is governed by the terms of rules 6-4(2) and 6-4(3). Normally, the senator recognized by the Speaker has the floor. However, if two or more senators rise to seek the floor, another senator can — before the senator who was recognized starts to speak — rise on a point of order to move that another senator "do now speak" or "be now heard."

That motion is not debatable. If the motion is defeated, the senator originally recognized has the floor. If the motion is adopted, the senator identified in the motion has the floor.

Senator Plett: Do two of us need to stand now?

The Hon. the Speaker: Those who stood were Senator Moodie and then Senator Housakos.

Therefore, honourable senators, it is moved by the Honourable Senator Plett, seconded by the Honourable Senator Martin:

That the Honourable Senator Housakos be now heard.

Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Yes.

Some Hon. Senators: No.

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

Some Hon. Senators: Yea.

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

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion the "nays" have it.

And two honourable senators having risen:

The Hon. the Speaker: Do the whips, liaisons or the senators designated under rule 9-5(1) have advice as to the length of the bell?

An Hon. Senator: Fifteen minutes.

An Hon. Senator: One hour.

The Hon. the Speaker: There is no agreement on a bell, so the vote will be at 9:07.

Call in the senators.

• (2100)

Motion negatived on the following division:

YEAS
THE HONOURABLE SENATORS

Ataullahjan	MacDonald
Batters	Manning
Carignan	Marshall
Forest	Martin
Gerba	Plett
Harder	Richards
Housakos	Seidman
Loffreda	Wells—16

NAYS
THE HONOURABLE SENATORS

Al Zaibak	LaBoucane-Benson
Arnot	Massicotte
Aucoin	McBean
Bellemare	McNair
Black	McPhedran
Boniface	Mégie
Busson	Miville-Dechêne
Cardozo	Moodie

Clement	Pate
Cormier	Ravalia
Cotter	Ringuette
Coyle	Robinson
Cuzner	Ross
Dalphond	Saint-Germain
Dean	Simons
Francis	Sorensen
Gold	Varone
Jaffer	White
Kingston	Woo—38

ABSTENTIONS
THE HONOURABLE SENATORS

Downe	Osler
MacAdam	Oudar—4

• (2110)

BILL TO AMEND—THIRD READING—DEBATE

On the Order:

> Resuming debate on the motion of the Honourable Senator Pate, seconded by the Honourable Senator Moodie, for the third reading of Bill S-212, An Act to amend the Criminal Records Act, to make consequential amendments to other Acts and to repeal a regulation, as amended.

Hon. Rosemary Moodie: Honourable senators, I rise in support of our colleagues at the Legal Committee who worked diligently to study Bill S-212 on automated criminal record expiry. They reported back nearly seven months ago. I'm glad that this chamber finally adopted this report and that we are now at third reading consideration of this bill.

Colleagues, it is now time to move forward on this bill.

When we launched the African Canadian Senate Group in December 2021, my colleagues and I identified Bill S-212 as a priority connected to our work with community members for progress on issues of justice, health and economic fairness.

At committee, witnesses — including the Federal Ombudsperson for Victims of Crime, the Canadian Bar Association, the Canadian Association of Black Lawyers, Aboriginal Legal Services and even the Canadian Association of Chiefs of Police — all underscored that Black, Indigenous and racialized people are systemically overrepresented in the criminal legal system and systemically disadvantaged by the current unjust and inaccessible record suspension system.

Bill S-212 allows records to expire without an application process, provided that the individual has no subsequent charges or convictions for two to five years. It would help people overcome barriers created by civil record checks that prevent access to things like housing, jobs, education, volunteer work and other necessities for integrating safely and successfully back into their communities.

At the same time, in response to concerns raised by some police services, Senator Pate amended the bill at committee to ensure that police can continue to use information in expired records as part of legitimate investigative work.

The data and evidence shared at committee make it clear that Bill S-212 will enhance public safety. It will help ensure that people are not trapped in the same situations of poverty, isolation and marginalization that led to their criminalization in the first place. It will be a small step toward correcting past failures to provide justice and ensuring equity for BIPOC communities. It will provide hope and paths forward. Colleagues, this should be an urgent priority for all of us here.

Through measures in Bill C-5 aimed at redressing systemic racism, the government has committed to implementing automatic record expiry for drug possession records by this fall. This is an important first step toward justice for some. Bill S-212 will increase access to these much-needed measures.

In urging that we act with haste, I want to focus particularly on the consequences of criminal records for children and families.

The majority of BIPOC women in prisons are mothers. The majority of their children have been taken away from them into the care of the state as a result of their incarceration, meaning that separation from children is a heartbreaking, hidden tragedy and added punishment not only for mothers but for their children too.

For women with criminal records who are fighting to reunite with their children or to prevent their apprehension, searching for jobs to try to lift themselves and their children out of poverty or in need of safe housing to provide their families with stability, obtaining a record expiry is essential.

Bill S-212 is a much-needed step toward ensuring that the stigma, injustice and marginalization associated with criminal records are not lifelong or intergenerational.

Senator Pate has previously shared the story of a child who was excluded from class field trips and special activities because no one could provide the additional parental supports that he needed in order to take part. His mother could have — she was there; she was able — but despite presenting herself as no risk to public safety, she had a criminal record and could not volunteer for the school. Her child suffered. Other children suffered because of this. The current system requires that those in her situation must wait 10 years for a record suspension. Time is fleeting and children grow quickly; 10 years is a lot of time for a child.

In the seven months that this bill has sat at the report stage and in the more than five years since the first version of this bill was introduced in this chamber, how many parents have we hindered as they tried to do their best for their kids? How many children have we asked to go without?

Colleagues, I urge you to vote in support of this bill.

• (2120)

Hon. Leo Housakos: Honourable senators, I wish to propose an amendment to clause 5 of Bill S-212 in the section relating to the waiting period. This amendment aims to revert the waiting periods currently in force under the Criminal Records Act.

Specifically, we propose the following modifications: First, replace the 5-year period for indictable offences with a 10-year period. Second, replace the two-year period for summary conviction offences with a five-year period. We believe that the waiting periods currently provided in Bill S-212 — five years and two years, respectively — are too short. Indeed, these periods do not allow for a sufficient rehabilitation period for convicted individuals.

Social and personal rehabilitation take time and are crucial to ensure that individuals have enough time to demonstrate a lasting change in their behaviour and lifestyle. By extending the periods to 10 years and 5 years, we encourage more comprehensive rehabilitation, and give these individuals the opportunity to prove they are ready to be fully reintegrated into society.

This also protects public safety by ensuring that only those who have demonstrated true reform in their behaviour can benefit from a criminal record expiration. The expiration of a criminal record also concerns Schedule 1 of the current Criminal Records Act, which includes serious offences. Among these are sexual contact with a minor, bestiality in the presence of a child under the age of 16, inciting a child under the age of 16 to commit bestiality, corrupting children, child pornography and trafficking of persons under the age of 18. The latter two crimes — child pornography and trafficking of persons under the age of 18 — are currently seeing the most significant increase in Canada.

Let us not forget that we are no longer talking about suspension with this bill, where the offender must apply to the Parole Board of Canada. It is now an automatic expiration of the criminal record. Therefore, for crimes as serious as those that I have just mentioned, it does not seem prudent to allow a criminal record to expire after only five years.

As mentioned at committee — during the study of this bill — by Dave Blackburn, former commissioner of the Parole Board of Canada:

> In my humble opinion, the automatic suspension of criminal records after two or five years is problematic and will directly contribute to weakening the safety net and advocating a one-size-fits-all approach. It thwarts two essential notions in the process of successful and sustainable social reintegration: empowerment and accountability of individuals.
>
> Social reintegration is an individual, multidimensional and long-term adaptation process. In all cases, this process does not end at the end of a sentence and does not de facto become fully realized two or five years later. A crime is the result of numerous contributing factors. The offender has to work on those factors and achieve self-improvement. This journey and fulfilment may take time depending on the individual and is directly influenced by the degree of empowerment and accountability.
>
> By proposing the automatic expiry of criminal records, this bill eliminates this final step of empowerment and accountability for those who have committed a crime. Worse, the bill shifts the responsibility and burden of proof from the individual, who previously had to demonstrate that he or she has become a law-abiding citizen, to the Parole Board of Canada, which already has its hands full with conditional release cases. From a mechanical and operational point of view, it is already foreseeable that the passage of this bill will throw sand in the gears.

I've heard our colleagues who are in favour of this bill talk endlessly about the rights of criminals, and the rights of people who have violated the code of conduct in our society. But I've heard very little about standing up and showing empathy for the victims — for the children, for their families and for those who are the victims of these abhorrent behaviours. All of us are empathetic human beings who want to see people reform and take accountability for their actions, but we also have to show empathy for those whose lives are destroyed, and, in some instances — regardless of therapy, and regardless of emotional help — they will never get back on their feet.

Our society is based on inherent rights and privileges, without a doubt, but there are also inherent responsibilities that everyone should respect. That's why we're taught from a very young age — regardless of race, colour, background or economic status — that you must work hard, play by the rules and try to be a law-abiding citizen and do good things in society. And when you don't, there must be consequences. If those consequences could be erased in 24 months, or three years, or five years, I, for one, think that's not sufficient. I don't believe there has been enough clinical evidence to show that's even possible with people who contravene and break the laws in the most hideous way.

We urge you to seriously consider this amendment to ensure better public safety and more effective rehabilitation of individuals who have committed serious offences.

MOTION IN AMENDMENT—DEBATE ADJOURNED

Hon. Leo Housakos: Therefore, honourable senators, in amendment, I move:

> That Bill S-212, as amended, be not now read a third time, but that it be further amended, in clause 5, on page 3,
>
> (a) by replacing line 5 with the following:
>
> "**(a)** ten years, in the case of an offence that is prose-";
>
> (b) by replacing line 14 with the following:
>
> "**(b)** five years, in the case of an offence that is punish-".

Senator Plett: Hear, hear.

Senator Housakos: Thank you for your attention, colleagues.

(On motion of Senator McBean, debate adjourned.)

• (2130)

CRIMINAL CODE
INDIAN ACT

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Tannas, seconded by the Honourable Senator Verner, P.C., for the second reading of Bill S-268, An Act to amend the Criminal Code and the Indian Act.

Hon. Brent Cotter: Honourable senators, this item stands adjourned in the name of the Honourable Senator Martin, and after my intervention today, I ask for leave that it remain adjourned in her name.

The Hon. the Speaker: Is leave granted?

Hon. Senators: Agreed.

Senator Cotter: Honourable senators, I confess that I was both excited and surprised that I would have the opportunity to speak this evening. I had thought that perhaps we were going from a two-hour dinner break to a one-hour dinner break to two one-hour dinner breaks. Senator Plett had to get back for his dessert, I guess.

I was also a bit surprised when Senator Tannas, knowing that I would be speaking on a bill that he sponsored, voted for the adjournment of the Senate — obviously, in trepidation about what I might say this evening.

However, I was heartened when I saw that Senator MacDonald still had the podium in front of him for his 45-minute speech, and that got me pretty excited.

So here we go. I'll speak briefly regarding Bill S-268, An Act to amend the Criminal Code and the Indian Act.

In simple language, the bill proposes an amendment to section 207 of the Criminal Code to parallel the authorization of provinces to conduct and manage gaming in their jurisdictions. This would extend this gaming jurisdiction to any First Nation that wishes to take up the opportunity.

