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(HANSARD)

Thursday, October 24, 2024

The Honourable RAYMONDE GAGNÉ,
Speaker

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THE SENATE

Thursday, October 24, 2024

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

Prayers.

SENATORS' STATEMENTS

THE LATE GORDON (GORD) EDGAR DOWNIE, C.M.

Hon. Rodger Cuzner: Honourable senators, when we think of the great bounty of natural resources that we celebrate as Canadians, our thoughts might turn to mining and minerals, our spectacular landscapes or our vast forests.

In my comments today, I want to recognize a different type of natural resource: our songwriters. Leonard Cohen, Joni Mitchell, Neil Young and Gordon Lightfoot — to name a few — are all Canadian songwriters who have made an indelible mark on the world.

One star in particular, who has been referred to recently in this chamber, has shone brightly because of his innate ability to hold the mirror up to the Canadian experience. Gord Downie, the lead singer of The Tragically Hip, passed away seven years ago last week. He and his band of brothers, Rob Baker, Gord Sinclair, Johnny Fay and Paul Langlois, reminded us that the history of our country was worth singing about — both the good moments and the bad. Senators, if there is a goal that we all remember, Gord sang, ". . . it was back in ol' 72 . . . ." It's definitely a great moment.

Through his words, we witnessed the "Sundown in the Paris of the prairies . . . ." And, of course, we drove with him on the corduroy road at the hundredth meridian where the great plains begin.

His spirit has been felt within the walls of this chamber, as many of you, colleagues, have stood and spoke passionately about our obligations to Indigenous peoples. In his final years, Gord devoted much of his time to this cause: justice, healing and reconciliation.

In his book and album *Secret Path*, he seized on the tragic story of Chanie Wenjack, the young Anishinaabe boy from Marten Falls First Nation, who died trying to return home after escaping from residential school. But the recent interventions in this chamber on the topic of the miscarriage of justice are what moved me to speak today. I commend Senator Arnot, Senator Dalphond, Senator Pate and Senator Batters for their thoroughly researched, meticulously documented and passionately argued cases on the subject. We know about the vast squandering of human capital and life-altering hurt brought upon Canadians who lost huge portions of their lives because of wrongful convictions.

The genius of Gord Downie is that he could take these convincing paragraphs and pages, articulated by my learned colleagues, and condense them into a single, relatable, heartfelt line, like he did with David Milgaard: "He's 38 years old, never kissed a girl." It's brilliant.

Honourable senators, Gord Downie entertained us, inspired us and challenged us. He believed in this country and in the good of all Canadians. In his memory, let us commit to going about our duties as Gord did, with skill, courage and grace too. I encourage all senators to check out the recently released documentary entitled *The Tragically Hip: No Dress Rehearsal*, now streaming worldwide on Amazon Prime. It's an instant classic.

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 Her Excellency Tjorven Bellmann and His Excellency Matthias Lüttenberg, Ambassadors of Germany to Canada. They are the guests of the Honourable Senator Omidvar.

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

Hon. Senators: Hear, hear!

GERMAN AMBASSADORS TO CANADA

Hon. Ratna Omidvar: Honourable senators, I am delighted to welcome Germany's new Ambassadors to Canada, Tjorven Bellmann and Matthias Lüttenberg.

Yes, you heard right: ambassadors. It's not just one, but two. As parents of three young school-aged children, they have come to an eminently sensible arrangement for sharing this important but, no doubt, stressful job. Trust the Germans to come up with a practical solution. As a result, Canada and, indeed, Germany get two for the price of one. It's a dynamic duo, I conclude.

Canada's relationship with Germany merits this value-added attention. We are both steadfast allies at NATO and the G7. Our trade relationships are vibrant. We converge on concerns on climate change, and we have the same aspirations for Ukraine.

But it is perhaps our people-to-people relationships that are our most important feature and advantage. A full 10% of Canadians trace their heritage back to Germany. It is no wonder then that both peoples are engaged in a healthy and vibrant exchange, not just in trade but also in culture and education. Canada continues to be a favoured destination for German students who seek their summer thrills with student jobs in the Canadian Rockies. I wish more Canadian students would avail themselves of similar opportunities in Germany, but I am sure our two ambassadors will be making efforts to expand these people-to-people relationships.

Of particular interest to me are the similar aspirations that Canada and Germany share on migration, although today might be a difficult day to speak about those aspirations, as we experience a drastic cut in immigration levels.

Germany needs 400,000 workers every year, and it looks to Canada for some best practices. In turn, Germany has initiated innovations in this field, which marry its objectives in development and migration — an idea that Canada must follow.

Both countries have expressed their interest in deepening this relationship by expanding our bilateral agreement to include migration over issues such as selection, integration, social media and disinformation, to name a few. I, for one, look forward to animating this discussion as I return to life as a private citizen.

But first, let me extend a very warm welcome to our ambassadors — Their Excellencies — and wish them every success during their time in Canada. Their success will be our success.

Thank you.

Hon. Senators: Hear, hear.

BATTLE OF HILL 355

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I rise today to commemorate the seventy-second anniversary of the Battle of Hill 355 — from October 23 to 24, 1952 — for one of our heroic and proud Canadian regiments, The Royal Canadian Regiment, or RCR.

During the Korean War, Canadians were often deployed on or near Hill 355, so named on military maps because it was 355 metres above sea level. It was nicknamed "Little Gibraltar" because of its shape. The hill was located about 40 kilometres north of Seoul, the capital of South Korea, and was highly valued because it was the highest ground overlooking the surrounding front lines and supply routes.

It was October 1952. The 1st Battalion, The Royal Canadian Regiment had been stationed on Hill 355 since early September. Attacks by enemy forces left the defences badly damaged and weakened. Enemy attacks were relentless. Under heavy assault, with communication cut off, they fought and stood their ground, ready to die in the name of freedom.

• (1410)

Communist Chinese forces attacked on October 23, putting down another heavy artillery and mortar barrage — estimated at 6,000 rounds — mostly on the left forward B Company, and then sent forward their soldiers in a large attack, estimated at battalion sized, on the Canadian positions. The RCR counterattacked with a company-sized force, D Company. The Chinese withdrew, and the Canadians succeeded in reoccupying the position in the early hours of October 24. The challenging conditions in which these troops fought are unimaginable to most of us, yet they persevered in a foreign land, day after day, and refused to give up at all costs.

Although victorious in the Battle of Hill 355, it was a costly battle for Canadians and the RCR: 18 Canadians were killed, 35 wounded and 14 taken prisoner. Members of the Royal Canadian Regiment will long remember the legacy of the Battle of Hill 355 and the brave Canadians who fought in the Korean War.

The RCR has a long legacy of serving Canada with great courage and distinction. Since December 21, 1883, the men and women of the Royal Canadian Regiment have fought tirelessly to defend Canadian values of freedom and democracy in lands both near and far. We will remember them.

Hon. Senators: Hear, hear.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Beverly Fullerton, Executive Special Projects Coordinator and Manager of Treaty Engagements at Métis Nation-Saskatchewan; Richard Quintal, Chief Executive Officer of Métis Nation-Saskatchewan; and Glen McCallum, President of Métis Nation-Saskatchewan. They are the guests of the Honourable Senator Pate.

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

Hon. Senators: Hear, hear!

GENDER-BASED VIOLENCE

Hon. Marilou McPhedran: Honourable senators, a special thanks to my colleagues across the aisle the Canadian Senators Group for giving me this time.

This week, senators were introduced to the executive staff of LEAF, the Women's Legal Education and Action Fund. I am a "LEAF mother," a co-founder of LEAF, which was launched on Equality Day, April 17, 1985, the first day when the moratorium on Charter equality rights entrenched in our Constitution was lifted. Retired senator Nancy Ruth is also a "LEAF mother." Honourable colleagues, I recall how we anticipated that the strategic litigation initiated by LEAF would not be necessary in about 20 years. That was almost 40 years ago.

LEAF was on Parliament Hill this week to launch a new report authored by esteemed legal scholar Dr. Amanda Dale entitled *What It Takes: Establishing a Gender-Based Violence Accountability Mechanism in Canada*, which examines Canada's gender-based violence epidemic, Canada's obligations to solve the crisis and recommends the naming of a gender-based violence commissioner with the independence, powers and persuasive role necessary to create systemic change in government and in community, which is consistent with Canada's new National Action Plan to End Gender-Based Violence, or GBV.

In other words, this would be an independent, federal accountability mechanism to amplify effective countermeasures to the epidemic of gender-based violence in our country built on recommendation V.17 of the final report of the Mass Casualty

Commission, or MCC, to the Governors in Council of Nova Scotia and Canada, in which the MCC detailed events that gave rise to the deaths of 22 people, one of whom was expecting a child, in Nova Scotia in 2020.

The MCC found that at the heart of this public violence lay a link hiding in plain sight: gender-based violence. GBV occurs along a continuum of words and deeds.

Honourable colleagues, many of you, along with some members in the other place, have signed the parliamentary civility pledge launched by the Canadian Association of Feminist Parliamentarians in June. My office is regularly receiving more signed pledges.

On November 19, the AGM of this association will be held to continue this campaign to reduce forms of violence in our parliamentary work environment, in part because we are convinced that the public does not want to spend its money on such bad behaviour. There are 74 members so far: 56 MPs and 18 senators. I encourage all of you who are not among the 18 to increase this number. Thank you. *Meegwetch*.

Some Hon. Senators: Hear, hear.

GLOBAL PARLIAMENTARY FORUM

Hon. Tony Loffreda: Honourable senators, earlier this week I was in Washington for the Global Parliamentary Forum organized by the Parliamentary Network on the World Bank and the International Monetary Fund.

Founded in 2000, the network is an independent, non-governmental organization that provides a platform for parliamentarians from 189 member countries to advocate for increased accountability and transparency in development cooperation. I am honoured to serve as chair of our Canadian chapter, and I encourage you to join our group if you haven't done so already.

This year's theme was Multilateralism: Achievements, Challenges and the Way Forward. It gave legislators an opportunity to exchange views with representatives from the International Monetary Fund, or IMF, and the World Bank on how multilateralism should evolve. I had the honour of participating in a panel on the eightieth anniversary of the 1944 Bretton Woods Conference that resulted in the founding of the IMF and the World Bank. For eight decades, these two institutions have been at the forefront of global economic development, multilateral cooperation and the stability of an orderly monetary system.

Joined by senior staff from both organizations and parliamentarians from Denmark and Zambia, I spoke about Canada's support, financial and otherwise, to multilateral institutions and our commitment to providing financing to low-income and vulnerable economies.

I also reiterated Canada's position and that of its international partners on calling on multilateral development banks to undertake reforms to scale up the resources they can provide by using innovative financial instruments. These institutions need to be more adaptable and flexible in how they assist countries with reducing poverty and raising living standards.

We also explored other topics such as climate change, poverty and inequality, conflict resolution, economic gender disparities and how nations must coordinate their efforts in addressing these pressing issues.

Honourable senators, parliamentary diplomacy is an important part of our role as legislators, and it is a valuable complement to diplomatic initiatives undertaken by the government itself. We are uniquely positioned to open dialogue on difficult subjects and to engage with our international counterparts and civil society.

The Governor of the Bank of Canada recently said that we need to invest in effective multilateral institutions since they are more important than ever in this fragmented world, and I agree. Thanks to the Parliamentary Network, parliamentarians from around the world can engage with one another to advance our common interest for a healthy and prosperous global community. Our advocacy can, indeed, lead to positive changes and a better tomorrow for citizens the world over. Thank you. *Meegwetch*.

Some Hon. Senators: Hear, hear.

MI'KMAW HISTORY MONTH

Hon. Mary Coyle: Honourable senators, Mi'kmaw History Month commenced on October 1, Treaty Day, recognizing the Mi'kmaq Peace and Friendship Treaties signed in 1752. Mi'kma'ki, the Mi'kmaq homeland, includes present-day Nova Scotia, Prince Edward Island, central and eastern New Brunswick, the Gaspé Peninsula and Newfoundland. There are 30 Mi'kmaq nations — 29 in Canada and 1 in Maine.

Today, I would like to shine a light on four Mi'kmaw history makers: four Mi'kmaw senators.

In 2016, the Honourable Dan Christmas made history as the first Mi'kmaw senator appointed to the Senate. He had already made history as a key player in the leadership team responsible for the well-known success of Membertou First Nation and as director of the Union of Nova Scotia Indians. Here at the Senate, Dan Christmas made history as Chair of the Indigenous Peoples Committee when we passed Bill C-15, which led to the United Nations Declaration on the Rights of Indigenous Peoples Act. He described it as his Mount Everest in life.

• (1420)

Senator Brian Francis made history in 2018 when he was appointed the first Mi'kmaw to represent Epekwitk, or Prince Edward Island, in the Senate of Canada. He had served as Chief and Band Administrator of Abegweit First Nation for 11 years, as an executive board member of the Atlantic Policy Congress of First Nations Chiefs Secretariat and as a board member of Ulnooweg, a development group. He capably serves as the Chair of the Senate Indigenous Peoples Committee today and sponsored the historic Bill C-5, regarding the National Day for Truth and Reconciliation.

Mi'kmaw lawyers and leaders Senators Paul Prosper and Judy White were both appointed to the Senate in July 2023.

The first Indigenous senator from Newfoundland and Labrador, Judy White, from Flat Bay, had already made big waves as the first Indigenous woman to chair the province's human rights commission, as Newfoundland's Assistant Deputy Minister of Indigenous Affairs and Reconciliation and as Director General of Indigenous Services Canada. Senator White says she has 15 years to make her mark here as an Indigenous woman pushing reconciliation from the inside.

A well-respected leader hailing from my neck of the woods, Senator Paul Prosper served as Regional Chief for the Assembly of First Nations representing the chiefs of Nova Scotia, as Chief of Paqtnkek Mi'kmaw Nation and on many boards and committees. Senator Prosper continues his significant contributions with his bold and historic Reconcili-ACTION initiative.

Honourable colleagues, history is humankind's memory. Please join me in celebrating Senators Prosper, White, Francis and Christmas, who are living chapters in the history books and memory of Mi'kma'ki, the Senate and Canada.

Wela'lioq.

Hon. Senators: Hear, hear.

ROUTINE PROCEEDINGS

ARAB HERITAGE MONTH BILL

TWENTY-SEVENTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE PRESENTED

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

Thursday, October 24, 2024

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

TWENTY-SEVENTH REPORT

Your committee, to which was referred Bill C-232, An Act respecting Arab Heritage Month, has, in obedience to the order of reference of May 9, 2024, examined the said bill and now reports the same without amendment.

Respectfully submitted,

RATNA OMIDVAR

Chair

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

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

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO REPLACE TWENTY-FIRST REPORT OF COMMITTEE ON STUDY OF ISSUES RELATING TO SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY GENERALLY WITH CORRECTED VERSION

Hon. Ratna Omidvar: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(k), I move:

> That the twenty-first report, interim, of the Standing Senate Committee on Social Affairs, Science and Technology, entitled *Act Now: Solutions for Temporary and Migrant Labour in Canada*, deposited with the Clerk of the Senate on May 21, 2024, and adopted by the Senate on May 30, 2024, be replaced with a corrected version of the report, adopted by the committee on October 10, 2024.

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

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, I would like the senator to explain why a report that has already been adopted and is already on the website needs to be replaced with another document. I would like to know what the changes are and why they had to be made.

Hon. Ratna Omidvar: Thank you for asking for that clarification, Senator Plett. Over the summer, a stakeholder identified an error in the Social Affairs Committee report I'm referring to, and the report had been adopted by the Senate on May 30, 2024.

The error specifically concerns the number of temporary foreign worker program work permits delivered for New Brunswick in 2023. While the report stated that there were 59,175 permits, the actual number should be 4,410. This error was caused by a misinterpretation of open data provided by Immigration, Refugees and Citizenship Canada, or IRCC.

After further review of the report by the Library of Parliament, six sentences with misinterpreted data have been identified for correction, as well as one figure. The largest data deviation occurred with the New Brunswick number, but some numbers for Prince Edward Island and Yukon were also erroneous, as were the total figures and provinces identified.

Earlier this month, the Standing Senate Committee on Social Affairs, Science and Technology's website was updated with a correction document highlighting these changes. The committee also adopted a corrected version of the report on October 10, which includes an appendix identifying the corrections made.

We apologize for these errors but wish to correct them fully and transparently, not just on the website but by approving a new, corrected version of the report. I ask you to adopt this motion with leave.

Senator Plett: Thank you, Senator Omidvar. I accept your explanation. Clearly, the committee has re-evaluated this.

What is the time sensitivity around us giving leave now versus letting us look at and review this until Tuesday of next week? I'm not suggesting we do this; I'm asking about the repercussions of us doing it. This has been on the website for some time now. Could you please enlighten us?

Senator Omidvar: Senator Plett, I believe the urgency relates to being transparent and accountable to the stakeholders whom we met. I note that it was a stakeholder who pointed out the errors in the report. There is urgency whether it is today or Tuesday of next week; I will not argue over that point. The urgency is related to the rapid changes in policy directions that the government is making. Every day, there is a new announcement coming out, whether it is on temporary foreign workers, immigration plan numbers or international students, and we believe it is urgent to correct this as soon as we can to reflect appropriately the work that the committee has done and the quality of the work that the Senate has a reputation for.

Senator Plett: Your Honour, I am prepared to give leave, but I want to be on the record that I have a real issue with a mistake of this magnitude being made and, indeed, that stakeholders across the country have to point out errors that we never should have allowed to happen. With that on the record, we give leave.

Hon. Leo Housakos: Honourable senators, could I ask Senator Omidvar for a clarification? Did you say that the changes were made on the website before you asked for leave from the chamber? Have the changes to the statistics actually been made on the website?

Senator Omidvar: Yes, changes have been made on the website, and I understand that was within the rules but that changes to the report must be approved here.

• (1430)

Senator Housakos: I would love to know what rule gives whom the authority to change a report on the Senate website without it being given leave by this chamber.

Senator Omidvar: Is that a question or an observation?

Senator Housakos: That's a question.

Senator Omidvar: Okay. I'm not sure what the rule is. We debated this a great deal at committee and in the steering committee. A protocol was presented to us and backed up by the clerk of the committee that this was the right procedure to do.

We wanted to correct the error as soon as possible because of its seriousness — and I agree, it is serious — so we corrected the error within the rules and the protocol of the chamber. I'm sorry I cannot quote them back at you. We are now doing the next step of asking for permission to table a corrected report and have it approved.

Senator Plett: Unless we can get better clarification than that, Your Honour, respectfully, I will change my opinion on giving leave. I would like to look at this and deal with this next week.

The Hon. the Speaker: Did you want to respond to that, senator?

Senator Omidvar: We put a correction document on the website, but we did not correct the report. To be clear: We put a correction document and not the report.

Senator Plett: That is not really a convincing argument, but nevertheless, we will —

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

Hon. Senators: Agreed.

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to.)

QUESTION PERIOD

FINANCE

COST OF LIVING

Hon. Donald Neil Plett (Leader of the Opposition): Senator Gold, during Question Period yesterday, our deputy leader, Senator Martin, asked you very valid questions about Ugly Potato Day in B.C., when 15,000 people lined up in the rain for hours, hoping to get some rejected produce from local farmers. Your response to Senator Martin and the farmers she quoted directly was to call her question "old" and "tired." That was incredibly arrogant and dismissive. That was your answer, Senator Gold. You might think you are insulting the Conservative Party when you give an answer like that, but, as a matter of fact, you are insulting Canadians who are struggling to get by.

Why do you insist on demeaning or insulting our questions based upon the suffering endured by Canadians?

Hon. Marc Gold (Government Representative in the Senate): Senator Plett, unless my memory is much worse than I think it is, with all due respect, I think you have very much misrepresented what I said. What I believe I said then, and what I am saying now, is not that the struggles that Canadians are facing, whether on issues of food, housing or affordability, are not important and — indeed, as I think I mentioned — unacceptable in many ways, certainly with regard to food in a country so well endowed as we are. What I did object to and will continue to object to is taking serious issues and then wrapping them up in these tired slogans, like "axe the tax," "not worth the cost" or all the other ones. I will continue to call those out as unhelpful and, in my opinion, as rhetoric that obscures the real issues.

Senator Plett: Check Hansard.

Our questions are based on what Canadians are struggling with in their daily lives, Senator Gold. You represent the government that imposes a carbon tax and wastes millions of dollars on affordability summits, while 2 million people go to food banks just to survive, Senator Gold. Shouldn't I hold you to account for that? When will someone in your government for once take responsibility instead of brushing off our questions as talking points?

Senator Gold: Senator Plett, I don't know on how many dozens of occasions I have tried to draw a distinction between the legitimacy of your questions and the way in which you wrap them up. I will continue to do so. The fact is that the government continues to work hard and do its part to address the challenges that Canadians are facing on the issue of food, access to quality food and other matters that preoccupy Canadians.

