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The Honourable RAYMONDE GAGNÉ,
Speaker

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THE SENATE

Tuesday, June 10, 2025

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

Prayers.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, I received a notice from the Leader of the Opposition, the Facilitator of the Independent Senators Group, the Leader of the Canadian Senators Group and the Leader of the Progressive Senate Group who request, pursuant to rule 4-3(1), that the time provided for the consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable Senator Gold, P.C.

I remind senators that pursuant to our Rules, each senator will be allowed only three minutes and they may speak only once.

These times do not include the time allotted to the response of the senator.

coming up: the genuine care, kindness and pride you have for our team. Marc, you frequently brag that we have the best team on the Hill, and I agree, but it's in large part because of you and your leadership.

You've also set an example of how to be a leader in this vast, diverse country, both before and during your time as a senator. You've been a committed supporter of the Jewish community and Israel, and I've personally enjoyed our conversations about Judaism and Zionism, as well as the substantial assigned reading list you gave me on this topic that I promise I'll get through eventually.

You've also used your Jewish values to reach out and build relationships with folks of other faiths. Similarly, you're a proud Quebec anglophone with a deep affinity for francophone culture and interests. Marc, you've demonstrated that we strengthen our own community by building bridges and friendships with others.

There is one unofficial member of the GRO who also deserves a tribute: your wife, Nancy. Nancy, you have been a big part of this team, supporting Marc throughout his time in this chamber. I know how happy you will be to have Marc back, but know that your Ottawa family will sorely miss you both.

However, as Senator Petten mentioned, Marc's face will remain a constant presence around here. Many of us have our swearing-in photos on our desks, and you are in a lot of them, smiling away and, honestly, reminding us how to do this job with good humour and honour.

Finally, former senator Frances Lankin told me this: What do you call someone whom you admire and wish to emulate — someone of noble character who always exhibits rectitude and dignity and is guided by a sense of what is right, responsible and decorous?

You call him a friend and a real mensch. You call him the Honourable Senator Marc Gold.

Hon. Senators: Hear, hear!

Hon. Leo Housakos (Leader of the Opposition): Honourable senators, today I rise to pay tribute to a remarkable public servant, Senator Marc Gold, who retires after nearly nine years of service in this august chamber, including five distinguished years as the government leader in the Senate.

I was already very well aware of who Senator Gold was prior to his appointment to the Senate on November 25, 2016, as he was truly a force in Montreal and beyond. A graduate of McGill, UBC Law and Harvard Law, he spent years teaching constitutional law at Osgoode Hall, training federally appointed judges and later serving as associate dean.

SENATORS' STATEMENTS

TRIBUTES

THE HONOURABLE MARC GOLD, P.C.

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I rise today on behalf of the Government Representative Office, or GRO, to pay tribute to my colleague and friend Senator Marc Gold on a remarkable career in the Senate.

Marc, in February 2020, the Prime Minister asked you to be the Government Representative in the Senate. And within a month of you, Senator Gagné and I beginning our work in the new GRO, this chamber and the whole world shut down for COVID.

In retrospect, boss, this was probably pretty good preparation for the next five years we would spend doing this together, because nothing has ever been normal—or when things seemed normal, they never stayed that way for long. Yet you've always rolled with it. From early-morning leadership meetings, to the fun and games of Question Period, to five hours on your feet for a marathon debate on the Emergencies Act, the entire GRO team has admired your stamina, your ability to absorb information and your sense of humour through it all — your lack of a poker face, however, not so much.

Before I wrote this tribute, I spoke with GRO staff, who are all here today, to get their thoughts. They mentioned your impromptu law lectures and your guitar performances at our holiday parties. But, above all else, there was one thing that kept

Where I really learned about Marc was through his leadership in the Jewish community, serving as chair of the Jewish Federations of Canada, on the board of governors of the Jewish Agency for Israel and as national chair of the Canada-Israel Committee.

And in 2015, he was awarded the Samuel Bronfman Medal for his outstanding leadership in Montreal's Jewish community.

In the Senate, as one of the early independent senators, he embodied the principle of sober second thought, rigorously reviewing bills as an independent voice. His leadership was so compelling and his voice so independent, colleagues, that somebody took notice in the Prime Minister's Office, or PMO, and in January 2020, he was named Leader of the Government in the Senate, a role in which he has consistently advanced government priorities — and I have to underline this — with the utmost integrity.

Senator Gold, I have truly enjoyed our exchanges, no matter how exasperated you may have been with me or how acrimonious some of our debates might have appeared to others. But I have to highlight that those vigorous exchanges speak to the health of our democracy, that we can disagree vociferously and yet remain friends, treating one another with respect at the end of every day. I treasured a lot more our private discussions. They revealed the depth of your character, your wisdom and your genuine goodwill.

Now that you're stepping away from your Senate duties, I know you will have time to take your musical talents and show on the road. The bad news, unfortunately, is that Senators Ringuette and Cormier are not quite ready to go on the road with you. Eventually, one day, you will practise and be ready for that moment.

• (1410)

Having said that, Marc, you have served with distinction and honour. Your family — Nancy, your two children and your wonderful grandchildren — must be incredibly proud of you, as is your extended family, I am sure.

On behalf of our caucus, we wish you all the best in this next chapter. You have earned every encore, journey and moment. We thank you.

Mazal tov on your success. Thank you for your service to your country. Good health and all the best to you in your future, whatever it may hold, in your retirement. Thank you, and God bless you.

Hon. Senators: Hear, hear.

Hon. Raymonde Saint-Germain: Honourable senators, it is with mixed feelings that I rise today to pay tribute to our colleague Senator Gold, with whom I have had the pleasure to work, first within the ISG facilitation team and then as Government Representative in the Senate, a very demanding role — you would agree — which he has held for more than five years. As Government Representative, Senator Gold, without a doubt, has demonstrated his dedication to the Senate and the Canadian people.

I speak of true dedication because I vividly remember his marathon-worthy performance in answering our questions during the debate on the use of the Emergencies Act. Frankly, I remember it so well because I was the next person in line on the Order Paper and had to wait, passionately listening to Senator Gold for seven long hours, before giving my own speech.

Senator Gold, in this difficult and often thankless role you have shown a profound sense of dignity in the face of — at times — very difficult questions and hard criticism for the government, which you had the duty to represent in this chamber. You always remained dignified and humane; in other words, you remained true to yourself.

The force of your character truly shone in these difficult moments: for instance, in debates that held a fundamental significance for you personally, such as the conflict between Israel and Palestine or Canada's official languages. You remained measured, dignified and balanced. I commend you for the example you set and for your steady leadership.

As Government Representative, you acted in an important way to enshrine the principles of an independent Senate within our *Rules*, with the help of Senator Lankin. The changes you brought forward will have a lasting impact on this institution. You leave a great legacy in the Senate and in Canada as a whole.

[*Translation*]

Senator Gold, there were three of us senators from Quebec — you, Senator Mégie and I — who were sworn in on the same day. I still remember it like it was yesterday. These memories remind me of how little time we really have in the Senate and how important it is that we give it our all and make our time here count. I can say, Senator Gold, that few have done as much as you. You're leaving behind a lasting legacy.

I'm pleased to know that you will now have more time for Nancy, your two children, your grandchildren, your family and your community, who will be very happy to no longer have to share you with us.

[*English*]

Senator Gold, all senators from the Independent Senators Group wish you a wonderful retirement with your loved ones. I know your contribution to Canada is far from over. We wish you the very best in all your endeavours. Thank you. *Meegwetch.*

Hon. Senators: Hear, hear.

Hon. Scott Tannas: Honourable senators, it is a twist of fate, and with a great deal of irony, that our colleague Senator Marc Gold — a lawyer, constitutional expert and academic who trained those headed for the bench — now faces one of the last vestiges of constitutional discrimination in Canada: the dreadful, but constitutional, mandatory Senate retirement. The Senate is one of the last remaining places in Canada where your workplace says to you, "Happy birthday and, by the way, you are fired. Hand in your keys and your pass."

Many distinguished Canadians have accepted the title of “senator” over the last century and a half. We also accepted the responsibility to represent and be the voice of our province and region.

While we all carry the title of “senator,” there are some individuals who go above and deserve more. Senator Gold is one of those individuals. If the title “gentleman senator” were an official moniker, Marc, you would have that designation.

Over the last few years, I have had the honour to work with Senator Gold as the Government Representative. At the leadership table he had the difficult task — at times, an impossible task — of shepherding the government’s legislative agenda through the Senate. As the “Senate whisperer” to the government, he conducted himself with distinction, courage and tenacity, in addition to demonstrating an unwavering dedication to his role and to the Senate. At times, he advanced the government’s business with a golden touch.

While there were some tense times at the leadership table — and there were too many to count — Senator Gold always, and without fault, acted with respect towards leaders, senators and staff. As I said before, he is a true gentleman. His participation in this chamber will be missed.

However, I will not miss the Saturday and Sunday telephone calls. While my interactions with him on weekends were important and fruitful, they did lead to some misunderstandings. Having to answer the telephone and move to another room for a private call did leave my wife wondering, from time to time, if there was something else going on.

To my colleague and friend Senator Marc Gold, you will be missed in this place. I am sure that your next life chapter will involve more time in the classroom and on stage with your guitar. I hope you find ways to combine them both at the same time.

I would say, Marc — and Senator LaBoucane-Benson talked about you being a lousy poker player in terms of your facial expressions and your reactions — you are the most human person I have had the privilege of meeting, at all times a human. I would just like to say thank you. My life has been enriched as a result of working with you, talking to you and listening to you. On behalf of the Canadian Senators Group, I wish you a happy and restful retirement.

Hon. Senators: Hear, hear.

Hon. Peter Harder: Honourable senators, on behalf of the Progressive Senate Group I would like to associate myself with all of the comments made thus far.

Marc, it is a hard act to conclude, but I am going to reflect on Lord Peter Hennessy, both a friend and well-noted historian, who has written the book on the British machinery of government and parliamentary practice. He coined the phrase “hidden wiring.” In fact, he wrote a book called *The Hidden Wiring* which is about how governments work behind the scenes and the unseen connections that are essential to success.

I reflected on the fact that many people have talked about your role as the Government Representative in the Senate. I would like to take a few minutes to talk about the hidden wiring of representing the Senate to the government. Senator Tannas referred to it as being the “Senate whisperer,” whereas I’m making it an issue of the machinery of government. It is important for us to recall what we mean by that.

We would not have had the Parliament of Canada Act amendments without the Government Representative in the Senate impressing upon the government the importance of those amendments and persuading the Minister of Finance to include the necessary matters that were in the budget.

Also, in 2022 the Senate was asked to quickly pass Bill C-12 on the old age supplement, if you will recall. To avoid additional delays, Senator Gold promised this chamber that technical amendments addressing errors that had been introduced in the Old Age Security Act would be addressed at the earliest legislative opportunity. The fix was included in the Budget Implementation Act, or BIA, shortly thereafter. We trusted you to deliver the message to the government.

We were asked to pass Bill C-13 on official languages, even though it contained a drafting error. Senator Gold gave us his word that it would be fixed at the earliest legislative opportunity.

• (1420)

We trusted him, and, again, behind the scenes he worked to deliver the goods.

Finally, on Bill C-11, the Online Streaming Act, the government asked the Senate to accept the House’s rejection of one of its most critical amendments, one that would have scoped out user-generated content from Bill C-11. Senator Gold made us a promise that we would appropriately scope out digital-first creators and user-generated content from Bill C-11 through the policy directive process following Royal Assent. But he went further, this time playing out his role representing the Senate to the government in the open, by including the following language in the Government Representative Office’s proposed message back to the House:

That the Senate take note of the Government of Canada’s stated intent that Bill C-11 will not apply to user-generated digital content and its commitment to issue policy direction to the Canadian Radio-television and Telecommunications Commission

In his remarks, Senator Gold stated that the message we would send to the other place with this motion was:

. . . that we, in the Senate, will be watching the government’s next steps very carefully with the expectation that they will be consistent with the promises they have made and that I have repeated to you in this chamber.

In other words, the hidden wiring of our institutional relationship is represented not just by the Government Representative in the Senate but by the Senate’s representative to the government.

I want to go back to Peter Hennessy again because he also had another well-coined phrase that he adopted several times in his history: He talked about the “good chap” theory of government. Now, I’m sure he meant it as a gender-neutral word, but “. . . a good chap knows what a good chap has to do and doesn’t need to be told.”

Senator Gold, you’re a good chap.

Hon. Senators: Hear, hear.

DISTINGUISHED VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Nancy Cummings Gold, Senator Gold’s spouse, as well as our former colleague the Honourable Frances Lankin, P.C.

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

Hon. Senators: Hear, hear!

THE HONOURABLE MARC GOLD, P.C.