I support the bill being referred to committee, presumably to the Legal Committee, so my remarks will mostly focus on what I will identify as eight issues that, in my view, need to be studied with respect to Bill S-268. These remarks constitute what I would call principled reservations regarding the bill rather than opposition reservations that I hope will be studied.

I want to begin by expressing — parenthetically, at least — a general reservation that I and others have about this approach to amending the Criminal Code of Canada, which is essentially piecemeal, rarely with sufficient study or appreciation of the background. We do this a lot in this chamber, always with the best of intentions. However, speaking for myself, it is not a good way to amend one of the most important laws of our country. I will now close the parentheses on this point.

Returning to the main issues: In this place, I think it is possible to speak frankly about proposed laws and existing laws and sometimes reflect adversely on the role that the criminal law plays in some segments of our society. I will do that on this occasion briefly.

What the Criminal Code does in these circumstances is criminalize gaming or lottery schemes unless done in accordance with the provisions of the Criminal Code, and particularly section 207.

I have a fairly good idea about how this works. As a deputy attorney general for the Province of Saskatchewan, I was involved in the negotiations that made authorized First Nations gaming possible pursuant to the powers that had been granted to the provinces with respect to section 207 in the mid-1980s. I served on the board of the first provincial authority, the Saskatchewan Gaming Corporation, which got this off the ground, in a partnered way, with the Federation of Saskatchewan Indian Nations, or FSIN, as it was then known. I'll come back to this initiative, often thought of as a national model for First Nations gaming.

To be accurate about the Criminal Code — and, more specifically, a component of this — the criminal law of Canada with respect to this matter establishes and regulates monopolies presently granted to provinces to conduct and manage gaming. It's an odd kind of place to position a monopoly in a Canadian or any jurisdiction. This was achieved through a bargain struck between Ottawa and the provinces in the 1980s essentially to carve up the national gaming market between the two orders of government.

As a matter of basic principle, a bill like this one, which proposes that First Nations get more direct control of gaming — part of the action, so to speak — is not illegitimate. It expands who gets to share the pie, so to speak; it maybe expands the pie — maybe wisely, maybe not.

That said, the 1985 changes were the outcome of careful study and negotiation. I am unaware of anything resembling similar study of the consequences of this bill being implemented — a matter that itself needs careful study, a study which looks like will fall to this chamber.

With respect to these issues, dimensions or reservations, first, what are the economic and fiscal implications of creating a new form of access to gaming?

Second, is there a sound basis, as the preamble asserts, for regarding this new gaming authority as an inherent or treaty right for First Nations?

The preamble of the bill states, in part:

> Whereas these Inherent and Treaty rights encompass the right of Indigenous peoples to regulate activities such as gaming, betting and lotteries on their lands;

This, quite frankly, is an overreach. That does not disqualify the initiative by any means — it can still be thought of as good public policy — but we need to be clear and accurate about the foundational basis for this legislative initiative.

While it is far better to work out solutions than to litigate them, I think it is fair to say, at a minimum, that this question of gaming as an inherent or treaty right for First Nations is contested. Indeed, its contestation was an important dimension of bringing the Province of Saskatchewan and the FSIN to the table in the 1990s to work out an arrangement.

But we need to be clear. It is helpful to examine this part of the preamble and compare it to what the Supreme Court of Canada has said. Let me repeat again the preamble:

> Whereas these Inherent and Treaty rights encompass the right of Indigenous peoples to regulate activities such as gaming, betting and lotteries . . . .

Here is what the Supreme Court has had to say. In a case called *R. v. Pamajewon*, the Supreme Court of Canada refused to recognize that there was a section 35(1) right to gaming or to the regulation of gaming, and said it did not exist. The author of that majority decision agreed that commercial gaming was a "twentieth century phenomena" that did not exist among Aboriginal peoples and "was never part of the means by which those societies were traditionally sustained or socialized."

In 2000, in a case called *Lovelace v. Ontario*, the Supreme Court stated that in *Pamajewon*, it had found that gambling and the regulation of gambling were not Aboriginal rights. These positions were once again adopted in 2019 in the Ontario Divisional Court in a case called *Wauzhushk Onigum Nation v. Minister of Finance (Ontario)*. I hope the committee will address this question.

As I say, the fact that the argument for "Inherent or Treaty rights" is not particularly sound doesn't necessarily justify ignoring this initiative on the basis of good public policy.

Third, an associated question: One unusual clause in the bill provides that when a First Nation gives notice to the federal and provincial government that it intends to establish a gaming regime for the purpose of the gaming provisions of the Criminal Code, this First Nations reserve is deemed not to be part of the province within which it is situated. I have thought long and hard about this provision. I don't understand the reason for it. Perhaps that will be fully explained in debates here or discussion before committee. There may be a very good reason. However, the idea of deeming a First Nation, for any reason, not to be part of the province in which it is situated seems to me to be a bad precedent.

Fourth, how will questions like market saturation be addressed and by whom? These are strategies that exist in some of the provincial jurisdictions now in the examination of markets. This raises a new question, and who will be the players in its determination?

An associated question: Who will be responsible for responsible gaming initiatives related to these gaming opportunities in order to protect those who might be vulnerable or addicted to gambling given that — in particular in these circumstances — it can be expected that to be economically viable, the on-reserve gaming opportunities created by this bill will have to appeal to people beyond the boundaries of the reserves whether at in-person gaming locations or through online gaming.

• (2140)

Sixth — we're near the end — there is another associated question: Over time, the regulatory framework for gaming, both First Nations and provincial, has become professional and sophisticated. With gaming jurisdiction diffused, which is one of the things this bill would do, combined with the potential gaming pressure of competing in oversaturated markets, can a professional regulatory model delegated to the very entities faced with these competitive pressures be sustained?

Seventh, what would be the views of the provincial authorities, which will lose a portion of their jurisdiction to regulate gaming in their respective provinces and — they don't like to be reminded of this — who will likely lose gaming revenues and likely inherit the consequences generated by problem gamblers?

Eighth, are we and the citizens of our respective provinces — Indigenous and non-indigenous alike — comfortable with a move to authorize First Nations to unilaterally establish gaming operations that will deliver all or nearly all of the revenues to specific First Nations near viable gaming markets, moving away from more distributive, communitarian approaches in some jurisdictions, such as my own in Saskatchewan?

Let me expand on this.

In Saskatchewan, there is a bargain between the Federation of Sovereign Indigenous Nations, or FSIN, and the province to share the gaming market and gaming revenues. After some adjustments and local, community-based investment, the FSIN share of the revenues is distributed proportionally among all of the First Nations in the province, whether they are near viable gaming markets or in far more remote parts of the province where a viable gaming operation could never exist. This revenue is available — and it is in the hundreds of thousands of dollars each year for those First Nations — to address the economic and social needs of all of these First Nations beneficiaries.

The model proposed in this bill will have the concentration of revenue in the province reside with those First Nations closest to gaming markets, most able to attract a customer base and investment. These are not necessarily bad things; indeed, they may be good things. However, they are liable to occur at a cost, at least in my province, to the financial supports that now flow to the communities that could never support a gaming initiative on their own. If I may put it this way, it's a move away from the Saskatchewan model of gaming to the Phoenix model of gaming.

It is true that I need to be personally conscious of a bias in favour of a First Nations gaming model I played a part in designing. If we're serious about economic reconciliation with First Nations people, nothing should be ruled out, including the opportunities that gaming presents.

Whether what is proposed in this bill is the best approach is, however, in need of careful study by the committee. There may be many more questions. I hope that, upon referral of the bill to committee — which I support — witnesses will be invited who will inform the committee on the questions I have raised and other questions raised by other senators.

Thank you.

Some Hon. Senators: Hear, hear.

(Debate adjourned.)

CANADA–TAIWAN RELATIONS FRAMEWORK BILL

SECOND READING—DEBATE ADJOURNED

Hon. Michael L. MacDonald moved second reading of Bill S-277, An Act respecting a framework to strengthen Canada–Taiwan relations.

He said: Honourable senators, it is my pleasure to rise today to begin discussions on Bill S-277, the Canada–Taiwan relations framework act, which I tabled in this chamber late in 2023.

The bill before us today takes an important step forward in our relations with the Republic of China, or Taiwan, as it is increasingly called, by establishing a broad framework for our foreign policy that is clearer and stronger, in order to better reflect and accommodate the realities of our growing partnership.

There is nothing particularly controversial about this bill, unless you are a Beijing apologist who insists that Taiwan does not have the sovereign right to decide its own future. Taiwan's existence as a self-made, independent, self-governing and democratic nation has long been self-evident. This is a reality that should be embraced by all democratic countries and freedom-loving people. Taiwan is a free country that should remain free to choose its own future and its own government.

An Hon. Senator: Hear, hear.

Senator MacDonald: Canada has a mutually beneficial economic relationship with Taiwan that is steadily growing. Today, Taiwan is Canada's twelfth-largest trading partner, our sixth-largest partner in Asia, with total annual bilateral trade now exceeding $12 billion annually. It is simply right, just and appropriate that we formalize and normalize our relationship with each other as much as possible here in the third decade of the 21st century.

It is timely that Canada steps up to modernize our relationship with Taiwan, especially given the evolution of the relationship between Taiwan and our great friend, neighbour, partner and ally, the United States of America.

The United States has shown great leadership in securing the continued independence of Taiwan, and I applaud all of the American administrations going back to Harry Truman for the decisive role their promises of security for Taiwan have played in the establishment of this great democracy in the Pacific Ocean.

Before I further discuss American initiatives regarding Taiwan and speak to my bill itself and to what I believe we should do as Canadians, it is useful to look at the social and political history of this unique subtropical Pacific island nation located 100 miles off the mainland coast of Southeast Asia.

History is important and instructive, yet it has become painfully obvious that many Canadians know little about the true history of our own country, a mostly noble and distinguished history, which, sadly, has been constantly misrepresented and maligned under this present regime in Ottawa.

Our institutions, particularly our schools and universities, to say nothing about Parks Canada and our so-called Department of Heritage, are failing Canadians with the lack of respect and the proliferation of invented narratives being tossed around about Canada's history.

True history is true knowledge. Since so many Canadians seem to appreciate so little of our own history anymore, I'm sure that Canadian knowledge of Taiwanese history is even more deficient.

However, I do believe that if we have a better understanding of Taiwan's history and political evolution, we will understand why Taiwan deserves our continued support, why Taiwan has the right for self-determination, and why we should support this bill.

Taiwan first entered the consciousness of the Western world when it was sighted in 1517 by Portuguese sailors, who recorded it on their navigational maps as *Ilha Formosa*, which means "the beautiful isle" in Portuguese.

Although the Portuguese never settled there, they gave it a name that has endured for centuries, and with good reason. As someone who has visited Taiwan four times, I can assure everyone who hasn't been there that it is a beautiful place.

Topographically, from north to south, almost two thirds of the island is mountainous and dominates the eastern side of the island, while one third, fertile western plains, contains about 90% of the island's population.

In the early 17th century, Formosa had an estimated population of over 100,000 people who were native to the island. The Spanish attempted to establish permanent colonies around this time, but these efforts never took root. They were eventually expelled by the Dutch, who had their own ambitions.

During this era, Han Chinese from the mainland migrated to Taiwan, many being brought there as labourers by the Dutch. Holland withdrew from the island in 1660.