COST OF FOOD

Hon. Donald Neil Plett (Leader of the Opposition): Our questions are always legitimate, Senator Gold, and while you dismiss our questions as talking points on your government's actions or lack thereof, I see Canadians turning to neighbourhood Facebook groups for advice on how to feed their families. They are looking for tips on how to stretch the little money they have left to feed their children.

Here is one post:

> We are a family of six, one teen, and I can barely keep up. Just two meals worth of groceries plus fruit for snacks and bread for $100. How do you all manage your grocery budget? I am terrified . . .

A response to that post was, ". . . do what we do, eat a bit less . . . ."

Leader, how should this family manage their grocery expenses? Should they "eat a bit less"?

Hon. Marc Gold (Government Representative in the Senate): Senator Plett, the situation facing that family is tragic, and they are not the only family facing real challenges.

This country can do a better job in feeding its citizens. It can do a better job of not wasting food. Each of us as citizens can do a better job on our part. Thank goodness for the work of the provinces, the federal government, the municipalities, the private sector, churches, synagogues, mosques and good-hearted citizens who are doing their best to help their fellow citizens.

No matter how many times you say it and try to paint this government into a corner, the government is aware of and cares about the situation that Canadians are facing. It is doing its part responsibly to help address the situation.

Senator Plett: They may be aware, but they do not care.

Last year, I asked you about people dumpster diving for food in Vancouver. Earlier this year, I asked you about a similar Facebook group with 8,000 members in Toronto. I have also asked you about 56,000 Canadians setting up GoFundMe accounts to raise money for food, Senator Gold.

Senator Housakos: Shameful.

Senator Plett: Why do you think they're doing that, leader? What advice do you have for these fellow Canadians? What advice will you give them, Senator Gold?

Senator Gold: I'm not presumptuous enough to advise people how to manage the struggles they are facing. All I can do is again express the government's commitment to doing its part to assist them and express my own personal commitment to continue to answer your questions as honestly and transparently as I can and to refuse to get drawn into partisan debates that seek to blame this government for every ill under the sun.

[*Translation*]

IMMIGRATION, REFUGEES AND CITIZENSHIP

IMMIGRATION LEVELS

Hon. Marie-Françoise Mégie: My question is for the Government Representative in the Senate.

Senator Gold, today, there are over 41 million Canadians from coast to coast to coast, and 97% of our population growth comes from immigration. Immigration is related to intake capacity. How is Canada's intake capacity calculated? How often is it calculated?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. To provide some context, Immigration, Refugees and Citizenship Canada takes into account the following factors when developing the immigration levels plan: priorities and objectives for immigration, including those set out in the Immigration and Refugee Protection Act; economic and regional needs; international obligations and commitments; processing capacity; and the capacity to settle, integrate and retain newcomers. I believe the government consulted stakeholders, organizations, the provincial and territorial governments and Canadians on the best course of action when developing the 2025–2027 Immigration Levels Plan.

• (1440)

Senator Mégie: Thank you, Senator Gold, but you didn't really answer the second part of the question, which was this: How often is Canada's intake capacity calculated?

Senator Gold: Thank you for the question. I don't have a specific answer to your question, except for the fact that, these days, it's quite obvious that the government is still in the process of consulting and reviewing the immigration targets based on all of the factors that I listed.

EMPLOYMENT AND SOCIAL DEVELOPMENT

PARENTAL LEAVE—EMPLOYMENT INSURANCE

Hon. Éric Forest: Senator Gold, every year, 3,000 women who have the misfortune of losing their job after taking parental leave are then deemed ineligible for EI. This is totally unacceptable. The problem is that benefits provided under the Quebec parental insurance plan are counted as weeks of EI. The same thing happens elsewhere in Canada with maternity benefits and parental benefits. Imagine the distress that these women feel on returning from maternity leave only to discover that they are going to lose $668 a week in EI benefits on top of losing their job.

Can the government representative grasp how absurd it is that the EI system fails to distinguish between parental leave and periods of unemployment, leaving thousands of women and their children vulnerable?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question, and thank you also for drawing the Senate's attention to this very real problem. The government has acknowledged this problem and its disproportionate impact on women. As I understand it, the government remains committed to modernizing EI in order to resolve this problematic situation.

Senator Forest: Our EI system has been under review for months, if not years. The federal government is responsible for this situation. It created the problem by using the EI system to develop a family policy. Women on maternity leave are not unemployed. The solution is simple. The government should just modify EI to treat maternity, parental and adoption benefits as employment income in the event of a layoff.

Will the government finally correct this inequity that puts women and young families at risk?

Senator Gold: Thank you for the question. As I said, the government remains committed to modernizing EI. However, given the current and short-term economic context, it is inadvisable to take any measures that could put pressure on EI premiums, and the government must reflect carefully before making any decisions that could make matters worse for workers and employers who are trying to make ends meet.

[*English*]

TRANSPORT

CONFEDERATION BRIDGE

Hon. Brian Francis: Senator Gold, P.E.I. has been grappling with a shortage of mental health workers, which makes it difficult for residents to receive timely support, especially in rural areas.

After two suicides in September on the Confederation Bridge, which is a federal responsibility, there are renewed calls to place barriers and other preventive measures. Will the federal government install barriers on the bridge? What other steps have been taken to improve access to mental health services in Prince Edward Island?

Hon. Marc Gold (Government Representative in the Senate): Well, there are two parts to your question, and thank you for raising both of them. I will raise the question further regarding work that may be done on the barriers with the appropriate minister.

With regard to access to mental health services, the federal government has made significant contributions to the provinces, and, in some cases, it's earmarked for mental health support so that the provinces — within their constitutional jurisdiction over health — can have greater resources to address the needs of their citizens. The Government of Canada will continue to work with the provinces in that respect.

HEALTH

MENTAL HEALTH

Hon. Brian Francis: Senator Gold, given the ongoing lack of access to mental health supports, could you also share what measures the federal government has implemented to ensure that the P.E.I. RCMP and other first responders are better equipped to respond to the steady increase in mental health-related calls?

Hon. Marc Gold (Government Representative in the Senate): Again, I have to raise some of the specifics of your question with the minister because I don't have the answers at hand, except to say that the federal government — working together with the RCMP and with the provinces that have the constitutional responsibility, with support from the federal government, to establish the needed services — will continue to work to try to make that happen.

INFRASTRUCTURE AND COMMUNITIES

AFFORDABLE HOUSING

Hon. Leo Housakos: Senator Gold, I'm going to give you some statistics because, of course, those aren't partisan, right?

In 2015, the average mortgage payment in Canada was $1,400 a month compared to the average payment now — after nine years of Justin Trudeau — which is $3,200 a month. The average cost of rent for one bedroom in 2015 was $970 a month. Now, after nine years of Justin Trudeau, it is at $1,800 a month.

Senator MacDonald: Great job.

Senator Housakos: An average down payment, colleagues, on a new home in 2015 was $22,000. Now it is at $46,000 — double after nine years of Justin Trudeau. We all like double-double coffee at Tim Hortons, Senator Gold, but not so much when it comes to the cost of housing.

Senator Gold, my question is a simple one: Do you remember who the housing minister was in 2015? Won't you agree that he would make a fantastic replacement for Justin Trudeau?

Some Hon. Senators: Hear, hear.

Hon. Marc Gold (Government Representative in the Senate): I remember, and as I pointed out to this chamber, his ability and willingness to build houses amounted to zero.

Since you want some statistics, here are some statistics: The rate of poverty used to be 14.5%. I think that was when your party was last in power. The government has brought it down to 9.5%, lifting a million Canadians out of poverty. The government has increased benefits for seniors since 2015; it has enhanced the Canada Pension Plan so that seniors have more support in retirement. The government is investing hundreds of millions of dollars in Canadian health care by rolling out free contraceptives and free insulin, and it has a host of projects which —

Senator LaBoucane-Benson: Are we talking about housing or what?

Senator Housakos: I'm talking about housing; you're talking about contraceptives.

Senator Gold, a house that was built and sold — more stats — for $231,000 in 2015 is now being built and sold on the same street for $490,000, which is more than double. Meanwhile, do you know how many houses were built in 2015 under Pierre Poilievre when he was the housing minister? It wasn't zero, as you claim. It was 194,000.

I'll ask you again: Isn't it time that Canadians get a break, call an election and bring somebody in who can do the job?

Senator MacDonald: That's right.

Senator Gold: Senator Housakos, the price of housing goes up not because of who is in power but because of market forces.

Senator LaBoucane-Benson: You should know that.

Senator Gold: I have a business background, and you have a business background, and I think we both know better.

GLOBAL AFFAIRS

AFGHANISTAN CRISIS

Hon. Salma Ataullahjan: Senator Gold, despite the passage of Bill C-41 in June 2023 and the release of guidelines on the authorization regime by Public Safety Canada in June 2024, Canadian civil society organizations wishing to operate in Afghanistan and other regions controlled by designated terrorist groups continue to either refrain from engagement or remain stuck in limbo due to the ongoing confusion, lack of transparency and increased administrative burdens.

Can your government provide a clear and specific time frame for when a full, effective and transparent authorization process with the necessary procedural safeguards will be implemented?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and your continued attention and advocacy on this issue. This is especially challenging for the women and people of Afghanistan. Please don't misunderstand my comments, but it is also a very challenging issue given the forces that control and oppress the people of Afghanistan.

I will raise this with the minister at the earliest opportunity because it is an important question, and I know that lives and well-being are at stake.

Senator Ataullahjan: Senator Gold, given the severe and ongoing humanitarian crisis in Afghanistan, what is your government's plan for delivering aid to the country's most vulnerable populations, particularly women and children? How will this aid be delivered through channels that prioritize speed, efficiency and local engagement, ensuring both immediate needs such as food, water and shelter are met, while also addressing long-term recovery efforts including education, livelihood initiatives and health care?

• (1450)

Senator Gold: Well, senator, your questions identify all the appropriate steps that this country aspires to do to assist the people of Afghanistan. It also identifies implicitly the many challenges to which I referred given the authorities that control the territory in Afghanistan.

I will raise this issue with the minister, as I promised.

IMMIGRATION, REFUGEES AND CITIZENSHIP

IMMIGRATION LEVELS

Hon. Ratna Omidvar: Senator Gold, the new immigration plans that were announced today represent a very sharp U-turn in policy, such a sharp U-turn, in fact, that the car, driver and any passengers in it will likely get hurt. There will be unintended consequences. Has the government thought about the impact on the economy and the labour market in the near and mid-term?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. Indeed, for some time now, this government and provincial and municipal governments have been struggling with the challenges, pushes and pulls of our levels of immigration, general and specific, both on our labour needs and also on our capacity to provide proper and fitting homes for those who are here either temporarily or who aspire to make their lives here, whether that is on the education front or the health care front, as we well know.

The government has listened carefully to Canadians and listened to their partners in the provinces, territories, municipalities and institutions and has revised, as it regularly has done in the past, its levels so that Canada can do a better job of absorbing and integrating life in Canada for our new arrivals.

Senator Omidvar: Thank you, Senator Gold. I note with particular dismay the steady yet incremental decrease in the number of refugees that we are going to accept. In 2023, the plan called for 76,000. By 2026, it will drop to 58,000. These are not numbers; these are lives of people. Why the retreat from compassion?

Senator Gold: I understand the question, and I understand the concern that it has caused here, but it is also a measure of responsibility that any government must take in difficult decisions to ensure that those we bring into the country are treated properly and with compassion, properly housed and properly supported as they make their way through that difficult transition.

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

BUSINESS OF THE COMMITTEE

Hon. Mary Coyle: My question is for Senator Moncion, the chair of the Internal Economy Committee, or CIBA. I asked you previously when senators would see the latest report from the consulting group charged with helping the Senate set a greenhouse gas target, calculate projections and provide recommendations on establishing an action plan for the Senate's path to net zero.

On March 29, 2022, the Senate unanimously adopted the Environmental and Sustainability Policy Statement with the objective of ". . . reducing the Senate's carbon footprint to net zero by 2030 and to implement sustainable practices in its operations."

Senator Moncion, you said:

> I'm unable to discuss everything related to this file publicly, as some ongoing discussions regarding this matter were held in camera due to their sensitive nature. . . .

Senator Moncion, why all the secrecy?

Hon. Lucie Moncion: Thank you for the question. CIBA made a decision about the publication of the report, and the rationale was discussed in camera. I cannot, therefore, disclose that information. I can say that it touches managerial decisions from an employer's perspective and touches on internal operations. The members of CIBA consulted the report in that capacity as the employer. So I can't go any further, senator, with that information.

Senator Coyle: Well, that's puzzling. The first consultant report clearly identified the two main sources of the Senate's greenhouse gas emissions as being from heating our Senate buildings and from senators' travel. You mentioned administration was working on potential initiatives last time: bicycles, reducing paper.

Senator Moncion, when will we see the latest report we paid for so we can see for ourselves serious options for fulfilling our Senate net-zero commitments?

Senator Moncion: Again, I am not at liberty of providing the report. It was a decision that was made by CIBA.

What I can tell you, though, is that some of the initiatives that are within the report will be brought forward. Like the bicycle initiative, there are other initiatives that we are working on, but the report, at this moment, I don't have the liberty of providing it.

PUBLIC SAFETY

FIREARMS CONTROL

Hon. Yonah Martin (Deputy Leader of the Opposition): Leader, my question concerns the Prime Minister's recent statements on the second anniversary of his firearms ban. In response to his tweet, the Surrey Police Union had this to say:

> The federal handgun freeze fails to address the real issue: the surge of illegal firearms coming across our borders and ending up in the hands of violent criminals. Our members are on the front lines of gang violence daily, risking their lives to protect the public. How can we truly ensure community safety when 85% of seized firearms are traced back to the US?

Leader, what is your response to this question not from me but from the police in Surrey, B.C.?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. We know, as this chamber knows from the various debates we have had on different gun legislation, that there is a very big problem with the smuggling of illegal firearms from the United States and that is a completely separate issue and an important issue from the steps that we can take within our own legislative frameworks.

The government has provided additional resources to Canada Border Services Agency to do their best to interdict the coming into this country of guns from abroad, from the United States, and will continue to do so. This is an ongoing challenge, a work in progress. There are other issues like ghost guns and 3-D-printed guns that also need to be addressed, and the government will continue to focus on those important issues because they are.

Senator Martin: Obviously, the government isn't doing their job because we are talking about 85% of these guns.

The Vancouver Police Union also responded to the Prime Minister:

> Guessing he's not aware of the ongoing gang war here in B.C. which is putting both our members and public at risk on a daily basis.
>
> Where do you think their guns are still coming from and what has he done to stop them?

Leader, what is your response to Vancouver's police officers?

Senator Housakos: Are they partisan too?

Senator Gold: The government not only understands and respects but honours the work of police forces across the country. Gang violence is a problem in your province, as you pointed out. It's a problem in my city. The federal government and law enforcement, provincial police forces where appropriate and others are working hard to address this.

Again, I repeat: The government is doing its best at the border to address the inflow of illegal arms from the United States.

PRIVY COUNCIL OFFICE

GOVERNMENT RESPONSIBILITY

Hon. Donald Neil Plett (Leader of the Opposition): Nothing is ever this government's fault. Questions about Canadians unable to afford food are met with scorn and insults, as they were yesterday. Questions about the pain caused by the carbon tax are met with contempt. Questions about a lack of housing are brushed aside. Even today, we didn't hear any apologies from the Prime Minister for ruining Canada's immigration system. He probably blames Stephen Harper.

Senator Martin: Yes, still.

Senator Plett: You said you have a business background. I have a plumbing background. As a plumber, I know what we should be doing with this Liberal-NDP government that won't take responsibility. What do you think we should do with them?

Some Hon. Senators: Flush them.

Hon. Marc Gold (Government Representative in the Senate): I think what this chamber deserves and one of its functions is serious consideration freed from hyper-partisanship that characterizes the other place, and sober second thought on legislation and public policy. I think that this is what the Senate has the capacity to do. I think it is its constitutional responsibility to do so. That's what we should be doing in this chamber, and I wish that — as our committees do so well — these few moments that we have together would fall more in that spirit.

• (1500)

Senator Plett: Well, we saw what committees do at the Agriculture Committee today. I don't often agree, Senator Gold, with *The Globe and Mail*, but today they hit the nail on the head. They said this government is, "Image over substance, and party over country." *The Globe and Mail*, Senator Gold, not Conservative talking points. Canadians have had enough of your government's talking points and slogans. They deserve a government that puts their needs first, don't they?

Senator Gold: Senator Plett, your questions and certainly the way you frame them towards the end are very attractive, I'm sure, to many. This government will continue to do its work, as it is doing, to help Canadians. I'm not here as the government representative to speculate upon matters beyond —

PUBLIC SAFETY

CRIME PREVENTION

Hon. Yonah Martin (Deputy Leader of the Opposition): Leader, after nine long years of this NDP-Liberal government, car theft is up 34% across Canada. In fact, it is up 100% both here in the Ottawa-Gatineau area and Montreal, and in Toronto it is up a massive 300%. In May, Peel Regional Police recovered 369 stolen vehicles through a seven-month investigation that resulted in 322 charges amongst 26 suspects. Of the 26 individuals facing charges, 14 were already on a form of release or bail for auto theft-related charges at the time of offence.

Leader, doesn't this show that it is time to end catch-and-release bail for repeat car thieves?

Senator Plett: Absolutely. Good question.

Hon. Marc Gold (Government Representative in the Senate): Car theft is a serious problem which the government has addressed with additional resources to police and border services and so on. With the greatest of respect, senator, and I've said this many times, it is incorrect to characterize it — though, perhaps it is very catchy — catch-and-release. It belittles and demeans the independence of the judiciary and those other independent institutions in our criminal justice system that have the responsibility for balancing a risk and assessing the appropriateness of how time is served and people can be reintegrated. They will continue to do that. This government has a different view on criminal justice than your party —

Senator Martin: Again, 300% is an astronomical rise in theft. We need to do something. Last month, the NDP-Liberals voted against common-sense legislation in the other place which would have implemented a mandatory minimum of three years in jail for those who steal a motor vehicle three times. Leader, why was this bill not supported? Why not help Canadians protect their property and bring home safe streets to our communities?

Senator Gold: This government cares as much as your government in the past cared and your party cares about the safety and security of Canadians. Respectfully, it takes a very different view as to what is effective. It has studied and rejects the efficacy and indeed often the constitutionality of mandatory measures. It has introduced measures to bring the law more in conformity with the Charter and to make a more effective —

ANSWERS TO ORDER PAPER QUESTION TABLED

AGRICULTURE AND AGRI-FOOD—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Agriculture and Agri-Food Canada, including the Canadian Pari-Mutuel Agency, Canadian Grain Commission and Farm Products Council of Canada.

ATLANTIC CANADA OPPORTUNITIES AGENCY— CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Atlantic Canada Opportunities Agency.

CANADIAN NORTHERN ECONOMIC DEVELOPMENT AGENCY— CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Canadian Northern Economic Development Agency.

NATIONAL REVENUE—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Canada Revenue Agency.

ECONOMIC DEVELOPMENT AGENCY OF CANADA FOR THE REGIONS OF QUEBEC—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Canada Economic Development for Quebec Regions.

FISHERIES, OCEANS AND THE CANADIAN COAST GUARD— CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Fisheries and Oceans Canada, including the Canadian Coast Guard.

INDIGENOUS SERVICES—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Indigenous Services Canada, including Indian Oil and Gas Canada.

NATIONAL DEFENCE—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — National Defence, Communications Security Establishment, National Defence and Canadian Armed Forces Ombudsman, Military Grievances External Review Committee and Military Policy Complaints Commission.

ENVIRONMENT AND CLIMATE CHANGE—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Environment and Climate Change Canada, Impact Assessment Agency of Canada and Parks Canada.

EMPLOYMENT, WORKFORCE DEVELOPMENT AND OFFICIAL LANGUAGES—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents —

Employment and Social Development Canada, Accessibility Standards Canada and Canadian Centre for Occupational Health and Safety.

FEDERAL ECONOMIC DEVELOPMENT AGENCY FOR SOUTHERN ONTARIO—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Federal Economic Development Agency for Southern Ontario.

FEDERAL ECONOMIC DEVELOPMENT AGENCY FOR NORTHERN ONTARIO—NO. 38

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Federal Economic Development Agency for Northern Ontario.

FINANCE—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Department of Finance Canada and Office of the Superintendent of Financial Institutions.

FOREIGN AFFAIRS—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Global Affairs Canada and Invest in Canada.

HEALTH—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Health Canada, Public Health Agency of Canada, Canadian Food Inspection Agency, Canadian Institutes of Health Research and Patented Medicine Prices Review Board.

CROWN-INDIGENOUS RELATIONS—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Crown-Indigenous Relations and Northern Affairs Canada.

HOUSING, INFRASTRUCTURE AND COMMUNITIES—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Infrastructure Canada.