EXPRESSION OF THANKS

Hon. Marc Gold (Government Representative in the Senate): Patti, Raymonde, Leo, Scott, Peter, thank you for such kind and generous words. I don’t have a good poker face. I’m really overwhelmed.

My dear colleagues, I had a hard time writing this speech, a really hard time. Part of it is that I have very mixed feelings about leaving this place and leaving all of you who have become like a family to me. So, tradition is tradition. I took a page from our former colleague George Baker, who, to be sure and as many of us know — although he honoured it more in the breach than in the observance — always began his remarks by promising to be brief, and I will be reasonably brief today as well.

It has been the privilege of my life to have served as a senator and an honour to have been entrusted with the role of the Government Representative in the Senate. As I stand here today, I am overwhelmed with emotion, but, above all, with a deep feeling of gratitude.

[*Translation*]

I want to thank Prime Minister Justin Trudeau for the opportunity that he gave me and for the trust he placed in me. Prime Minister, I am proud of the work that we accomplished together, and I wish you happiness and success as you begin a new chapter in your life.

Thank you to all the senators who welcomed me so warmly when I arrived here, to the group of senators who were appointed with me in the fall of 2016 — we all share a special bond because we arrived at the same time — and to all who joined us later. There are too many of you, both currently serving and retired, for me to name you individually, but I want you to know that you

taught me a great deal about what is important to you and about your dedication to your communities, your provinces, your regions. You have enriched my understanding and deepened my love for our country. That is an extraordinary gift. I will miss working with you.

[*English*]

Let me say a special word of thanks to former Speaker George Furey. George, you’ve been a source of wise counsel and support to me from the day I arrived here and, most importantly, you’ve been a very good friend to me and to my dear wife, Nancy. Thank you very much.

I also want to thank all the leaders of the parliamentary caucuses and groups in the Senate with whom I have worked over the last five and a half years. Senators Woo, Saint-Germain, Plett, Housakos, Tannas, Cordy, Dalphond and Francis, despite our differences and, at times, our disagreements, we shared a common purpose — to represent and serve our fellow Canadians and to uphold the constitutional values upon which our country is founded and the promotion of which is at the heart of our role as senators. To all of you — Raymonde, Leo, Scott, Brian, Pierre, Pau and, if you’re watching, Jane and Don — thank you for your leadership; thank you for your collaboration in the work we did together in pursuit of those noble ends.

Colleagues, if I have had any success as a senator, it is due in no small measure to the remarkable people who have supported me throughout my time here. Let me begin with my Senate colleagues on the Government Representative Office, or GRO, team.

When I was first named Government Representative in the Senate, as Senator LaBoucane-Benson already noted, I was joined by Senator Gagné as deputy and Senator LaBoucane-Benson as liaison. I could not have asked for better partners. Raymonde, you were calm, strategic and focused, and always there to steer us in the right direction. Patti, you brought and bring incredible political acuity, a deep intelligence and a wonderful and terrifically irreverent sense of humour to our work. We really had a good time together, did good work together and had fun doing it.

And when Senator Gagné was named our Speaker, and Senator LaBoucane-Benson became our deputy, the GRO was joined by a series of outstanding colleagues in the role of liaison: Senator Audette, who broadened my perspective on how leadership connects with one’s core values; Senator Lankin, a mentor and friend to me since my first days in the Senate, and who shepherded much-needed rule changes to the Senate; and now Senator Petten, whose experience, positivity and incredible people skills are an invaluable addition to our team.

I have been really lucky to work alongside such wonderful colleagues, to be part of a dream team: smart, focused, strategic and fun to be with. Thank you all for your friendship and for your support and for helping make this place work.

[Translation]

All senators know how much they depend on their staff for support and advice, so let me say a few words about the extraordinary group of professionals who have supported me during my mandate.

First of all, I'd like to thank Ginette Tremblay, who joined my office the day I was sworn in, who worked with me at the Government Representative Office as director of operations, and who is now enjoying a well-deserved retirement with her husband, Michel.

Jess Mace joined me shortly thereafter and helped me enormously as I began to familiarize myself with the committees.

Dorothy Liang joined my office a year later and has been an invaluable resource to me from day one. It's a pleasure to work with Dorothy, who joined me at the Government Representative Office as legal and parliamentary counsel and is an important part of our team.

[English]

And the GRO really is a team, a great team.

In all my professional life — and I have been very lucky to have worked with many extraordinary people — I can say without exaggeration, and I don't think I exaggerate very often, that I have never worked with as talented a team, most of whom are up there, as the one we have here at the GRO.

I cannot say enough about every one of them, and to be faithful to my promise to be brief, I will not be doing them the justice they deserve today, but here goes anyway.

• (1430)

To my Chief of Staff, Éric-Antoine Ménard, you have been an invaluable adviser to me. You are one of the smartest political minds that I have ever met and — equally important — someone who has a deep commitment to the Senate. You are not afraid to challenge me — you do it often — and that is a good thing; that's what we need. But you always do it with kindness, and you always do it with respect. I couldn't do this job without you.

The truth is I could not have done this job without the help of every member of the team.

To Michael Penney, as our Deputy Chief of Staff, I have seen you grow in your roles within the Government Representative Office, or GRO, from the time I first met you, which was long before I joined the GRO. Your positive attitude, your tremendous work ethic and your ability to stay calm — or at least appear to stay calm — through the inevitable crises and surprises that are a feature of our work is both a comfort and an encouragement to us all.

To Chloé Fedio, our Director of Communications, the GRO is really lucky to have someone with your experience, your professionalism and your good humour. I am very grateful to you for all the support you have provided to me in facing the media and other events for which I was ill-prepared temperamentally.

To Laura LeBel, our Director of Policy, with your deep understanding of the policy process, as well as your experience on the Hill and in the Prime Minister's Office, or PMO, you are a tremendous addition to the GRO and a true delight to work with.

To Lili-Anne Delage Larson, you joined the GRO as the Director of Operations when Ginette retired, and you assumed your role with skill and dedication. You also had the additional — and I think sometimes unenviable — task of taking care of me as my *de facto* executive assistant at the same time. Thank you for all you did for the GRO and for me personally.

Michael Milech came to us after working with the Honourable Ralph Goodale and then the PMO, joining Senator LaBoucane-Benson's team as Director of Parliamentary Affairs. Michael, you have been a great asset on so many important files and a wonderful colleague with whom to work.

Arianna Knoefel came to the GRO with Senator Petten as her Director of Parliamentary Affairs and Issues Management. Arianna, your integration into our team was seamless, and it has been a pleasure getting to know you better.

Ben Gunn-Doerge is our procedural go-to guy. As our Senior Procedural Advisor, he has been with the GRO since the very early years. Every morning, he welcomes us with his infectious smile and good humour, and his positive energy keeps us going until we leave sometimes late at night. Thank you, Ben.

Geneviève Lévesque is a long-standing member of the team. As our Senior Parliamentary and Legal Affairs Advisor, she plays an important role supporting sponsors, interacting with ministers' offices and making sure we stay on top of files as they evolve. Thank you, Geneviève.

Sean Callaghan is a relatively recent addition to the GRO. Amongst his other responsibilities as Parliamentary Affairs and Operations Advisor, Sean is the one who prepares me for Question Period every sitting day. Don't blame him for my non-answers; that's on me. But, Sean, it has been a real pleasure working with you and seeing you grow within the job.

Sarah Allan also joined us as part of Senator Petten's team as her Parliamentary Affairs Advisor, and she quickly became an indispensable member of our team. Sarah, you are a dedicated professional and a real pleasure to work with.

Lauren Stokes has been with us in the GRO for several years now as Senator LaBoucane-Benson's executive assistant. Lauren, your professionalism and welcoming demeanour is apparent to all, and we are lucky to have you with us.

The GRO was also blessed to have had other talented professionals who were valuable members of the group, though they are no longer with us in the office.

Rosemarie Brisson was around the GRO when I first arrived in the Senate, and I had the very good fortune of having her part of the team when I was named Government Representative. Rose was a terrific colleague, an excellent speech writer and a good friend.

Rod Leggett joined the GRO early on as the director of parliamentary affairs for Senator Gagné. He was our lead on many files and also assumed speech writing responsibilities. We also shared a love of music, and I had the pleasure of sitting in with his band for a couple of gigs around town.

Finally, there is Maya Zeinali who, for many years, served as the welcoming face to our office when she served as the executive assistant to the GRO. Maya was a great help to me, as she was to everyone in the office. Thank you very much, Maya.

I'll share one last word, if I may, before I move on from the GRO. The core of the GRO team was built by my predecessor, Senator Peter Harder.

Peter, those of us who were here at the beginning know how hard you worked to build the office and to establish its legitimacy and credibility, both within the Senate and with the government. You did all the heavy lifting and made it very easy for me to step into your shoes and for us to succeed, including Grant Mitchell, Diane Bellemare and you when you left the office. More importantly — or as importantly — you have been a good friend and very trusted adviser for all these years. Thank you very much, Peter.

Colleagues, I began by thanking all the senators who welcomed me and all the senators and members of my team with whom I have had the pleasure to work and serve and who have supported me. But the truth is I was also very warmly welcomed by a host of dedicated people who support each and every one of us every single day and whose hard work and dedication make this place work.

I would like to thank the following: from the Parliamentary Protective Service personnel who welcome us in the morning and keep us safe, to the folks who keep our buildings and offices clean and to those who feed us, deliver our mail and drive us around the precinct; to the lovely pages who assist us in so many ways; to the clerks at the table and in committees who keep our proceedings running smoothly; to the analysts from the Library of Parliament upon whom we rely; to our interpreters and translators; and to all those who provide the administrative support in the offices and directorates in this place — and there are a lot of folks. Some of them we see and some are behind the scenes, but you all are the backbone of this place and an indispensable part of the Senate family. Thank you for your friendly smiles in the morning and your good cheer throughout the day and into our evening sittings.

And I extend a special thank you to two very special members of the Senate family whose support and friendship mean a great deal to me.

To our Clerk of the Senate, Shaila Anwar, you have made an incredible contribution to this chamber over so many years of dedicated service. It has been a great pleasure to work with you and the incredible team that you oversee. Your respect for and service to this place is really inspiring.

To our Usher of the Black Rod, Greg Peters, you distinguish yourself and honour us with your devotion to this place and its traditions. Thank you for your service and for your friendship, and thank you for sharing your lovely singing voice with us on special occasions.

I'm sure this is true for all of us when we see new senators sworn in, but at a time like this, I cannot help but remember the day that I was sworn in. And on that day, at a reception that Speaker Furey hosted for us new senators, he reminded us that the great privilege that has been bestowed upon us also comes with a cost — a cost borne by our partners and families.

I now turn to pay tribute to the person who has been with me throughout this incredible time — indeed who has been with me for 48 years — the love of my life, my lovely wife, Nancy.

Hon. Senators: Hear, hear.

Senator Gold: Wow, I got some brownie points there, let me tell you. I'll stop there.

Nancy, you know that I am famous for speaking in clichés. In fact, my team in the GRO mocks me all the time about it. But clichés take hold because they contain truths, and the truth is I could not have done this without you. You have been beside me the whole way, with love, support and understanding. I know how hard it was for you at times — times away from each other, times when my work took over my time and took over my spirit, and times when I was not there for you when I should have been. I am sorry. But you bore that with understanding and grace. Thank you from the bottom of my heart. You have helped me do my best.

And I have tried to do my very best to honour this place and to promote its role and its legitimacy in the eyes of the Canadian public; to secure its future as a vital part of our parliamentary and constitutional democracy; to demonstrate that a more independent and less partisan Senate can add value to the public policy process for the benefit of Canadians; to model a way of engaging in political debate that is respectful and reasoned; to seek compromise and common ground in the best interest of this place and of our country; and, finally, to never forget who I am and where I came from and to never confuse the great privilege of being a senator with a sense of entitlement.

• (1440)

In this, I have been animated by the values that I inherited from my family and from my tradition, from my grandparents of blessed memory who came to this country fleeing oppression and seeking a better life for their family; from my late father whom I so wish could have been with me to share this chapter in my life; and from my dear 96-year-old mother who is watching this from her apartment in Montreal. And she's probably watching and grumbling that my beard makes me look old.

Mom, get over it. I am old — or at least the Constitution says I'm old. But, for 96 years, nobody could tell my mother what to do, so I am not going to succeed this time.

I am also exceptionally proud, as I know Nancy is, that these same values are being carried forward by my daughters Jenny and Emmy and my granddaughters Abby and Nelly.

But all good things come to an end. That's another cliché, but one that's as true as it is unavoidable, and so I have come to the end of these remarks.

Dear colleagues and dear members of the Senate family, serving here with you has been one of the greatest experiences of my life for which I will be forever grateful. Thank you. Thank you. Thank you. I will miss you all enormously.