In 1683, the island was formally annexed by mainland China, coming under the control of the Qing Dynasty, the last of the many royal dynasties that ruled mainland China from 2100 BC to

1911, a period of over 20 centuries. From the late 17th to the late 19th century, Formosa was increasingly populated by Han Chinese from the mainland.

Following the end of the First Sino-Japanese War in 1895, the recognized sovereignty of mainland China over Taiwan ended with the signing of the Treaty of Shimonoseki, in which China ceded both the Korean Peninsula and Taiwan to Japan "in perpetuity."

• (2150)

I trust that we all understand what "in perpetuity" means, although the Communist dictatorship in Beijing selfishly and conveniently ignores this legal declaration and obligation.

In 1911, after a decade of uprisings, the history of China irrevocably changed with the collapse and overthrow of the Qing dynasty and the eventual establishment of the Republic of China under the leadership of Dr. Sun Yat-sen, universally considered the founder of post-imperial China both on the mainland and in Taiwan.

Unfortunately, Dr. Sun Yat-sen died relatively young, about a decade later, and this was the beginning of almost four decades of perpetual strife on the mainland of China between the republicans and the Communists. Although it is now 129 years since mainland China relinquished its sovereignty over Taiwan and 75 years since the republicans established sovereignty there, the Communists still want to settle old scores. But Taiwan has moved on, putting the past behind it, and so should Beijing.

Imagine if China or Japan were to suddenly claim that Korea belongs to them today because, at one time in the past, they used to have governance or a territorial claim. No Western democratic country would accept such a claim, and with good reason. Taiwan's circumstances are worthy of the same conclusions. Remember that from 1895 until 1945, Taiwan was legally Japanese territory, with Japanese law, schools and governance dominating the island during this period.

During this time, Japan increasingly attempted to create a Japanese society but with little effect overall. Following the end of World War II, the republican Chinese government seized control of Taiwan and declared it a province of the mainland. But Taiwan had been sovereign Japanese territory since 1895; it was not a place conquered through imperial Japanese expansion during World War II. Consequently, the claim of sovereignty over Taiwan made by mainland China was never supported in international law by its allies, regardless of what political forces oversaw the government of mainland China in the early postwar period between 1945 and 1950.

Unfortunately, the end of World War II in Southeast Asia also meant the resumption of civil war in China between the anti-Communist forces of the Kuomintang under General Chiang and the Communists under Mao, culminating in the Nationalist government's removal to Taiwan in 1949 and the establishment of the Communist dictatorship on the mainland.

In 1950, the Korean War began. Korea ended up divided, primarily because of Beijing's support of the communists in North Korea. Canadians fought and died in that war to save freedom in Korea, just as they did in Hong Kong.

If anyone in this chamber visits Korea, I urge you to visit the war graves at the United Nations Memorial Cemetery in Busan where the Canadian war dead are buried. It is a magnificent oasis in the middle of that great and busy port city, and the respect the Koreans have for the sacrifices others made on their behalf is quite evident. Perhaps the memory of Canada's role in that war is fading after 70 years, but I can assure you the Koreans have not forgotten our sacrifice.

The Southeast Asia that exists today is very much a creation of the four-year period between the Communist takeover of China in 1949 and the end of the Korean War in 1953. We still have a family-owned rogue state in North Korea and a Communist dictatorship in Beijing — both police states that love to threaten, bully and intimidate. Whether it is directed toward their own citizens or other countries' seems to matter little or not at all to either of these dictatorships.

It is estimated that during Mao's reign of terror, between 40 million and 80 million people died due to starvation, mass executions and forced prison labour. The murder of more millions in North Korea through similar means is well-documented as well.

So, what else has transpired in this region of the globe in the past three quarters of a century? Well, in 1952, the Beijing dictatorship also sent their troops into Tibet and annexed the country against the wishes of the Tibetan people. Although the Communists still refer to it as an "autonomous region," in 1959, it abolished the Tibetan government entirely.

This reminds one of conduct the world witnessed in the late 1930s, before the invasion of Poland, when troops marched into Austria and Czechoslovakia and annexed those independent nations. It was wrong then, and it was wrong in 1952 in Tibet and it is still wrong today.

Mao's Communists destroyed over 6,000 monasteries during Mao's Great Leap Forward, devastating Tibet's magnificent cultural and architectural heritage, with almost 1 million Tibetans liquidated in the process. They probably would have destroyed most of their own cultural treasures as well, except the Nationalists had the foresight to remove them to Taiwan in 1949. They are now permanently on rotational display at the National Taiwan Museum — a must-see for any first-time visitor in Taiwan.

Also in 1952, the Treaty of San Francisco ended the Allied occupation of postwar Japan and returned complete control and sovereignty to the people and government of Japan. Importantly, in this treaty, Japan renounced any legal claim it had to Taiwan. After they renounced it, Taiwan happened to be on its own for three years, an orphan child of a country. But they've been on their own for almost 75 years now, and that orphan child is all grown up.

Other significant political changes occurred later, in the 1990s, with the British colony of Hong Kong and the Portuguese colony of Macao being transferred to the control of Beijing under the "one country, two systems" formula, through which the Communists promised strong degrees of autonomy for these two successful and prosperous colonies. Subsequent developments, particularly in Hong Kong, have exposed the duplicity and insincerity inherent when dealing with the Communist dictatorship under its present leadership.

The promise of a more reasonable Beijing as represented by Deng Xioping and Zhao Ziyang in the 1980s has been lost, replaced by a mean-spirited and oppressive authoritarianism. Isn't it telling that Beijing expected the United Kingdom and Portugal to uphold treaty obligations in regard to Hong Kong and Macao yet refused to honour their own promises? Communist Beijing has no honour. However, Taiwan, South Korea and Japan have all exhibited magnificent social, economic and political transformations since the early 1950s. None of those countries had democratic roots. Indeed, both Korea and Taiwan were for centuries squeezed between the ambitions of imperial China and imperial Japan. But all three have evolved into modern, prosperous, first-world nations with dynamic economies and high standards of living. They are great friends and allies of the Western world. In fact, they are all integral parts of the Western world.

These three nations are free and prosperous, an archipelago of democracy just beyond the mainland that contains Communist China, North Korea and Russia. In a part of the world where freedom is still denied to so many, they stand out as examples of what can be accomplished when democratic values are sincerely pursued and embraced.

Freedom House, the American non-profit organization — founded in 1941 under the honorary chairmanships of Republican Wendell Willkie and Democrat Eleanor Roosevelt — is best known for its political advocacy, assessing issues of democracy, political freedom and human rights. It was founded on the core conviction that freedom flourishes in democratic nations where governments are accountable to their people. According to its reputable rating system, Taiwan scores 94 out of 100 on the freedom scale. That is on par with Canada and Japan and is actually higher than the United States and much of Europe. Russia, by contrast, scored 13 out of 100, Communist China scored 9 out of 100, and North Korea scored 3 out of 100.

Before I continue, I want to mention that, in my speech today, when discussing mainland China's attitude toward Taiwan, I am making a conscious and deliberate reference to the actions of the authoritarian powers in Beijing — the Chinese Communist Party and its leadership — and not to the Chinese people in general. It has nothing to do with the people of this great and ancient civilization who find themselves trapped inside their own country by this monolithic dictatorship in Beijing. But the fact remains that, since 1949, Beijing has played absolutely no role politically or economically in the evolution and development of modern Taiwan. Regional suzerainty over Taiwan should be understood as something best left in the history books, a circumstance rapidly and rightfully disappearing in the rear-view mirror.

• (2200)

I just think it is so sad and unfortunate for the peace and stability of the world that the Beijing government has been so confrontational and increasingly difficult for the Western world to trust. For a while in the last part of the 20th century, relations seemed to get better, but they have worsened as of late, and the Communist dictatorship is at fault.

If you want to imagine what a democratic China might look like, all you have to do is look at Taiwan. I couldn't think of a better place to look. Modern Taiwan today is about 96% Han Chinese, making it ethnically more Chinese than mainland China itself, interestingly, which is just over 91% Han Chinese and much more culturally diverse.

While China's growth and economy are now faltering, Taiwan's is continuing to be strong, its growth now exceeding China's over the past few years. I think Beijing somehow resents the great social and economic success evident in Taiwan today. We certainly know that they covet it.

The world, including those who live on mainland China, also see how successful the democratic Chinese state of Taiwan has become, and Beijing fears the increasing awareness of this throughout the population on the mainland. If Taiwan is any indication — and I believe that it is — a democratically elected government in China could achieve great things for their citizens and the world and be a universal force for good. I hope it will come to pass in my lifetime — in all of our lifetimes.

In the meantime, Taiwan continues to be a great friend, ally and trading partner of Canada. In addition, they don't steal our technology and destroy great Canadian companies like Nortel. They don't hack the communications of Canadian members of Parliament. They don't interfere with Canadian elections. They don't intimidate its diaspora in Canada by threatening them and persecuting family back in Taiwan, nor does Taiwan kidnap Canadian citizens and hold them hostage.

Yet for all its advancement and display of self-government, Taiwan still finds itself unfairly marginalized by the international community. How and why does this occur? It begins primarily, not surprisingly, with the United Nations. In 1971, an increasingly activist and anti-Western UN voted to move the seat designated for China from the Republic of China — Taiwan — to the People's Republic of China on the mainland. To be fair, since the People's Republic of China had been in charge of mainland China for 22 years by that time, their sovereignty was functionally undeniable. However, that begs the question: Why, then, is almost 75 years of uninterrupted domestic rule in Taiwan being ignored? Taiwan's sovereignty is well established by any reasonable test under international law.

When Canada held the Olympics in 1976, the Trudeau government, which had broken off diplomatic relations with Taiwan even before the UN did, refused to let Taiwan participate under its legal name of the Republic of China, siding with the UN and China instead of our allies in the U.S. and Taiwan. This was not the right thing to do. Apparently, being enamoured with the Beijing dictatorship is a Trudeau family trait.

However, when the United States finally recognized the People's Republic of China as the legitimate representative of China in 1979, it did not want to completely isolate Taiwan on the world stage. The Americans showed courage and leadership by simultaneously passing the Taiwan Relations Act, legislation that put in place a policy of deliberate ambiguity toward Taiwan in order to preserve political stability in the region. In short, they were not prepared to abandon them socially or economically, nor see their peaceful existence compromised.

Canada's working relationship with Taiwan today mostly mirrors that of the Americans, except for the notable military presence of the U.S. 7th Fleet in the southwest Pacific. However, we have no equivalent or even facsimile of legislation to strengthen our relationship with Taiwan and to reiterate our commitment to Taiwan choosing its own path forward. The time has come for a legislated enhancement of our bilateral relationship with Taiwan. Not only is it the right thing to do, but polling indicates that Canadians would approve of us strengthening this relationship.

For the first four decades under its own administration, Taiwan admittedly had a difficult existence. It was a one-party state under martial law. I don't minimize the excesses of the state during that era nor excuse them or pretend that they didn't exist, but look at what has emerged in the 21st century. The Taiwan that has been created in our lifetime is a country worth celebrating and emulating. Today, Taiwan is a multi-party democracy, a prosperous, First World country with a literacy rate of over 99% — the most literate population of any country in the world.

As the global leader in the production of semiconductors, Taiwan is very important technologically to Western society. An advanced country by any measurement of social progress, its medical, transportation, educational and scientific institutions are second to none in their strength and vitality.