IMMIGRATION, REFUGEES AND CITIZENSHIP—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Immigration, Refugees and Citizenship Canada and Immigration and Refugee Board of Canada.

INNOVATION, SCIENCE AND INDUSTRY—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Innovation, Science and Economic Development Canada, including special operating agencies, Copyright Board of Canada, Canadian Space Agency, National Research Council Canada, Natural Sciences and Engineering Research Council of Canada, Social Sciences and Humanities Research Council of Canada and Statistics Canada.

JUSTICE—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Department of Justice Canada, Canadian Human Rights Commission and Administrative Tribunals Support Service of Canada.

ENERGY AND NATURAL RESOURCES—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Natural Resources Canada, Canada Energy Regulator, Canadian Nuclear Safety Commission and Northern Pipeline Agency.

PACIFIC ECONOMIC DEVELOPMENT AGENCY— CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Pacific Economic Development Canada.

CANADIAN HERITAGE—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Canadian Heritage, Canadian Radio-television and Telecommunications Commission, Library and Archives Canada, National Battlefields Commission, National Film Board of Canada, Canadian Conservation Institute and Canadian Heritage Information Network.

PRIVY COUNCIL OFFICE—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Privy Council Office.

PUBLIC PROSECUTION SERVICE—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Public Prosecution Service of Canada.

PRAIRIES ECONOMIC DEVELOPMENT—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Prairies Economic Development Canada.

PUBLIC SAFETY, DEMOCRATIC INSTITUTIONS AND INTERGOVERNMENTAL AFFAIRS—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Public Safety Canada, Canada Border Services Agency, Canadian Security Intelligence Service, Correctional Service of Canada, Parole Board of Canada and Royal Canadian Mounted Police.

PUBLIC SERVICES AND PROCUREMENT—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Public Services and Procurement Canada and Shared Services Canada.

WOMEN AND GENDER EQUALITY AND YOUTH— CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Women and Gender Equality Canada.

TREASURY BOARD—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Treasury Board of Canada Secretariat and Canada School of Public Service.

TRANSPORT—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the

Order Paper and Notice Paper in the name of the Honourable Senator Plett, regarding classified or protected documents — Transport Canada and Canadian Transportation Agency.

CANADIAN INTERGOVERNMENTAL CONFERENCE SECRETARIAT—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Canadian Intergovernmental Conference Secretariat, Public Service Commission of Canada and Transportation Safety Board of Canada.

VETERANS AFFAIRS—CLASSIFIED OR PROTECTED DOCUMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 38, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding classified or protected documents — Veterans Affairs Canada and Veterans Review and Appeal Board.

ORDERS OF THE DAY

PUBLIC COMPLAINTS AND REVIEW COMMISSION BILL

BILL TO AMEND—THIRD READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Omidvar, seconded by the Honourable Senator Clement, for the third reading of Bill C-20, An Act establishing the Public Complaints and Review Commission and amending certain Acts and statutory instruments.

Hon. Brent Cotter: One of the hallmarks of a modern, civilized society is that it entrusts — as it must — significant policing power to certain members of its community and also — as it ought to — ensures that those powers are exercised responsibly and accountably. Indeed, this concept, and the idea that the police are exercising their authority not separate from but as a part of and on behalf of the community has been embraced since the early 1800s when Sir Robert Peel established the first professional policing service in England — the so-called Peelers — and articulated what has come to be known as Peel's Policing Principles.

It is much easier to make these statements than to operationalize them. Policing work, whether in the community or at our borders, is challenging work. Officers often encounter people at their most difficult, engaged in less-than-honourable behaviour and we ask a great deal of them to exercise their authority in a professional and disciplined way in challenging circumstances.

Nevertheless, public confidence in policing authority is the eroded when it there is a perception that accountability for unprofessional behaviour is absent or inadequate.

This brings me to, with respect to the Royal Canadian Mounted Police, the role of the Civilian Review and Complaints Commission. It performs this accountability and confidence-building function.

• (1510)

I have some acquaintance with the Civilian Review and Complaints Commission for the RCMP, or CRCC. I served as the chair of an agency in Saskatchewan called the Public Complaints Commission up to the time when I was appointed to this chamber. That agency performed a similar oversight role with respect to police officers in Saskatchewan, with one significant difference that I will mention shortly.

As a result, I had the opportunity to work closely with the leadership of the CRCC. This agency, under its chair, Michelaine Lahaie, has been one of the leading professional police oversight agencies in Canada for many years. I mention this to communicate my support for the decision captured in Bill C-20 to enrich the authority of the CRCC under another name in relation to police officers and to consolidate oversight of Canada Border Services Agency officers in an expanded version of the agency.

This approach will understandably present challenges in providing oversight of two noticeably different entities carrying out policing functions, but I am confident that this collocation to a well-respected oversight body is a wise choice.

I will not go into detail about those changes to be enacted by Bill C-20 that are specific to the RCMP. I will only say that, among other things, greater accountability on the part of the RCMP in response to the work of the CRCC in its new formulation will be a good thing. It will increase the accountability of officers in cases where they have failed to serve the public with professionalism and will improve public confidence in our national police force.

I am also pleased to see that we are close to the finish line of finally delivering on the recommendation of Justice Dennis O'Connor, to which Senator Omidvar referred in her remarks, regarding oversight of border security agents so many years after he completed his 700-page report in relation to Maher Arar in 2006, the most comprehensive security review ever undertaken in this country.

My one reservation about Bill C-20 is this: Most of the civilian oversight agencies providing oversight of police in Canada have a significant police complaints investigative authority, and I emphasize "investigative." That is, the agencies undertake the investigation of complaints independent of the police service. They are staffed with investigators to undertake this task. This is the trend in Canada, as noted by Chief Justice Michael Tulloch, Chief Justice of the Court of Appeal for Ontario, in his 2017 review of civilian oversight in Ontario.

While Bill C-20 creates a complaints investigation authority with respect to border services agents and continues that authority with respect to the RCMP, the primary model is not independent complaints investigation but review of investigations of complaints initially handled by border services agents or the RCMP, respectively.

While this may seem like a question of oversight semantics, it is more significant than that. A critical objective of civilian oversight of policing agencies is to ensure public confidence that the officers are exercising their authority responsibly and professionally and held to account when they are not. Confidence in that oversight is enhanced when it is fully independent. Independent agencies whose roles are primarily focused on the review of police investigations of their own people too often leave the impression that it is the police investigating the police, and this tends to moderate — if not undermine — public confidence in independent oversight.

I had hoped that Bill C-20 would embrace this modern, richer version of oversight. This limitation is not enough to cause me to oppose the bill or seek through amendment to try to restructure it, but it does leave me with the hope — perhaps forlorn, but a hope, nevertheless — that in the coming years, this new agency will evolve to a more comprehensive, independent investigative authority.

Over 200 years ago, in the construction of what came to be known as "Peel's Principles," Sir Robert Peel stated one of them, which says, "The people are the police, and the police are the people."

We rarely think about policing authority in this integrated way anymore, but greater confidence in our border police and RCMP officers is as critical to a healthy society as is the professional conduct of the officers themselves in the doing of their work. They are two sides of the same coin.

One important dimension of this greater confidence is the quality of police oversight. Bill C-20 enhances that oversight, and, in doing so, it makes a meaningful contribution to our confidence in the RCMP and our border services.

Thank you. *Hiy hiy.*

(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. Ratna Omidvar: Honourable senators, this item stands adjourned in the name of the Honourable Senator Plett, and I ask for leave of the Senate that following today's interventions, the balance of his time to speak to this item be reserved.

The Hon. the Speaker: Is leave granted?

Hon. Senators: Agreed.

The Hon. the Speaker: So ordered.

Hon. Ratna Omidvar: Honourable senators, I rise to speak on the Speech from the Throne to address an urgent need for Canada. Canada is facing a primary health care crisis, and the government stated in its Speech from the Throne that "To build a healthy future, we must also strengthen our healthcare system and public health supports for all Canadians . . ."

Yet an alarming 6.5 million people do not have access to a family physician, a number that is projected to rise to 10 million within the next decade. We find ourselves lagging behind our international counterparts, ranking last among 10 high-income countries when it comes to access to primary care. This is not just a statistic but a clear and present danger.

The shortage of family doctors in Canada is acute, and it is worsening, driven by a complex interplay of factors. Many provincial governments have hacked away at services and budgets and incrementally privatized health care, which has eroded the public system. Our population is growing and aging, yet we face significant administrative challenges and underfunded residency programs. Compounding these issues, fewer medical graduates are choosing to enter primary care. If we do not take decisive action, Canada is on course to experience a shortfall of 50,000 family doctors by 2031.

• (1520)

This looming crisis threatens to strain our health care system, leading to longer wait times and deteriorating health outcomes, especially in rural, underfunded and underserved communities.

Currently, about 1,500 residents complete their family medicine residencies every year. This number is woefully inadequate to meet the growing demand.

While the recent addition of 5 new medical schools, bringing our total from 17 to 22, holds promise for the future, we must recognize that building new schools and graduating new students is a lengthy and costly process. The first cohorts from these new schools will not graduate until the 2030s. Even then, merely increasing the number of graduates will not suffice. Without a corresponding increase in residency positions, we will not see an influx of new family physicians.

The federal government has been making efforts to tackle these challenges. The federal budgets for 2023 and 2024 outline a significant investment of $200 billion aimed at improving health care for Canadians. However, despite this increase in funding, we still lack workable timely solutions to address our immediate needs.

In light of these challenges, along with my colleagues who are both doctors, Senator Kutcher and Senator Ravalia, we offer solutions in a report called *Maximizing Medical Talent: How Canada can increase the supply of family doctors by 50% quickly and cost-effectively*.

Our report offers two crucial solutions that would make a meaningful difference in the short term. Canada has a wealth of trained doctors ready to address gaps in our health care system, but many are unable to practise due to a shortage of residency spots and limited capacity for Practice-Ready Assessments.

Currently, only 39% of international medical graduates are matched to residency programs on their first attempt, and just 18% on the next. These are graduates of overseas medical programs. They may be Canadians. They may be immigrants who have come to Canada. But they have passed all the exams required to determine that their training is on par with that of Canadian students graduating from Canadian medical faculties. Their training has been assessed through two exams. They have passed all the language tests. Many bring extensive clinical experience with them. Yet, close to 45% of them are left outside the tent. Instead of picking this low-hanging fruit, we are letting it lie fallow on the ground.

While health care is primarily managed at the provincial level, our proposals present a unique opportunity for the federal government to take the lead. First, we must increase residency spots for internationally trained medical graduates. Second, we must expand the existing Practice-Ready Assessment framework into a robust national framework.

We believe, colleagues, that these are viable pathways of federal initiatives aimed at significantly increasing the number of family doctors across the country. By leveraging federal resources, we can implement strategies that directly address the shortage in family medicine, ensuring that Canadians have better access to primary care. The time for action and innovative solutions is now. Thank you.

Hon. Mohamed-Iqbal Ravalia: Honourable senators, I rise today to respond to the Speech from the Throne, which focused on strengthening Canada's economy and building a more resilient and inclusive future. At the heart of this resilience lies our health care system, and today Canada is facing a health care crisis that is deeply intertwined with the well-being of our economy and society.

Today's report from the Canadian Institute for Health Information shows that over 5 million Canadians do not have access to a family doctor, and this number is projected to reach 10 million within the next decade.

Consider this situation: An individual with high blood pressure or diabetes needs their routine prescription renewed. But without a family doctor or primary care provider, they end up in the emergency room, and after waiting for hours — and I have evidence that in some instances this may be as long as 16 hours — they finally see a doctor, who renews their prescription.

The irony? That emergency room visit, which could have been easily avoided, costs the health care system hundreds of dollars and adds considerable stress and a wasted day for the individual concerned.

This is the reality when millions of Canadians do not have access to primary care. Routine, non-urgent issues overwhelm our emergency rooms, making the system more expensive and less efficient for all concerned.

This shortage is not just a health care issue; it is an economic one. A healthy population is essential for a thriving economy. Canadians need timely access to primary care to reduce the strain on emergency rooms, keep people healthy and ensure they can fully contribute to society.

As a family physician, I've witnessed first-hand the critical role that primary care plays in the health and well-being of Canadians. Yet, we are at a crossroads. We currently rank in the basement of the high-income countries with respect to access to primary care. This is unacceptable for a country as prosperous and resourceful as ours.

At the same time, thousands of highly trained immigrant doctors and Canadians studying abroad in jurisdictions like Ireland, Australia and the Caribbean, eager to contribute to our health care system, are being handicapped and held back by systemic barriers, such as the limited number of residency training positions and insufficient Practice-Ready Assessment programs. These barriers prevent our health care system from tapping into much-needed talent and waste the potential of these physicians, who bring with them a wealth of clinical experience and, in some instances, global expertise that would be particularly valuable to our immigrant population.

My hope is that despite the government's recent changes in immigration, a commitment to immigration of highly skilled individuals will continue in this country.

Alongside my colleagues Senator Omidvar and Senator Kutcher, after much debate, we released a report entitled *Maximizing Medical Talent: How Canada can increase the supply of family doctors by 50% quickly and cost-effectively*. It offers actionable solutions that align with the government's broader vision of an inclusive and resilient economy.

The report presents two key recommendations to address the shortage by unlocking the potential of physicians from immigrant backgrounds and those who have studied abroad.

First, we must increase the number of residency positions by funding 750 additional family medicine residency spots annually. This would add 6,000 new family doctors over the next decade — doctors who are ready, willing and able to provide care to Canadians, especially those in underserved communities.

Second, we must expand Practice-Ready Assessment programs, which allow internationally trained doctors to demonstrate their competence and practice in Canada without the need for years of additional training. With a relatively modest federal investment of $70 million, we could add at least 1,000 additional family doctors annually through this program.

Addressing the family doctor shortage will reduce health care costs, improve the quality of life for Canadians and bolster our economy by ensuring a healthy, productive population. Moreover, these measures align with the government's emphasis on inclusivity by unlocking the potential of immigrant professionals who have long been sidelined.

In this context, I want to acknowledge the federal government's historic $200-billion investment in health care over the next 10 years. This investment is a vital step forward in addressing critical health care challenges, including the health care workforce crisis. It includes $46.2 billion in new funding, with a substantial portion aimed at health care workforce planning and retention, a key component to the family doctor shortage.

• (1530)

Additionally, $25 billion will be distributed through bilateral agreements with provinces and territories, ensuring that local health care needs — particularly of our rural, remote and Indigenous populations — are appropriately addressed. This investment prioritizes increasing access to primary care services, reducing wait times and supporting mental health initiatives, all of which are essential in building a resilient health care system.

However, to face this challenge head-on, we must act swiftly and strategically to ensure that talented health care professionals can fully participate in our health care system. This means leveraging the government's investment to expand residency spots, growing the Practice-Ready Assessment, or PRA, programs and ensuring that every community, especially those in underserved areas, benefits from a robust primary care network.

I believe we are at a pivotal moment in Canadian health care. The family doctor shortage is growing more urgent by the day, especially in rural and remote communities where access to care is most limited.

With the solutions outlined in our plan, coupled with the federal government's investment in health care, we hope we can make an immediate and profound impact. This is about more than just health care policy; it is about ensuring that all communities have access to care.

By removing barriers for these physicians, we not only strengthen our health care system but also enhance our economy and the well-being of society as a whole.

Together, we can build a health care system that reflects our Canadian values of inclusivity, resilience and opportunity — a system that meets the needs of all Canadians. In the meantime, colleagues, please be assured that I am happy to continue providing prescriptions to my respected colleagues.

Thank you, *meegwetch*.

Hon. Flordeliz (Gigi) Osler: Would the senator take a question?

Thank you, senators, for your report.

Senator Ravalia, can you expand on why the report talks about two routes? One is increasing residency spots: Have you had conversations with the universities and colleges that would organize those spots?

Second, can you speak to the Practice-Ready Assessments? As you know, as physicians, we are licensed and regulated by provincial colleges, and that falls under provincial jurisdiction. Different provincial regulatory authorities have Practice-Ready Assessment programs. Why both routes, and why not one versus the other?

Senator Ravalia: Thank you very much, Senator Osler, for your very insightful question.

The residency training program would be aimed, in particular, at those physicians who have just completed their training, particularly those Canadians studying abroad who need a base training pathway to enter the system.

As you know, we have upwards of 4,000 young Canadians studying abroad who are anxious to return. In the current system, only a small handful ever get into our programs. The majority end up, unfortunately, in the United States where they settle, never to come home. This is a very fertile, valuable resource that we are missing out on. I have had the privilege of mentoring many of these individuals. I think it is tragic they are not given that opportunity.

The question of creating these spots, obviously, is very much dependent on capacity. I respect the fact that Canada's health care system, while federally funded, is provincially run. We have had many successful opportunities in certain provinces where we have created residency spots for Canadians studying abroad.

The Practice-Ready Assessment program, on the other hand, is directed at individuals who have come to this country as fully trained physicians who are now in the process of attaining their Canadian credentials. Again, because of capacity issues, these individuals go through very stringent screening, examination and language testing processes, but then they wait for an opportunity to enter the system.

We feel that this Practice-Ready Assessment that can run anywhere between 12 and 16 weeks, mentored and carefully monitored by Canadian-trained physicians in academic and community environments, would afford us an opportunity to get them up to the acceptable standards of our colleges and to enter practice. Thank you.

Hon. Pierrette Ringuette: Senator Ravalia, first, I want to thank you and your colleagues for having done this report and for providing a pathway. I also want to thank you for the prescriptions.

In the last few years, I have observed young people from my region receiving their degree and coming back to practise in the region. However, they don't want to be family doctors. They don't want to open up an office and have a secretary given the expenses of all that.

I would say 95% of them end up attending to the emergency room. Now we don't have one emergency room; we have two emergency rooms because of the lack of family doctors. We seem to be in this situation with new doctors who don't want to open up a family practice. What would the solution be to that? Is it a problem caused by the provincial administration or the local health authority?

Instead of working in the emergency room, if the new doctors in my area opened up a family practice or clinic, people would be better served than waiting 12 to 16 hours at emergency. What would the solution be to that?

Senator Ravalia: Thank you very much, Senator Ringuette. That is a question that those of us who have been involved in administration or academic medicine wrestle with.

Historically, the percentage of physicians who are interested in going into primary care or family medicine has varied between 25% and 40%. Part of the reason is that a lot of our medical training is actually done in tertiary care environments, in large hospitals and academic centres, where the value of a family physician is generally underrated. They are attracted to cardiology, neurology, neurosurgery and vascular surgery. That's one element.

We need to shift more of our training for family doctors into rural communities, where they are able to shadow and spend lengthy periods of time in a primary care environment that is functional, versatile and attractive.

Second, there is a significant pay differential between primary care and specialties. In some instances, a family doctor may make less than a half or even a third of what an ophthalmologist might make, and they are trying to run a business.

There are multiple prongs that need to be addressed: First, how do we make this more attractive; and second, how do we ensure that family physicians are remunerated in a way they should be entitled to given their training and service?

The Hon. the Speaker: The time for debate is up. Are you asking for more time to answer the question?

Senator Ravalia: If my colleagues would agree.

Hon. Senators: Agreed.

Senator Plett: Only if you answer the question.

Senator Ravalia: Thank you, Senator Plett.

The most crucial issue — and this has happened in other jurisdictions — is the way that the business of medicine should be taken out of the hands of the physician and provided more in government-based buildings where you have full primary care access: physicians working hand in hand with nurse practitioners, social workers, pharmacists and other health professionals. Thank you.

• (1540)

Some Hon. Senators: Hear, hear.

Hon. Stan Kutcher: Honourable senators, I am also rising to address the Speech from the Throne, following on from my colleagues Senator Omidvar and Senator Ravalia.

We are focusing on the physician shortage issue, not every single problem in our health care system, though those need to be addressed as well.

My remarks will focus on an opportunity to build on what already exists and is already in place to create a national program that would rapidly and cost-effectively ensure a pathway to medical licensure for internationally trained physicians. These are physicians who have graduated from medical school, done their postgraduate training, practised in a different country — some for many years — come to Canada and who are Canadian citizens or permanent residents. That's the group.

This kind of program was an extremely modest investment to provide a route through which thousands of physicians, who are in critically short supply, could enter practice every single year. Imagine what this would mean for all those who do not have a family physician or are waiting for months or even years to see a specialist in those areas in which specialists are in short supply.

This route to physician licensure is through the Practice-Ready Assessment, or PRA, as Senator Osler mentioned. It allows internationally trained physicians, or ITPs, to demonstrate their clinical readiness in a supervised setting, often in a community in which they will then work when they finish.

Let me be clear: This route to practise already exists in some provinces, but it is not nationally organized and there has been little or no coordinated attempt to build on this to create a national program ensuring that the PRA can be effectively used to address the physician numbers crisis we have been facing for at least a decade.