Hon. Senators: Hear, hear.

NATIONAL INDIGENOUS HISTORY MONTH

Hon. Brian Francis: Honourable senators, during National Indigenous History Month, people in Canada are called to recognize and celebrate the rich histories, diverse cultures and enduring contributions of First Nations, Inuit and Métis peoples, both past and present. This month offers all of us an opportunity to correct the dominant historical record which, for far too long, deliberately ignored and erased the perspectives and experiences of Indigenous people.

We have experienced significant losses but also made significant contributions to the development of this country, and we deserve to be treated with the respect, recognition and reciprocity that is long overdue.

Despite the profound and lasting impacts of colonialism, Indigenous peoples from coast to coast to coast remain strong, proud and determined to reclaim our rightful place on these lands and waters. The increased participation and representation of Indigenous people on Parliament Hill are examples.

While there is still progress to be made, our presence and influence within systems that were not built by us nor for us are critical to ensuring that decisions made about us do not continue to be made without us. This is not easy or quick work, but it is a profound honour and a sacred duty that we carry forward.

Honourable senators, June is also a time to honour and support the efforts of Indigenous people to survive, rebuild and prosper. In recent days, thousands have been displaced by the devastating wildfires in Manitoba, Saskatchewan and Alberta. We must stand in solidarity with those affected and uplift all those on the front lines, working tirelessly to protect lives, communities and ecosystems.

We must also raise our voices for the thousands of Indigenous children who continue to face gaps, delays or denials in accessing publicly funded services — failures that carry life-changing and, at times, life-threatening consequences.

Unfortunately, these are not isolated cases. There are too many Indigenous people suffering in this country. We cannot accept this as our reality.

Colleagues, the Canada I believe in and work for is one where Indigenous people can truly belong, thrive and lead. That can only happen if we come together, not only in moments of celebration but also in times of hardship. In this National Indigenous History Month and throughout the year, let's work together to uplift Indigenous peoples, not only with our words but through real and lasting action. *Wela'in*. Thank you.

[Translation]

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Richard Dupuis, Indigenous Cultural Learning Manager for Parks Canada.

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

Hon. Senators: Hear, hear!

[English]

WILDFIRE MANAGEMENT

Hon. David M. Arnot: Honourable senators, I rise today with a deep sense of urgency, a sense felt most acutely by families who have lost businesses, homes and communities to the wildfires now sweeping across our country.

In the north and central regions of Saskatchewan, 24 wildfires remain active; 6 are uncontained. More than 19 communities are under evacuation orders or alerts. More than 15,000 people, many from Indigenous and remote communities, have had to flee their homes, often without warning and often without a place to return.

Nationwide, 1,860 wildfires have already burned more than 3.1 million hectares, surpassing typical early-season levels. Smoke from these fires has reached the United States and Europe prompting transboundary air quality alerts.

Last year, the Standing Senate Committee on Agriculture and Forestry, or AGFO, heard testimony from government officials, fire ecologists, scientists, ranchers and northern residents. What did they say? They said it's personal. Wildfires are not abstract events; they are lived disasters. They tear people from the land in which they are spiritually and culturally rooted. They destroy livelihoods, pasture and food security. They leave trauma that lasts long after the flames have gone and, too often, the supports for those affected are fragmented, delayed or simply absent.

AGFO heard that we must be better prepared. This is costing the Canadian economy billions of dollars now on a yearly basis. We must invest in prescribed burns, protect critical infrastructure in remote communities and build up the front-line workforce.

We must integrate Indigenous knowledge with modern science. These are not radical ideas. They are common sense and proven tools.

The United States has the Federal Emergency Management Agency, or FEMA. Australia has the National Emergency Management Agency, or NEMA. We need a uniquely Canadian and equally robust national response mechanism. We need to match the courage of those who fight fires. We need to act for the sake of those living under the smoke-filled skies, uncertain if their homes will survive the havoc.

Let us honour the good work of our colleagues on the Agriculture and Forestry Committee who have worked hard to lay a foundation to summon the political will to do what this moment demands. I encourage the committee to complete its study.

We are in an era of climate-driven disasters. Let us not meet it with inertia. Let us meet it with national-building purpose. Thank you.

[Translation]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of the Honourable Michèle Monast, Justice at the Superior Court of Québec and spouse of Senator Moreau, as well as the Honourable Jacques Dupuis, former minister of justice and public security and former deputy premier of Quebec.

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

Hon. Senators: Hear, hear!

[English]

DENOVA

Hon. Colin Deacon: Honourable senators, most of you know just how much I appreciate fermentation. Well, never more than today.

Colleagues, food production in Canada evokes images of boundless fields of canola or wheat, but not methanol-fed microbes in fermentation tanks. Don't worry. Methanol-eating microbes won't be on anyone's menu any day soon, but they do put us on a path to sustainable protein.

[Senator Arnot]

Nova-Scotia-based DeNova has a natural fermentation process that converts methanol produced from methane, or natural gas, and produces a high-value protein ingredient for animal feed. Their entirely made-in-Canada solution is resource-efficient, environmentally friendly and, frankly, brilliant.

The need for their innovation could not be more urgent because it intersects numerous national priorities. Traditional feed sources, like fish meal and soymeal, come at an enormous environmental cost.

• (1450)

Soy cultivation is fuelling deforestation, unfettered harvesting of wild fish can irreversibly destroy ocean ecosystems and the production of fish food creates the majority of aquaculture's carbon footprint.

Conversely, DeNova is creating a stunning new industrial use that can convert Canada's natural gas into a scalable product that does not release greenhouse gases into the atmosphere. Yet, DeNova and other similar innovators face solution-killing regulatory barriers.

Companies working at the frontier of food and feed alternatives need a clear, timely and predictable path to approval. Regulatory uncertainty kills innovation and investment. If we want Canada to be a global leader in new food systems, Canada's regulatory systems must keep pace with innovators.

Then there's the issue of scale. Our most promising innovators need to rapidly graduate from small pilot projects, but scaling up clean, industrial fermentation infrastructure is capital-intensive and complex. Innovative financing through a blend of public and private investment and strategic partnerships can help to de-risk early projects, and that's how we build clean growth into the core of our economy.

Finally, none of this works unless governments are rowing in the same direction. The provinces and territories have their own ambitions and many are already investing heavily in decarbonization and economic diversification. This is the moment to align federal and provincial priorities and fast-track projects and investments that can address these strategic objectives simultaneously.

Canada has the ingredients: a rich natural resource base, a growing clean tech sector and incredibly innovative entrepreneurs like those at DeNova. What we need now is the political will to connect the dots.

Colleagues, we face enormous intersecting challenges. Siloed solutions and old ways of thinking won't save us. Companies like DeNova represent the kind of cross-cutting innovation we need. They touch climate, food security, clean tech and economic growth all at once. Let's clear the path to global success.

Thank you, colleagues.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Emma Woo and Kael Soriano. They are the guests of the Honourable Senator Woo.

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

Hon. Senators: Hear, hear!

[Translation]

ITALIAN HERITAGE MONTH

Hon. Tony Loffreda: Honourable Senators, June is Italian Heritage Month, the ideal opportunity to celebrate Italian culture, enjoy its traditions and perhaps even savour a glass of Italian wine. More importantly, it is a time to recognize the historic contributions that Canadians of Italian descent have made to our cultural, social and economic landscape.

[English]

This year's celebration is particularly meaningful, as it coincides with a new permanent exhibit at the Canadian War Museum: "Internment of Italian Canadians" during the Second World War. Located just a few steps from Parliament Hill, Canadians can now visit this long overdue exhibit that sheds light on a difficult chapter in our history.

In May 2021, the government formally apologized for the wrongful internment of over 600 Canadians of Italian descent during World War II. The internments began on June 10, 1940 — 85 years ago today — when Parliament supported France and the United Kingdom against Italy, which had joined the Axis powers.

That same day, the RCMP was authorized to arrest and intern any Italian Canadian suspected of endangering state security. Overnight, 31,000 Italian Canadians were labelled "enemy aliens." This unjust policy left deep scars. Prime Minister Trudeau acknowledged this pain, not only of those interned, but also of their families and descendants who carried the weight of stigma and silence for generations.

Over three years ago, at the suggestion of Gianni Leonetti and Sal Mariani, I approached the museum with the idea of creating an exhibit to educate Canadians and offer healing to our community. For decades, this story was only whispered around dinner tables, too painful to share and too often overlooked. But last week, the exhibit opened, and I am deeply grateful to the community leaders and museum staff who brought this vision to life.

[Translation]

Honourable senators, our national history has been marked by hardship. We need to acknowledge that, but it is especially important to look to the future with optimism and confidence, while remaining determined not to repeat the mistakes of the past.

I continue to firmly believe that we live in the best country in the world, a country that is rich in diverse cultures and traditions.

[English]

As our new Minister of Canadian Identity and Culture said, "People of Italian descent are an integral part of our society, making it more dynamic."

I may be biased, but I do agree.

Please join me in honouring the courage, resilience, spirit and vitality of the 1.5 million Canadians of Italian heritage, who continue to shape and enrich our country.

Buon mese del patrimonio italiano.

Thank you. *Grazie.*

MARIE-ÈVE BRUNET-KITCHEN

CONGRATULATIONS ON APPOINTMENT AS COMMISSIONER FOR CHILDREN'S WELFARE AND RIGHTS

Hon. Rosemary Moodie: Honourable senators, I rise today to recognize a significant milestone in protecting children's rights here in our country. On May 12, 2025, Marie-Ève Brunet-Kitchen took office as Quebec's first Commissioner for the Welfare and Rights of Children. This independent office demonstrates Quebec's commitment to upholding the United Nations Convention on the Rights of the Child.

The new commissioner's mandate focuses on promoting the well-being and protecting the rights of all children in Quebec. She will amplify their voices, listen to their concerns, advocate for their interests and work to ensure that every child is aware of and empowered by their rights. Ms. Brunet-Kitchen's extensive background in defending children's rights and knowledge of the youth protection system positions her well to advocate for Quebec's most vulnerable young people.

I send sincere congratulations to Marie-Ève Brunet-Kitchen on her appointment and commend Quebec for this important step forward. This appointment comes at a critical time when Canada must do more to protect children's rights. UNICEF's recent Report Card 19 reveals troubling gaps in our performance. Canada ranks only nineteenth out of thirty-six wealthy countries in overall child and youth well-being, far below what we should expect from one of the world's wealthiest nations — a nation where our ambition should be to see that every child thrives.

The report exposes concerning deficiencies in mental health support, educational outcomes and social protection for Canadian children. Indeed, too many of our young people face poverty, inadequate access to health care and are vulnerable to harm or abuse. These systemic failures in Canada demand our urgent attention.

Children lack the full means to advocate for themselves, making independent commissioners essential to amplify their voices at the highest level of government. Quebec's leadership in children's rights should inspire action across Canada.

As a pediatrician and an advocate for children's well-being, I urge parliamentarians to make children's rights a top priority in the Forty-fifth Parliament. Our children deserve a comprehensive plan that addresses their rights and well-being from coast to coast to coast.

Thank you. *Meegwetch.*

[Translation]

ROUTINE PROCEEDINGS

AUDITOR GENERAL

2025 SPRING REPORTS TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the 2025 Spring Reports of the Auditor General of Canada to the Parliament of Canada, pursuant to the *Auditor General Act*, R.S.C. 1985, c. A-17, sbs. 7(5).

COMMISSIONER OF THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT—2025 SPRING REPORTS TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the reports of the Commissioner of the Environment and Sustainable Development to the Parliament of Canada (Spring 2025), pursuant to the *Auditor General Act*, R.S.C. 1985, c. A-17, sbs. 7(5).

• (1500)

[English]

THE ESTIMATES, 2025-26

SUPPLEMENTARY ESTIMATES (A) TABLED

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, the Supplementary Estimates (A), 2025-26.

[Senator Moodie]

NOTICE OF MOTION TO AUTHORIZE NATIONAL FINANCE COMMITTEE TO STUDY SUPPLEMENTARY ESTIMATES (A)

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on National Finance, if and when the committee is formed, be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (A) for the fiscal year ending March 31, 2026; and

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

THE SENATE

NOTICE OF MOTION TO AFFECT MEMBERSHIP OF NATIONAL FINANCE COMMITTEE

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, notwithstanding rule 12-2 and usual practice, and without constraining any future recommendation of the Committee of Selection as to committee membership or affecting any negotiations or discussions amongst the leaders and facilitators of the recognized parties and recognized parliamentary groups, the Honourable Senators Carignan, P.C., Dalphond, Forest, Galvez, Kingston, Loffreda, MacAdam, Marshall, Moreau, Pate, Ross and Smith be appointed to serve on the Standing Senate Committee on National Finance until the end of day on June 30, 2025, or until a report of the Committee of Selection recommending the senators to serve on the committee has been adopted by the Senate, whichever comes first.