Taiwan is also a regional leader in individual rights, and much of its progress is due to the freedoms they have put to good use: freedom of speech, freedom of expression, freedom to assemble, freedom of the press, economic freedom and the freedom to choose those who would govern them.

I believe there are several good reasons why the present situation calls for Canada to reinforce our engagement with Taiwan with legislation that reflects the proactive approach of lawmakers in the U.S., the U.K. and other like-minded democracies in recent years to strengthen and modernize relations.

First, in this regard, the United States Congress has seen a steady stream of legislation in recent years concerning relations with Taiwan, including the passing of the following acts of Congress: One, the United States-Taiwan Initiative on 21st-Century Trade First Agreement Implementation Act, 2023; A bill to direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the World Health Organization, and for other purposes, in 2022; the Taiwan Allies International Protection and Enhancement Initiative, (TAIPEI) Act of 2019; and the 2018 passage of the Taiwan Travel Act, encouraging bilateral visits by officials at all levels.

Many other initiatives have been undertaken or are currently under review by Congress, including the Taiwan Conflict Deterrence Act of 2023; the PROTECT Taiwan Act, 2023, which has passed the House; the Taiwan Non-Discrimination Act of 2023 regarding their inclusion in the IMF, which has passed the House; a bill to amend the Taiwan Assurance Act, which has passed the House; and the Taiwan International Solidarity Act, 2023, which has also passed the U.S. House.

As you can see, lawmakers in the U.S. have been, and continue to be, exceptionally proactive in modernizing their foreign policies relating to Taiwan. I salute the Americans for their forbearance, loyalty and commitment.

Likewise, parliamentary committees in the United Kingdom have been studying the situation in the Indo-Pacific and are increasingly calling for their government to strengthen relations with Taipei. The United Kingdom House of Commons Defence Committee released a 2023 report entitled *UK Defence and the Indo-Pacific: Government Response to the Committee's Eleventh Report of Session 2022–23*, which urged their government to prepare for a range of actions by China toward Taiwan.

In their report, the committee stated that while the Indo-Pacific is an economically fertile region, it is also a key crucible for geopolitical competition between China and the West, with the South China Sea and Taiwan being the most concerning flashpoint. The report states:

> . . . It appears that China intends to confront Taiwan, whether by direct military action or 'grey zone' attacks, in the coming years. Any conflict in Taiwan will have formidable consequences across the globe and risks the international rules-based order. . . .

Similarly, the U.K. House of Commons Foreign Affairs Committee released a report in 2023 providing significant attention to U.K.-Taiwan relations. The report, entitled *Tilting Horizons: the Integrated Review and the Indo-Pacific*, states:

> . . . The emphasis placed on Taiwan by our Committee reflects our resolute belief in the importance of protecting the right to self-determination and to choose your own Government, free from threat or coercion. . . .

• (2210)

The report went on to proclaim:

> Taiwan is already an independent country, under the name Republic of China (ROC). Taiwan possesses all the qualifications for statehood, including a permanent population, a defined territory, government, and the capacity to enter into relations with other states — it is only lacking greater international recognition.

The report also provided an extensive list of recommendations: that the government should support inward and outward ministerial visits with Taiwan; that the U.K. campaign for Taiwan to be admitted to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, better known as the CPTPP, be supported; that there is better understanding that the U.K.'s "One China" policy, like Canada's, is not the same as

China's "One China" principle, an acknowledgment that would prevent policymakers from acting over-cautiously when it comes to interacting with Taiwanese officials; that the U.K. should strengthen its existing cooperation with Taiwan; that the U.K. should pursue effective policy of deterrence diplomacy to contribute to the protection of the right to self-determination of the people of Taiwan; that the U.K. should promote further investment in Taiwan's industries; and that the U.K. should press for Taiwan's inclusion in international bodies, including the World Health Organization, the Organization for Economic Cooperation and Development, the International Energy Agency and the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, for the benefit of all countries.

I provide you with these recent initiatives undertaken by lawmakers in the U.S. and the U.K. as an example of the proactive efforts being undertaken around the world by like-minded democracies to strengthen and modernize relations with Taiwan.

The Americans continue to show great leadership on Taiwan, and our approach should be as supportive as possible.

I submit to you, colleagues, that Bill S-277 is consistent with these efforts of maintaining and enhancing a mutually beneficial relationship.

Another reason to reinforce our engagement with Taiwan is Canada's valuable bilateral trading relationship with Taiwan, the growth of which would benefit both of our countries. I can also attest that during my visits to Taiwan, I see Canadian values reflected in Taiwanese society, and I believe most Canadians would feel the same way once they spent some time in that country. It is such a great country. Taipei, the capital, is one of the safest big cities in the world — a very welcoming and comfortable place to experience. I always feel a real connection to that country when I am there. They treat their friends and allies well. The Taiwanese appreciate their friends.

Sadly, the increasingly provocative conduct of Beijing towards Taiwan, including military intimidation, is uncalled for but dictates that those who want peace and stability in the region should send a signal that Taiwan does not stand alone in the world. The creation and militarization of artificial islands in the region and the overt displays of military exercises near Taiwan, including the deliberate crossing of the median line of the Taiwan Strait, are clear examples of the diplomatic provocations by the communist dictatorship that have become far too common in recent years.

Taiwan is being constantly intimidated, but it's clear that Taiwan is not going away. Their people are courageous, resilient and are determined to choose their own future, but they need and deserve the support of their friends.

The reality is that our current bilateral relationship does not foster the full potential of this partnership. It does not accommodate the realities of the current relations that we, and much of the modern Western democracies, share with Taiwan.

That's why Bill S-277 offers plain, direct language in codifying the Government of Canada's policy to preserve and promote close relations between the people of Canada and the people of Taiwan, encompassing economic, cultural and legal affairs.

I should note again that this bill is by no means a radical document. It does not call for the recognition of Taiwan as a sovereign state, nor does it alter the status quo in our relations with Beijing, so the bill is consistent with Canada's One China policy. The bill explicitly states that Canada is to conduct its foreign relations on the basis that peace and stability in the Indo-Pacific region are in the political, security and economic interests of Canada and are matters of international concern. Peace and stability are in everyone's interests. The status quo is best protected by making sure the relationship with Taiwan is strong and durable and that Taiwan's independence is respected and defended.

Although our One China policy recognizes the People's Republic of China as the sole government of China, it merely takes note of the PRC's claim that Taiwan is part of China. It does not accept or endorse Beijing's position, nor do our closest allies.

This has always been our position. It must remain so. As Global Affairs officials have testified at parliamentary committees, our One China policy is deliberately flexible and strategically ambiguous to allow for continued unofficial relations, trade and investment with the people of Taiwan.

Nonetheless, I believe that our foreign policy must recognize the evolved reality that Taiwan has become one of our fastest growing trading partners, is among the largest economies in the world and is an ally of significant strategic proportion to Canada and our allies in the Indo-Pacific region. We are overdue for a foreign policy that is clear in expressing support for our allies, especially when faced with such overt displays of intimidation and coercion.

I am not going to venture further into extensive comment on Beijing's position on Taiwan; that's not the focus of this bill. But it must be recognized they have openly stated that they will not rule out the use of force to reunify or annex Taiwan. It is essential that the democratic West treat these lawless threats as unnecessary and unacceptable provocations.

Honourable senators, the self-determination of a nation is not a matter of subjective opinion. It is a right and a core principle of international law. It is recognized in Article 1 of the UN Charter.

Although Canada and much of the international community have not recognized Taiwan as a sovereign state, we surely must accept and support their right to self-determination.

In this context, and in the interest of peace and security, Bill S-277 states that Canada will consider any effort to determine the future of Taiwan by something other than peaceful means, or by boycotts or embargoes, to be a threat to the peace and security of the Indo-Pacific region and of grave concern to Canada.

Furthermore, although Taiwan already regularly partners with allies such as the United States and Canada in security operations, the bill proposes that Canada will continue to promote meaningful security and defence cooperation between Canada and Taiwan, including by supporting Taiwan's participation in regional security dialogues and military exercises.

Bill S-277 proposes to declare the Government of Canada's support for Taiwan's participation in multilateral international organizations, including the World Health Organization, the International Civil Aviation Organization and Interpol, and encourages other states and non-governmental organizations to support this goal so that Taiwan may play a role commensurate with its position in the Indo-Pacific region. They have a contribution to make that will make a positive difference in these international organizations, and it's certainly time that they fully participate.

The bill also instructs the government to support Taiwan's participation in international trade agreements, including the Comprehensive and Progressive agreement for Trans-Pacific Partnership, the CPTPP.

Finally, the bill offers additional provisions for the purposes of furthering international cooperation between Canada and Taiwan, including an exemption for the president or senior government officials of Taiwan from the requirement to obtain a visa when the primary purpose of their visit to Canada is not official. This will simply allow for more "layover diplomacy" opportunities.

It will also permit the office of the representative of the Government of Taiwan in Canada to be referred to as the "Taiwan Representative Office" and the Trade Office of Canada in Taipei to be referred to as the "Canadian Representative Office in Taiwan."

Honourable senators, Bill S-277 offers plain language provisions to common-sense initiatives to strengthen relations between Canada and one of our largest trading partners and strategic allies in the Indo-Pacific region. This initiative is fully supported by Taipei's representatives here in Ottawa.

As I said, the policy declarations listed in the bill are not radical, nor are they novel in their recognition of a need for strengthened relations.

In addition to the aforementioned efforts in other like-minded democracies, in March of 2023, our House of Common's Special Committee on the Canada–People's Republic of China Relationship released an interim report entitled *Canada and Taiwan: A Strong Relationship in Turbulent Times*.

• (2220)

It's an excellent report and I commend the members of the special committee for their timely initiative. The report ultimately presented 12 recommendations relating to Canada–Taiwan relations. The report states:

> The PRC's recent aggression towards Taiwan is a stark reminder that the peaceful status quo between Taiwan and the PRC remains precarious.

It concludes that enhanced engagement by Canada with Taiwan is important in the face of this increased aggression from the People's Republic of China, or PRC, and to ensure that peace and stability remain.

In the interest of time, I won't list every recommendation, but, among its findings, the special committee recommends:

> That the Government of Canada offer and declare its clear and unwavering commitment that the future of Taiwan must only be the decision of the people of Taiwan.

Additionally, the report calls for the government to ". . . support increased engagement between Canada and Taiwan by encouraging visits by parliamentary delegations."

It also recommends:

> That the Government of Canada strongly consider the benefits of diplomatic visits to Taiwan.
>
> That the Government of Canada engage with allies to further opportunities for Taiwan's meaningful participation in multilateral organizations . . . .
>
> That the Government of Canada seek to learn from Taiwan's experience in addressing disinformation and foreign interference . . . .
>
> That the Government of Canada explore opportunities to collaborate with Taiwan's semiconductor industry to enhance innovation in Canada.
>
> That Global Affairs Canada work . . . to advance Canada's role as a key supplier of critical minerals to like-minded partners, including Taiwan . . . .
>
> That the Government of Canada prioritize the assessment of Taiwan's application to join the Comprehensive and Progressive Agreement for Trans-Pacific Partnership.

The report also recommends:

> That the Government of Canada work with its allies, including the G7, to indicate support for the peaceful status quo in the Taiwan Strait and to consider adopting best practices to cooperate with Taiwan on peace and security issues.

And it recommends:

> That the Government of Canada, in response to military exercises in the Taiwan Strait, publicly call on the People's Republic of China to refrain from escalating its military threats.