Colleagues, for decades, there has existed a cost-effective solution for assessing the clinical competencies of experienced physicians: the PRA. But during the last decade, only about 1,000 qualified physicians have been able to navigate a PRA.

However, according to Dr. Gus Grant, a registrar of the College of Physicians & Surgeons of Nova Scotia, there are currently about — are you ready for this — 13,000 qualified physicians waiting for a chance to get into a PRA. You can do the math. We currently stand at a shortage of 6,000 to 7,000 primary care physicians in Canada, yet we have been sitting on a solution that could have mitigated this crisis many years ago.

Had a national PRA program been in place, it is very possible that we would not be in this situation now. Let me be very clear about the PRA route to licensure: It is tailored specifically for those experienced, mid-career physicians who have already been practising medicine in another country. It is not — as Senator Ravalia has pointed out — for recent medical school graduates who have not previously practised medicine. These are physicians who are already experienced.

In addition, these internationally trained physicians have passed all of their Canadian examinations to ensure they meet the same standard as a Canadian physician. Many of these ITPs may be members of linguistic or cultural communities in Canada that are struggling to find physicians and know their language and culture.

These physicians have often immigrated to Canada with the understanding that they could use their medical skills when they got here, but guess what? They can't. So, while their communities are under-serviced, they cannot access a simple program that would meet the needs of the communities in which they may reside.

Colleagues, this is blatantly unfair for everyone.

These are the doctors who are driving taxi cabs while over 6 million Canadians don't have a family physician, and colleagues, they have been here all along.

So what is a PRA? What goes into a PRA? It is a route to licensure that ensures that experienced ITPs who have trained and practised outside Canada have the necessary competencies for safe and effective medical practice in Canada. It is an in-depth evaluation of the ITP's competencies conducted under direct supervision by a trained physician assessor in a clinical setting, usually over a period of three months.

But prior to entering the PRA, the applicant must have their medical school and residency training credentials tested, pass a suite of examinations, demonstrate language proficiency and meet other exhaustive requirements. At the time of their entry into the program, the physician has already demonstrated that they meet the necessary standards for Canadian medical practice. It is the PRA that is the icing on the cake.

So it is an intensive three-month evaluation of their clinical work under the supervision of an experienced physician. Upon completion of this assessment, they meet the same standards for licensure that any Canadian medical graduate must meet for licensure.

Since the assessment period is only three months long, ramping up capacity in PRA availability will rapidly help us address the huge shortfall of available physicians. As well, graduates from PRA often sign return of service agreements that direct their practice to parts of Canada where the need is greatest, particularly rural practice. Simply put, colleagues, the PRA is one of the most cost-effective ways to quickly increase the pool of highly trained physicians who can meet the care needs of Canada, and it can meet it now.

There actually is, colleagues, a framework for a national PRA assessment network. It was recently created by the Medical Council of Canada. Indeed, with proper funding, the Medical Council of Canada could become a home for the national PRA program.

Currently, somebody who wants to access a PRA must go from province to province, bouncing like a Ping-Pong ball across a table, and even if they have clearly met all the qualifications, they often can't get in because there are no available slots.

My home province of Nova Scotia is finally instituting a robust, centralized and coordinated PRA program under the leadership of the College of Physicians & Surgeons of Nova Scotia and in collaboration with the Medical Council of Canada. Nationally, it is the first of its kind.

Previous iterations of the program were run off the side of the desk by highly committed physicians at Dalhousie University, but they were not provided with the funding or other supports needed to scale up the program. So this is a necessary first step, but it is a drop in the bucket.

However, simply by investing in the creation of a national PRA program and providing funding for these slots, the federal government could turn this drop in the bucket into a river of opportunity.

Colleagues, what about the cost? Right now, the cost of putting one experienced physician through a PRA program assessment — are you ready for it — is about $35,000. That's it. If a national program created 500 PRA slots across Canada, it could probably graduate about 1,500 physicians a year at $35,000 per physician. Do the math and tell me if that's not a good return on investment.

Furthermore, a national PRA program could be periodically reviewed and tweaked to better reflect physician human resource needs. Its outputs could actually be managed. That would be unique. It could even help inform the criteria for potential physician immigrants to Canada.

Colleagues, establishing a national PRA program and funding the sites could be done by the federal government directly. Provinces and territories would continue to set licensing standards and the appropriate administrative structures would oversee the PRA sites. This requires federal leadership and direct federal investment. There is no question that this could be done. Colleagues, it must be done. Thank you.

• (1550)

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

Senator Kutcher: Absolutely.

Hon. David Richards: Can you tell us how the situation is handled in other countries, like the U.S., Australia and New Zealand? Do they have a better program for addressing physicians who might want to practise there?

Senator Kutcher: Thank you very much for that question. I hesitate to speak specifically about some of those countries because I don't know all the aspects of their pathways to licensure, and I do not want to misspeak about that. Suffice it to say, there are more pathways to licensure and more ability to absorb people into the system in some of those countries than there are in Canada. For example, it is a shame that physicians who have trained abroad and who are Canadian citizens do not come to Canada but go to our neighbour to the south. What a loss of human resources; what a travesty. That is just not good enough. That was what Senator Ravalia was talking about with regard to increasing the residency training programs.

The other part is the Practice-Ready Assessment, or PRA, programs that I am focusing on. We have physicians who have immigrated to Canada and were practising in their home country.

Let me tell you a story about a neurosurgeon who was the head of a department in another country; I won't name the country now. He was an outstanding clinician, an outstanding teacher and a wonderful educator. He can't get in. What an incredible loss to us. That's one little story. I could tell you hundreds of those stories. That is not the way to handle access to health care.

[*Translation*]

Hon. Marie-Françoise Mégie: Thank you, Senators Kutcher, Ravalia and Omidvar, for talking about this topic. I'm not sure I understand whether the national framework is already in place in Nova Scotia. However, the provincial colleges of physicians are very protective of their turf, as you know. That's a big part of the impediment. They keep passing the buck. The college says yes, but the university says no, because they have to spend money on these people. How do you think this national framework can be implemented?

[*English*]

Senator Kutcher: Thank you very much, Senator Mégie, for that question. Shamefully, as Pogo said, *We Have Met the Enemy and He Is Us*. I want to be very clear: My colleagues who will look at this later, coast to coast to coast, will be annoyed, but the reality is that our medical schools and our physician guilds have not done the kind of job that we should have done to ensure that this works.

Second, the provincial governments have also failed. This is not news, colleagues. When the Barer–Stoddart report came out in the early 1980s, I happened to be the Vice-President of the Canadian Association of Internes and Residents and President of the Professional Association of Residents of Ontario. We wrote our counter-report, and at that time, in the early 1980s, we predicted a huge physician shortage in Canada; it wasn't news to anybody. It wasn't news to any province or any territory that this was going to happen.

What we have seen for decades here is a kicking of the ball down the road to the next group and a failure to address this. We can actually do this, Senator Mégie. We can create a national program, and if the province wants to license these people, they can license them. I would like to see a province standing there with 3,000 physicians saying, "We're ready; we have done the program." If the province says, "No, we're not going to license you," how will the voters react?

(Debate adjourned.)

[*Translation*]

COMMISSIONER OF LOBBYING

MOTION TO APPROVE REAPPOINTMENT—
DEBATE ADJOURNED

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of October 23, 2024, moved:

> That, in accordance with section 4.1 of the *Lobbying Act*, R.S.C. 1985, c. 44 (4th Supp.), the Senate approve the reappointment of Nancy Bélanger as Commissioner of Lobbying for a term of seven years.

She said: Honourable senators, I move the motion standing in my name.

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 "yeas" have it.

(On motion of Senator Tannas, debate adjourned, on division.)

[*English*]

INFORMATION COMMISSIONER

MOTION TO APPROVE REAPPOINTMENT—DEBATE

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of October 23, 2024, moved:

> That, in accordance with subsection 54(1) of the *Access to Information Act*, R.S.C. 1985, c. A-1, the Senate approve the reappointment of Caroline Maynard as Information Commissioner for a term of seven years.

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

Senator Plett: Question.

Hon. Scott Tannas: I move the adjournment.

The Hon. the Speaker: It is moved by the Honourable Senator Tannas seconded by the Honourable Senator Dagenais that further debate be adjourned until the next sitting of the Senate. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: No.

(Motion negatived.)

MOTION TO APPROVE REAPPOINTMENT ADOPTED

On the Order:

> Resuming debate on the motion of the Honourable Senator LaBoucane-Benson, seconded by the Honourable Senator Gold, P.C.:
>
> That, in accordance with subsection 54(1) of the *Access to Information Act*, R.S.C. 1985, c. A-1, the Senate approve the reappointment of Caroline Maynard as Information Commissioner for a term of seven years.

Hon. Scott Tannas: Thank you. I had indicated at the scroll meeting what we had intended to do, but apparently that didn't meet the muster of the opposition.

I'll explain what we had asked to do. Senator Deacon and I wanted to speak about this on Tuesday. This motion has not passed the House of Commons; it needs both houses, so there is no emergency. I'll put our concerns on the record here.

Both of these officials whose reappointments we are approving have been in their roles for a period of time. It was felt by a number of groups, I guess, through consensus that we should just pass this through without any scrutiny at all. They wouldn't come before us in a Committee of the Whole. We suggested potentially — we being the Canadian Senators Group — that maybe a committee could spend an hour with each candidate. Interested senators could go and ask some questions so that we were, in fact, giving some scrutiny to the renewal — significant in one case — of these two officers and potentially get some concerns on the record that do, in fact, exist around one of these officers and their own report card on performance.

• (1600)

We will do none of that, and that's okay. We will pass this on division. Thank you.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

(Motion agreed to, on division.)

ADJOURNMENT

MOTION ADOPTED

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of October 23, 2024, moved:

> That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, October 29, 2024, at 2 p.m.

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

Hon. Senators: Agreed.

(Motion agreed to.)

CORRECTIONS AND CONDITIONAL RELEASE ACT

BILL TO AMEND—THIRD READING—DEBATE

Hon. Kim Pate moved third reading of Bill S-230, An Act to amend the Corrections and Conditional Release Act.

She said: Honourable senators, we as senators and the Senate as a whole have long worked to uphold the human rights of federal prisoners, closely tied to our role as representatives and protectors of so-called minority groups, the people too often at risk of being left behind or abandoned by the legislation we pass. Bill S-230, An Act to amend the Corrections and Conditional Release Act, reflects this work.

In 2021, the Human Rights Committee issued a report on the human rights of federally sentenced persons, endorsed by the Senate, whose recommendations on isolation and Structured Intervention Units, or SIUs, Bill S-230 aims to implement. As part of its study, in 2018, committee members visited the East Coast Forensic Hospital in Burnside, Nova Scotia, and had the privilege of speaking with Tona Mills, whose name this legislation bears.

An Indigenous woman and survivor of the so-called Sixties Scoop, Tona was imprisoned for a decade in federal penitentiaries, including in segregated units in prisons for men. She spent all that time in solitary confinement. For those never imprisoned in such conditions, it is impossible to find the words to describe what she experienced.

For more than 10 years, she spent almost every hour of every day locked in a cell the size of a parking space or a small bathroom, barely more than a concrete closet. Instead of time outdoors, a tiny metal cage was built for her in the yard of the Prison for Women in Kingston. It remains there to this day, a reminder of how Tona was encaged and of the horrific reality that her time in those metal bars was meant to be a respite from even more restrictive confinement indoors.

Parenthetically, colleagues, last summer, when I was there with some folks who had never been to the Prison for Women before, they asked if that was where they kept the dogs.

When Tona was finally admitted into the mental health system, she was diagnosed with isolation-induced schizophrenia. Tona implored senators to do whatever we could to end solitary confinement and get others out of prisons and into appropriate mental health services so that what happened to her would not happen to anyone else. She does not want anyone else to be driven crazy. She asked if we might consider calling it "Tona's Law."

Tona exited the forensic unit one year ago. She was recently diagnosed with terminal cancer. As she has for decades, including through three years of Bill S-230's halting progress — through procedural delays at committee and now in the chamber — Tona is continuing her incredible advocacy. She is watching us today. In the time she has remaining, I believe we owe her —

[*Translation*]

POINT OF ORDER—SPEAKER'S RULING RESERVED

Hon. Claude Carignan: I rise on a point of order regarding Bill S-230. I believe that rule 10-7 was overlooked during the Senate's work on this bill. Bill S-230 cannot be studied in the Senate because it appropriates public funds, specifically in clauses 4, 5 and 11, and therefore requires a Royal Recommendation. Such a bill cannot originate in the Senate.

Rule 10-7 states that:

> The Senate shall not proceed with a bill appropriating public money unless the appropriation has been recommended by the Governor General.

The *Companion to the Rules of the Senate of Canada* offers the following commentary on that rule:

> The Constitution states that bills to appropriate funds or impose taxation cannot originate in the Senate. In addition, rule 10-7 provides that the Senate will not proceed on any bill which appropriates public funds that has not been first recommended by the Crown — i.e., accompanied by a Royal Recommendation issued by the Governor General. . . .
>
> The Royal Recommendation is provided only by a minister and only in the House of Commons. This requirement is based on section 54 of the *Constitution Act, 1867* . . . .

Section 54 of the Constitution Act, 1867, states, and I quote:

> Recommendation of Money Votes
>
> **54** It shall not be lawful for the House of Commons to adopt or pass any Vote, Resolution, Address, or Bill for the Appropriation of any Part of the Public Revenue, or of any Tax or Impost, to any Purpose that has not been first recommended to that House by Message of the Governor General in the Session in which such Vote, Resolution, Address, or Bill is proposed.

Your Honour, the question we need to be asking is this: Does Bill S-230 involve an appropriation of public funds?

I should mention that, obviously, the purpose of my speech is not to debate the merits of the bill, but rather to ensure that we respect the constitutional obligation arising out of section 54 of the Constitution Act, 1867, which is to get Royal Recommendation when provisions of a bill appropriate public funds, as is the case with Bill S-230.

In order to analyze this issue, it is important to refer to the ruling handed down by our former colleague, Speaker Kinsella, on February 24, 2009. This oft-cited ruling is very useful because it explains the six non-exhaustive criteria for determining whether a bill requires a Royal Recommendation. I believe it is worth reading out those criteria so that senators will have them in mind when I outline my arguments as to why a Royal Recommendation is needed in this case.

• (1610)

I will quote former Speaker Kinsella on the six criteria:

> First, a basic question is whether the bill contains a clause that directly appropriates money. Second, a provision allowing a novel expenditure not already authorized in law would typically require a Royal Recommendation. A third and similar criteria is that a bill to broaden the purpose of an expenditure already authorized will in most cases need a Royal Recommendation. Finally, a measure extending benefits or relaxing qualifying conditions to receive a benefit would usually bring the Royal Recommendation into play.
>
> On the other hand, a bill simply structuring how a department or agency will perform functions already authorized under law without adding new duties would most likely not require a recommendation.

Emphasis on "without adding new duties."

> In the same way, a bill that would only impose minor administrative expenses on a department or agency would probably not trigger this requirement.

Speaker Kinsella went on to clarify how to take those principles into account, as well as factors the Speaker must consider in evaluating the need for a Royal Recommendation. Here is what he said about that:

> The list of factors enumerated here is not exhaustive, and each bill must be evaluated in light of these points and any others at play. It certainly is not the case that every bill having any monetary implication whatsoever automatically requires a Royal Recommendation. When dealing with such issues, the Speaker's role is to examine the text of the bill itself, sometimes within the context of its parent act. Of course, the Speaker, in making this assessment, seeks to avoid interpreting constitutional issues or questions of law.

Let's return to Bill S-230. When it was being studied by the Standing Senate Committee on Legal and Constitutional Affairs on February 15, 2024, the committee adopted Senator Tannas's motion that the chair request that the Parliamentary Budget Officer provide a cost estimate for implementing the new elements contained in Bill S-230.

The Parliamentary Budget Officer provided this cost estimate in a detailed report dated May 24, 2024. The Parliamentary Budget Officer's report reaches the following conclusion, as stated in its summary:

> The direct cost of new activities required by Bill S-230 is estimated to be $6.8 million annually. However, the bill is also intended to enable policy changes which would require additional resources, including expanding the use of psychiatric care which could potentially cost up to $2 billion annually, depending on how these changes are interpreted and implemented.

Allow me to point out, again according to the Parliamentary Budget Officer's report, that there are three clauses that authorize spending: the cost of the policy set out in clause 4 of Bill S-230, which provides the authority to implement a policy estimated to cost up to $2 billion, the direct cost of clause 5 of the bill, estimated at $5.5 million annually, and the direct cost of clause 11 of the bill, estimated at $1.3 million annually. Once again, I would underscore that these costs are recurrent.

It is important to mention that, according to the report on the Public Accounts of Canada 2023, the Correctional Service of Canada spent a total of $3 billion in 2022-23. It received a budget of $3.4 billion in 2023-24 and requested $3.2 billion for 2024-25. Bill S-230 requires policies that would raise the total budget of the Correctional Service of Canada by as much as 66%.

On October 2, Speaker Gagné ruled on a point of order as to whether Bill S-15 requires a Royal Recommendation. In her reasons, she mentioned that the mere fact that a bill involves spending is not enough to determine whether a Royal Recommendation is needed. I agree with her. However, Madam Speaker, that is why I invite you to consider the fact that the implementation of Bill S-230 and the potential for spending are not trivial.

If we come back to the six criteria identified by Speaker Kinsella and immediately set aside those that are irrelevant to determining whether Bill S-230 requires a Royal Recommendation, principles or rules 1, 4, 5 and 6 can't be used as arguments to raise a point of order. I will focus on rules 2 and 3.

As I mentioned earlier, the second criterion or principle is that a provision allowing a novel expenditure not already authorized in law would typically require a Royal Recommendation. Regarding this novel expenditure, I refer you to clauses 5 and 11 of the bill. I will discuss clause 4 a bit later.

The Parliamentary Budget Officer's report is clear about clauses 5 and 11 of the bill. Clause 5 of the bill provides that section 33 of the Corrections and Conditional Release Act will be replaced by the following new wording:

> **Duration**
>
> **33 (1)** Any confinement in a structured intervention unit is to end as soon as possible.
>
> **(2)** A person's confinement may not have a duration of more than 48 hours unless authorized by a superior court under subsection (3).
>
> **Extended duration**
>
> **(3)** On application by the Service, a superior court may extend the duration of a person's confinement in a structured intervention unit beyond 48 hours if, in the court's opinion, the extension is necessary for a purpose described in subsection 32(1).

Clause 5 therefore creates an obligation for Correctional Service Canada to obtain authorization from a superior court before incarcerating an offender in a structured intervention unit for a period lasting more than 48 hours. The administrative costs associated with this clause are explained and detailed in the Parliamentary Budget Officer's report as follows:

> In 2022-23, there were a total of 2,056 transfers to a Structured Intervention Unit (SIU). Of these, 1,860 (90%) resulted in a stay lasting more than 48 hours.

> We estimate the CSC's cost per application to be about $3,000, consisting of approximately $1,000 each for case preparation by the CSC, representation by the Department of Justice, and escorting incarcerated persons to attend the hearing.
>
> In total, we estimate that requiring the authorization of a Superior Court to continue confinement in a Structured Intervention Unit beyond 48 hours would necessitate 1,860 applications to Superior Court per year, with an average [cost] of $3,000, for a total cost of $5.5 million annually.

In short, clause 5 of the bill creates novel spending not authorized in the Corrections and Conditional Release Act by creating a new legal obligation for the Correctional Service of Canada to obtain the authorization of a superior court to continue confinement beyond 48 hours. This new obligation would entail a significant financial cost.

In addition, clause 11 of the bill adds a new section. Subsection (1) of that new section reads as follows:

> Unfairness in the Administration of a Sentence
>
> **Reduction of sentence**
>
> **198.1 (1)** A person sentenced to a period of incarceration or parole ineligibility may apply to the court that imposed the sentence for an order reducing that period as the court considers appropriate and just in the circumstances if, in the court's opinion, a decision, recommendation, act or omission of the Commissioner or any person under the control and management of — or performing services for or on behalf of — the Commissioner that affected the person was . . .

• (1620)

The Parliamentary Budget Officer estimates that this new section alone will cost approximately $1.3 million a year. According to the PBO's report, the reason for that is that clause 11 would allow:

> . . . persons sentenced to federal custody to apply for a reduction in their sentence based on unfairness in the administration of their sentence.

Again according to the PBO's report, it is difficult to estimate the exact number of applications that could be brought because there could be many grounds for complaint. The report explains this as follows, and I quote:

> There is no clear basis upon which to estimate the volume of applications which could be brought. Incarcerated persons could potentially have a large number of complaints. [The Correctional Service of Canada] reports receiving 20,000 grievances in 2022-23. The Office of the Correctional Investigator (OCI) reported receiving 4,897 complaints. However, a court application would entail significantly greater legal costs and potential benefits for the complainant.