[Translation]

NATIONAL CAPITAL ACT

BILL TO AMEND—FIRST READING

Hon. Rosa Galvez introduced Bill S-229, An Act to amend the National Capital Act (Gatineau Park).

(Bill read first time.)

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

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

[English]

NATIONAL STRATEGY FOR SOIL HEALTH BILL

FIRST READING

Hon. Robert Black introduced Bill S-230, An Act respecting the development of a national strategy for soil health protection, conservation and enhancement.

(Bill read first time.)

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

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

DEPARTMENT OF FOREIGN AFFAIRS, TRADE
AND DEVELOPMENT ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-202, An Act to amend the Department of Foreign Affairs, Trade and Development Act (supply management).

(Bill read first time.)

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

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

THE SENATE

NOTICE OF MOTION TO CONDEMN ALL RUSSIAN ATTACKS ON
AND INTERFERENCE IN THE LIVES OF UKRAINIAN CHILDREN

Hon. Stan Kutcher: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Senate of Canada hereby condemns all Russian attacks on and interference in the lives of Ukrainian children and calls for all states that are part of the International Coalition for the Return of Ukrainian Children to substantially increase their efforts to protect Ukrainian children against Russian aggression and to increase their efforts to return, repatriate and rehabilitate Ukrainian children stolen by Russia.

[Translation]

QUESTION PERIOD

CANADIAN HERITAGE

OFFICIAL LANGUAGES ACT

Hon. Rose-May Poirier: Leader, Bill C-13, a bill that modernized the Official Languages Act, received Royal Assent on June 20 almost two years ago. So far, however, key regulations that are needed to implement the act have yet to be adopted. Bill C-13 contained clear provisions assigning a two-year deadline for certain regulations. That deadline will be here in about 10 days. Why is the government dragging its feet on implementing the regulations needed to fully implement the modernization of the Official Languages Act, and does it intend to do so within the time frame set out in Bill C-13?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for pointing out not only the importance of the bill that we passed, but also of the regulations that need to follow.

I have no information and I'm reluctant to speculate on the reasons for the delay, but I'll get back to you with my reply at the first opportunity.

Senator Poirier: The modernization of the Official Languages Act should improve language protections, not create more uncertainty. If the government truly believes in the importance of protecting official languages, then why does it not commit today to telling us exactly when francophone minority communities can finally expect the government to present measurable results in relation to the implementation of Bill C-13?

Senator Gold: The reason I have committed to following up on this matter with the minister is that I do not have the details and cannot give you a date. I do, however, commit to following up on your question.

[English]

NATIONAL DEFENCE

MILITARY HOUSING

Hon. David Richards: First, Senator Gold, I want to commend you on your remarkable service to Canada. Now I will ask my question.

Senator Gold, yesterday your government unveiled an ambitious plan to rebuild the Canadian Armed Forces after years of neglect. While it includes some promising measures to support military members and their families, the lack of detail around military housing is somewhat troubling. Such vagueness stands out, especially since the January memo from the Canadian Forces Housing Authority revealed that of the 668 units promised by

your government, only 36 are expected to be completed this year. Once again, we see a pattern of bold announcements followed by a rather weak delivery.

What is your government doing to speed up military housing construction and to ensure our current and future service members and their families have access to dignified, affordable homes?

• (1510)

Hon. Marc Gold (Government Representative in the Senate): Thank you for your kind words and an important question.

There are two intersecting initiatives of this new government: one on housing generally; and the other, as you correctly pointed out, an ambitious and accelerated investment in our Armed Forces.

In that regard, though I don't have specific information about how much of the billions of dollars of new investments will find their way into that area, we do know that this government is committed not only to investing in the hardware and infrastructure to defend our security and sovereignty, but also in the human resources upon whom we depend to ensure that the men and women in our forces are properly and adequately paid. Housing is a basic right to which they are entitled to as well, and the government is committed to delivering on that engagement.

Senator Richards: Thank you very much for that, Senator Gold, but we have seen repeated reports of Armed Forces members relying — and being on the Veterans Affairs Subcommittee, I can attest to this — on food banks and donations to make ends meet. It's hard to take government promises seriously when those who serve the country can't afford the very basic necessities.

What specific assurances can you provide that your government will ensure current and future members of our military can live with dignity and have their essential needs met?

Senator Gold: This government has promised to deliver results for Canadians; it will be judged on that promise. It has made historic investments in defence at a pace and to an extent unmatched by previous governments for generations. Canadians should have confidence that this government is serious about its promises and should be judged by the results.

[Translation]

FINANCE

BUY CANADIAN

Hon. Tony Loffreda: Senator Gold, we learned yesterday that Aliments du Québec and Les Produits du Québec have joined forces to launch the first edition of a special day to showcase products from Quebec.

[Senator Richards]

Two days from now, on June 12, Quebecers will be invited to buy a local product to encourage Quebec producers, manufacturers, farmers and artisans.

This is an excellent initiative that will enable us to discover new local products and promote them.

Will the Canadian government take inspiration from the Quebec model and launch a similar nation-wide campaign? What concrete action has the government taken to promote our local products, support our SMEs in marketing their projects and help them increase their sales?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question and for highlighting this initiative, which encourages all of us to adopt consumption habits that support our local economy.

The government encourages consumers to support local businesses, whether big or small. Initiatives in that regard include the creation of resources and databases to make it easier for Canadians to prioritize buying local.

Many of the campaigns and resources from the 2022 Shop Local initiative are still available, including a non-exhaustive list of online resources produced as part of this program. I encourage everyone to consult these resources.

Senator Loffreda: Yesterday, an article in *La Presse* reported that Minister Champagne made reference to an upcoming federal buy Canadian policy.

The minister said, "We are not only going to talk about it, we are going to do it."

Senator Gold, when will we see such a legislative initiative? What does the federal government plan to do to promote Canadian businesses in public contracts?

Senator Gold: I note that Canada's Minister of Finance, Mr. Champagne, referred to prioritizing Canadian procurement in public contracts. Beyond the directive on the management of procurement, I'm not able to speak to other legislative initiatives on the matter. We will be updated when such measures are presented in due course.

[English]

GLOBAL AFFAIRS

GOVERNMENT PRIORITIES

Hon. Mary Coyle: Senator Gold, with Prime Minister Carney hosting his G7 counterparts in Kananaskis this weekend, Canada has a unique leadership opportunity to promote a new formula for peace and security in our world.

In February, senators, together with the Honourable Roméo Dallaire, the Dallaire Institute for Children, Peace and Security, the Global Partnership for Education and the Canadian International Education Policy Working Group, hosted an event to examine impacts from our previous G7 presidencies and to

propose priorities for the 2025 G7. A strong, evidence-based case emerged for investing in education as a key pillar of peace and security.

Senator Gold, will the Government of Canada commit to promoting a global initiative to strengthen education systems, prevent conflict and build cohesive communities at the upcoming G7 summit?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. The government has announced its priorities for the G7, and, unsurprisingly and appropriately, given the tumultuous world in which we find ourselves, the focus is, of course, on economic development and national security. We all know that education plays a foundational role not only as a pillar of economic opportunity but also of social mobility and stability.

In that spirit, I know that the government considers that this summit is a moment to showcase the best of Canada and our world-class expertise in many areas. Again, as you properly underlined, education is fundamental as we transition forward in this world.

Senator Coyle: Thank you. The equivalent of US\$300 billion of frozen Russian central bank reserves are held in Western currencies — over C\$400 billion. Two weeks ago, all G7 countries issued a statement condemning Russia's invasion and committing to Ukraine's post-war recovery.

Senator Gold, will Canada support and encourage its G7 allies to support the immediate transfer of frozen Russian assets into a reconstruction fund for Ukraine?

Senator Gold: Thank you for the question. We know that in March of this year, the G7 foreign ministers affirmed their continued focus on promoting the early recovery and reconstruction of Ukraine and discussed the possibility of additional support through the use of extraordinary revenues stemming from immobilized Russian sovereign assets. I have no doubt that this issue will be top of mind as the Government of Canada continues its discussions with its partners at the G7.

HEALTH

MEDICAL LICENSURE

Hon. Flordeliz (Gigi) Osler: Senator Gold, congratulations on your upcoming retirement.

I was pleased to see that Bill C-5 addresses labour mobility in Canada so that someone who is certified or licensed to perform specific skilled work in a province or territory and who wants to take on a job doing the same work for a federally regulated project would be deemed to have met that federal standard. Unfortunately, the situation is different for health care professionals, who are regulated by the provinces and territories but have fewer options to work on federally regulated health care projects. The government's election platform promised to protect public health care by addressing labour mobility issues through the implementation of pan-Canadian licensure.

Senator Gold, can you fill us in on the government's plan to implement pan-Canadian licensure for health care professionals?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for reminding us that this is a complex area in our federation.

I don't have details on that. However, we in the Senate will be addressing the issues within Bill C-5 — I hope soon — and I believe we will have the opportunity at that moment to ask those questions directly of ministers and officials who are seized with this issue.

Senator Osler: Senator Gold, I was at a conference recently and had an opportunity to speak directly to specialist physicians, and they were concerned that the wait times to see them for an initial consultation is now two to three times longer than what it was a few years ago. Canadians are also worried about long wait times, no family doctors and the sustainability of the health care system.

Would you please pass along the message that Canada's public health care system should also be a national priority project?

Senator Gold: I certainly will, but, as colleagues know, the federal government has invested significantly in health care for some years, and I know that this Prime Minister has committed to maintaining the funding going forward. This is a subject of great importance and ongoing discussion amongst first ministers and health ministers.

• (1520)

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

BUSINESS OF THE COMMITTEE

Hon. Marty Klyne: Senator Gold, in our sessional order adopted on June 4, the government included an order of reference for the Standing Committee on Rules Procedures and the Rights of Parliament to propose rule changes to formalize ministers' Question Period. This means that the committee can produce a government report which, because of potential time allocation, is not subject to Senate groups' effective veto on voting on non-government initiatives. In 2019, that veto prevented votes on 15 House of Commons private members' bills in a filibuster. Last Parliament, the Senate did not vote on another 15 such bills, including Bill C-232, which I sponsored at third reading, to establish Arab heritage month. That bill passed unanimously in the House and spent 22 months here.

Senator Gold, to establish a fair and transparent system for nongovernment bills in the Senate, would the government consider an order of reference to the Rules Committee on this subject?

Hon. Marc Gold (Government Representative in the Senate): Thank you very much for your question. It would be up to honourable senators to consider an order of reference, as we all know. But in fact, I believe I am correct in saying that this issue is already within the purview of the Standing Senate

Committee on Rules, Procedures and the Rights of Parliament to study; the committee could take it on of its own initiative if senators so wished. I would defer to the committee to decide whether to take this up, at least at this stage of the calendar.

Senator Klyne: As a supplementary question, but not hitting exactly on your comment, in last year's debate on Senate rule changes, Senator Dalphond pointed out that section 36 of the Constitution Act 1867 requires majority voting in the Senate. He said that requirement implies that our Rules should not include vetoes. If senators have used constructive vetoes over the years with non-government bills, is that consistent with the spirit and letter of section 36 of the Constitution?

Senator Gold: You are tempting me with a constitutional debate, but with apologies to the chamber, I'm retiring from this place soon, so I'll refrain from debating on this. However, it is an important issue for debate and consultation. Thank you for raising it.

[Translation]

NATIONAL DEFENCE

MILITARY SPENDING

Hon. Claude Carignan: Leader, today the Auditor General tabled four audit reports. One of them is about costs related to the Department of Defence's acquisition of F-35A aircraft. Apparently the cost of the new fleet of F-35s has already risen by almost 46% since 2022, when the federal government finalized the acquisition agreement. Initially valued at \$19 billion, it has now reached \$27.7 billion.

The F-35 acquisition file has been dragging on for 15 years now. The contract process began under Stephen Harper's Conservatives in 2010. Liberal Prime Minister Justin Trudeau cancelled it after he was elected in 2015 and then relaunched it in 2022.

Leader, the Liberal government's mismanagement, neglect and lack of foresight caused acquisition costs to skyrocket—

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. Not only have I read the report, but I was had a chance to participate in a briefing on the subject. As you are well aware, there are several reasons costs went up. The government accepts all of the Auditor General's recommendations. It has already started implementing them and will continue to do so. The facts in the report make it clear that both the war in Ukraine and fluctuating international currency exchange rates are partly responsible for these excessively high costs.

Senator Carignan: Thank you. I'd like to quote the Auditor General:

That projection does not include other elements needed for Full Operational Capability, such as essential infrastructure upgrades and advanced weapons. These would add at least \$5.5 billion to the total cost.