The proposals in this bill are by no means novel or unreasonable. They parallel, in many ways, the recommendations of a parliamentary committee — a committee that heard from many experts in the field. I would suggest that the policy initiatives in this bill are consistent with the values of this country.

The bill is also consistent with and builds upon Canada's Indo-Pacific Strategy, which states that Canada should continue to work with our partners to push back against any unilateral actions that threaten peace and stability in the Taiwan Strait, and that Canada should grow its economic and people-to-people ties with Taiwan while supporting its resilience.

Colleagues, I entered the Senate of Canada over 15 years ago. During my first year here, I attended the national day celebration hosted by the Taipei Economic and Cultural Office here on the Hill. The room was three-quarters empty. In the subsequent years, more and more attended, with more and more commitment to Taiwan becoming increasingly evident.

This year, the event was packed with parliamentarians from all political walks of life and guests enthusiastically supporting Taiwan. As a senator dedicated to the promotion of freedom and democratic principles around the world, it was a wonderful sight to see.

Canadians still prefer to have a positive and mutually beneficial relationship with the government in Beijing, if they show the willingness to do so, but they cannot be telling us who our friends are. That is for us alone to determine. And no one in Canada is saying that Taiwan and the mainland can't be one country. We just believe that it is up to the Taiwanese to decide.

Last October, I had the privilege of leading a delegation of senators to Taiwan. Although it was not my first visit to the Republic of China, it was for my accompanying Senate colleagues, and they were unquestionably both moved and impressed by what they witnessed and experienced. We had great meetings for almost a week, and we finished up with a great working dinner and discussion with Foreign Minister Joseph Wu, and, of course, the highlight of our visit was an hour audience with Madam President Tsai Ing-wen at the Presidential Office. I know that my colleagues who attended would agree we had a wonderful exchange with the President, and she wanted us to express to all Canadians how much our friendship is valued by the people in the Republic of China.

I also had the privilege to present a copy of this bill as a personal token to the President during our audience.

Honourable senators, it matters if the Parliament of Canada, through a bill such as this, were to endorse a declaration for strengthened relations between the people of Canada and the people of Taiwan. It matters to the people of Taiwan and it matters to Canadians, for this bill is as much about Canada as it is about Taiwan — about how we see ourselves as an ally, as a friend and as a nation that cares about our friends.

I urge you to give this bill serious attention. I believe it presents a framework that is consistent with findings from a parliamentary committee, is consistent with our Indo-Pacific Strategy and remains consistent with our One-China policy. Canada should always stand to uphold values respecting human rights and democratic principles, and our foreign policy should reflect that we, openly and unequivocally, stand with like-minded democracies, especially those being unfairly threatened and intimidated.

Taiwan survived a painful birth and childhood as a nation. From 1971 onward, it was abandoned and marginalized by much of the international community, but the people of Taiwan endured despite the obstacles set before them. Practically left on their own, they nonetheless created a prosperous, democratic, First World nation where the rule of law is paramount and democratic freedoms are deeply entrenched. In short, they accomplished something politically that is very rare to do — they took defeat, and they turned it into victory.

Freedom-loving people everywhere applaud their success, and it is incumbent upon Canada to help ensure, to the best of our realistic possibilities, that these free, democratic and self-determined people remain free and independent.

Taiwan needs our support. Taiwan deserves our support, and I encourage all my colleagues to support sending this bill to committee as soon as possible. At this late hour, thank you for your time and attention to this complex and very important matter.

Some Hon. Senators: Hear, hear.

Hon. Yuen Pau Woo: Senator MacDonald, will you take a question?

Senator MacDonald: I'm shocked, Senator Woo, that you want to bring up a question.

Senator Woo: Is that a yes?

Senator MacDonald: Sure, go ahead.

Senator Woo: I thank you for your advocacy for stronger ties between the people of Taiwan and Canada, which I support.

I was struck by the reference in the preamble of your bill — and a number of times in your speech — to the distinction between Canada's China policy and the PRC's own version of the "One-China Principle." That is very much aligned with what's known as the 1992 Consensus between Beijing and Taipei, which was then negotiated between the governments — at the time — of Taiwan and the PRC, and that led to a flowering of cross-strait relations and stronger ties between the mainland and Taiwan.

Are you proposing that the 1992 Consensus be the basis on which we pursue stronger ties between Canada and Taiwan?

Senator MacDonald: No, I don't think I mentioned that in my speech. What I am saying is it's 2024 and not 1992, and that things evolve, and the people of Taiwan have made it very clear that they want to make up their own minds in terms of their future, and I think we should support them.

Senator Woo: Yet the preamble in your speech specifically refers to what I interpret as the 1992 Consensus. You repeated a number of times the support for the distinction between the "One-China Policy" and the "One-China Principle." This is what the 1992 Consensus is all about. If you were to support that as the basis, that would help us understand how we can indeed

strengthen ties between Canada and Taiwan in a way that's consistent with the principle that your own speech and your own bill seem to propose.

Senator MacDonald: That may be your interpretation of my speech. It is certainly not the intent of my speech. I support Taiwan's right to make its own decisions on the future.

An Hon. Senator: Hear, hear.

(On motion of Senator Clement, debate adjourned.)

[*Translation*]

INCOME TAX ACT

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Omidvar, seconded by the Honourable Senator Dasko, for the second reading of Bill S-279, An Act to amend the Income Tax Act (data on registered charities).

Hon. Tony Loffreda: Honourable senators, I rise today to speak at second reading of Bill S-279, An Act to amend the Income Tax Act (data on registered charities).

• (2230)

[*English*]

I thank Senator Omidvar for introducing this bill which seeks to promote diversity in the upper echelons of leadership in Canada's growing charitable sector by collecting and disseminating diversity data on the directors, trustees, officers or like officials of registered charities. This was one of the many recommendations from the Senate's seminal report on the charitable sector from 2019.

Only once we have access to this data will we be able to paint a clearer picture of the level of diversity in our charitable sector. Canadians will then be better positioned to further help promote, encourage and advocate for greater diversification of leadership. We will know where there are shortcomings, where there is room to grow and where to focus our efforts.

For data is knowledge, and without knowledge, how can we improve the world we live in?

But first, we need the data.

[*Translation*]

If federally regulated companies are required to provide this data to the Canada Revenue Agency, I have no problem with charities and non-profit organizations doing the same.

Promoting diversity in the leadership of Canadian charities will have many positive effects on the millions of Canadians they serve.

We often underestimate this sector's contribution to our economy. Charities often fill a void that the government is unable to fill, making them an essential part of Canada's well-being and prosperity.

It is estimated that there are over 170,000 registered charities and non-profit organizations in Canada. The sector represents 8.7% of Canada's GDP and employs roughly 2.5 million people. Some 13 million Canadians give their time to charitable organizations.

These figures are astonishing, and something to be proud of.

[*English*]

I strongly believe that organizational diversity could improve performance significantly. When corporate management and leadership teams are constructed with gender and racial diversity in mind, they are far more likely to outperform teams that are not as diverse.

Canada is increasingly more diverse, and we need leadership to be equally diverse in order to better serve the needs of our population. The top needs to be a reflection of the reality on the ground.

Additionally, the more diverse an organization is, the higher their employee retention rate is likely to be. Creating a place where diverse ideas and people are promoted is critical to building a healthy work environment. This starts with diversifying leadership.

And a positive, healthy workplace environment is especially critical for charities that depend on volunteers and people's willingness to contribute their valuable time. Developing a space where employees and volunteers feel welcome and supported by their leaders is key to retaining them for years to come and to lowering training costs and staff turnaround.

Finally, as we all know, good ideas are about more than just intelligent individuals. They are about a group of people from diverse backgrounds working together to find the right solutions. Canadian charities are being called upon more than ever and are under increased pressure to meet the growing needs of our citizens. Their success will depend heavily on smart ideas from our brightest and most diverse individuals, and these bright minds need to be in leadership roles.

As I always say, manage results and you will get results. If you manage activities, you will get activities. Managing results should always be prioritized over managing activities. Managing diversity will lead to results and should be managed.

If we want to make real and lasting progress in diversity in this country, we must know what we are working with. This starts with Bill S-279 and the obligation to publish non-specific statistics on diversity in leadership positions within the charitable sector.

We need to have this raw information available to help spread diversity across all levels of the charitable sector. Bill S-279 is a modest, but necessary first step in putting diverse teams at the helm of Canada's charitable organizations. Naturally, this should help charities better serve their clientele.

When Senator Ratna Omidvar spoke to the bill at second reading in February, she reminded us of a critical issue this industry is facing. She said, "The sector might espouse diversity in its rhetoric, but it has yet to fully implement it in practice."

As our honourable colleague reminded us, evidently, there is a gap between rhetoric and practice that needs to be closed.

Organizations, foundations, non-profits and charities are all committed to diversifying, but I predict the data we will eventually collect — should this bill become law — will show us that much work still needs to be done to be truly representative of the Canadian population. This bill is not about shaming anyone. It's about improving and getting better.

Not only are the efforts of this bill meaningful, but they have been well-received by industry leaders.

Prior to my appointment to the Senate, I served on the board of many non-profits. I reached out to friends, former colleagues and experts in the charitable sector, and I have received very positive feedback on Bill S-279.

One industry expert welcomed this initiative and felt the additional reporting requirements would likely not be onerous. This is good news because we don't want to add more administrative work for charities that are already often short-staffed.

Another colleague felt Bill S-279 would help make Canada more inclusive and saw this bill as a definite step in the right direction.

Diversity is a no-brainer. As a former banker and senior executive at the Royal Bank of Canada, diversity was part of our DNA. We recognized early the positive impact diversity could have on our organization at all levels, particularly in the top echelons.

The list of advantages of having a diverse workforce is long. It can expand global business opportunities. It can strengthen relationships with the people it serves, whether they are clients, customers, patients, suppliers or other important stakeholders. It can enhance creativity, innovation, capacity and decision making. It can enhance organizational reputation. It can improve recruitment and retention of top talent. It can lead to greater growth and return on investment. It can improve corporate culture and brand identity. The list goes on.

The business case for diversity is undeniable. All of these advantages lead to bottom-line results, whether measured by profits, shareholder value, customer satisfaction, the effective delivery of programs and services or the number of new products brought to market.

While this bill may not be the cure to a lack of diversity in Canada's charitable and non-profit sector, it will help us confirm the diagnosis.

The first step in addressing an issue on such a scale is by assessing where we stand now because if we do not know where we stand, we will never know how far we must go.

Bill S-279 is truly a win-win situation for all parties involved. It should promote good business practices for charities, provide more opportunities for diverse Canadian talent and should also help in better serving Canadians.

A vote in favour of this piece of legislation is a vote in favour of the advancement of diversity in our country.

If we want to put the pedal to the metal with conviction and ambition, we first need to know what's hidden underneath the hood. Only then can we hit the road, cross the finish line and get to a place where diversity is an integral and natural part of the charitable sectors' top brass.

I know what you are all thinking: More changes to the Income Tax Act? Is the act not already overly complicated, convoluted and burdensome for Canadian taxpayers, businesses and tax professionals? I agree that the act desperately needs reform and simplicity. After all, it's only 3,400 pages in length.

Adding new provisions to the act is not ideal. However, if passed, the bill would only add a few additional sentences to the act. I think it's well worth it.

Honourable colleagues, I want to end my remarks by thanking Senator Omidvar once again for introducing this bill and for being a strong and vocal advocate for the charitable sector. As we know, our colleague will soon be retiring from the Senate.