By requiring CSC to deal with new complaints through the courts, clause 11 of the bill creates a new obligation for CSC that is not set out in the Corrections and Conditional Release Act. The use of the courts entails costs that are not authorized under the Corrections and Conditional Release Act, hence the need for a Royal Recommendation. This clause comes with a definite, very significant cost that can't be accurately estimated.

Now let's consider the third criterion I mentioned, namely that a bill to broaden the purpose of an expenditure already authorized will in most cases need a Royal Recommendation, in relation to clause 4 of the bill, which reads as follows:

> **The Act is amended by adding the following after section 29.01:**
>
> **Transfers to hospital**
>
> **29.02** If a mental health assessment or an assessment by a registered health care professional concludes that a person who is sentenced, transferred or committed to a penitentiary has disabling mental health issues, the Commissioner must authorize that person's transfer to a hospital, including any mental health facility, in accordance with an agreement entered into under paragraph 16(1)(a) and any applicable regulations.

Under section 29 of the act, the commissioner already has the discretion to authorize transfers in certain cases. However, clause 4 of the bill significantly broadens this power by creating a new concept, the concept of "disabling mental health issues."

While giving evidence before the standing committee on November 30, 2023, Senator Pate gave the following reply when she was asked whether Bill S-230 would contain a new definition of disabling mental health issues:

> If you look at the current definition in section 37.11 of the Corrections and Conditional Release Act, it talks about the grounds that are considered for determining that somebody has deteriorating mental health. I haven't proposed a particular definition because this definition is already there, and it talks about refusing to interact with others, engaging in self-injurious behaviour, showing symptoms of drug overdose, showing signs of emotional distress or exhibiting behaviour that suggests they are in urgent need of mental health care. That describes, I think, disabling mental health issues.

As the Parliamentary Budget Officer highlighted, I am compelled to agree that this extremely broad term is open to a broad and liberal interpretation and could apply to a vast number of people in custody.

At the Standing Senate Committee on Legal and Constitutional Affairs, I asked Dr. Dufour, a forensic psychiatrist and head of the Department of Psychiatry at the Philippe-Pinel National Institute of Forensic Psychiatry, how many people in custody could suffer from disabling mental health issues at some point while in prison. He replied as follows:

> In my experience outside Pinel, because I've practised in several penitentiaries in Quebec and even in regular institutions, I would say spontaneously that most of them have such symptoms at one time or another.
>
> I'd say it's a little too broad and vague definition.

This means that anyone held in a penitentiary could suffer from disabling mental health issues at some point while in prison and could apply to be transferred to a health care facility or psychiatric unit.

I would also add that the Parliamentary Budget Officer's report contained numerous estimates of the cost of psychiatric care, before concluding that the cost of the transfers provided for in clause 4 of the bill is estimated at between $1 billion and $2 billion.

I even jokingly suggested, Your Honour, that we should put a red cross on all the penitentiaries to turn them into psychiatric hospitals.

The report does, however, add a caveat with a striking conclusion:

> However, the bill only requires the Commissioner of Corrections to authorize the transfer of individuals with disabling mental health issues; it does not require facilities to accept those individuals or require the [CSC] to contract for sufficient capacity to serve all individuals with disabling mental health issues. In essence, the bill may shift discretion to those contracted facilities to determine who they wish to prioritize and admit for care, within the very limited capacity funded by their contracts with the CSC. As a result, this clause can reasonably be interpreted as not giving rise to any direct financial cost.

Clearly, Your Honour, clause 4 would appropriate public funds on a recurring basis because the number of people in custody who would have to be transferred as a result of the new terminology in the legislation could go up.

Now that we've discussed the clauses in the bill that would appropriate public funds and authorize novel spending, we should now look at the history of the Corrections and Conditional Release Act. Bill S-230 would make a very significant amendment to the existing framework legislation.

I'd like to point out that Bill C-36, An Act respecting corrections and the conditional release and detention of offenders and to establish the office of Correctional Investigator, which was passed during the third session of the Thirty-Fourth Parliament, was a government bill. The bill was accompanied by a Royal Recommendation.

Honourable senators, in her recent ruling on Bill S-15 on October 2, Speaker Raymonde Gagné ruled that the bill was in order and that consideration could continue. She gave the following as one reason for her decision:

> In the case of Bill S-15, a key issue relates to the permitting regime that currently exists under the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act relating to the transport of certain animals. If Bill S-15 is adopted, this regime would be extended to the possession, and not just limited to the transport, of elephants and great apes. Senators supportive of the point of order argued that this would constitute novel expenditures unrelated to the existing act. Senators who thought debate can continue argued that this was a minor adjustment to the existing permitting regime that would not require new spending authority and would fit within the existing structure and purpose of the act, which is broadly to protect certain species. On this point it is interesting to note that when the act was first adopted in 1992, the bill as introduced in the House of Commons did not receive a Royal Recommendation.
>
> We thus face two clear arguments as to whether Bill S-15 can continue before the Senate. While the concerns about the measure are understandable, they can nevertheless be reasonably understood as being limited to matters very directly related to the purpose of the existing act, building on its structure, and complementing it. Coupled with the fact that the original act did not require a Royal Recommendation, there are strong arguments in favour of the continuation of debate.

• (1630)

The fact that Bill S-230 significantly expands the commissioner's mandate with respect to transfers, creates new obligations for the Correctional Service of Canada by requiring it to obtain authorization from a superior court to continue confinement beyond 48 hours, and requires the Correctional Service of Canada to deal with new complaints through the courts leads me to the conclusion, first, that the bill cannot, to quote your own words:

> . . . be reasonably understood as being limited to matters very directly related to the purpose of the existing act, building on its structure, and complementing it.

Second, another necessary conclusion that argues in favour of bringing the debate on Bill S-230 to a close is the fact that the act that would be amended by Bill S-230 required a Royal Recommendation.

These two conclusions combined also preclude Bill S-230 from originating in the Senate, since it does not have a Royal Recommendation.

Before I wrap up, I would like to once again underscore an important point concerning one of our fundamental principles regarding the Royal Recommendation, which I think deserves repeating to everyone.

First, I am sure you will agree that the two houses have not always seen eye to eye when it comes to the Royal Recommendation. The principles set out in a June 15, 2015, ruling of the Speaker of the Senate can easily be applied here. It states, and I quote:

> We should also recognize here that the two houses do not always agree as to how this fundamental principle should be interpreted. Almost a century ago, in 1918, a Senate committee considered the issue. One of its main conclusions was that the Senate has the power to amend bills that appropriate a part of the revenue or impose a tax by reducing amounts, but it does not possess the right to increase the sums.

Obviously, I would like to remind senators that this right of the House of Commons stems directly from our Constitution.

The Senate must abide by the constitutional requirements, and I would build on that by saying that the Senate does not have the right to circumvent that fundamental right. I would like to quote another excerpt from the February 24, 2009, Speaker's ruling regarding the reasons justifying a point of order. It states, and I quote:

> The senator raising a point of order has a responsibility to present evidence and explain to the Senate why a Royal Recommendation is required, linking it to what the text before the Senate would actually require, not optional decisions that may or may not be made at some point after a bill is passed.

Let me reiterate that, if Bill S-230 is passed, the wording of clauses 4, 5 and 11 will lead to definite costly expenditures.

In conclusion, Your Honour, in light of the facts that I have raised, I am asking you to withdraw Bill S-230 from Senate consideration because it contravenes rule 10-7.

[*English*]

Hon. Kim Pate: Honourable senators, I wish to speak today to address this point of order and clarify that its concerns, with respect, are unfounded. Bill S-230 does not spend money directly, nor does it spend money indirectly in an impermissible way.

I want to echo Senator Klyne's observation just a few weeks ago that with this type of point of order, a major precedent is at stake, and the Senate's authority to legislate is at risk of being significantly and unduly narrowed. He reminded us:

> All senators and Canadians have a stake in this matter in terms of the Senate's ability to contribute to public policy . . . .

In this regard, Bill S-230 is a clear example of what the Senate in particular can contribute. We all know well that senators play a crucial role in representing and seeking to uphold the rights of marginalized or so-called minority groups — the people most at risk of being excluded from political discourse and government priorities.

Bill S-230 represents vital amendments that the Senate made back in 2019 to improve government legislation on solitary confinement to try to help the government achieve its stated objective of ending the use of segregation. These amendments were rejected by the government.

Senators were so concerned about what would happen without these amendments that, at the suggestion of Senator Josée Forest-Niesing, Senator Colin Deacon and Senator Marty Klyne, we launched an initiative to visit prisons, meet with staff and prisoners and monitor conditions of isolation. Nearly 40 senators have visited federal prisons. The concerns for human rights and Charter rights that we have observed have underscored the urgent need for Bill S-230. Indeed, today's press release from the Standing Senate Committee on Human Rights underscores this very issue.

I spent last weekend with Tona Mills in Mi'kma'ki, where she discussed her fervent desire to see the practices that killed her spirit ended. Recently diagnosed with terminal cancer, she asked me to please stop what happened to her from happening to anyone else.

Hon. Donald Neil Plett (Leader of the Opposition): I am rising on a point of order.

The Hon. the Speaker pro tempore: Senator Plett, you cannot raise a point of order on a point of order.

Senator Plett: Fair enough. The senator is delivering her speech. She is not speaking to her point of order.

The Hon. the Speaker pro tempore: Senator Plett, we are hearing Senator Pate on a point of order. These are her arguments.

Senator Pate: Bill S-230 is a product of work with and on behalf of some of those most marginalized, victimized, criminalized and institutionalized that the Senate is uniquely placed to carry out. As we debate this point of order, we must not lose sight of this fact and of the consequences that will follow for senators and Canadians if the Senate's abilities to legislate are unduly constrained.

The basic principle that the Crown must agree to public expenditures before they can be approved by Parliament is expressed in rule 10-7 of the Senate Rules, which states:

> The Senate shall not proceed with a bill appropriating public money unless the appropriation has been recommended by the Governor General.

As noted by the Speaker in her recent ruling of October 2, this rule embodies some of the obligations imposed by sections 53 and 54 of the Constitution Act, 1867. In her ruling of October 2, the Speaker referred to a range of non-exhaustive factors that may be taken into account when determining whether

the financial initiative of the Crown comes into play, citing previous precedents contained in Speaker's rulings of February 24, 2009, and December 1, 2009. The Speaker stated:

> Factors that can be taken into consideration when determining whether a bill requires a Royal Recommendation include whether it contains a clause appropriating money, whether there is a novel expenditure not already authorized in law, whether the bill broadens the purpose of an expenditure already authorized by a Royal Recommendation, whether there is a relaxing of criteria to qualify for a benefit, whether the bill merely structures how a public agency will perform functions it can already undertake without imposing new duties, and whether the bill only imposes minor administrative expenses. This is not an exhaustive list of the points to consider, and each case must be evaluated separately. In the case of a bill to amend an existing statute, reference may also be made to whether the parent act was accompanied by a Royal Recommendation or not.

The Speaker continued:

> When dealing with issues of the Royal Recommendation, the Speaker's role is to examine the text of the bill before the Senate, sometimes within the context of an existing law.

• (1640)

The Speaker continued:

> In ambiguous or uncertain cases, the Senate has a well-established preference, expressed in numerous rulings, for allowing debate to continue if a valid and reasonable argument that the bill is in order can be established. This principle of favouring debate if reasonably possible is fundamental to many aspects of the practical application of our procedure. It allows senators to reach a final decision, except in cases where an item is clearly out of order, thereby preserving the Senate's role as a house of discussion and reflection.

The first factor that the Speaker's rulings have emphasized — whether the bill contains direct costs resulting from a clause appropriating money — is straightforward.

As acknowledged by the Parliamentary Budget Officer's report on the bill, no provisions exist in Bill S-230 that authorize additional spending, appropriate any public money or impose a tax.

On the remaining issue of indirect costs, Bill S-230 does not impose any impermissible indirect expenditures. Any costs identified can be classified as optional — operating at the discretion of the government rather than required by the bill — or else permissible minor administrative expenses or structuring of existing functions.

As well, it is worth noting that any indirect costs identified could be diminished, if not completely offset, and savings could be achieved through policy or discretionary decisions by the Correctional Service of Canada, or CSC, to implement the bill in ways that save and repurpose funds currently invested in costly and inhumane measures, including isolation, and avoid the legal costs associated with defending breaches of human rights and Charter rights resulting from these policies, as well as settlements and damages paid out to those whose rights have been breached.

Bill S-230 largely takes up amendments that the Senate made to Bill C-83 in 2019 in order to ensure that the bill meaningfully achieves its stated aim of abolishing the use of segregation or solitary confinement in federal penitentiaries.

It should be noted: First, no concerns relating to a Royal Recommendation were raised in this chamber, as the Senate amended Bill C-83 to add substantially similar provisions to that legislation in 2019. Second, the House of Commons message rejecting those Senate amendments to Bill C-83, while noting potential indirect financial consequences in one provision of the legislation, did not suggest in any way that these measures, now reproduced in Bill S-230, required a Royal Recommendation.

When the Parliamentary Budget Officer, or PBO, costed Bill S-230, it identified only one measure giving rise to potential indirect costs: the provisions adding to the Corrections and Conditional Release Act's judicial oversight measures recommended by Justice Louise Arbour in 1996 to prevent unlawful and unconstitutional isolation, which remain the standard advocated by countless legal and human rights experts.

One is a requirement that corrections must seek approval from a superior court to keep someone in conditions of isolation, in this case for longer than 48 hours.

The other is the ability for prisoners to apply to a court for an "Arbour remedy," which is the shortening of a sentence or parole ineligibility period where correctional mismanagement — unlawful behaviour — including time spent in isolation has rendered a sentence harsher than what the sentencing judge intended.

The PBO identified potential indirect costs of $6.8 million annually relating to the cost of case preparations by corrections, government lawyers having to go to court or settle cases, and corrections escorting people to court hearings.

When we look at how the PBO characterized the bill, it seems clear that this is not a case of a novel expenditure or the broadening of the purpose of an expenditure. Indeed, the report states:

> We refer to this as the direct cost of the bill. However, this does not mean that the bill authorizes any additional spending. Rather the direct cost of the bill represents an opportunity cost – the resources which would be needed to comply with the new obligations, and which may no longer be available for other responsibilities. Parliament may or may not choose to grant additional future funding to cover these costs, with implications for the resources available to the Correctional Service of Canada (CSC) for its other responsibilities.

These are optional, not required costs or expenses. In the event that there is any remaining uncertainty, however, I will also address why any potential spending that the bill may entail is not a novel expenditure and not the broadening of the purpose of an expenditure.

When examining the factors highlighted by previous Speakers' rulings, it is clear that Bill S-230 does not contemplate funding for a purpose that is new and distinct or broadened. The infrastructure referred to by the PBO — such as case preparation or lawyers escorting people to court — is already in place, as CSC currently must routinely take part in legal action. CSC also already must routinely prep cases for review as part of a convoluted internal non-judicial review system — various reviews by the warden, the commissioner, independent external decision makers, et cetera — that has not prevented human rights violations.

Regarding existing legal actions with which CSC is involved, this includes responding to the Canadian Human Rights Commission and court challenges, including the increasing number of habeas corpus, judicial reviews and class actions directed at CSC. In fact, a class action that has now been authorized in Quebec alleges that the current rules on isolation are perpetuating unconstitutional solitary confinement.

This is what happens before many senators visit. Regarding case preparation in particular, as acknowledged by the PBO, CSC staff are already required to do case prep for multiple stages of convoluted non-judicial review.

As the PBO points out, in fact, the reality that corrections is required to conduct these reviews will likely result in fewer cases going to court and will likely prevent further action.

Under the current system, each person in the structured intervention units, or SIUs, is expected to be subject to multiple reviews requiring case preparation by CSC, meaning that case preparation associated with Bill S-230's judicial reviews would be a minor expense or inconvenience or an instance of structuring how a government body performs existing responsibilities. For example, an earlier case preparation or review versus one or several later reviews is not a new or distinct source of expenditures or a broadening of the purpose of the expenditures.

The situation is one of "pay now or pay later" — in fact, pay much more later. Legal costs for CSC associated with judicial oversight must be seen in the context of existing convoluted non-judicial review and the future, more significant legal costs that they will help CSC avoid. Without Bill S-230, internal reviews happen, but they are often too late and too ineffective. There is sometimes court adjudication, but it is ex post facto — too late to prevent the human and financial costs of rights violations. Bill S-230's judicial oversight measures would structure existing functions associated with reviews and legal actions to ensure recourse to courts is being used to proactively uphold Charter rights and human rights — instead of reactively defending against allegations of rights violations — in ways that save money.

The purposes of court review and oversight of CSC decision making, particularly with respect to safeguarding the Charter rights and human rights of prisoners, are closely interrelated with the existing reasons why CSC participates and is called on to participate in litigation, as well as the overall purpose of the Corrections and Conditional Release Act, which was developed and intended as a piece of human rights legislation.

In section 3 of the act, it sets out:

> The purpose of the federal correctional system is to contribute to the maintenance of a just, peaceful and safe society by
>
> (a) carrying out sentences imposed by courts through the safe and humane custody and supervision . . . .

The act further sets out principles that guide CSC in achieving this purpose in section 4, including that CSC must use:

> . . . the least restrictive measures consistent with the protection of society, staff members and [prisoners] . . . .

And prisoners should:

> . . . retain the rights of all members of society except those that are, as a consequence of the sentence, lawfully and necessarily removed or restricted . . . .

Further, the act states, ". . . correctional decisions are made in a forthright and fair manner . . . ."

The goals of ensuring that CSC decisions are fair, as well as that rights are respected and least restrictive measures are used, are closely tied to judicial oversight of CSC aimed at preventing human rights violations, in particular as articulated by Justice Arbour:

> . . . there is little hope that the Rule of Law will implant itself within the correctional culture without assistance and control from Parliament and the courts.

• (1650)

Although the issue of whether expenditures are for a purpose that is totally new and distinct versus related to existing responsibilities has already been discussed, for perspective, it is also worth reiterating that the PBO's estimated $6.8 million for CSC is a small amount in the context of the massive amounts of resources at CSC's disposal. The $6.8 million represents less than 1% — in fact, 0.21% — of CSC's planned spending for 2024-25.

For context, Bill S-15, which the Speaker's ruling of October 2 recently held did not require Royal Recommendation, is of a similar order of magnitude, representing about $2 million annually, or 0.7% of the relevant department's budget.

Additionally, any additional indirect costs are expected to be significantly lower than the $6.8 million estimated by the PBO. In particular, the PBO reported, based on CSC representations, that a third of these costs were related to escorting prisoners in person to court. Those of us who have been in prisons recently — anytime, in fact, over the last five years — will know that in practice, it is actually rare that court cases are not dealt with by video hearings now.

Additionally, policy will change practice, as the PBO acknowledged. The number of people kept in SIUs for more than 48 hours will undoubtedly decrease. But intransigence of CSC will be, in part, ameliorated by these provisions if CSC is forced to prepare their costing based on the current number of people kept in SIUs for longer than 48 hours. History shows that they will actually reduce the numbers in those units.

Bill S-230's provisions on judicial oversight can be implemented in a way that results in savings for CSC, partially or even fully offsetting costs. As acknowledged by the PBO, these measures will result in fewer people in SIUs and will result in people being released from SIUs sooner. The PBO notes that these savings were not costed because CSC told the PBO that CSC planned to staff and operate SIUs at the same level whether they are full or empty.

Visits to prisons across the country contradict this statement and confirm that, in practice, SIUs are closed or repurposed when there are no SIU prisoners in them. Even if CSC were to keep empty or partly empty SIUs fully staffed and fully operational, this would clearly be a discretionary choice of CSC not to take full benefit of these opportunities for savings or reinvestment in other priorities.

Judicial oversight measures can help prevent conditions of isolation that result in court challenges seeking to redress violations of human and Charter rights. Again, as acknowledged by the PBO, legal costs for CSC associated with defending actions for damages, including Charter challenges, will be significantly higher than legal costs associated with judicial oversight of conditions of isolation. In addition to legal fees, if found liable, CSC would then be responsible also for damage awards.

I note, for example, that a class-action lawsuit has now been authorized in Quebec, as I mentioned, alleging that SIUs are perpetuating unconstitutional solitary confinement. Measures to allow courts to order people out of SIUs after 48 hours will significantly decrease the risks of these types of conditions of isolation. Previous similar class actions in cases of isolation were successful and resulted in tens of millions of dollars of damages.

A recent example is the case of Mr. Warren. Mr. Warren's lawyers advised me that he was initially held in Millhaven SIU and that he is now in the Regional Treatment Centre — this after Justice Pomerance, now of the Court of Appeal, then of the Superior Court of Justice of Ontario, ordered that his sentence be served in a mental health facility, in a hospital, as CSC's attempts to work with him in the past had proven wholly inadequate, and she concluded that he had not received the treatment that he needed. CSC is attempting to appeal her ruling. Meanwhile, Mr. Warren languishes in the Regional Treatment Centre in Millhaven.