[Senator Gold]

Leader, is this another out-of-control boondoggle? If it doesn't table a proper budget, is your government at least committed to tabling a serious economic and fiscal update to take these costs into account?

Senator Gold: The government has made historic investments in defence. What's more, the Prime Minister has committed to tabling a budget this fall that will explain all the sources of revenue funding these historic investments.

[English]

PUBLIC SERVICES AND PROCUREMENT

PROCUREMENT PROCESS

Hon. Leo Housakos (Leader of the Opposition): Government leader, just this morning, the Auditor General once again released a scathing report on the federal government's procurement practices with GC Strategies and the whole ArriveCAN fiasco, citing failures of accountability, oversight and risk management that left Canadians exposed to waste and security breaches. Notably, the Auditor General did not include any recommendations saying that the problem isn't with the existing procurement rules but rather with the federal government's failure to simply abide by them.

Senator Gold, it is a very simple question: What assurances will the Carney government give Canadians in this chamber that, going forward, this type of fiasco will not happen again?

Hon. Marc Gold (Government Representative in the Senate): This government has made a commitment to Canadians to focus on the efficiency and effectiveness of government operations, focusing on results, and it will continue to use its best efforts with the public service to deliver on that promise to Canadians.

Senator Housakos: Senator Gold, nearly half of the current cabinet is made up of former ministers who were involved in this fiasco in the first place and who were closely associated under this audit, including Anita Anand, who was then Minister of Public Services and Procurement, and many others. How can your government credibly persuade Canadians and this chamber that this is not business as usual and that the procurement process will be conducted in an ethical, transparent way moving forward under the leadership of Mark Carney?

Senator Gold: Again, leaving aside the issues where firms have been barred — in some cases, for seven years — because of practices that were deemed unacceptable and much debated, the Auditor General's report made it clear that these were the aggregation of a huge number of small decisions made not at the ministerial level but within various departments, and the government is determined to do better and will continue to work to that end.

[Translation]

NATIONAL DEFENCE

MILITARY SPENDING

Hon. Éric Forest: My question is for the Honourable Senator Gold. I'd also like to take this opportunity to sincerely thank him for his outstanding contribution to our venerable institution.

Senator, on Monday, the government announced its plan to increase and accelerate its investments in defence. The plan calls for an annual spending increase of more than \$9 billion.

Having studied the expenditures of the Department of National Defence on the Standing Senate Committee on National Finance for close to a decade, I recall quite clearly that the problem isn't so much the size of the budget but rather the department's chronic inability to spend the funds allocated to it. The Parliamentary Budget Officer has indicated that, since 2017, the department has spent \$12 billion less than the amount budgeted due to significant delays in military procurement. The many shortcomings of the shipbuilding policy are a case in point. This isn't the first promise we've been given about improving the effectiveness of military procurement. Why should we believe that this time will be different?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question and for pointing out the careful work done by the Standing Senate Committee on National Finance. The Government of Canada has committed to taking immediate and firm action to rebuild the Canadian Armed Forces, hence the announcement you're referring to. Minister McGuinty recently stated that concerns surrounding the defence procurement process have been heard. The government is well aware that more work remains to be done with regard to the defence procurement process, and it's seriously examining those issues.

Senator Forest: Thank you. Despite the industrial benefits programs that are supposed to maximize economic activity in the country, the government has made decisions that harm Canada's industries as a whole.

• (1530)

There was the awarding of an untendered contract to Boeing to replace CP-140 Aurora aircraft to the detriment of Bombardier.

Under the historic investment announced Monday, what improvements will be made to ensure that Canadians get their money's worth and that the investments will produce real benefits?

Senator Gold: Prime Minister Carney was very clear: One of his objectives is to ensure that Canadians, industries and businesses benefit more from the government's investments in this area.

That is exactly what is happening through the planning process.

[English]

NORTH ATLANTIC TREATY ORGANIZATION

Hon. Donna Dasko: Senator Gold, here is another defence question.

Canada just yesterday committed to implementing the goal of 2% of GDP spending on defence this year. However, our NATO partners, such as the United States, are calling for 5%. NATO Secretary General Mark Rutte also proposed a 5% goal but added a compromise that would require an increase of core defence spending to 3.5% of GDP, while the remaining 1.5% would be made up of defence-related expenditures.

NATO partners are expected to discuss raising the defence spending budget at the upcoming NATO summit in The Hague later in June. What is Canada's position, or what will Canada's position be, regarding these new, higher benchmarks that are seemingly being set? Thank you.

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

As the Prime Minister and the Minister of National Defence have announced and been clear about, the government's intention is to increase and accelerate its investments in defence, which build upon previous commitments. This plan, as I understand it, includes a cash increase of over \$9 billion — 8.3 on an accrual basis — in defence investment in fiscal year 2025-26. That brings us to the 2%.

To deliver upon this plan, the government will make foundational investments in the Canadian Armed Forces, it will expand and enhance existing and emerging military capabilities, strengthen our relationships with the defence industry and diversify our partnerships in this area.

With regard to your specific question, I understand there are active and productive discussions going on with regard to NATO's current and projected spending targets.

Senator Dasko: Canada is currently spending about 1.37% of GDP on defence. How will the government address the very significant fiscal — and we've heard about procurement — challenges to scale up to the 2% goal this year as well as any higher goals that may also be on the table? Thank you.

Senator Gold: The Prime Minister has been very clear about his commitment to maintaining the social programs that are in place to help Canadians who are the most vulnerable. He has been equally clear about his commitment to controlling the growth of government spending and his commitment to investing in our defence so that we can defend ourselves and be a reliable partner. He will continue to act in that direction.

MILITARY PROCUREMENT

Hon. Rebecca Patterson: Senator Gold, thank you very much for your service to this country.

I'm going to continue with the questions on defence and go a bit further into the Defence Industrial Strategy. As part of the technical brief yesterday, it was announced that \$2.6 billion would be focused on developing an industrial strategy, looking at the quick delivery of capabilities, enhanced research and development, as well as things like focusing on critical minerals with the dual purpose of defence and civilian use.

That is all great, but I'm going to go back to the procurement question. We know that one of the hardest things to do is spend that money in the current cold war system of expenditures; however, I will have faith. We were told there is an industrial strategy being developed. I will focus on small Canadian defence industries that are incredibly creative; in fact, most of their goods, whether they be drones or barrels for artillery pieces, go elsewhere.

How will the Department of National Defence include small Canadian industries in this new Defence Industrial Strategy when it normally favours large organizations?

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

I am not in a position to opine at that granular level, but permit me to draw a connection between this Prime Minister's plan for repatriating — if I can use that term — investments in defence for the benefit of Canadian industry and the Canadian economy. It is of a piece with the overall approach of this government, which is to ensure that we take advantage of these very tumultuous times to seize on the opportunities to position, develop and transition — pick your verb — our economy so that we create a generation of new and productive careers for our citizens and workers, as well as vital infrastructure all across the country from coast to coast to coast.

Senator Patterson: Thank you, Senator Gold. I may have misspoken in that it may not be National Defence creating that strategy but it being in partnership with DND.

The one thing we heard from one of the officials is that there will be a common mailbox set up so that small Canadian defence companies can access the procurement discussion phase, at least. Will you please commit to finding that email address for us so that we can share it with the small defence companies that come to us and ask for assistance?

Senator Gold: I will make inquiries about that. I have every expectation that the opportunities available to companies of whatever size will be made public so they and we can take advantage of their expertise.

PUBLIC SAFETY

PAROLE BOARD OF CANADA

Hon. Yonah Martin (Deputy Leader of the Opposition): I also wish to associate myself with all the tributes made. I thank you for your service to Canada.

Skylar Pelletier is a high-risk offender who was arrested in Vancouver after being seen committing an indecent act in public and watching residences. He's currently under a long-term supervision order for sexual assault, assault and break and enter. In March 2024, police explicitly warned that he posed a risk of significant harm to women, and yet he was still roaming freely in the community until recently. This is a clear example of the effect of 10 years of the Liberal government's soft-on-crime policies.

Leader, does the Liberal government care more about the comfort and freedom of offenders than about the safety of women in Canada?

Hon. Marc Gold (Government Representative in the Senate): Senator Martin, first, thank you for your kind words. It has been an honour working with you.

The answer is "no." The primary responsibility of a government is to keep its country and citizens safe. That is at the heart of this government and all previous governments. At the same time, the government is mindful of the constitutional obligations it has to treat all citizens fairly. It is also mindful of the responsibilities that are allocated by our constitution and traditions to other levels of government and other institutions within the governing systems of Canada, whether that be provincial or police forces, Correctional Service Canada and the like.

So this is not an example of that, although it is a tragic story that somebody continues to do harm in a community — any community.

Senator Martin: The problem is that this is one of many examples we are hearing about across Canada. I can give another example: Albert de Villiers, convicted of repeatedly sexually assaulting a young child, is already free after just four years; yet the Parole Board of Canada acknowledges that he still presents a medium risk of reoffending.

Again, leader, is the Liberal government more concerned with the reintegration of pedophiles than with the safety of children in Canada?

Senator Gold: Senator Martin, unfortunately, in a country as large and diverse as Canada, one can always find examples of a system, like the parole board system or Correctional Service Canada, making decisions that may be questioned after the fact.

However, the answer is your question is “no,” again, despite the regrettable and tragic harm that individuals may cause.

• (1540)

[Translation]

ORDERS OF THE DAY

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 His Majesty the King:

To His Most Excellent Majesty Charles the Third, by the Grace of God King of Canada and His other Realms and Territories, Head of the Commonwealth.

MAY IT PLEASE YOUR MAJESTY:

We, Your Majesty’s most loyal and dutiful subjects, the Senate of Canada in Parliament assembled, beg leave to offer our humble thanks to Your Majesty for the gracious Speech which Your Majesty has addressed to both houses of Parliament.

Hon. Victor Boudreau: Honourable senators, it is a great honour for me to be here today and to speak for the first time as a senator from New Brunswick, in response to the Speech from the Throne delivered by His Majesty the King.

We have all taken different paths that led us the Senate, but most of us were drawn to public service. Public service has certainly guided my life and career, as I’ve had the honour of serving Canadians at all three levels of government.

[English]

Coming out of university, one of my first jobs was in the provincial government as an adviser to a minister in Frank McKenna’s cabinet. I then worked at the federal level for a member of the other place, back when Jean Chrétien was prime minister. As an assistant in that office, I learned a lot about the complexity of the federal bureaucracy through helping constituents navigate this often daunting space.

[Translation]

Since then, I served as chief administrative officer in two different municipalities.

The first time was 25 years ago, for what was then the village of Cap-Pelé, and the second time was just before I was appointed to the Senate, for the town of Shediac.

[English]

In between, I was elected four times to the Legislative Assembly of New Brunswick. While in provincial politics, I had the honour of serving in two cabinets in a variety of portfolios. I have been a provincial minister of finance, health, economic development, local government and regional development. I also served briefly as leader of the official opposition.

For nearly a year now, I have been a member of the Senate. I have listened carefully to debates and had the honour of participating in many committee meetings in the last Parliament.

[Translation]

Senators, like some of you, but perhaps not many of you, I’ve spent a large part of my career in partisan politics. As a member of a political party since the age of 17, and as a member of a partisan system for 14 years, I experienced a system built entirely around shared ideologies and political platforms.

I admit I was kind of cynical about this place and about how a non-partisan — or perhaps post-partisan — chamber could work. I must say I’ve been pleasantly surprised.

I’m a proud member of the Independent Senators Group, and I appreciate the more natural and intentional way in which coalitions form here around specific bills and policy issues. While partisanship can — and certainly does — work in other environments, I look forward to continuing to learn and evolve in this new way of being a lawmaker.

As I stand here today, two facts strike me as inescapable. First, the modern Senate is now more diverse than it has ever been, reflecting the true make-up of Canada. Second, since the launch of the new independent Senate in 2015, 350 substantive amendments to government bills have been passed.

That is quite an astonishing figure, especially considering that only one Senate amendment was adopted during the last parliamentary session preceding these changes. Perhaps more than ever, the Senate is delivering on its original promise to provide sober second thought on government business.

[English]

Honourable senators, I am very privileged to have been appointed here at a relatively young age. My term will be for nearly 21 years. Only seven of you will still be here when I retire — let that sink in for a moment — but I intend to make the most of this time.

As I have adapted to this place, I have studied the issues and looked for areas where my interests and experiences can add most to the debate. I would like to share with you three areas in particular — though not to the exclusion of others or in isolation — where I intend to focus my efforts in the coming years.

[Translation]

The first area is health care, which was mentioned earlier today.

As New Brunswick's Minister of Health, I saw first-hand the significant challenges facing our system.