In her honour, in support of our charities and in solidary with Canada's diverse population, I think it would be wonderful if we agreed to send her bill to committee before the summer break so it gets one step closer to the finish line. We should all get behind this bill.

Thank you, *meegwetch*.

(On motion of Senator Martin, debate adjourned.)

• (2240)

STUDY ON VETERANS AFFAIRS

SEVENTH REPORT OF NATIONAL SECURITY, DEFENCE AND VETERANS AFFAIRS COMMITTEE AND REQUEST FOR GOVERNMENT RESPONSE ADOPTED

On the Order:

> Resuming debate on the motion of the Honourable Senator Richards, seconded by the Honourable Senator Downe:
>
> That the seventh report of the Standing Senate Committee on National Security, Defence and Veterans Affairs, entitled *The Time is Now: Granting equitable access to psychedelic-assisted therapies*, deposited with the Clerk of the Senate on November 8, 2023, be adopted and that, pursuant to rule 12-23(1), the Senate request a complete and detailed response from the government, with the Minister of Veterans Affairs being identified as minister responsible for responding to the report, in consultation with the Minister of Health.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

[*Translation*]

THE SENATE

MOTION TO URGE GOVERNMENT TO RECOGNIZE THE ERASURE OF AFGHAN WOMEN AND GIRLS FROM PUBLIC LIFE AS GENDER APARTHEID—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Ataullahjan, seconded by the Honourable Senator Marshall:
>
> That the Senate call on the Government of Canada to recognize the erasure of Afghan women and girls from public life as gender apartheid.

Hon. Julie Miville-Dechêne: Colleagues, I rise at this late hour to wholeheartedly support the motion presented by Senator Salma Ataullahjan, which reads as follows:

> That the Senate call on the Government of Canada to recognize the erasure of Afghan women and girls from public life as gender apartheid.

The adoption of this motion, although non-binding, would send a strong signal to the Taliban, who want to erase women from public life in Afghanistan. There's no doubt that Afghanistan is the worst place to live if you're a woman, and that's saying a lot.

Since Canada's precipitous departure from Afghanistan in 2021, women have been hit the hardest by the clerics' brutal changes. In addition to gender separation, women are being excluded from public life. Females are not allowed in high schools, universities and most employment sectors. They are required to wear the burka in public. They are banned from parks and gyms. The regime even shut down their last refuge, 12,000 beauty salons employing 60,000 women.

"Closing my salon means starving entire families," said a depressed Afghan beautician who says she's going crazy. What's more, according to local sources, the suicide rate among women has skyrocketed. Under the circumstances, it's impossible not to consider Afghan women as both literal and figurative prisoners of a totalitarian regime that grants them no rights whatsoever.

At first glance, it may seem counterintuitive to use the term "gender apartheid" to describe what is happening in Afghanistan. At first glance, the erasure of women is not the equivalent of apartheid, a loaded term that is codified in international law and that automatically brings to mind the racial apartheid that reigned in South Africa, the systemic racism that the international community fought against and finally put an end to.

Let's take a closer look at the similarities between the two situations.

According to researcher Karima Bennoune, as quoted in *Le Devoir*, in the Afrikaans language, apartheid means separation or segregation. This American professor went on to say that, like South Africa, Afghanistan has enshrined intentional, systemic and pervasive discrimination against women in its laws. Such oppression is at the heart of the Taliban's political ideology, just as apartheid was the ideology of South African governments from 1948 to 1990.

Let's be clear from the outset. The concept of gender apartheid is not recognized in international law. According to legal experts, this is what needs to change, since current international law isn't adapted to punish the systemic repression of women in Afghanistan severely enough. Meanwhile, the International Convention on the Suppression and Punishment of the Crime of Apartheid, which came into force in 1976, criminalizes apartheid. Twenty years later, the Rome Statute of the International Criminal Court added that the crime of apartheid is a crime against humanity, making it one of the most serious crimes under international law. Unfortunately, gender apartheid isn't on this list.

[*English*]

According to researcher Karima Bennoune, who wrote an elaborate paper in 2023 in the *Columbia Human Rights Law Review*:

> Analogous to racial apartheid, gender apartheid is a system of governance, based on laws and/or policies, which imposes systematic segregation of women and men and may also

> systematically exclude women from public spaces and spheres. It codifies the subordination of women in violation of "fundamental principles recognized under international law," as the U.N. Committee on Economic, Social and Cultural Rights characterizes the equal right of men and women to enjoy all human rights.

She continues:

> Ultimately, as racial apartheid was for Black South Africans, gender apartheid is an erasure of the humanity of women. Every aspect of female existence is controlled and scrutinized. It permeates all institutions and spaces, public and private. There is no escape from gender apartheid. The solution cannot be the departure of half the population of the country.

[*Translation*]

We need to remember three things here. Broadening the concept of apartheid to include gender would require amending UN texts referring to racial apartheid, and that would require a major mobilization of UN member states. It would certainly be a landmark feminist transformation of international law, but there's no consensus on such a change. That's why the motion before the Senate holds such importance as a first milestone.

What's happening in Afghanistan is next-level compared to the male-female discrimination we see in many countries. For example, in Senegal, the law prohibits violence against women. When I was there on a mission in 2017, as a Quebec diplomat, there were very few, if any, local shelters for women who are victims of intimate partner violence.

Third, some still argue that, unlike racism, gender discrimination is a religious or cultural issue. In Afghanistan, however, the repression of women is clearly a political issue, first and foremost. The Taliban interpret and exploit the religion of Islam to justify violating the rights of all women.

If we look to the past, what's interesting is that, during the first Taliban regime in the mid 1990s, there was already an international campaign by American and Afghan feminists to describe what was happening in Afghanistan, including the public whipping of women and the punishment of Afghan women who were victims of rape, as gender apartheid. This debate first arose 30 years ago, and it continues to this day.

[*English*]

In 1998, the European Community Humanitarian Office drew a parallel with South Africa to launch the campaign:

> We face a question of principle comparable to that of apartheid in South Africa before reforms there. We face apartheid based on gender, by which Afghan women are deprived of their right to choose how to live. There may well be some women who would choose to live according to the ultra-fundamentalist code of conduct imposed by the Taliban. At present, all are compelled to do so.

• (2250)

Let's come back to today. More and more voices are being raised to rename the tragedy experienced by Afghan women. The UN special rapporteur on Afghanistan recently concluded:

> . . . the cumulative effect of the Taliban's systematic discrimination against women raises concerns about the commission of international crimes.
>
> . . . the cumulative effect of the restrictions on women and girls . . . was tantamount to gender apartheid.

Shaharzad Akbar, the former chairperson of the Afghan Independent Human Rights Commission is more blunt:

> If a government is unwilling to recognize half of the population, we should be unwilling to recognize them. If the same restrictions were applied to men, or on the basis of race, what would we do?

Recently, a group of women senators also heard directly from Afghan women refugees who were invited by Senator McPhedran. They implored us to not forget them and to publicly raise the issue. There is the same pressure on the House of Commons, where women activists from Afghanistan and Iran are urging the Canadian government to play a central role in increasing global awareness and garnering international support to eradicate gender apartheid.

If Canada decides to act on our motion and recognize that gender apartheid is happening in Afghanistan, it would be a powerful mobilization tool. It could convince other countries to go in that same direction. We cannot, and should not, forget Afghan women. Therefore, I encourage all of you to support this motion, because women's rights are human rights. Thank you.

Hon. Senators: Hear, hear.

Hon. Paula Simons: Honourable senators, I rise today to speak to Motion No. 139 and to add my voice to those of my colleagues, led by the Honourable Senator Salma Ataullahjan, calling on the Government of Canada to recognize the erasure of Afghan women and girls from public life in Afghanistan as a form of gender apartheid.

Ottawa, as we know, is a city of remarkable memorials, as befits our national capital. For me, one of the most poignant and powerful isn't in the parliamentary district: it's the Afghanistan Memorial Hall, a 30-minute drive from here at the National Defence headquarters Carling.

If you haven't yet had the chance to visit, let me tell you a bit about it. Tucked into the centre of the sprawling Carling campus, the memorial pavilion is a striking building: low-slung, sharp-edged. Its front walls are slabs of highly polished black marble, buffed to such a shine that they reflect the sky above. On them are engraved the words "We will remember them." Step inside, and the pavilion is filled with light. Floor-to-ceiling windows look out onto a forest wilderness, white in winter, lush green, as now, when summer finally comes. The hall is a tribute to the Canadians who died serving in Afghanistan: 158 military

personnel and 7 civilians. It also recognizes and commemorates the U.S. service men and women who died while under Canadian command.

In the centre of the memorial is a large, rough rock — a boulder. Taliban fighters used this self-same rock as a roadblock to force a Canadian military vehicle off the road. The attack was successful, and fatally so. The Canadian soldiers decided that this particular boulder would never be used to kill another Canadian. They lugged it to their base in Kandahar, and it became the start of a makeshift memorial. A haunting cenotaph the soldiers built for themselves — for their own. The formal cenotaph is made from Afghan white marble and displays the names and photos, the birth dates and birthplaces, and the death dates and death places of the fallen.

Walking through the hall on my first visit there five summers ago took my breath away. I recognized and remembered so many of those names and faces from my days writing for the *Edmonton Journal.*

The first Canadians who died: Sergeant Marc Léger, Corporal Ainsworth Dyer, Private Richard Green and Private Nathan Smith. All four were members of the Princess Patricia's Canadian Light Infantry based at Canadian Forces Base Edmonton. They were killed by Americans, not Afghans, in a friendly fire incident on April 17, 2002. I covered their massive public memorial service held at the hockey arena that the Edmonton Oilers then called home. Thousands of Edmontonians and Albertans turned out that bright April day, shocked and stricken by the horror of such pointless accidental loss. But those four deaths were only the first of many.

Over the years, the news stories continued, but the big public memorials gradually stopped. The losses of Canadians in Afghanistan slowly became — if not routine, then something that no longer surprised us. But in Kandahar, this grassroots memorial kept growing.

As I walked through the cenotaph, I saw the memorial plaque for Corporal Nichola Goddard, the young Calgary woman and officer in the Royal Canadian Horse Artillery who died on May 17, 2006. I saw the plaque for Michelle Lang, my colleague from the *Calgary Herald,* who was killed by a Taliban improvised explosive device while on assignment in Kandahar in 2009. Two brave Alberta women who sacrificed themselves to serve not just the people of Canada but the people — and perhaps especially the women — of Afghanistan.

There are so many Alberta names and faces: a powerful reminder of how deeply this war, so many miles away, touched and scarred my province and my city. Edmonton and Alberta took the war in Afghanistan personally. So many Albertans served in Kandahar in particular, and so many of my *Edmonton Journal* newsroom colleagues went to Kabul and Kandahar to bear witness, to bring back the stories of horror and death, but also of courage, compassion and hope.

The Afghanistan Memorial Hall is black, white and grey. As black and white as we thought the issues were in the wake of 9/11, and as grey as they seemed when Canada left Afghanistan in 2011.

By a strange twist of timing, I became an opinion columnist at the *Edmonton Journal*, rather than just a reporter, on September 10, 2001. The next day, the twin towers came crashing down, and the world we thought we knew blew apart. Suddenly, I was expected to have a lot of opinions about things that I, frankly, knew little about, including whether Canada should join the fighting in Afghanistan.