The PBO concluded that there were no costs related to this bill with respect to the burdens on the court system or Legal Aid representation for prisoners, given that these would amount to possible costs for provincial and territorial governments rather than the federal government.

For context, it may be helpful to highlight the minimal number of cases at issue. The PBO suggested at most this would be 2,000 additional cases per year that would need to be heard by Superior Courts. However, as discussed previously, in practice, this number will be smaller, as people will be released from SIUs before 48 hours to avoid the need to go to court. This is, in fact, what has repeatedly happened when action and court decisions of this sort have been taken. Even taking this 2,000 figure at face value, however, this amounts to less than 1% of the Superior Courts' current criminal caseload, estimated at approximately 340,000 cases in 2018-19 alone.

A second key measure in Bill S-230 would require CSC to authorize the transfer of individuals with disabling mental health issues out of prisons to provincial and territorial health systems for assessment/treatment rather than leaving this decision to the discretion of CSC.

The PBO has estimated that depending on how CSC chooses to implement this measure as a matter of policy, costs could range from $0 to $2 billion per year. Since, as acknowledged by the PBO, this spending would not be required by Bill S-230, any resulting costs could not be indirect costs of the bill but, rather, discretionary spending by CSC in the context of implementation. In particular, the PBO argues that Bill S-230 only authorizes CSC to transfer individuals with disabling mental health issues to the provincial-territorial health system. The PBO argues the bill does not require provincial-territorial health facilities to accept these transfers, nor does it require CSC to take steps to contract additional beds within systems, though CSC could — and I would argue should — take this step as a matter of policy to ensure that those in need of health care are able to receive it.

The findings of the PBO make clear that the bill's measures regarding transfers to provincial-territorial hospitals do not result in costs attributable to the bill. In addition, however, it is worth emphasizing that these measures are closely linked to the purposes of the Corrections and Conditional Release Act, or CCRA. They build upon provisions already included in the CCRA regarding the ability of CSC to establish exchange of service agreements with provincial-territorial health services and hospitals and that allow CSC to authorize transfers of prisoners to provincial and territorial health systems, including for reasons related to disabling mental health issues.

For context, it is also important to note that the PBO's costing does not account for potential cost savings associated with transferring those with disabling mental health issues out of the prison system to provincial-territorial hospitals as well as the significant existing resources available to fund these external mental health beds. The PBO estimates that the annual cost of maintaining someone in a provincial forensic hospital is approximately $380,000. According to the PBO's own data, this is less than it costs to keep a person in isolation in federal prisons, meaning that each person transferred to an external mental health bed on a contract could represent savings of around $100,000 per year.

In addition to the potential to defund isolation cells in order to fund external mental health beds, CSC has received significant funding for mental health that could be devoted to securing contracts for external mental health beds. As part of these amounts, CSC already received some $9.2 million precisely earmarked for external mental health beds but has been unable to account for how this funding has been spent. CSC officials testified repeatedly that they received ongoing funding in 2018 for contracting access to new external mental health beds, and the amount of this funding appears to be $9.2 million annually out of a total of $74 million per year for mental health spending. I say "appears" because we have had inconsistent responses at different committees.

The number of available external mental health beds has remained the same throughout this period: 20 beds, all at the Philippe-Pinel Institute in Montreal. Worse yet, when asked to account for how the funds were spent if not on securing access to new external mental health beds, CSC testified to at least two Senate committees, Legal and National Finance, that all $74 million in annual funding for mental health services was invested in internal, prison-based mental health services — despite commitments to the contrary and despite clear evidence that adequate mental health treatment cannot and is not being provided in prison settings.

• (1700)

Growing numbers of legal cases are challenging the isolation of those with disabling mental health issues in line with Canada's international human rights obligations. Bill S-230's measures regarding transfers of people from prison to hospitals will significantly decrease the risks of people being left in isolation and the potential legal costs, settlements and damage awards that result where human and Charter rights are found to be violated.

Finally, it is important to stress the potential for downstream cost savings for the prison system and health care system that come from meaningful treatment of mental health issues in the community, not to mention the role this can play in successful community integration and prevention of future criminalization.

Data from the now-ended ministerial advisory panel on the implementation of structured intervention units, or SIUs, makes clear that the current system, absent Bill S-230, is increasing the human, social and financial costs of mental health issues. There is a correlation between SIUs and deteriorating mental health, and those whose mental health deteriorates while imprisoned in SIUs stay there longer despite internationally recognized standards prohibiting the isolation of those with disabling mental health issues.

While the full downstream cost and devastating human cost implications are difficult to estimate, the Mental Health Commission of Canada concluded in 2010 that:

> If we just reduced the number of people experiencing a new mental illness in a given year by 10% . . . after 10 years we could be saving the economy at least $4 billion a year.

Regarding Bill S-230's provisions that would define any confinement more restrictive than the general prison population as a SIU, the Parliamentary Budget Officer, or PBO, found that these measures did not require any spending. Prior to the passage of Bill C-83, the Bill S-230 definition was, in fact, the definition of "segregation."

Regarding provisions in Bill S-230 designed to increase access to existing avenues for community-based alternatives to prisons, especially for Indigenous people, the PBO found that these measures did not require any spending.

Though the legislation aims to encourage Correctional Service Canada, or CSC, to implement existing measures to enter agreements with communities to allow them to provide community-based care and custody of prisoners, ultimately the Minister of Public Safety, Democratic Institutions and Intergovernmental Affairs retains discretion over whether to enter these agreements and on what terms. It is not required to spend money.

Responding to a similar point of order last month, Senator Klyne ably outlined the depth and scope of legislation that has originated in recent years in this Senate chamber, sometimes carrying significant — but permissible — indirect costs. Current practice has been to support debate and the ability of the Senate to carry out its legislative powers. As noted by a Speaker's ruling of February 24, 2009:

> In situations where the analysis is ambiguous, several Senate Speakers have expressed a preference for presuming a matter to be in order unless and until the contrary position is established. This bias in favour of allowing debate, except where a matter is clearly out of order, is fundamental to maintaining the Senate's role as a chamber of discussion and reflection.

If the current point of order was to succeed, it risks a marked departure from this preference in favour of allowing debate and from the role that the Senate currently plays in Canada's parliamentary system by significantly narrowing our legislative powers.

Canadians are watching us and are counting on us to not unduly abdicate our duties as legislators. In particular today, Tona is watching us. Tona is one of the women in our report on the wrongful convictions of 12 Indigenous women. She is unlikely to live long enough to have her conviction overturned, but I hope you, my colleagues, will help to ensure that her objective of ending the tortuous treatment of others might be achieved by the passage of Bill S-230 — Tona's Law.

After decades of unwavering and tenacious advocacy, Tona is finally in assisted living. In the time remaining before she dies, I believe this chamber owes her — and too many others who have lived horrific experiences in federal prisons — the debate and consideration of this legislation.

Bill S-230 is properly before this chamber, and, with respect, I conclude that this point of order must be declined.

Thank you. *Meegwetch.*

The Hon. the Speaker pro tempore: Honourable senators, I remind you that the point of order deals with Royal Recommendation.

Hon. Bernadette Clement: Honourable senators, I want to provide some brief comments for your consideration on this point of order.

I sit on the Legal and Constitutional Affairs Committee, and there was very thoughtful discussion around the need for a Royal Recommendation. I am rapidly becoming more familiar with this concept — myself and my brilliant staff in my office.

Senator Tannas raised the issue about having concerns that the bill — which requires the engagement of outside medical professionals for mental health assessments — may trigger the need for this Royal Recommendation.

I start by saying that in my view, and after reading the report of the Parliamentary Budget Officer, this bill is not about new money but rather about delivering on responsibilities that already exist in Bill C-83 — Bill C-83, An Act to amend the Corrections and Conditional Release Act and another Act, a bill that is on the books and that already outlines responsibilities of the government.

The PBO report only outlines the expenditures of the resources needed to comply, not new spending. The main number, which was raised by Senator Carignan — $6.8 million — relates to the need to prepare cases, transport prisoners to court and the work of government lawyers. However, these are seen as resources.

I will quote again from this report:

> . . . the PBO provides an estimate of the cost of the resources needed to comply with the new requirement. We refer to this as the direct cost of the bill. . . .

I will quote with emphasis here:

> However, this does not mean that the bill authorizes any additional spending. Rather the direct cost of the bill represents an opportunity cost . . . .

I translate "opportunity" to mean possibility. It is a possible cost.

There is a cost associated to resources in many bills that have passed without Royal Recommendation. I am going to give an example that I am familiar with, in the short time that I am here: Bill S-205, which was the interim release and domestic violence recognizance orders bill. That one required defendants to wear a monitoring device. There would imminently be a cost associated to the resources necessary to enforce that bill, and yet it passed here without Royal Recommendation. It was seen as an opportunity cost, I would imagine.

The possible expenses of up to $2 billion are described by the PBO, but they are discretionary. The report outlines between 0 and $2 billion in spending for the authorization; however, this amount is up to the CSC. The bill only requires the Commissioner of Correctional Service Canada to authorize the transfer of individuals with disabling mental health issues. It does not require facilities to accept those individuals nor require Correctional Service Canada to contract for sufficient capacity to serve all those individuals with disabling mental health issues.

I want to quote a very recent ruling — the one from Speaker Gagné from October 2024. In it, she says:

> . . . there is no precise sum of money that triggers the requirement for a Royal Recommendation. If a bill would require a small expenditure for a purpose that is totally new and distinct, it may need a Royal Recommendation, whereas large increases in operational expenditures due, for example, to structuring how a government body performs existing responsibilities, may not require one. . . .

My argument here, and what I want to highlight, is that Bill C-83, which is already on the books, already provides these responsibilities. There is nothing new here. Bill S-230 is about delivering on the promise of Bill C-83.

Those are my arguments in support of setting aside the point of order and ruling that this bill does not require a Royal Recommendation, Your Honour.

Thank you.

• (1710)

Hon. Denise Batters: Honourable senators, I would like to make a few points on this. First of all, as way of background, the Senate Legal Committee made the following observation on Bill S-230 when we tabled a report about that bill with the Senate. It says this:

> The committee notes that it requested that the Parliamentary Budget Officer provide a cost estimate regarding the implementation of Bill S-230, following concerns raised by some committee members that the bill as drafted might require a Royal Recommendation.

On May 24, 2024, the Office of the Parliamentary Budget Officer, or PBO, published a report containing this estimate entitled *Cost Estimate for Bill S-230: Changes to the Correctional System*. A link to that full report was attached to the observation.

When considering this matter earlier this year at Legal Committee, our committee received a procedural note to the Standing Senate Committee on Legal and Constitutional Affairs from the Senate's table officers with the subject "Procedural background information on Royal Recommendations and related option for the LCJC's consideration of Bill S-230."

This procedural note, which we received from the Senate table officers states this:

> In particular, a ruling from February 24, 2009 —

— which was referred to earlier —

> — lists a number of criteria that should be considered to determine if a bill requires a Royal Recommendation. . . . Criteria to consider would include —

— It goes on to state —

> 2. Does the bill authorize a novel expenditure not already authorized by law? If so, a Royal Recommendation would probably be required.
>
> 3. Does the bill broaden the purpose of an expenditure that it already authorized? If so, a Royal Recommendation would probably be required.
>
> 4. Does the bill extend benefits or relax qualifying conditions? If so, a Royal Recommendation would probably be required.

So those were the submissions that we received in that procedural note from the Senate table officers.

Your Honour, I submit that the provisions of Bill S-230 could potentially engage all of those stated situations that I just quoted. I invite you to consider that as was fully explored today by Senator Carignan.

I want to make a further intervention. Senator Pate referred to some amendments that had been proposed here to the original government Bill C-83. I submit that Bill C-83 was a government bill and therefore this is not relevant to this point of order. Bill C-83 was a government bill, originating in the House of Commons, being a C-bill. For all those reasons, I support Senator Carignan's point of order. Thank you.

Hon. Yuen Pau Woo: Your Honour, I rise to speak briefly against the point of order. I thank Senator Batters for reminding us that the committee made a reference to the PBO study. It has been referred to here a number of times, selectively by Senator Carignan and more comprehensively by Senator Pate. But I would like to read into the record the actual words of the highlights, the key findings of the PBO report:

> The direct cost of new activities required by Bill S-230 is estimated to be $6.8 million annually. This consists primarily of costs associated with participation in new legal processes.

Secondly:

> Bill S-230 does not require a direct expansion of psychiatric care or alternative custody arrangements for members of marginalized communities.

These are the actual words of the PBO report. I think they are definitive in addressing the criteria for whether a Royal Recommendation is needed.

With respect to the $6.8 million, any money spent is money we need to be careful about, but $6.8 million out of a budget of $3.1 billion, with respect to Senator Pate, it is not 2%. It is 0.02%. I think that counts as minor administrative expenses. The PBO has determined that these are natural outcomes of the restructuring of organization necessary for the implementation of the bill. They are not new and direct costs, and therefore, this bill does not require a Royal Recommendation. Thank you.

Some Hon. Senators: Hear, hear.

[*Translation*]

Senator Carignan: I'll be quick, because Senator Batters already raised the points I wanted to go over. I will add two details, though.

First, Senator Pate and Senator Woo say there's no obligation to proceed with the application and that it's a policy choice, but I would refer you to the clause I cited earlier. A person in custody who believes they have been treated unfairly has recourse in the form of a sentence reduction or release. If the person has not requested a transfer to a care unit after the first 48 hours, they can claim they were treated unfairly. That would then give them recourse to apply to have the sentence handed down by a judge quashed. In other words, if a person was sentenced to 25 years in a penitentiary and says that CSC should have transferred them to a facility and submitted the application, the law would provide for their sentence to be reduced or struck down. That's a big piece of this, because people will apply.

Second, as for the issue of how much it will cost, some people seem to forget that this is not a small amount. It could go as high as $2 billion. The Parliamentary Budget Officer is the one saying that, not me. The total budget is $3 billion. Senator Pate said that it's discretionary and that it could be done within that amount, but is reallocating $2 billion of a $3-billion budget really feasible? Good luck with that. That said, their arguments proved that the third criterion of Senator Kinsella's decision fell into that particular category, so it does require a Royal Recommendation.

Lastly, I don't oppose the bill or its principle. It's just that, to introduce this kind of bill, you have to be in the House of Commons, you have to be an elected member of a government, and you have to have cabinet support to get a Royal Recommendation. This kind of thing can't be done in the Senate. You would have to get elected to the other place to do it.

[*English*]

Hon. Scott Tannas: I will be very brief. I was the one who started this situation. We did get what I thought was an interesting report from the Parliamentary Budget Officer. I had no inkling how it would go. I still have a question that I hope the Speaker in her ruling will be able to at least ponder.

My understanding of what the PBO said about the $2 billion that could be incurred as costs if they chose to do something other than comply with the strict wording of the bill, which basically says — as Senator Carignan just described — that if someone feels they have not been treated right, they can ask to go to a mental hospital. Correctional Service Canada would be required to transport them there.

This is what the PBO was saying: nothing in the bill says anything needs to happen after that. If Correctional Service Canada does not hire somebody or make an arrangement to pay within the hospital, presumably they will say no or "Sorry, we're full." Then what this bill will have been compelling people to do is to give a car ride to a place to be turned away. That, I am sure, is not the intention of Senator Pate. Her intention is, nobly, that somebody take that person in. The only way that is going to happen is if the federal government arranges to pay for it. The province is not going to do it for free.

So the PBO kind of avoids the issue to say, "Well, all this bill requires is a car ride somewhere." It doesn't say that they have to be put there and kept there. I'm still troubled by that. I worry that will be a factor that, in the House of Commons, at the next debate on this, we may overlook accidentally because there will be other forces more organized to debate this on the other side. Or maybe we just want to leave it and let it play out on the other side.

• (1720)

However, this is a point that I would really like Your Honour to think about and ponder the common sense of. If this is how it goes, there may be other precedents that could be set that might be equally ridiculous. Thank you.

The Hon. the Speaker pro tempore: Senator Woo, quickly.

Hon. Yuen Pau Woo: I thank Senator Tannas for raising that point, but in that spirit, I would encourage Your Honour to also consider other second-order and third-order expenses, as well as savings. As we have heard from Senator Pate already, there are conceivable, plausible, very reasonably expected savings from not having people in structured intervention units, which come from the relief of their mental traumas.

So if we are going to get into the space of second-order and third-order calculations — which the PBO doesn't do, partly as a matter of principle — then we must look at both sides of the ledger.

The Hon. the Speaker pro tempore: Honourable senators, I will hear Senator Pate briefly, and that will conclude comments and arguments on the point of order.

Hon. Kim Pate: Thank you, Your Honour, and thank you, Senator Woo, for that intervention.

I only want to add one detail that we didn't put on the record that was put on the record at committee. There have been examples — and I gave evidence about the lack of information about how money that was supposed to go to some of these measures when Bill C-83 was passed was spent.

We also heard that there was an attempt to contract with the Institut national de psychiatrie légale Philippe-Pinel some years back, and for $3 million a year, Pinel was going to provide 20 additional mental health beds. Correctional Service Canada, or CSC, refused to fund that, even though the structured intervention unit and maximum security beds where people who would otherwise go there are currently being placed cost in excess of $489,000 and upward of half a million dollars per year. You can do the math. I have proven what my math is like. Thank you, Senator Woo, for correcting it. We can see the cost savings.

So if we are going to go down the alley of trying to calculate the costs, we must look at who has been accountable in terms of where they are spending their money and who has not.

The Hon. the Speaker pro tempore: Honourable senators, thank you for your participation on this point of order. The issue will be taken under deliberation by Speaker Gagné. I am sure she will promptly provide a ruling.

UKRAINIAN HERITAGE MONTH BILL

THIRD READING—DEBATE ADJOURNED

Hon. Stan Kutcher moved third reading of Bill S-276, An Act respecting Ukrainian Heritage Month.

He said: Honourable senators, you may be getting sick of hearing from me, but I promise this is the last one for today.

I rise to speak at third reading for Bill S-276, An Act respecting Ukrainian Heritage Month, which aims to designate the month of September as Ukrainian Heritage Month in Canada to celebrate from coast to coast to coast the contributions Ukrainian Canadians have made and will continue to make to our country.

I begin my remarks today by sincerely thanking our colleague Senator Donna Dasko for aptly presenting this bill at committee when I was absent due to illness. I greatly appreciate her support, as a fellow Canadian senator of Ukrainian heritage, in this and other endeavours to support Ukraine. I also thank the chair, Senator Omidvar, and members of the Standing Committee on Social Affairs, Science and Technology for studying this bill. I enjoyed listening to your deliberations and discussions online on the importance of culture and heritage in our democracy.

Colleagues, all the threads that we bring to this country we weave together to create the tapestry we call Canada. Whence we came is integral to all of us individually and as a society. Our heritage is what we have inherited from the past, those things that we value and enjoy in the present and that which we strive to preserve and pass on to future generations.

Heritage is a mixture of things. It is something we use to understand and respect ourselves, to share that with others and to help us better understand each other. In short, our heritage is a celebration of who we are and aspire to be and is part of the glue that binds us to each other.

I am championing this bill to honour my Ukrainian heritage, with the support and encouragement of the Ukrainian Canadian Congress, the Ukrainian diaspora and recently arrived Ukrainians seeking refuge here.

During my second reading speech, I spoke about the experiences of my parents, grandparents and extended family, of their journey and contributions to Canada. They came from Ukraine, having lost all their property, many of their friends and most members of their own families to Russian and Nazi murderers. They sought refuge in Canada following World War II so that they could live in peace and without fear.

They became part of a much larger Ukrainian diaspora that traces its roots to the Eastern European farmers who came to Canada between 1891 and 1902 to open up Western agriculture. They not only helped build Canada into a global agricultural powerhouse, but they preserved their Ukrainian culture when the Russian occupation of Ukraine sought to destroy it.

We see Russia again destroying Ukrainian culture by spreading propaganda, stealing children, killing innocents and destroying iconic cultural sites. The Ukrainian people are fighting back and holding strong to their identity. In one small way, this bill emphasizes their heritage of resilience in Canada and the world.

I have family in Ukraine, and every morning I check to see if they have survived another night. Many Canadians share this experience and are shouldering this burden.

Colleagues, sometimes it might seem to us like no one is paying attention to what we say in this chamber. However, last evening, I was reminded that sometimes they do. Following my statement on Russia's war in Ukraine, I received a note from my cousin who lives in Kyiv. She had seen a clip of that statement. Her words touched me greatly. She wrote about how tired and exhausted the family and their friends were. She expressed that Ukrainians are feeling abandoned by the West. She also noted that they are heartened by moments of support and solidarity.

In her words, "But Ukraine doesn't stop our fight."

I hope the passage of this bill will help a bit by giving them and all those who have Ukrainian roots a much-needed emotional boost, helping them carry on.