As senators, we won't be able to solve the acute problems of our health care system. Wait times and human resource shortages in the health sector are areas best left to the provinces and health administrators. However, we can play an important role in this regard, specifically by expanding and ensuring equitable access to certain programs and services such as mental health services, medical assistance in dying, eye care, reproductive health and organ donation.

One of the greatest challenges facing the leaders of our health care system is that they are becoming crisis managers. Simply keeping the lights on in our health care system is more than a full-time job. As health minister, I saw the extent to which the social determinants of health affect people's lives and create patient volumes in our health care systems that make them unmanageable.

[English]

In a four-year political cycle, it is not possible to move the needle very much on these issues, but with 21 years, I hope to help shape the debate and contribute ideas for how we can address some of these root causes.

So many health problems are predetermined long before medical care is required. My goal is that one generation from now, when my term here ends, perhaps many of these problems can be reduced and some can even be eliminated.

My second area of focus will be social inclusion. We have an amazing country with great wealth and natural resources, yet many of our fellow Canadians get left behind. I just spoke about social determinants of health, and these are closely intertwined with this second priority.

[Translation]

How can we develop programs and, more importantly, a culture that unites people? How can we help people who need a hand so that they can better their circumstances?

People living with disabilities should be able to work as easily and freely as the next person. People living in intergenerational poverty should be offered every opportunity to break the cycle.

Young Canadians and others struggling to buy their first home should get more support in reaching their goal.

We can look around the world and work with people who have lived experience in finding solutions to these problems.

We can overcome stigma and free people from their segregation within our society during our lifetime. We need to be bold and innovative in our pursuit of this dream.

[Senator Boudreau]

This should include a more detailed examination of transformative solutions like a guaranteed basic income.

[English]

My third priority area will be focusing on my home province, New Brunswick. As a defender of regional interests, the Senate plays an important role in the federation. We are all fierce advocates for our provinces, territories and home communities. My time in the Senate will be no different. I plan to focus on a handful of issues that are of particular importance to the Picture Province.

[Translation]

One of these is francophone immigration.

I'm proud to be Acadian and a member of the francophone community. I also believe in immigration. Immigration is a tool for increasing our population, making up shortages in our workforce and strengthening Canada's cultural mosaic.

However, perhaps unwittingly, most immigrants to Canada arrive speaking English or wanting to learn English. We need to ensure that a proportionate share of immigrants are francophone or are integrated into francophone communities.

In my province, New Brunswick, many institutions rely on the fact that about one-third of our population is francophone. However, this proportion has fallen in recent decades. According to Statistics Canada, in 1991, 34.3% of New Brunswickers stated that French was their mother tongue. By 2021, this proportion had fallen to 31.1%.

The Constitution expressly recognizes that New Brunswick is bilingual and includes special provisions and protections in that regard.

• (1550)

[English]

As New Brunswick is Canada's only constitutionally bilingual province, we need to ensure that immigration policies reflect and protect the reality of a strong francophone minority in New Brunswick. I intend to leverage Senate resources to examine this issue carefully and hope to propose solutions tailored to New Brunswick's unique reality.

[Translation]

As for New Brunswick's unique reality, the province's historic ties to the world of the Francophonie represent interesting economic opportunities. More than one billion people live in member countries of the Francophonie, including 325 million francophones. Canada, Quebec and New Brunswick have special access to these countries. We should take advantage of this access to establish strong relations that we could exploit to our common economic benefit. Over the course of the next few years that I will be spending in this chamber, I want to give priority to the economic partnership with these countries, including by finding ways to improve free trade, labour mobility, foreign aid and investment.

[English]

I am convinced that by deepening our relationships within la Francophonie, all of Canada will benefit, as will New Brunswick, whose external trade has for too long been dominated by exchanges with a single partner, the United States.

In this moment of geopolitical uncertainty and transition, Canada's deep, long-standing roots in other parts of the world can help us usher in a new era of multilateral co-operation and prosperity.

Finally, during my time in this chamber, I want to work to ensure that New Brunswick receives its fair share of federal programs and services. This includes advocating for an equitable proportion of federal investments in critical areas like infrastructure, housing, health and social services. But, of course, we can't forget less tangible initiatives, like those designed to boost New Brunswick's capacity to compete in a global marketplace.

A striking example of the imbalance I want to guard against falls in this last category. ResearchNB, our province's central hub for expertise across various sectors and industries, estimates that New Brunswick receives far fewer federal research dollars than its counterparts on a per capita basis. In fact, as recently as 2023, New Brunswick received by far the lowest amount of research and development funding per person compared to other provinces and territories. Inequalities such as these must be called out and corrected.

[Translation]

It was with these priorities in mind that I read our King's historic speech last month. I took note of the following commitments, which I will be keeping a very close eye on during this session: assistance for first-time home buyers and the protection of essential programs such as child care, the national pharmacare program and the Canadian Dental Care Plan. Other examples include the goal of building the strongest economy in the G7, notably by removing domestic trade barriers and accelerating major national construction projects. Furthermore, there is the importance of protecting and promoting the French language and culture and of continuing our collective commitment to reconciliation with Indigenous peoples.

[English]

Senators, I will rely on your wisdom and passion as I continue to adapt to this body. I know we share a common goal to make Canada a better place. For those of you who share my interests and passions, I look forward to working with you in common cause.

Meegwetich, thank you.

(On motion of Senator LaBoucane-Benson, debate adjourned.)

NATIONAL FRAMEWORK ON SICKLE CELL DISEASE BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Mégie, seconded by the Honourable Senator Petitclerc, for the second reading of Bill S-201, An Act respecting a national framework on sickle cell disease.

Hon. Mohamed-Iqbal Ravalia: Honourable senators, I rise today to support Bill S-201, An Act respecting a national framework on sickle cell disease.

My gratitude goes out to Senator Mégie for her untiring efforts and support for those living with sickle cell disease.

Sickle cell disease, or SCD, has long stood out as one of the most devastating inherited blood disorders, affecting millions worldwide, particularly those of African, Middle Eastern and South Asian descent. Characterized by abnormally shaped red blood cells, this disease leads to painful crises, impacting multiple body sites, organ damage and premature death. But today, we stand at the threshold of remarkable transformation in the way in which we understand and treat this disease.

My own experience as a clinician trained in sub-Saharan Africa afforded me the opportunity to witness first-hand the dire consequences and sequelae of this devastating disease.

A lack of awareness of the severe pain brought on by the circulatory compromise because of this disorder often results in individuals living with SCD being labelled as drug seekers malingering in emergency rooms.

We now understand that SCD is caused by a single point mutation in the beta-globin gene. This simple but profound insight has paved the way for revolutionary therapies, particularly in the field of gene therapy. In recent years, we've seen the emergence of a curative approach using gene-editing technologies which aim either to correct the genetic defect or increase fetal hemoglobin production — offering functional cures to patients who previously had few options.

The United Kingdom and the United States have instituted this therapy with remarkable success, and while the numbers are small and the cost significant, a new ray of hope has appeared for those living with this devastating condition.

Historically, hydroxyurea was the mainstay of treatment, and, while effective, it is not universally successful. Today, we have new approved medications which target the disease at different points in its pathophysiology, reducing red blood cell destruction, improving blood counts and decreasing the devastatingly painful crisis episodes. These drugs are not cures, but they are critical tools that offer improved quality of life and fewer hospitalizations.

Universal newborn screening in many countries now allows for early identification and management, reducing mortality in children significantly. Coupled with preventive measures like prophylactic penicillin, pneumococcal vaccination and parental education, we are seeing dramatic improvements in childhood survival rates.

Matched sibling donor transplants remain the only established curative treatment, but ongoing research in a broader array of non-sibling donors, alongside advances in reducing rejection, means that more patients may be eligible for curative interventions in the near future.

Despite these advances, access remains deeply inequitable. Most individuals with SCD live in sub-Saharan Africa, where early mortality remains tragically high, as I so often witnessed. Even in high-income countries, systemic disparities in care, underfunding of SCD relative to other genetic diseases and stigma persist. If we are to truly change the course of this disease, we must combine scientific progress with health policy, community engagement and global equity.

Senator Mégie, former senator Jane Cordy and community allies are to be applauded for their advocacy in ensuring that we do not allow SCD to become neglected across the board in our complicated health hierarchy.

• (1600)

In conclusion, colleagues, while sickle cell disease remains a formidable challenge, we are living in an era of hope. Science is catching up to need. With sustained investment, equitable access and continued innovation, we have the tools not just to manage but to cure this disease in our lifetime.

In closing, let me recognize my colleague Senator Mégie, who will be leaving us in the not-too-distant future.

Thank you, Marie-Françoise, for your friendship, support and sage advice. You were my first seatmate when I was appointed to this chamber, and you welcomed me with your warm heart and kind demeanour. We thank you and we will miss you in this place.

Thank you. *Meegwetch.*

Hon. Senators: Hear, hear.

(On motion of Senator Ataullahjan, debate adjourned.)

PROTECTING YOUNG PERSONS FROM EXPOSURE TO PORNOGRAPHY BILL

SECOND READING—DEBATE CONTINUED

Leave having been given to revert to Other Business, Senate Public Bills, Second Reading, Order No. 9:

On the Order:

Resuming debate on the motion of the Honourable Senator Miville-Dechéne, seconded by the Honourable Senator Pate, for the second reading of Bill S-209, An Act to restrict young persons' online access to pornographic material.

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, thank you for allowing me to speak on this very important bill.

I rise today as critic for Bill S-209, An Act to restrict young persons' online access to pornographic material. This bill is a successor to Bill S-210 from the previous Parliament, which aimed to protect minors from exposure to sexually explicit content online.

Bill S-210 was passed by the Senate in 2023 and garnered multi-party support in the House of Commons before the last session ended. Now reintroduced as Bill S-209, the proposed legislation maintains the same fundamental objective while incorporating several important amendments to the previous bill, which Senator Miville-Dechéne articulated well in her sponsor speech at second reading.

Senator Miville-Dechéne, thank you for your dedicated advocacy and exceptional efforts over the years.

The underlying purpose of Bill S-209 remains to safeguard young people from the well-documented harms of easily accessible online pornography. In today's digital age, minors can encounter hardcore pornographic content with alarming ease, often merely by claiming to be adults on popular websites. Research indicates that the average age of first exposure to pornography in Canada is around 12 years of age, and millions of teenagers consume pornographic material regularly.

Health experts and the bill's sponsor, Senator Julie Miville-Dechéne, have characterized underage pornography consumption as a public health problem. They point to studies suggesting that early and frequent exposure can distort a young person's understanding of healthy relationships, reinforce harmful sexual norms and even stimulate addiction-like effects on the developing brain. Simply put, pornography was never designed for children, and its uncontrolled availability poses risks to their well-being.

The bill's short title, the protecting young persons from exposure to pornography act, emphasizes its preventive aim. Many commercial adult websites today attempt only the briefest of age checks: for example, a pop-up asking the user to confirm he or she is over 18, with no verification. Not surprisingly, this does little to stop curious adolescents from accessing the site.

Bill S-209 seeks to move beyond ineffective honour-system warnings toward a more enforceable requirement that pornographic content online be gated by robust age verification. The objective is not to criminalize consensual adult viewing of pornography but to mandate reasonable steps so that minors cannot access it. In essence, this is a child-protection measure that balances public health and safety concerns with Canadians' expectations that adults should retain access to lawful content.

Achieving that balance — protecting young people from harm without unduly infringing on the rights and privacy of adults — is the central challenge with which this legislation grapples. Bill S-209 reproduces the core framework of the former Bill S-210, while introducing notable amendments to address concerns that were raised during its earlier consideration.

The bill replaces the term “sexually explicit material” with “pornographic material” and provides a precise definition in the bill itself. Under Bill S-209, pornographic material is defined as:

. . . any photographic, film, video or other visual representation . . . the dominant characteristic of which is the depiction, for a sexual purpose, of a person's genital organs or anal region or, if the person is female, her breasts . . .

However, it explicitly excludes the term “child pornography.” This change was made for clarity and to avoid the broader implications of the *Criminal Code*'s term “sexually explicit material,” which had raised concerns.

The core obligation in the bill remains that any commercial website or organization making pornographic material available must ensure that persons under 18 cannot access it by instituting a rigorous age-check mechanism.

Importantly, Bill S-209 provides more options for technological compliance. Whereas the previous bill only mentioned age verification, the new bill allows for age-estimation methods as well. This addition acknowledges that emerging technologies might estimate a user's age without collecting as much personal data as traditional ID verification. An organization can potentially avoid prosecution under the act if it has implemented a government-approved “prescribed age-verification or age-estimation method” to restrict access to adults only.

The bill addresses this by requiring any approved method to meet a high standard of accuracy. If age-estimation technologies prove insufficiently reliable, they may not receive government approval under this framework, and providers would then default to more conventional age-verification methods. The intent is to allow flexibility, provided that youth are effectively protected.