It seemed relatively clear to me, even through the fog of war, that American and British war efforts in Iraq were not supportable, but the issues in Afghanistan seemed very different. I never believed that it made sense for Canada to commit thousands of troops to the Afghan mission simply to punish the Taliban for their support of Osama bin Laden. As a young feminist, I had spent years reading about the grotesque oppressions the Taliban had inflicted on the women and girls of Afghanistan. The stories were horrific, and I was awestruck by the courage of the journalists — many of them women — who had brought those stories to the world.

Despite the human costs of war, despite the physical dangers and moral hazards of intervening in the affairs of a country that had defied and destroyed occupying forces from Great Britain, the Soviet Union and the United States over the years, I backed Canada's mission in Afghanistan not so much to fight international terrorism, end the drug trade or even stabilize the region, but to liberate the women and girls of Afghanistan from Taliban oppression.

Perhaps that was naïve. Perhaps my optimism about the potential for Canadian involvement was tinged with a fair bit of neo-colonial White saviourism, but, for a time, the efforts of the world to free Afghan women from misogynist tyranny seemed to work. Afghan girls could once again go to school. Afghan women could walk the streets without male supervision and enforced dress codes. Women weren't just allowed to work, they were allowed to take leadership roles as teachers, doctors, journalists, judges, politicians, artists and lawyers. Life in Afghanistan without the Taliban certainly wasn't easy, but women were freed from the semi-slavery of the Taliban's toxic fear and hatred of the female sex. The dictatorship of the "incels" seemed to be over.

And then, in February 2020, Donald Trump's American government signed a peace agreement with the Taliban — an agreement reached without the consent or consideration of the Afghan government. If anyone had ever actually imagined that a deal between Trump and the Taliban would bring peace to anywhere, they were woefully mistaken. In August 2021, Kabul fell to the Taliban, and any illusions anyone had cherished that the "Taliban 2.0" were somehow a kinder, gentler version than the original model were quickly dashed, with Afghanistan's women and girls being stripped of their rights and liberties and returned to second-class status. Actually, second-class status doesn't begin to accurately describe the "un-personing" of Afghan women.

As a person of Jewish and German descent, I don't draw parallels with the Nazis lightly, but it is the most apt analogy I can think of here. The Nazis used the term "Untermenschen" or "under men" to apply to Jews, homosexuals, Roma and Slavs —

anyone they deemed subhuman. By stripping such people of their very humanity, they were able to rationalize their lethal oppression.

• (2300)

But if we look at the entire scope and sweep of human history, I'd argue that women were the original Untermenschen. We have been fighting for thousands of years, all over the world, to have our humanity and equality recognized. Misogyny is one of the oldest of hatreds. It is a near-universal one, practised by cultures and religious faiths all around the world since time immemorial.

For centuries — for millennia — men were explicitly taught that women were not only inferior but dangerous. Our sexuality was demonized, as was our intellect. It wasn't until the late 19th century that women in North America and Western Europe were able to attain any kind of legal or political power, and it was only in 1929 that women in Canada were recognized as legal persons — as people. Indeed, it was not until the late 20th century that we achieved anything close to political or legal equality.

And the closer we come to being recognized as fully human, the more vicious the political and cultural backlash.

The Taliban's particular form of weaponized misogyny, borne out of a deadly combination of fear and hate, is uniquely dangerous at this moment to the women of Afghanistan. However, it is also an infectious toxin and threat to women everywhere in the world, including Canada, because it models and normalizes the erasure of women from public life and civil liberties. We have only to look south to the United States to see what happens when a Supreme Court infused with fundamentalist Christian misogyny throws out decades of settled law to rule that women do not have the right to control over their own bodies or life-saving medical care. So much for the separation of church and state, equality under the law and rights that we thought were safe and sacrosanct.

I want to rage and weep when I think of the promises we in Canada made to the women of Afghanistan. I want to rage and weep once more when I think of all the Canadians who fought and died or were wounded, physically and psychologically, in the name of bringing peace, stability and liberty to Afghanistan and its women.

As the world turns a blind eye to the campaign of horror being waged against Afghanistan's women and girls, we make a mockery of the sacrifice so many Canadians made for that country's future hopes.

What of the rest of us? In a world where good journalism is disappearing, Canadian foreign correspondents are becoming almost figures of myth and the infotainment cycle spins as fast as a carnival ride, we cared about Afghanistan for a few weeks after Kabul fell. Then the crisis there was pushed aside by Russia's invasion of Ukraine; the Hamas terror attack on Israel; Israel's reprisals in Gaza; and Stormy Daniels, Donald Trump and the three-ring circus of American electoral politics.

And while we look away or at our phones, the women and girls of Afghanistan, to whom we promised and pledged so much, suffer.

So yes, let's call it gender apartheid.

But naming the evil is just the start. What matters more than what we call it is what we're going to do to fight it and oppose misogynist political terror in Afghanistan and around the world.

Thank you, *hiy hiy*.

Hon. Senators: Hear, hear.

(On motion of Senator Osler, for Senator Patterson, debate adjourned.)

INTIMATE PARTNER VIOLENCE

INQUIRY—DEBATE CONTINUED

On the Order:

> Resuming debate on the inquiry of the Honourable Senator Boniface, calling the attention of the Senate to intimate partner violence, especially in rural areas across Canada, in response to the coroner's inquest conducted in Renfrew County, Ontario.

Hon. Brent Cotter: Honourable senators, this item stands adjourned in the name of the Honourable Senator Clement. After my intervention today, I ask for leave that it remain adjourned in her name.

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

Hon. Senators: Agreed.

The Hon. the Speaker pro tempore: So ordered.

Senator Cotter: Honourable senators, I rise today to speak to Senator Boniface's wise Inquiry No. 10 on intimate partner violence. I add my voice to those of six honourable colleagues and many of you who might not have spoken to call out intimate partner violence. I hope we can move the needle forward on ending this scourge in our country.

I propose to speak to two dimensions of intimate partner violence: first, its high level in Saskatchewan; and second, men.

To begin, regrettably, Saskatchewan has the highest rates of both family violence and intimate partner violence in our country. In 2022, the rates of intimate partner violence and family violence were double the national average. Not unlike in the rest of the country, the vast majority of victims are women and the vast majority of perpetrators are men. Given the many

interesting and intersecting challenges that women face in reporting intimate partner violence, the statistics are likely significantly higher.

Crystal Giesbrecht, Director of Research and Communications at the Provincial Association of Transition Houses and Services of Saskatchewan, or PATHS, commented that these statistics that they were not ". . . surprising but disappointing."

A number of factors contribute to this: Saskatchewan is unique for both its large proportions of rural and Indigenous communities. On that point, I would like to note and acknowledge Senators Hartling's and Boniface's remarks about intimate partner violence in rural areas as well as Senator Boyer's remarks on the high rates of violence against Indigenous women and girls. Tragically, rural and Indigenous women experience higher rates of violence, more severe physical violence and a higher risk of intimate partner homicide.

These same women face significant and deadly barriers to accessing resources. Services are often too lacking, distant and inaccessible; and anonymity is a concern in small communities, as are limited service availability, geographic barriers, systemic discrimination — you can hear the list.

Despite the important work of advocates in our province, there is a noted lack of safe shelters, transportation and timely service provision.

The risks of failing to prevent and address intimate partner violence cannot be overstated. On this point, let me refer to recent findings out of Saskatchewan. On October 19, 2023, the Saskatchewan Brain Injury Association hosted what was called Purple Thursday, a symposium to bring awareness to interpersonal violence. Participants heard that one in three women will encounter intimate partner violence in their lifetime. We have daughters, sisters, mothers and granddaughters; it's hard to believe that so many of them will be exposed to this kind of violence. One in eight women will experience a brain injury as a result. Women in Saskatchewan are as likely to suffer a brain injury as a result of intimate partner violence as they are to develop breast cancer. Both are tragic; it would be nice if both could be prevented.

As I mentioned, rural and Indigenous women face an increased risk of intimate partner violence. Between 2015 and 2020, there were 37 intimate partner homicides in Saskatchewan. Of the women, 17 were Indigenous — that's nearly 40% — and 29 of the 37 were women. A number of these women had contacted police to report violence. Women in Saskatchewan are three times more likely than men to be victims of spousal homicide.

Here is the tragic point: Intimate partner violence is predictable and preventable. Warning signs have been well-documented by advocates. The most dangerous period in an abusive relationship occurs when a victim is planning to leave. More than 12 of the women killed in Saskatchewan during those five years had recently separated from their partners or indicated a desire to leave.

I want to digress and repeat a personal story that is hard for me to tell. I recounted it a few years ago in this chamber and will link it to my second theme later.

• (2310)

When I was a young lawyer many years ago, I represented a woman seeking an uncontested divorce. In those years, you still had to go to court and present your evidence, even in uncontested divorces.

The grounds for the divorce were physical cruelty. The woman testified before the judge that one evening, she was putting her coat on to go out. The husband asked where she was going, and when she replied that she was planning to move out and was going to look for an apartment, he punched her in the face, knocking her off her feet. In summing up, the judge asked me what the evidence of physical cruelty was that would justify the divorce. When I referred to the punch that knocked her to the ground, he replied — I still remember it 45 years later — "That's not cruelty. She deserved that."

I found another way to get the woman a divorce, but beyond that, I did nothing — this is sort of my point — in relation to the husband's violence and nothing in relation to the judge except many years later. Knowing now what the risks were at the time for that woman, I feel that I failed.

I will say more about this incident in a few moments. I want to add my voice to the calls that declare this an epidemic. The federal government has labelled domestic violence an epidemic. Research institutes like RESOLVE, a community-based research network, have been urging provincial governments in Manitoba, Saskatchewan and Alberta to declare intimate partner violence an epidemic and to try to mitigate its consequences. The Mass Casualty Commission in Nova Scotia made the same point.

Building on this point, it is important to identify — as so many have — the most effective ways to protect victims of intimate partner violence. I want to endorse what has been said by others on this point, but I want to address another dimension — the only dimension that I think could effectively eradicate this epidemic.

In my view and in the view of many experts, attitudes and behaviours associated with intimate partner violence are deeply embedded in our society. To far too great an extent, there is a toxic culture in our society that makes violence against women seem legitimate or at least tolerable. Unless we address these attitudes, this toxic culture will continue and we will not meaningfully address the epidemic.

As I reflected on these points, I was reminded of something. Until relatively recently — that is up until 1983, to be exact — our laws allowed, even endorsed, serious sexual violence against intimate partners. Until it was amended in 1983, the Criminal Code defined rape in the following way: A male person commits

rape when he has sexual intercourse with a female person who is not his wife without consent. This was the law in Canada from 1892 to 1983. This was the law for nearly the first decade that I practised law. It was not just a culture but a legal sanction — almost an invitation — for sexual assault of one's spouse. It's not surprising that the culture that tolerates intimate partner violence lives on.

As the Mass Casualty Commission and others have recognized, a critical route to culture change begins with education, and this is my main point. The Mass Casualty Commission made clear that education modules that address these matters from kindergarten to high school and through colleges and universities are critical vehicles in achieving this cultural change. In that regard, I was disappointed to learn that in recently removing third party educators from the sex education programs in Saskatchewan schools where this violence is greatest, education regarding consent and bodily integrity appears also to have been lessened.

The Mass Casualty Commission also recommended enhanced training of police officers and legal professionals in relation to intimate partner violence. I would add that while continuing professional development opportunities are available for judges in relation to intimate partner violence, the judiciary must be full participants in this culture change in their learning and in their decision making.