Russia's genocidal war against Ukraine has reminded us of the historic tragedies that we hoped were long past but that are now re-emerging. This invasion not only threatens to destroy Ukraine but is also an attack on the shared values that bind us together — values such as human rights, democracy and the international rule of law. They are values upon which our multicultural Canada is built.

In its own little way, this bill helps reaffirm those values.

You may ask why September and not another month. September is a notable month for Canadians of Ukrainian heritage because it was in September, over 125 years ago, when the first Ukrainian immigrants arrived in Canada. Ivan Pylypiw and Vasyl Eleniak arrived on September 7, 1891. This day is marked in Alberta, Manitoba and Ontario as Ukrainian Heritage Day. Marking the month of September nationally would include these days while concurrently allowing for celebrations to occur from coast to coast to coast at times that would better serve the needs of various communities.

This year, I have had the privilege to attend many Ukrainian cultural events across the country. It was a highlight for me to be the parade marshal of the Bloor West Village Toronto Ukrainian Festival in September, the largest such festival in North America. It is a weekend of cultural celebrations, and I got to share that with Senators Omidvar, Dasko and Yussuff.

It was a celebration of hope in the face of darker realities. With dancing, mood, music, food and other art forms, we could take a moment to find joy in community and look to brighter days to come.

• (1730)

Also in September, I was privileged to give remarks at the Ukrainian Festival in Halifax. It was only the third year of its existence, and there were wall-to-wall people — people from all over the world, people celebrating Ukrainian heritage and talking about their own heritage, people becoming more comfortable with each other, enjoying all those things that we bring to our common experience of what it means to be Canadian.

Also earlier this year, I had the privilege to participate in the Ukrainian concert series "Unbroken Ukraine," a celebration of heritage and resilience, a bittersweet evocation of strength in the face of attack and of resolve to fight on to victory. That event was in Summerside, P.E.I., and they played to a packed house.

This bill is timely not only because it can help uplift the spirits of Ukrainian Canadians in this time of the dog days of war, but also because it seems that Ukrainians in Canada are starting to stand up and say, "Here we are," or as we say in Ukrainian, "My tut." Come and learn about us. Come and celebrate with us. Come and stand together with us.

There are many Ukrainian Canadians of note, some of whom I spoke about in my second-reading speech. One I would like to revisit is the late senator Paul Yuzyk and his leadership in forming the Canada we know today. He has been called the "father of multiculturalism." In his first speech in our chamber, he insisted that all ethnic groups deserved to be recognized as partners in the Canadian mosaic. He saw our multicultural reality as "unity in our diversity" and challenged us to embrace and celebrate that reality.

Senators, we all recognize the value of unity in our diversity. We all have marked days, weeks and months of significance to ourselves, our families and our neighbours. We have passed other such bills that recognize communities and events that helped shape the Canada we know today.

This bill extends our good work and recognizes the contributions of Canadians of Ukrainian heritage. We are living in a time that calls for more celebration of the things that weave us together in the face of the things that pull us apart.

Next September, I hope that we can all mark Ukrainian heritage month together, regardless of what our heritage is. I ask you to help see that dream become a reality by not delaying this bill in our chamber and voting to pass it at third reading and swiftly sending it to the other place.

D'akuju, thank you, *wela'lioq*.

(On motion of Senator Martin, debate adjourned.)

COPYRIGHT ACT

BILL TO AMEND—THIRD READING—DEBATE ADJOURNED

Hon. Leo Housakos moved third reading of Bill C-294, An Act to amend the Copyright Act (interoperability).

He said: Honourable senators, Bill C-294 is a critical piece of legislation that strikes at the heart of Canada, our farmers and small manufacturers. This bill is about unlocking innovation to help our farmers take their businesses to the next level and to encourage and foster innovation in the farming industry, especially for smaller operations.

At the core of this issue is the use of digital locks and keys that prevent different pieces of farm equipment from working together. It is something that benefits the major manufacturers while shutting out the smaller start-ups. This bill seeks to provide a much-needed update to protect our farmers and allow our local manufacturers to participate in the market.

There are many success stories from across this great country of people working in the fields, on the sea or wherever they may be, stories of common folk coming up with fixes to make their day-to-day work on the farm or on the wharf easier or more efficient. That's where many innovative ideas come from. They are not all from a research lab, a classroom or even a boardroom. They come from the men and women who are doing the hands-on work and, often, they turn them into their own successful businesses.

Now they face challenges, as the larger corporations have found a way to dominate the market using our current Copyright Act in a manner that it was never intended to be used in and, in so doing, are pushing innovative smaller manufacturers out of the marketplace. As technology advances, it is imperative we stay on pace in updating our Copyright Act to align with the changing landscape.

When it comes to things like farm equipment, digital locks hinder innovation in a way that affects small manufacturers profoundly. These businesses are essential to their local economies. However, the constraints posed by digital locks and reduced interoperability are causing a significant drop in orders for small manufacturers. This legislation aims to unlock innovation, support our farmers, support homegrown manufacturers and maintain a healthy, competitive market.

It is time to update the Copyright Act and align it with our ever-evolving technological landscape to foster innovation, competition and a brighter future for our communities.

I'll note once again this legislation received unanimous support from all parties in the House. Now that it has passed through our committee here, I hope we can find the same agreement to get this bill passed sooner rather than later. Our farmers and local manufacturers need every bit of help, and they can get right on it.

Thank you, colleagues, for your attention.

An Hon. Senator: Hear, hear.

(On motion of Senator Osler, for Senator Deacon (*Nova Scotia*), debate adjourned.)

DEPARTMENT FOR WOMEN AND GENDER EQUALITY ACT

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator McCallum, seconded by the Honourable Senator Mégie, for the second reading of Bill S-218, An Act to amend the Department for Women and Gender Equality Act.

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I note this item is at day 15. Therefore, with leave of the Senate, and notwithstanding rule 4-14(3), I move the adjournment of the debate for the balance of my time.

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

Hon. Senators: Agreed.

(Debate adjourned.)

JUSTICE FOR VICTIMS OF CORRUPT FOREIGN OFFICIALS ACT (SERGEI MAGNITSKY LAW)

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Housakos, seconded by the Honourable Senator Martin, for the second reading of Bill S-247, An Act to amend the Justice for Victims of Corrupt Foreign Officials Act (Sergei Magnitsky Law).

Hon. Leo Housakos: Honourable senators, I note this item is at day 15. I'm not ready to speak at this time. Therefore, with leave of the Senate, and notwithstanding rule 4-14(3), I move the adjournment of the debate for the balance of my time.

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

Hon. Senators: Agreed.

(Debate adjourned.)

BANK OF CANADA ACT

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Bellemare, seconded by the Honourable Senator Klyne, for the second reading of Bill S-275, An Act to amend the Bank of Canada Act (mandate, monetary policy governance and accountability).

Hon. Yonah Martin (Deputy Leader of the Opposition): I move, with leave, to adjourn this item for the balance of my time, as it is on day 15 as well.

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

Hon. Senators: Agreed.

(Debate adjourned.)

• (1740)

NATIONAL STRATEGY ON FLOOD AND DROUGHT FORECASTING BILL

SECOND READING—DEBATE ADJOURNED

Hon. Rodger Cuzner moved second reading of Bill C-317, An Act to establish a national strategy respecting flood and drought forecasting.

He said: I rise today to speak to Bill C-317, An act to establish a national strategy respecting flood and drought forecasting.

This is a timely piece of legislation, put forth by Francis Scarpaleggia, MP for Lac-Saint-Louis, who has been putting issues of water to the forefront in the other place for the entirety of his 22-year political career, holding the trust and respect of all parliamentarians.

I would also like to draw your attention to Dr. John Pomeroy, the Canada Research Chair in Water Resources and Climate Change and Director of Global Water Futures Programme at the University of Saskatchewan. His expertise has been indispensable in the drafting of Bill C-317.

Senators, many of us will recall the horror of the 2013 Calgary flood, a devastating natural disaster which brought to our attention the powerful weather events which have become more and more regular across Canada. In a strange way, this terrible event was also a key contributor to the creation of this bill.

Dr. Pomeroy was in Alberta during this disaster and testified during committee stage in the other place that:

> . . . it rained for three and a half days over the mountains west of Calgary, Alberta in late June 2013. Two hundred and fifty millimetres fell on a late-lying snowpack, and the flood started. . . . The generation of these floods was in the mountains, and they rushed down towards Canmore, High River and eventually Calgary. . . . Four people died in that flood. Over $5 billion in damages occurred in the region. It was the most expensive natural disaster in Canadian history at that time.

I remember at that time speaking to my friend and former colleague Ted Menzies, who was the MP for Macleod, as he spoke of the shock and desperation put upon the people in his community. There was no timely warning in order to evacuate those residents affected.

Interestingly, Dr. Pomeroy cited that the European Centre for Medium-Range Weather Forecasts was running a test product at that time which predicted that horrific event ten days before the Calgary flood. It was not communicated to the officials in Alberta as it was a test, but it does show what systems are out there that can make a real difference in predicting these natural disasters.

Colleagues, more recently, the Standing Senate Committee on Agriculture and Forestry released a report in October of 2022, which investigated the flooding that occurred in British Columbia in 2021. It is a thorough report and contains several recommendations moving forward to mitigate the occurrence of these floods.

Recommendation 1 advocates for the Government of Canada to collaborate with the Government of British Columbia, other governments in the province and relevant stakeholders to develop a comprehensive plan for flood control in the Fraser Valley. This plan should include both a timeline for dike upgrades and the establishment of a committee to examine flood mitigation measures as well as emergency preparedness and response strategies.

This is what Bill C-317 is about — providing accurate flood and drought predictions that Canadians can rely on, but on a national level. There is a lot at stake.

As MP Scarpaleggia put it in the other place, "Canada is the only G7 country, and perhaps the only developed country, without a national flood forecasting system."

In Canada today, we have thirteen wheels steering the flood and drought prediction business. Ten provinces and three territories have systems which are developed bottom-up. They work to meet local needs of forecasting, while at the federal level we have a more complicated system which works top-down. There is little interoperability and has led to, according to Dr. Pomeroy, a fragmented system which does not meet the needs of the country as a whole.

We also have a disparity amongst the quality of systems used from province to province and territory. Some provinces, like Manitoba — which has been dealing with flood conditions for some time — have advanced, capable systems, as does Quebec. But the Yukon, for example, does not yet have expertise in this area. Global Water Futures, with the help of Environment and Climate Change Canada, developed a system for these predictions and has been running this in the Yukon since 2018.

Remote communities require assistance as well, and one of the prime motives for this bill is to bring these communities to the table.

What Bill C-317 aspires to do is bring all stakeholders together: the federal government, provincial and territorial governments, Indigenous people and academia. We should also keep in mind that we share river basins with the United States, so this is an international issue as well. According to Dr. Pomeroy:

> . . . A federal-provincial-territorial co-operative system could far better ensure that resources and technologies are available to support operational forecasting and prediction from these co-developed systems.

This bill would, through the Minister of Environment and Climate Change Canada, in collaboration with the Ministers of Agriculture and Agri-Food, Infrastructure and Communities, Natural Resources, and Public Safety and Emergency Preparedness develop a national strategy on flood and drought forecasting to help provide key stakeholders with the information they need to forecast floods and droughts.

This is envisioned as a collaborative and cooperative approach which formalizes the system in order to make sure that we are all working on the same page, pooling information and best practices, all with the goal of mitigating the effects of floods and drought.

This isn't happening at the moment. In 2019, Global Water Futures, again with the help of Environment Canada, met with the 13 provincial and territorial forecasters and established an informal working group to share that kind of information. That this is still informal and just began in 2019 should be of concern.

Bill C-317 would provide for extensive consultations between the Minister of Environment and Climate Change and representatives of provincial and municipal governments, Indigenous governing bodies and other relevant stakeholders including universities, civil society organizations and industry, including the insurance industry.

The latter — the insurance industry — was included in the legislation through a friendly amendment proposed by Michael Kram, MP for Regina-Wascana.

I see the importance of all these players being at the table in developing a flood and drought strategy.

The inclusion of insurance companies was done for a specific purpose. Certainty is what guides the insurance companies in setting rates. When there is no certainty in predicting floods, it can result in an inability to get a house insured. MP Kram said at second reading:

> . . . insurance companies have considerably more difficulty in predicting flooding than they do in predicting other types of disasters . . . As a result, they simply do not offer flood insurance to many Canadian homeowners. When those homes get damaged or destroyed by floods, government programs such as the disaster financial assistance arrangements program . . . dole out billions of dollars to uninsured property owners whenever there is a flood.

Recently, the Insurance Bureau of Canada announced that the summer of 2024 was the most destructive on record. According to the bureau, the estimated costs due to severe weather events stands at $7 billion in insured losses. They report that number is ten times higher than the average $700 million in claims for weather events which occurred between 2000 and 2010 previously. This is an immense rise in claims and clearly tells the story of weather-related disasters in Canada.

• (1750)

The Insurance Bureau of Canada calls this:

> . . . a whole-of-society challenge and requires all leaders and stakeholders to come together to develop a national action plan to ensure Canada is better protected. We all have a role to play in helping communities prepare for and recover from severe weather events.

Colleagues, a report by the Global Commission on the Economics of Water stated that the combination of decades of destructive land use and mismanagement of water has collided with the climate crisis to put ". . . unprecedented stress . . . ." on the global water cycle.

The report distinguishes between blue water, which is rivers and lakes, and green water, which is the moisture stored in soil and plants. The report states that green water is just as important to the water cycle, as it returns to the atmosphere when plants release water vapour, which makes up half of the rainfall on land.

If this trend continues, we will see temperatures rise and in turn see the drying out of landscapes, a reduction in moisture and increasing fire risk.

Accordingly, the strategy under clause 3 would assess the needs and benefits of national coordination, new investments and the use of new technologies; assess the need for new modelling that would identify properties and infrastructure most at risk; assess opportunities to develop national forecasting in order to address the information needs of all stakeholders; and prepare a proposal for the establishment of a cooperative national hydrological and water resource system.

Senators, the legislation asks for a strategy to be developed within two years and tabled in Parliament.

Internationally, this type of system is already in place in European countries, and they recognize the importance of such collaborative work. As well, the United States has been operating under similar approach for years. We in Canada can do the same.

Speaking of collaboration, this bill passed unanimously in the other place. That it did so speaks loudly to the seriousness of the problems we are facing across Canada.

We live in very uncertain times with respect to our climate and the economic effects it will continue to have in Canada. But it's not just the economic costs we are thinking about. It was great to see MPs from four different parties understand the gravity of the situation and work together to ensure the passage of this bill.

For those affected by natural disasters caused by flooding and drought, there is an incredible mental toll. Community evacuations take a negative toll on all those involved. The fear, uncertainty, displacement, reconstruction and all the issues which accompany such disasters linger. Losing a house, a business or both leaves a mark. If we can prevent at the very least the loss of lives with this approach, our efforts will be worthwhile.

When it comes to Indigenous peoples, we must understand that government monitoring of floods and droughts is sparse. We tend to think more about cities. With this approach, we can begin to predict flooding in First Nations communities. It's also important to bring Indigenous knowledge and memory into the strategy. These communities have much to bring to the table. As my friend Mi'kmaw elder Albert Marshall would suggest, there is tremendous benefit in two-eyed seeing.

There have been questions regarding whether the country needs this coordinated response to the changing climate. To my knowledge, weather does not recognize provincial boundaries, and the ability to coordinate across the country when it comes to the prediction of these events naturally involves all players mentioned in the bill. The provinces and territories would benefit from this approach.

MP from South Okanagan—West Kootenay Richard Cannings commented in the other place:

> Now, in Canada, operational flood forecasting is a provincial responsibility but the rising threats and rising costs call for better forecasting that is more coordinated across provincial boundaries. The data that goes into flood forecasting modelling and drought forecasting must come from multiple jurisdictions.

I would like to add that a recent Nanos poll — we have been listening to a lot of polls lately, though maybe not so much on the weather — found that 61% of respondents do not consider the country prepared for the next weather-driven crisis. Of the respondents, 75% also believe that these weather events will get worse moving forward. Many of us seem to be on the same page when it comes to whether these weather events require action.

In closing, I would like to thank those responsible for bringing this bill to the fore. We are facing an unpredictable future with respect to weather that will be costly in terms of people, property and prosperity. We can work together to prevent much of the harm caused by the changes in our climate, and it's my hope the coming weather patterns which have become so devastating will, at the very least, become more predictable.

Preparation is key when a flood occurs. Bill C-317 may give people the time necessary to prepare their properties, businesses and families to mitigate the effects of these extreme weather conditions.

Thank you.

Some Hon. Senators: Hear, hear.

(On motion of Senator Martin, debate adjourned.)

[*Translation*]

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

FIFTEENTH REPORT OF COMMITTEE—DEBATE ADJOURNED

The Senate proceeded to consideration of the fifteenth report of the Standing Committee on Internal Economy, Budgets and Administration, entitled *Amendments to the Senate Administrative Rules*, presented in the Senate on October 22, 2024.

Hon. Lucie Moncion moved the adoption of the report.

She said: Honourable senators, it is my pleasure to speak to you today about the fifteenth report of the Standing Committee on Internal Economy, Budgets and Administration.

This report recommends an amendment to Chapter 2:06 of the *Senate Administrative Rules*. The proposed amendment would specify the procedure to be followed by the Senate Administration when, in response to a request made under the Access to Information Act, a federal institution gives notice of its intention to disclose records or information relating to Senate business.

[*English*]

Section 16 of Chapter 2:06 currently provides that the Senate administration may make representation in respect of such notices, but it does not provide any details regarding who should be advised of the notice or consulted in preparing these representations.

This lack of clarity in the process can cause difficulties given the short timeline for responding, usually 20 days. The proposed amendment would identify who must be advised or consulted and when.

[*Translation*]

Under the proposed new provisions, any senator, house officer, committee chair or former senator who may be affected by the proposed disclosure of records or information must be notified before the Clerk makes representations to the head of the federal institution.

The proposed amendment sets out the factors to be considered when the Clerk deems it appropriate to make representations about records or information that form part of a Senate committee's proceedings and are therefore subject to parliamentary privilege.

[*English*]

The proposed amendment would also clarify that the Clerk would not object to the disclosure of published or publicly accessible committee records but that the Clerk should always object to the disclosure of in camera records and information unless an appropriate body has authorized this disclosure. For records that do not fall into either of those categories — records that are neither public nor in camera but still subject to parliamentary privilege — the Clerk would consult with the committee whose proceedings are subject to the notice. If the records are from a committee of a past Parliament, the Clerk would consult with the successor committee if one exists. If no successor committee exists, such as in a period of dissolution, the Clerk would consult with the Speaker before making representations to the government institution.

I would add that in no case would the Clerk purport to waive parliamentary privilege. The Clerk would simply object to the disclosure or not object, as applicable, and always reiterate that parliamentary privilege is not being waived.

• (1800)

Again, these changes aim to ensure that the Clerk has clarity regarding whom must be advised or consulted in this process and when. This, it is hoped, will assist the Clerk in meeting the short timelines for preparing these representations.

(On motion of Senator Martin, debate adjourned.)

THE SENATE

MOTION CONCERNING THE HUMANITARIAN CRISIS IN NAGORNO-KARABAKH—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Housakos, seconded by the Honourable Senator Seidman:
>
> That the Senate take note of:
>
> (a) the deteriorating humanitarian crisis occurring in Nagorno-Karabakh as a result of Azerbaijan's ongoing blockade of the Lachin corridor and increased military aggression against indigenous Armenian civilians in the region; and
>
> (b) the actions of the Aliyev regime as being dictatorial, and in violation of international law; and
>
> That the Senate call on the Government of Canada:
>
> (a) to support the liberty of the people of Nagorno-Karabakh and their right to self-determination;
>
> (b) to immediately impose sanctions against the Azeri regime;
>
> (c) to demand the immediate reopening of the Lachin corridor and the release of Armenian Prisoners of War;
>
> (d) to provide a significant aid package through NGOs to those Armenian people forcefully displaced from their indigenous land; and

(e) to protect the Armenian people of Nagorno-Karabakh through the presence of international peacekeeping forces.

Hon. Bernadette Clement: Honourable senators, I note that this item is at day 15, and Senator Petitclerc wishes to speak to it. Therefore, with leave of the Senate and notwithstanding rule 4-14(3), I move the adjournment of the debate in the name of Senator Petitclerc.

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

Hon. Senators: Agreed.

(Debate adjourned.)

[*Translation*]

CONTRIBUTIONS AND IMPACTS OF MÉTIS, INUIT, AND FIRST NATIONS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Boyer, calling the attention of the Senate to the positive contributions and impacts that Métis, Inuit, and First Nations have made to Canada, and the world.

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

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

Hon. Senators: Agreed.

(Debate adjourned.)