Another clarifying amendment in Bill S-209 is the addition of clause 6, which explicitly excludes certain service providers from the realm of this law. It states that an organization which provides a service that is “incidentally and not deliberately . . .

used to search for, transmit . . . store or access content” is not considered to be making pornographic material available for commercial purposes. The aim here is to avoid capturing internet mediators such as internet service providers, or ISPs, cloud storage providers, search engines, social media platforms or other web services whose primary function is not to distribute pornography.

In the past, there was concern that the bill's broad wording could implicate companies that enable access to this content. This new clause provides greater certainty that liability under this act is intended for content providers and not mere conduits or platforms that might inadvertently host or link to some adult content. The inclusion of this clause shows a good-faith effort to target the bill narrowly at commercial pornography sources, not the wider internet infrastructure.

• (1610)

The enforcement outline in Bill S-209 remains similar to that of its predecessor, with some refinements.

Non-compliance is criminalized. Any organization that, for commercial purposes, makes pornographic material available to a young person can be charged with an offence under this act. The penalties upon conviction are up to \$250,000 for a first offence and up to \$500,000 for subsequent offences, significant sums meant to incentivize compliance.

In summary, Bill S-209 retains the core principle of making it an offence to expose minors to online pornography while adding clearer definitions, more tech options, tighter privacy rules and explicit limits on scope.

While Bill S-209 is narrowly focused on restricting minors' access to pornographic material online, it is important to recognize the wider context and mounting concerns in society.

Increasingly, experts and researchers are sounding the alarm over how unregulated access to pornography may be shaping the minds and behaviours of young people.

Beyond legality, there are troubling developmental and cultural dynamics at play. Pornography online often follows a pattern of escalation, beginning with relatively benign content and progressing toward more extreme, violent or degrading material as users seek novel stimuli. This mirrors addictive behaviours and can, over time, desensitize viewers to real-world harm, alter sexual expectations and erode empathy. From a public policy perspective, this raises serious concerns about the long-term societal consequences of widespread exposure to such content on children and youth.

As mentioned by previous speakers on this bill, it has also been observed that many young people today are being exposed to sexually graphic imagery before they have the maturity to process it.

On many mainstream pornography sites, violent and disturbing content is accessible without barriers, often without so much as a click-through age warning.

While adults have the legal right to access explicit material, Parliament also has a duty to examine how technology is undermining the practical safeguards that once shielded young people from content that is developmentally harmful.

Bill S-209 does not seek to criminalize adult behaviour, but to place necessary protections around those who are most vulnerable — our children and youth — in an era when the boundaries between legal content and harmful conduct have become dangerously blurred.

During the bill's previous iteration and continuing with Bill S-209, a variety of stakeholders — child protection advocates, parents' groups, privacy commissioners and internet freedom organizations — have engaged with the proposal.

A common question is this: Will this law actually work in practice? It's safe to say that mandating age-gating will at least create a barrier, making it less likely that an average child will stumble onto explicit sites.

However, some experts caution that, technologically, it is much easier said than done to prevent determined youth from viewing online pornography. Teens today are often tech savvy and may find workarounds, such as using VPNs or proxy sites to bypass age checks or simply migrating to platforms not covered by the law.

Stakeholders have noted that the bill does not mandate a specific solution, leaving it to website operators to choose a method, subject to government approval, which could lead to uneven implementation.

Enforcement will also be challenging on a technical level. Many pornography sites are hosted abroad and can change domains, making them moving targets. These feasibility issues do not undermine the bill's goal. However, they do suggest that even with a law in place, vigilance and technological adaptability will be needed to make the protections effective.

Privacy advocates and civil liberties organizations have been among the most vocal critics of this initiative. They acknowledge the importance of protecting children but warn that poorly implemented age verification could create new privacy risks for adults and minors alike.

However, Bill S-209 makes privacy a priority, as discussed, by requiring minimal data use and third-party verification services. These measures have been welcomed in principle by privacy experts; still, some point out that any system of verification introduces friction and data collection that did not exist before.

Even if personal data is deleted immediately, users might be required to log in via a third-party service or provide some token of identity.

Anonymity for lawful adult consumption of content intended to arouse sexual desire has been the norm on the internet; this bill, unavoidably, changes that norm. To its credit, however, Bill S-209 tries to mitigate this by mandating government-approved methods only. Presumably, these would be vetted for privacy guarantees.

Nonetheless, the Privacy Commissioner has recommended continued oversight to ensure that age verification doesn't become a pretext for data mining or surveillance.

The privacy provisions in subclause 12(2) explain that before prescribing any age-verification or age-estimation method, the Governor in Council must ensure that it is highly effective, operated by an independent third party, protects user privacy, uses personal information solely for verification purposes, limits data collection to what is strictly necessary, destroys the data once verification is complete and complies with best practices with respect to both age assurance and privacy protection.

This will need to be rigorously upheld in practice.

In short, stakeholders want to ensure we protect young people without creating new vulnerabilities with respect to Canadians' personal information.

It's important to note that several U.S. states — including Louisiana, Texas and Utah — have already implemented legislation requiring pornography websites to verify the age of users.

In response, platforms such as Pornhub either adopted compliance measures or chose to withdraw entirely from those jurisdictions.

These real-world examples highlight both the feasibility of age-verification laws and the practical challenges of enforcement.

Canada can learn from these early efforts by analyzing their regulatory frameworks, technological approaches and the pushback from industry. Doing so will help inform a balanced approach under Bill S-209, one that is both effective and respectful of privacy and legal rights.

Another area of discussion is whether the bill's scope is appropriately defined and limited. The change to the definition of "pornographic material" has been positively received as it ties the law to clear, explicit sexual content and excludes things like sex education or nude art.

However, questions remain about which websites will be subject to the law and how it will apply in borderline cases. For instance, the legislation targets any organization making pornographic material available for commercial purposes.

Large mainstream platforms generally prohibit pornography in their terms of service, but, in practice, some explicit content might exist on these platforms. Are those platforms expected to institute age gates for all content just in case, or would they be deemed incidental under clause 6, which sets out the core legal obligation of the bill?

The new exclusion of incidental services aims to shield players like internet service providers and search engines. Overall, most agree the intent is to target mainstream pornography websites frequented by minors, not to go on a moral crusade against all adult content on the internet.

The committee will need to examine the definitions and exclusions to ensure the law's scope is appropriately tight.

In presenting these concerns, I wish to stress that there is widespread agreement on the objective of the bill. Virtually every stakeholder agrees that children should not be viewing hardcore pornography and that this is a serious problem to address.

The debate is about methods and potential unintended consequences.

• (1620)

Advocates for the bill argue that we cannot afford inaction: they note that requiring age verification is not about censorship of content, but about responsible access control similar to how we treat other adult-only products.

As legislators, our duty is to weigh these perspectives and ensure that if we move forward we do so with eyes open and mitigation in place for the risks identified.

I believe the enhancements in Bill S-209, the refined definitions, privacy conditions and so on, demonstrate that we have been listening to feedback and adapting the policy accordingly. Further constructive input from committee witnesses can help us refine the bill even more.

Honourable senators, it is instructive to recall how we arrived at this point. Bill S-209 did not emerge in a vacuum: it is the product of ongoing legislative work on this issue over the past few years, led by Senator Miville-Dechéne.

The idea was first introduced in an earlier Senate bill, Bill S-203, in the Forty-third Parliament, later reintroduced as Bill S-210 in the Forty-fourth Parliament by Senator Miville-Dechéne who has been a tireless advocate for child protection online.

Bill S-210 was studied by the Standing Senate Committee on Legal and Constitutional Affairs in 2022, which heard from a range of witnesses. The Senate passed S-210 in April 2023, after fulsome second and third reading debates, in which senators from all groups voiced their perspectives, broadly supporting the intent but also noting some of the challenges I have outlined.

In the House of Commons the bill was sponsored by former MP Karen Vecchio and received strong, multi-party support, passing second reading by a vote of 189 to 133. It was reviewed by the House of Commons Standing Committee on Public Safety and National Security in the spring of 2024. However, due to time constraints and the prorogation of Parliament and subsequent election, the bill did not receive final passage before the parliamentary session ended.

Senator Housakos: Thank God she doesn't give up.

Senator Martin: She is a champion, indeed.

The key amendments we see in Bill S-209 — the terminology change, inclusion of age estimation, stronger privacy regulations and exclusion of intermediaries — can be directly traced to the feedback received during the last bill's journey through the Senate and the House of Commons.

We should also engage with those with international experience. For instance, we should hear about what has worked or failed in jurisdictions like the U.K., France and certain U.S. states that have implemented age-gating laws for adult content. We have an opportunity now to benefit from hindsight and ensure a thorough examination. Our end goal is the same: protect minors effectively while respecting the rights of others.

This bill is, without question, a complex undertaking at the intersection of technology, privacy, law and social values. As the critic of this bill, I support the objective and many aspects of the mechanism, but I also remain mindful of the concerns and questions that have been raised.

This chamber is known for its thoroughness and its role as a chamber of sober second thought. In that spirit, I urge all honourable senators to support the timely passage of Bill S-209 so we can move forward with protecting young Canadians in the digital age.

I believe it deserves to proceed to committee, where we can scrutinize the bill and ensure that the law will function as intended. We should hear from technical experts, child development specialists, privacy commissioners, industry representatives and other stakeholders to inform our recommendations.

In closing, protecting young Canadians in the digital sphere is the goal that transcends partisanship, but time is of the essence. Every day children are potentially encountering harmful content.

Honourable senators, we need to address this important issue and protect our youth as swiftly and effectively as possible. Thank you.

Hon. Rebecca Patterson: Honourable senators, given this extremely compelling subject, which has our support, and knowing it has been reintroduced — and the fact that no committees have been struck at this point — I move that further debate be adjourned until the next sitting of the Senate so we have a chance to look at both.

(On motion of Senator Patterson, debate adjourned.)

NATIONAL FRAMEWORK ON SPORTS BETTING ADVERTISING BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Deacon (*Ontario*), seconded by the Honourable Senator Senior, for the second reading of Bill S-211, An Act respecting a national framework on sports betting advertising.

Hon. Leo Housakos (Leader of the Opposition): Honourable colleagues, I rise today to speak in support of Bill S-211, An Act respecting a national framework on sports betting advertising, reintroduced by Senator M. Deacon following her important work on this issue during the Forty-fourth Parliament.

Colleagues, as I noted in my intervention to Senator Deacon following her speech last week, and as I said during my third reading speech in the last session, I remain a friendly critic of this bill.

While I may not be as irritated as some by the sheer number of sports betting ads now appearing on our screens, I can't deny that they seem to have dramatically increased in frequency since we last debated this bill. Just the other day, I looked out my office window and saw a taxi completely wrapped in sports betting ads. So I thought, "that was a first," but I think it's just the beginning of things to come.

What concerns me most, however, is the impact of this advertising on young people. At a time when youth across Canada are facing a cost-of-survival crisis, gambling can appear to be an easy and entertaining way to make some extra money. But, too often, it leads down the dangerous path of addiction and the social and economic harm that comes with it.

The reintroduction of Bill S-211 gives us a renewed opportunity to examine how young people consume sports content today, and how sports betting advertisements are targeting them. Young people don't follow sports the way we boomers do. Traditional cable is being replaced by streaming platforms, many of which are sponsored by, or even integrated with, sports betting services.

As I've said before, it's alarming how little data we have on sports betting habits in Canada, particularly demographic data that would allow us to understand which groups are most vulnerable.

Senator Deacon's bill rightly calls for intergovernmental research and information sharing, including prevention, diagnosis and support measures for minors involved in harmful gambling activities, as well as for individuals impacted more broadly. Nevertheless, I hope the committee's work on this bill will give us a clearer picture of the harms caused by sports betting in Canada, and perhaps allow us to fine-tune the proposed framework to address any existing gaps in the current research literature.

Of course, we can't talk about this issue without addressing another layer of the problem: the decline of legacy media and its growing reliance on sports betting ad revenue.

The Liberal government, now under Prime Minister Carney, has failed to meaningfully address this crisis. Even after passing Bill C-11 in the last Parliament, the underlying financial instability of the sector exists more than ever. This bill offers us an opportunity to revisit those shortcomings, especially as they relate to the sports broadcasting industry.

Another important point, though not fully reflected in the consultation process outlined in the framework, is the impact of sports betting advertising on the revenue streams of professional sports leagues and athletes. As a sports fan, I've been thrilled to witness the growth of new professional leagues, like the Professional Women's Hockey League, the Canadian Premier League and the Canadian Elite Basketball League. But I can't help but wonder how dependent these leagues are on sports gambling advertising revenue. What can we do to support their financial sustainability while also protecting fans from gambling-related harm?