On this latter point, while somewhat outdated, the story of the judge in that earlier case of the woman seeking a divorce is — at least for me — a cautionary tale, which brings me to my second point: men. I would like to think that all of us in this chamber, including myself and most men, do not engage in violence against women. That is the first commitment we should make to ourselves and our society. However, this is not enough, as my own failure some decades ago makes clear. We must be a more proactive part of the solution.

To that end, I'd like to cite the words of the RESOLVE network:

> . . . For far too long, the burden of protecting and supporting women and their children has fallen squarely on the shoulders of shelter workers and women's advocates, and indeed women themselves. . . .

The Mass Casualty Commission got this message loud and clear. Here is what it says:

> We recognize the critical need for more men and boys to become actively engaged in efforts to prevent and intervene in gender-based violence. Furthermore, it adds insult to injury to see that woman, particularly survivors of gender-based violence, have also been forced to tirelessly lead this change. It is time for more men to be part of the solution. We again call on Ms Bookchin, who explained: "The bulk of the responsibility for this work over decades, maybe hundreds of years, has been on the shoulders of women. We need men to step up . . . ."

How might we do this? First, by supporting the findings and wide range of strategies that are being developed to address this epidemic; second, by calling out behaviours and language that support or sympathize with this toxic culture we are trying to eliminate; third, by safely intervening when incidents arise.

This sounds risky. Not all of us are heroes. However, on all of these points, the Mass Casualty Commission set out in detail best-practice approaches, specifically applicable to men, in addressing incidents of intimate partner violence. Indeed, capturing this commitment in one sentence, one of the recommendations of the commission is this, "Men take up individual and concerted action to contribute to ending this epidemic."

We all have to play a part in ending intimate partner violence and its life-threatening consequences. I hope our remarks in this chamber are a contribution to renewed action to urgently address this crisis. I thank Senator Boniface for bringing it forward in this way. This includes our collective commitment on all of our parts to be part of the solution. The next victim will be someone's sister, daughter or mother. Let's try our best not to let that happen.

Thank you.

(Debate adjourned.)

THE LATE HONOURABLE IAN SHUGART, P.C.

INQUIRY—DEBATE CONTINUED

On the Order:

> Resuming debate on the inquiry of the Honourable Senator LaBoucane-Benson, calling the attention of the Senate to the life of the late Honourable Ian Shugart, P.C.

(On motion of Senator LaBoucane-Benson, debate adjourned.)

THE SENATE

MOTION TO RECOGNIZE OCTOBER AS KOREAN HERITAGE MONTH—DEBATE ADJOURNED

Hon. Yonah Martin (Deputy Leader of the Opposition), pursuant to notice of April 16, 2024, moved:

> That the Senate recognize the month of October, each and every year, as Korean Heritage Month, given the contributions that Korean Canadians have made to Canadian society, the deep-rooted friendship and bilateral ties between Canada and Korea, and the importance of Korean heritage and culture within the fabric of Canadian society.

(On motion of Senator Martin, debate adjourned.)

[*Translation*]

FUTURE OF CBC/RADIO-CANADA

INQUIRY—DEBATE ADJOURNED

Hon. Andrew Cardozo rose pursuant to notice of May 7, 2024:

> That he will call the attention of the Senate to the future of the CBC/Radio-Canada.

He said: Honourable senators, thank you for staying to hear my speech despite the late hour. Colleagues, today I'm launching an inquiry, a debate on the future of the CBC/Radio-Canada. From its inception, the national public broadcaster has played a key role in developing who we are as Canadians.

• (2320)

[*English*]

This topic goes to the heart of how we communicate and who we are as a country.

In 1936, when the Conservative prime minister R.B. Bennett created the Canadian Radio Broadcasting Commission, or CRBC, the Crown corporation became that vital link that connected all Canadians. Here is the interesting point: Back then, the CBC was created because of the growing presence of a plethora of American radio and television services such that Canadian culture and character were being hampered. Hence, the CRBC was created to provide a platform that would be quintessentially Canadian — radio and television that were by Canadians, about Canadians and for Canadians.

I would argue that today, in 2024, almost a century later, with the huge increase of traditional American and other broadcasters, plus the massive growth of American online platforms and social media, the need for CBC/Radio-Canada is, in fact, far greater than it was in 1936.

The enormous fragmentation of news media presents a challenge for the nation state, seriously undermining the ability to maintain any semblance of a national Canadian narrative or a national community. As people retract into their various echo chambers in this new media world, the very essence of every country is under the most serious threat it has ever faced. This is where the idea of a Canadian public broadcaster becomes more important than ever.

That said, it is worth noting that since its inception, there have always been a variety of views about it. It has had millions of supporters, critics who believe that it is not doing enough and those who believe it is doing too much. There are those who think that CBC/Radio-Canada is too White or too diverse or too Indigenous, too English or too French or too separatist, too left or too right, too Conservative or too Liberal, too woke or too mainstream and outdated. It has sometimes been called the "Caucasian Broadcasting Corporation."

In 2024, CBC and Radio-Canada are still deeply rooted in communities, with locations across the country, including 27 television stations and 88 radio stations that offer diverse content in English, French and eight Indigenous languages. Radio Canada International also delivers programming in Spanish, Arabic, Chinese, Punjabi, Tagalog and, of course, both official languages.

[*Translation*]

Radio-Canada and the CBC are the link that connects Canadians in rural regions and small towns to the rest of our vast country. The local news highlights the stories of these residents and communities, and keeps them connected and informed by a trusted broadcaster.

[*English*]

In this world of growing division and polarization, we need to find every way possible to increase communication between people and between communities. CBC/Radio-Canada must be called on to do better than it has. Failing to do that drives large-scale isolation and, ultimately, political instability.

As the national broadcaster, it has the difficult distinction of having to report to many bosses, many of whom may have different priorities. First, the independent Crown corporation has to report to Parliament — a multi-party platform, each party with a different set of requirements and expectations — through the Minister of Canadian Heritage. Second, it reports to the CRTC for its licence condition and licence renewals. Third, a myriad of unions and guilds rightfully watch its every move. Fourth, CBC/Radio-Canada has to report to the general public, all of whom have a view of what it should or should not do.

It is not surprising that its competitors will suggest that CBC and Radio-Canada have an unfair competitive advantage. However, as demonstrated by the huge layoffs at CTV despite Bell's lucrative situation, this is crying wolf a little too much. The private sector arguments should be taken with a grain of salt. They need to show more dedication to the cultural imperatives of broadcasting.

One thing CBC/Radio-Canada does successfully is to maintain a high standard of news and current affairs programming, which puts pressure on its competitors to do likewise. One has only to look at the U.S. television and radio scene to see how a system without high standards works. Clearly, CBC/Radio-Canada has a massive mandate, and oftentimes it is virtually impossible to satisfy all its masters at the same time.

Why have a discussion about the CBC at this time? I suggest there are two compelling reasons: first, because the enormous fragmentation of the media landscape over recent decades and the disappearance of many private sector media — really, a crisis in news media in Canada — requires a rethink of the public broadcaster's role. A new plan and strategy going into the decades ahead is what we need.

The second reason is that because now — for the first time in the history of CBC/Radio-Canada — a major political party is calling for an end of the service, albeit in a form yet to be

announced. It is the biggest political threat to this Canadian icon. To be frank, let me paraphrase Mark Twain: Nothing so focuses the mind as the prospect of being hanged after the next election.

Looking back with sentimentality has its place, and so does listing the various complaints that each of us may have about this huge and multi-faceted national service. In this busy world and hyper information age, I would like to focus on what CBC/Radio-Canada should be doing going forward. Where do we go from here, and what a great opportunity this is to think about that future?

First, let me quickly set out what we're talking about. We're talking about 12 services essentially, but I'm not going to go through all 12. I'll break it down to six English and six French. We have two radio networks — one for news and one for music; two television networks — one for general entertainment and one for news; a robust website with everything from written articles to various video content; and digital platforms — its own as well as its presence on social media — all of that twice for English and French.

The CBC will receive $1.38 billion for 2024-25 in annual subsidy from the federal government, some 70% of its budget, and earn the rest through advertising and fees for service. It is important to note that Canada ranks seventeenth out of 20 Western countries in terms of funding for its national broadcaster. When you break it down, the parliamentary appropriation to the CBC amounts to about $33 per person per year. The only services which are not funded by the government are the television news networks for which consumers pay a separate fee, like all the specialty channels such as sports and movie channels.

The corporation has set about becoming increasingly digital, so they go to where and when Canadians are going, rather than waiting for customers to come to them. Here are a couple of viewership figures that are relevant to this discussion. About 21.3 million Canadians use CBC digital services each month. In addition, CBC local radio programs are the most listened to radio programs in 21 out of 30 markets across the country. In the other nine, they are a close second.

An important issue is that the French language Radio-Canada is more popular than its English counterpart and also plays a more important role culturally in Quebec than the Canadian francophone world. The reasons for this are at least twofold.

In the North American content that is primarily anglophone, French programming has a high viewership among francophone viewers, while English CBC faces a massive number of competitors. English-speaking Canadians have a massive amount of choice from Canada and the United States, while there are comparatively fewer French networks that appeal to a Quebec and Canadian audience. Indeed, Radio-Canada is known for the high standard of programming it provides.

• (2330)

If defunding is the objective, the questions that have to be asked are as follows: Will both English and French services be cut similarly? If French services are kept while the English ones are defunded, will English-speaking taxpayers still be subsidizing the French services but be denied access to similar English services? Will it be news or entertainment that will face the axe? Indeed, proponents of defunding need to be clear on this.

While some will attack CBC/Radio-Canada for a particular story on the network from time to time and will call on the federal government to correct things, they do so knowing that the public broadcaster is independent of the elected government, which can neither tell them what to say or not to say. That would make it a state broadcaster as opposed to an independent public broadcaster, which it is. Complaints go to the ombudsman at the CBC and to the leadership of the corporation.

[*Translation*]

The elected government should never, ever be called upon to interfere with the news coverage of an independent broadcaster.

[*English*]

As I wind up — I know you're waiting for those words — here are a few ideas: divest CBC Radio 2 and return the licences to the CRTC; drastically increase programming that advances dialogue, such as "Tout le monde en parle" and "Cross Country Checkup," so that Canadians can hear each other and from each other; include at least one news story — a national and regional newscast — about local news in various areas in the country; increase the ability for all political parties and supporters to have substantial and unfiltered airtime; increase the number of small-town bureaus, whether using small studios or part-time stringers; consider the world as the oyster, with world-class programming that brings in the best and brightest from around the world to talk about topical issues, and do this a lot more — programming that will be sought the world over; lastly, develop a five-year digitization plan to make all programming digital and, importantly, create programming that will be primarily for the digital world.

I want to close with one thought: In today's world — the hyper-information world; the social media world; an increasingly polarized world, both internally in many countries and between countries — we need to seek ways to bring people together. Cancelling the CBC is easy. Cancel culture is easy. Cancelling our culture is easy. I challenge you, colleagues, to focus on putting forward new and bold ideas that will help build up our country in the new hyper-information age that we live in and face in the years ahead. Thank you.

Some Hon. Senators: Hear, hear.

(On motion of Senator White, debate adjourned.)

(*At 11:34 p.m., the Senate was continued until tomorrow at 2 p.m.*)

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