[*English*]

FUTURE OF CBC/RADIO-CANADA

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cardozo, calling the attention of the Senate to the future of the CBC/Radio-Canada.

Hon. Pat Duncan: Honourable senators, I am conscious of the hour and appreciate your time and attention this evening.

May I begin with an expression of gratitude to the First Nations who, for millennia, have been guardians of the land and all who walk upon it in the Yukon and who welcomed and shared the riches of the land with newcomers? Thank you to the Algonquin Anishinaabe, guardians of the land in Ottawa where we do our work.

I rise today to address Senator Cardozo's inquiry calling our attention to the future of the CBC/Radio-Canada.

Honourable senators, in order to know where we are going, it is important to know where we have been. In order to address the future of CBC, specifically CBC Radio, may I share with you some of where we have been, specifically in the Yukon?

We are rapidly approaching the CBC's eighty-eighth birthday on November 2. Looking back for a moment, a 1938 *Whitehorse Star* newspaper article described the CBC's first report to Parliament, where it reported a surplus of $128,819, with total revenues of $836,998 in its first five months of operations. Two months later, the *Whitehorse Star* quoted *Macleans* magazine questioning what Canadians actually get from the CBC — is it worth it? Interestingly, two weeks after the end of the 1937-38 fiscal year, CBC reported revenue of $2.2 million and a surplus to Parliament.

Moving a few years forward to November 20, 1942, thanks to the military system, the Yukon was on the national CBC Radio airwaves with coverage of the official opening of the Alcan Military Highway — the Alaska Highway — a special ceremony from Soldier's Summit on Kluane Lake.

Honourable senators, the military system I just referenced, like the Alaska Highway, was a critical part of northern infrastructure in the Yukon, and the story of the birth of the CBC in the Yukon is another legacy of the American military presence.

In February 1944, CFWH commenced operations at 1900 hours. This station was the first Army Expeditionary Force radio station in the Northwest Service Command, operated for and by soldiers under the Special Services Branch of the U.S. War Department. CFWH operated on 1240 kilohertz with a transmitter power of 100 watts from the army's facilities at McCrae near Whitehorse. All the programming was American.

Within months of the first broadcast, a request show called "Platter Parade" had become popular with both military personnel and civilian residents in the Whitehorse area. CFWH's record library had grown to 800 records, making it possible to comply with 90% of all requests. Also, CFWH needed to move to new studio facilities because the original location was too small for many of the audience-participation programs the station planned to produce. The weekly programming schedule was carried in the *Whitehorse Star* newspaper, something that continued for many years.

By October 1945, arrangements were made to commence Canadian news broadcasts over CFWH for 15 minutes per evening, three times a week. The broadcasts originated from the PR branch of the Sixth Service Command in Edmonton. The announcer was Warrant Officer Fred Ayer. Previously, he had read local news over CFWH when he was stationed in Whitehorse.

On December 15, 1945, Whitehorse shared in an all-Canadian broadcast on Christmas Day. This special Christmas programming originated in Toronto at 11:00 a.m. Whitehorse time. Local contributions included the Christ Church choir singing and citizens commenting on Christmas in Whitehorse under wartime conditions.

On June 1, 1946, control and operations were transferred from the U.S. Army to the Northwest Highway System, Canadian Army. All on-air personnel would have been volunteers, including community members as well as RCAF service members. Yukoners learned the 24-hour clock because events were announced in military time.

On October 16, 1946, back when there was some politeness in politics, CBC started free time political broadcasts on the Trans-Canada Network. The "Nation's Business" was broadcast on Wednesdays.

CBC programming became available to CFWH and other remote radio stations in the country in 1952. At first, this meant about 25 hours of programming a week, increasing to 60 hours by 1956. This was not live programming. It was shipped from Montreal and was about two weeks old by the time it hit Yukon airwaves.

In May 1956, discussions began within the community and nationally between the CBC, the Department of Northern Affairs and RCAF about the future of community radio stations in the North and the possibility of CBC taking over the service. On August 28, 1958, a letter from Conservative MP Erik Nielsen outlined CBC's plans for taking over radio services in northern Canada.

On November 9, 1958, the CFWH volunteer station went off the air. Volunteer Terry Delaney signed off. A special ceremony was held that Sunday evening to mark the handover. F.H. Collins, the Yukon Commissioner; Gordon Cameron, the Mayor of Whitehorse; and Erik Nielsen, MP for Yukon, were in attendance. The very next day, on November 10, the CBC-owned CFWH went on the air. Now CBC employee Terry Delaney signed on.

A network of low-power relay transmitters, or LPRTs, was installed in the 1960s in most of the highway-lined communities. Just as the Alaska Highway wound its way from Dawson Creek, B.C., in Canada to Fairbanks in Alaska, mostly through the Yukon, and just as the rivers and subsequent highways brought gold, silver, lead and zinc from Dawson, Mayo and Faro, the CBC connected Yukoners with one another as well as the Yukon with Canadians in this country and throughout the world.

• (1810)

In the summer of 1965, Bob Charlie of Dakwäkäda, Haines Junction — later the chief of the Champagne and Aishihik First Nations — joined the CBC staff. He was hosting the popular Saturday request show, taking over from Gertie Tom who had been broadcasting in the Southern Tutchone First Nation language. The show name changed to "Klahowya" meaning "Hello, how are you?" in a B.C. First Nations language.

Long before we were enlightened by the works of the Truth and Reconciliation Commission that included former CBC North broadcaster Marie Wilson, listeners in the Northwest Territories and the Yukon grew up hearing the stories of Ookpik the Arctic owl, written and produced by Les McLaughlin whose broadcasting career started at CFWH.

Colleagues, a few moments ago, I mentioned Terry Delaney. Here's a little-known part of my story: One of my first places of employment toward the end of high school was CBC Radio in Whitehorse. On the morning show, I was the sports reporter filling in with the national sports that came over a telex. Terry Delaney taught me to rip and read. Some of my favourite CBC memories were the interview I did with Clarence Campbell on the day he retired from the NHL, and the odd phone call from an Inuvik listener late in the evening weekend music show who thought it was a request line.

Today, CBC Yukon community reporters from Old Crow to Watson Lake and from Beaver Creek to Faro continue to link the Yukon with their community reports on the morning show. We are regularly tuned in to what is going on in Alaska on "Midday Café" at noon with Leonard Linklater, who is Vuntut Gwitchin from Old Crow. And the arts, music and business reports all find a home with Dave White in the afternoon. All of this programming includes fair, unbiased reporting on the newscasts and the all-important weather and road reports.

That CBC Yukon reach throughout the territory is not unique to the Yukon alone. Canadians throughout the country will recall the distinctive voices of Peter Gzowski, Barbara Frum and "Cross Country Checkup" on Sunday afternoon, which brought a civilized discourse to national issues with callers from coast to coast to coast. CBC Radio continues to link us and represents a national identity.

As fascinating as the Yukon history of the CBC Radio is, as well as my belief in its relevance to every part of our country, what of its future, as the inquiry before us suggests? I would invite every member to cast their mind back or, more immediately, to search the internet on the Emergency Preparedness Canada website or the emergency preparedness website in your region. You will note that most, if not all, of the sites will recommend that your emergency kit include a battery-operated FM radio.

Honourable senators, allow me to tell another story from my region. As recently as May of this year, I found myself at the Association of Yukon Communities annual conference in Dawson City, which is 500 kilometres north of Whitehorse, when the fibre optic cable connecting the Yukon with the South was cut. All cellular and internet connection disappeared. This meant that the emergency 911 system in the Yukon went down, electronic payment systems went down and attendees at the conference put down their cellphones and talked to one another. The Yukon Amateur Radio Association volunteers immediately were on their ham radios to relay messages between first responders and those who may be in need of help.

Allow me to share an email from Pam Buckway, a Yukoner, who spent a great deal of her time in Beaver Creek — mile 1,202 on the Alaska Highway. She studied broadcasting at the

University of Alaska Fairbanks, and at the end of her schooling, she returned to the Yukon to be a CBC broadcaster and a most familiar voice to many Yukoners. She wrote to me:

> When the power goes out or cell service goes down, I'm reaching for my ham radio with one hand and the transistor radio with the other to turn on CBC Radio. The CBC's mandate was to reflect Canadians to one another. It needs to keep doing that. I used to love listening to Peter Gzowski interview people. Today, I love young Tom Power on "Q." I learn a lot from him and his show's research team about arts and entertainment that I would never seek out myself. I love "Reclaimed" and the Indigenous music from all over the world that they present each week. I catch "The Current" and "As It Happens" when I can. CBC News is still my trusted news source. And the CBC needs to remain a public institution.

During the event in Dawson, when all the communication lines were cut down, the CBC Radio staff were broadcasting in Shipyards Park, near the Kwanlin Dün Cultural Centre. They became the key source — the only source — of information for 44,000 Yukoners, telling them where to go if they needed help, where there would be shelters open, where the various ambulances and RCMP cruisers had been posted and what to do should there be an emergency. CBC Radio, with its reputation as a reliable source of accurate information, was the only dependable mode to communicate to everyone with an FM radio.

I would like to note and add that I am grateful for the recognition of this service and of the CBC by Ted Laking, who is seeking the nomination to be the Conservative candidate for the Yukon in the next federal election. In his recent public statement about the CBC and its future, he said, "CBC Radio plays an extremely important role in connecting our communities . . . ."

He continued, "I'll continue to advocate for that essential role in promoting community issues and public safety."

As much as those younger than I might spend more of their time listening to SiriusXM or the local commercial radio stations, CBC Radio clearly remains a vital part of our communities.

This point was reinforced with me recently when I attended the Champagne and Aishihik First Nations General Assembly. A young woman who was working at the Kluane Lake Research Station in the summer months asked me about the future of the CBC. She said, "It is so important to us when we are out on the land." That is the only source to know where there are forest fires, what weather systems are expected, and what the state of the road conditions will be — information you need to be aware of. This is from a young, well-educated scientist who spends much of her time in Calgary performing vital research in our country. She said this to me: "Please do all you can to keep the CBC a national public broadcaster."

My promise to the young scientist was this: I will try to do my best. I hope my remarks today will provide some food for thought for my colleagues.

Shäw níthän, mahsi'cho, gùnáłchîsh. Thank you.

(On motion of Senator Dalphond, for Senator White, debate adjourned.)

• (1820)

[*Translation*]

ALARMING RISE IN SEXUALLY TRANSMITTED AND BLOOD-BORNE INFECTIONS

INQUIRY—DEBATE ADJOURNED

Hon. René Cormier rose pursuant to notice of October 22, 2024:

> That he will call the attention of the Senate to the alarming rise in sexually transmitted and blood-borne infections in Canada, including HIV/AIDS.

He said: I rise today to draw the Senate's attention to a critically important public health issue: the alarming rise in sexually transmitted and blood-borne infections, or STBBIs, in Canada, including HIV/AIDS. I'm undertaking this inquiry in the hope that those of you who are concerned about this important issue will be inspired to help by contributing your thoughts, expertise and experience.

Over the last decade, despite numerous public health interventions, we have seen a significant and alarming rise in the rates of many STBBIs in our country. Cases of chlamydia have risen by 49%, gonorrhoea by 81% and syphilis by 178%. Between 2018 and 2022, rates of infectious syphilis rose by 109% in Canada, and cases of congenital syphilis rose by 599%. Although we're seeing half as many cases of hepatitis C as we were in the late 1990s, the number of cases hasn't gone down since 2011. As for HIV, despite a 90% reduction in deaths since the mid-1990s, the infection is still being transmitted. In 2017, for example, the number of reported cases of HIV reached its highest level since 2008.

Behind these statistics, honourable colleagues, there are teenagers, young adults, women and men from every region of Canada, people of various backgrounds, sexual orientations and gender identities. STBBIs are infectious diseases transmitted sexually or through blood. They include, but are not limited to, human immunodeficiency virus, or HIV, hepatitis B and C, chlamydia, gonorrhea, syphilis, and human papillomavirus. They are transmitted through the exchange of genital fluids, through intimate skin-to-skin contact, or through contact with blood.

[*English*]

Colleagues, these infections disproportionately affect certain marginalized populations. In 2021, men who have sex with men accounted for nearly 40% of new HIV diagnoses, while people who inject drugs made up 21.9% of those infected.

Indigenous people accounted for 23.9% of new cases and Black populations for 15.4%. Finally, compared to the general population, people incarcerated under federal jurisdiction now have higher rates of HIV and hepatitis.

Colleagues, these disparities are the direct consequences of several factors stemming from social inequalities, colonialism, systemic racism, homophobia and other inequalities that marginalize these communities and increase their vulnerability to infections.

[*Translation*]

I would like to focus on HIV/AIDS, given the severity of its consequences. Unlike other STBBIs, there is no cure for HIV/AIDS. It is a chronic disease that requires lifelong care and treatment.

In 2020, approximately 63,000 people in Canada were living with HIV. According to the 2022 data, the rate of newly diagnosed HIV cases was 4.7 per 100,000 population, which shows that transmission is ongoing. In 2022, 1,833 newly diagnosed cases of HIV were reported in Canada, an increase of 24.9% compared with 2021 and the largest increase in more than 10 years. The hardest-hit provinces are Saskatchewan and Manitoba, with infection rates much higher than the national average, leading to especially serious consequences for their marginalized populations.

Because of its chronic nature and its co-morbidities, such as hepatitis and opportunistic infections, HIV has serious public health implications. Thanks to advances in antiretroviral therapy, of course, people living with HIV can now live a long and healthy life. We now know that U=U, meaning that an undetectable viral load means the virus is untransmittable. However, this therapy must be taken for life, and adhering to the treatment plan is vital for maintaining an undetectable viral load and preventing transmission.

[*English*]

The stigma associated with HIV remains a major barrier to accessing care and support, affecting the quality of life and mental health of people living with the virus. This stigma can lead to delays in testing, reluctance to seek treatment and social isolation. It also contributes to the under-reporting of HIV status, potentially increasing the risk of transmission.

Moreover, HIV treatments impose a substantial financial burden on Canada's public health system. The Canadian AIDS Society estimates the present value of the economic loss attributed to newly diagnosed individuals at $1.3 million per person.

Colleagues, we know that it is possible to control sexually transmitted and blood-borne infections, or STBBIs, prevent their transmission and, nowadays, to cure some of them. Advances in scientific research have led to a better understanding of infection transmission and risk factors, resulting in new tools to prevent, diagnose and treat STBBIs.

However, despite these advances, the negative impacts of these infections on health and well-being remain significant, particularly when treatment is delayed. They can cause serious health problems such as chronic pain, cancers, immune deficiencies, psychological distress, infertility and adverse effects on pregnancy — not to mention that they continue to impose significant physical, emotional, social and economic costs on individuals, communities and society.

[*Translation*]

In 2018, the Government of Canada adopted a pan-Canadian STBBI framework for action, followed by an initial five-year action plan in 2019 and a second plan in 2024, setting out the government's strategy until 2030. In 2022, the federal government invested $106.4 million in the fight against STBBIs. Still, despite these investments, persistent challenges are compromising efforts to curb the rise of STBBIs in this country.

The main challenge Canada faces in its response to the rise in STBBIs has to do with the adoption and deployment of technological innovations related to the prevention, screening and treatment of these types of infections. It is absolutely essential to further promote new diagnostic technologies, such as point-of-care rapid HIV and syphilis tests, self-testing for HIV and hepatitis C, decentralized community-based testing and dried blood testing.

By promoting the adoption and deployment of these new technologies and maximizing new screening methods, we will improve access to prevention and treatment services in underserved areas. Canada's geographic reality being what it is, there is a real inequity in access to health care depending on where Canadians live. The centralization of screening and treatment services in urban areas poses a real problem for rural, remote and isolated communities, especially for people without easy access to transportation.

Canada has to mount a large-scale rollout of effective new biomedical tools stemming from scientific breakthroughs. Antiretroviral therapies for HIV and curative treatments for hepatitis C, for example, have transformed the lives of many people living with these infections. Two new biomedical tools in particular deserve to be better known and more readily available to the public. The first is pre-exposure prophylaxis, commonly known as PrEP, which allows people who are not HIV-positive to take antiretroviral drugs on an ongoing basis prior to possible exposure to HIV. Similarly, post-exposure prophylaxis involves administering antiretrovirals following possible exposure to HIV. These innovative drugs should be available and accessible to everyone across the country, regardless of their socio-economic status or place of residence.

[*English*]

Nelson Mandela once said, "Education is the most powerful weapon which you can use to change the world." Well, if we want to turn the tide and eradicate STBBIs and HIV/AIDS in Canada, we must provide appropriate sexual education programs in all schools across the country — a sexual education that does not simply promote abstinence but equips young Canadians with accurate and up-to-date information on sexuality, safer sexual practices and the risks associated with STBBIs. There are still too

many taboos surrounding these public health issues in our country. The goal of such education must be to reduce risky sexual behaviour, improve risk perception and increase knowledge of prevention and screening tools to curb the spread of STBBI.

• (1830)

In this regard, it is imperative that the federal government collaborate with the provinces and territories to ensure that all young people in Canada receive comprehensive sexual education, enabling them to protect themselves effectively and thrive fully.

[*Translation*]

The alarming rise in STBBIs in Canada is not just a matter of medical innovation, public health or sex education, colleagues; it's also a matter of ensuring that all Canadians' human rights are respected. The rights to health and safety, which are two fundamental rights, are seriously affected when access to care, prevention and effective treatment is limited.

Sexual and reproductive rights, which include the ability of every person to make free and informed decisions about their sexuality, reproductive health and family life, are also threatened by the rise in STBBIs. When access to sexual health services, sex education and preventive tools such as condoms, PrEP or self-testing is compromised, these rights are directly affected.

Canada endorses the global health sector strategies on HIV, viral hepatitis and sexually transmitted infections for the period from 2022 to 2030, as formulated by the Joint United Nations Programme on HIV/AIDS, or UNAIDS and the World Health Organization, or WHO.

The goal of these strategies is to end the epidemics of viral hepatitis and eliminate sexually transmitted infections as a public health concern by 2030.

To accomplish this, Canada must meet the 95-95-95 targets by 2025. That means that, by next year, 95% of people living with HIV should know their HIV status, 95% of people who have been diagnosed should be on antiretroviral therapy and 95% of people currently on antiretroviral therapy should have an undetectable viral load.

With regard to hepatitis, the country must seek to reduce new cases of chronic viral hepatitis B and C infections by 90%, reduce hepatitis B and C deaths by 65% and diagnose 90% of infections.

There is also a target to reduce the global incidence of syphilis and gonorrhoea by 90%.

Senators, as you can see, we are far from meeting those targets. It is more than time to walk the talk.

[*English*]

We have a collective responsibility to intensify our efforts to curb the spread of STBBI, strengthen prevention measures and improve treatments, while honouring Canada's national and international commitments.

Various levels of government, health care providers, schools, community organizations, parents, researchers and politicians must all be fully involved and contribute to achieving these objectives.

The federal government plays a crucial role as a partner in this effort. It has the responsibility to establish national frameworks, engage with provincial and territorial governments to ensure effective coordination, proper information sharing and the implementation of strategies tailored to regional realities. It must also mobilize stakeholders and make the necessary resources available.

[*Translation*]

The federal government must also ensure adequate financial support for community organizations that work hard to educate people and provide outreach services to young people and those Canadians who are most at risk.

It must also increase funding for the fight against HIV/AIDS to $100 million a year, in line with the recommendations of the House of Commons Standing Committee on Health and the motion adopted in this House in 2020. All the sums announced must actually be disbursed.

So I urge the federal government to fully honour its commitments in the fight against STBBIs, including HIV/AIDS, and to step up its efforts to respond to the current emergency.

On a more personal note, colleagues, I'd like to conclude by saying that, as I was doing my research for this inquiry, my thoughts turned to my many friends who have died of AIDS over the years.

Young artists, journalists, television producers and ordinary citizens of all ages and from all walks of life have left us far too soon because of this abominable virus.

I'm thinking of my friends, Bernard, Pierre, Laval and so many others who had prolific careers and rich family lives. They were devoted to their communities and actively contributed to Canadian society. I often wonder what their life would be like today. They were good people who had so much to offer to our country.

I want to pay tribute to them and tell their families and friends that we will never forget them. I'm also thinking of all those who are living with this chronic disease today and who often feel isolated. I want to tell them that they are not alone and that we will be their voice whenever possible.

Honourable colleagues, STBBIs and HIV are not things of the past. These infections are still very much around, and our young people especially are being affected all across the country.

December 1 is World AIDS Day. It would be great if we could offer hope to all those who are affected by these infections by sharing a series of speeches on the topic from the Senate of Canada.

Thank you for your attention. I invite you to contribute to this discussion that is essential to the health and well-being of all Canadians. Thank you.

(On motion of Senator Duncan, debate adjourned.)

(*At 6:37 p.m., the Senate was continued until Tuesday, October 29, 2024, at 2 p.m.*)

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