Colleagues, I think the message is clear: Sports betting advertising is a problem. Senator Deacon's bill represents a strong step forward, but, as I've outlined today, the issue is broader than just ad volume. We must also focus on the deeper financial dependencies in the broadcasting and sports ecosystems if we want to understand the genesis of this problem, and I look forward to doing so in committee.

We did a lot of work, of course, in the last Parliament. Senator Deacon, I hope we can accelerate that work because I definitely agree with your objective and goal.

I want to thank Senator Deacon, once again, not just for her leadership but also her perseverance in reintroducing this bill. Those of us who have been here for a long time know that sometimes these private members' bills take many attempts. We see Senator Miville-Dechéne now taking a third crack at her bill,

and I always say “third time lucky.” Senator Deacon, I think this is your second shot with this bill. We’ll see who gets to the finish line first. I know it’s not easy to restart legislation and the process, but I’m glad you’re committed to this. So am I.

• (1630)

I wholeheartedly support the bill, and I look forward to the continuous work that the committee does. I look forward to other members participating in this important debate. Thank you, colleagues.

(On motion of Senator Patterson, debate adjourned.)

[*Translation*]

CONSTITUTION ACT, 1982

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Harder, P.C., seconded by the Honourable Senator Wilson, for the second reading of Bill S-218, An Act to amend the Constitution Act, 1982 (notwithstanding clause).

Hon. Raymonde Saint-Germain: Colleagues, for those of you who think that the debate we are about to begin on this bill is meant for fans of the Constitution more than fans of the Edmonton Oilers, I encourage you to remain in this chamber. This debate touches on the very essence of our responsibility to examine legislation, and the essence of respect for the rights of the minorities we represent.

I thank Senator Harder, who deserves credit for initiating this debate, first by presenting a motion that died on the Order Paper with the dissolution of the Forty-fourth Parliament, and then by tabling this bill.

Colleagues, the issue under debate is central to our democracy and complex, because it requires us to reflect in a measured way on the balance between individual interests and collective interests as they relate to fundamental rights. The balance is most definitely a delicate one.

Bill S-218 deserves serious and robust study considering that it proposes amending our most fundamental legislation, namely the Constitution Act, 1982. The bill’s sponsor, as he acknowledged himself, launched this debate in a deliberately provocative way. This is particularly remarkable considering the characteristic experience, restraint, and cautious wisdom of our esteemed colleague, Senator Harder.

As the senator pointed out, we should indeed be concerned about the use of the notwithstanding clause potentially being normalized for populist, electioneering or even tyrannical purposes, but I doubt that Bill S-218 would suffice to counter the potential risks of the federal government denying rights.

I would now like to put forward a Quebec perspective and suggest some avenues we could explore as we study this bill. I would also like to take this opportunity to correct some inaccuracies that have surfaced during this debate.

[*English*]

Now I will speak to federalism and the division of powers.

Before diving into the content of the motion, I feel I have the obligation to rectify some assertions made about the architecture of our federation, an assertion that, I must say, has stuck with me since Senator Harder’s speech on his motion on September 24, 2024. I quote from his speech, then talking about a surge in the provincial use of the “notwithstanding” clause in recent years:

This brief historical allegory is context for caution about the normalization and abuse of its use at the sub-federal level in recent years. . . .

I note the use of the words “sub-federal level” to describe the provincial level of government.

Colleagues, in my years as a Quebec public servant, I served within the sphere of competence of Quebec, as well as shared jurisdictions with Ottawa in many departments, including immigration, health and social services, agriculture and even international relations. Throughout this time, I never felt that I was operating under sub-powers and sub-responsibilities delegated by the federal government. If I never felt this way, colleagues, it is simply because in Canada the concept of a “sub-federal level” does not exist, neither is it referred to in the Constitution, in law or in any federal-provincial-territorial agreement.

Within the Canadian federation, a central government shares jurisdictions, powers and responsibilities with provincial as well as territorial governments. We refer to them as different levels of government. This interpretation would be better suited to a unitary state, where delegation of power often occurs, or another system of governance, not our federation.

This point is crucial in the current debate because the sharing of competences was the basis for the creation of Canada in 1867. The sharing of jurisdictions is enshrined in the Constitution Act and contributed to the conditions which made possible the patriation of the Constitution in 1982.

To further illustrate my point, allow me to quote from the Supreme Court of Canada in its *Reference re Secession of Quebec*. It’s my retirement gift to you:

The scheme of the Constitution Act, 1867 . . . was

not to weld the Provinces into one, nor to subordinate Provincial Governments to a central authority, but to establish a central government in which these Provinces should be represented, entrusted with exclusive authority only in affairs in which they had a common interest. Subject to this each Province was to retain its independence and autonomy and to be directly under the Crown as its head.

In this extract, the Supreme Court was quoting another of its references relating to the Initiative and Referendum Act, dating all the way back to 1919. This demonstrates that the equal standing between central and provincial authorities has been well established in jurisprudence for over 100 years. Not only is it deeply ingrained, but it is also very much contemporary because the principle is cited both in the Supreme Court's reference related to the secession of Quebec in 1985 and in its judgment in *R. v. Comeau* in 2018.

Indeed, the court, as recently as 2018, recalled that “the tension between the centre and the regions is regulated by the concept of jurisdictional balance . . .”

Peter Hogg, an authority on Canadian constitutional law, also quoted by Senator Harder in his second-reading speech, had this to say on the distribution of powers within the Canadian federation:

The Canadian federation is divided between a central government and provincial and territorial governments. In discussions of the relationship between federal and provincial governments . . . the term “levels of government” is often used. This term can be misleading, as it implies that one government is subordinate to the other. Instead, the federal government and the provincial governments are better described as “coordinate,” having equal authority and independence in their distinct spheres.

Even Britain's Judicial Committee of the Privy Council, which prior to 1949 was Canada's final authority on the interpretation of the constitutional division of legislative powers, was described as “a champion of the provinces,” more often than not siding with the provinces and upholding their powers.

In our system of governance, every level has its powers, authority and its use. I sit every day next to my colleague Senator Clement, who has dedicated part of her career to the municipal level. Many others in this chamber have done the same. Off the top of my head, I can think of Senators Forest, Carignan, Sorensen and Arnold. I know the type of essential and front-line services they have provided. Even considering that municipalities are technically under provincial jurisdiction, I must say that it would never have crossed my mind to qualify them as simply sub-provincial.

Colleagues, we are called to the Senate as representatives of our respective provinces and territories. Our role is not, even if only by the choice of our words, to diminish their constitutional rights and powers by implying their subordination to a central entity.

Now that I have gotten this off my chest, let me take a moment to review the history of the “notwithstanding” clause.

[Translation]

I'll be brief, because this part of our history is well known. Negotiations to repatriate the Constitution were difficult.

[Senator Saint-Germain]

Opposing the federal government was the Gang of Eight, an alliance of provincial premiers with shared demands. The notwithstanding clause, which was agreed to at one minute to midnight on November 4, 1981, was essential to all the provinces but Quebec agreeing to and signing the constitutional agreement.

• (1640)

As Senator Joyal often reminded us, these negotiations, which took place on the fourth floor of the current Senate building, just a few steps from my office, were dubbed the “kitchen accord,” or “la nuit des longs couteaux,” depending on which side of the Ottawa River you were on.

Despite the controversy, the main takeaway from those negotiations and this agreement is the absolute necessity of including the notwithstanding clause in the Constitution in order for certain provinces to agree to sign it. Whatever our position on this clause, it is an irrevocable fact.

[English]

Now I will speak to the scope of Bill S-218.

In his interventions, Senator Harder identifies the issue of the trivialization of the use of the “notwithstanding” clause as mainly provincial. Yet we have before us a bill with a purely federal scope of action. Indeed, Bill S-218 would only restrict the application of section 33 to federal legislation.

It also proposes that Parliament limit its ability to legislate as it sees fit on any bill which invokes the “notwithstanding” clause. To defend the adoption of this constitutional amendment, Senator Harder hinted that following public statements earlier this year, a future government would invoke this clause to pass controversial legislation.

While this may be very concerning, the truth of the matter is that section 33 of the Charter has never been used by a federal government since patriation 43 years ago. This merely hypothetical situation would break with tradition and practice. As a result, I don't believe we should restrict the constitutional and legislative powers of Parliament on speculative grounds.

Bill S-218 could also put us in an awkward situation when dealing with federal bills that reference provincial legislation adopted with the use of the “notwithstanding” clause. As you will recall, we were in this very situation not so long ago when studying Bill C-13, An Act to amend the Official Languages Act, to enact the Use of French in Federally Regulated Private Businesses Act and to make related amendments to other Acts.

While debating the bill, several senators raised the issue of Bill C-13 referencing Quebec's Charter of the French language, even putting forward an amendment to withdraw its mention, arguing it would cause a dangerous precedent. Yet, after further and thoughtful consideration, the Senate still rejected the amendment and adopted Bill C-13. Will Bill S-218 block us from adopting a bill in a comparable situation or, at least, prevent the government from using time allocation or the Senate as a Committee of the Whole?

Senator Harder voted in favour of Bill C-13 and, at the time, raised no issue with its reference to a bill that invoked the “notwithstanding” clause at the provincial level. I think this is a good example that even in controversial situations, we should let the Senate legislate with its hands untied.

This bill, colleagues, would make the Senate limit its primary purpose, which is to legislate. It would also introduce for the very first time in our Constitution the notion of political parties and partisan politics. By requiring in proposed section 33.1(9)(b) that there must be support of “. . . members of at least two groups composed solely of members who are members of the same recognized party,” Bill S-218 brings partisan politics into Canada’s founding document — the Constitution Act, 1982 — which is meant to be above partisan considerations.

Even in the process to amend the Constitution, simple majority is required at the House and the Senate, without any mention of political affiliation.

I must say that as an independent senator, something about it just does not sit right with me.

Additionally, by requiring prior ruling of the Supreme Court, this bill raises questions on the interrelation between the judiciary and the legislative powers. I am of the view that these important questions deserve more thoughtful scrutiny.

Now I will speak to the “notwithstanding” clause upon the Quebec perspective.

Understandably, the use of section 33 has a bad reputation. At its core, it is an infringement of fundamental rights and freedoms without proper judicial recourse. Its use must be, at best, rare, substantiated and exercised with the utmost discernment.

Having said that, I will now take a few minutes to illustrate another perspective on the “notwithstanding” clause. It’s a perspective that is unique in Canada — one that comes from Quebec, where the clause has been used the most and where the 1982 Constitution, which includes the Charter, has yet to be signed.

In *The Notwithstanding Clause and the Canadian Charter: Rights, Reforms, and Controversies*, edited by Peter L. Biro — which is truly a superb work that I encourage everyone to read, and it was also quoted by Senator Harder — an entire part is dedicated to Quebec and its peculiar situation.

One section really caught my attention, and I believe it sheds more light on the use of the clause by the Quebec government. In “Bill 21 and Bill 96 in Light of a Distinctive Quebec Theory of the Notwithstanding Clause: A Distinct Approach for a Distinct Society and a Distinct Legal Tradition,” constitutional experts Guillaume Rousseau and François Côté promote the theory that Quebec’s distinct approach to the clause is based on three principles: first, the promotion of human rights, social justice and

national identity; second, the province’s civil law legal tradition; and third, the protection against standardized and standardizing common law judicial construction of Charter rights by Canadian tribunals.

According to Rousseau and Côté:

In the overwhelming majority of cases, in Quebec the clause was invoked in the name of collective issues of social justice or national identity — such as when it was invoked to allow for more advantageous pension plans for female workers than their male counterparts to advance women’s condition or in matter of linguistic rights to specifically protect the crucial vitality of French language in Quebec and curtail the free-market English expansionism to its detriment.

The theory also argues that part of the difference in the use of the “notwithstanding” clause is based on the distinct conception of parliamentary sovereignty unique to Quebec in Canada. This is demonstrated by the fact that the National Assembly, contrary to other provincial parliaments, is the following:

. . . perceived as the legal embodiment of a distinct people and the guardian of its collective rights, in a historical and cultural perspective.

As such, it has a role to play in the national interest of Quebecers, which can sometimes be expressed through the use of section 33.

Rousseau and Côté relevantly relate to Quebec’s civil law tradition — a tradition vastly different in rules and jurisprudence from the common law tradition in place in all other Canadian provinces and territories. Indeed, the civilist legal tradition does not apply and interpret law in the same way as in common law.

The Government of Quebec used the “notwithstanding” clause — to borrow the words of Rousseau and Côté — as a shield to protect it from a standardized and standardizing common law judicial construction of Charter rights by Canadian tribunals. More broadly, it is an affirmation of its recognized status as a distinct society within Canada.

Colleagues, I made this digression to point out that we can be critical of Quebec’s use of section 33, and we can certainly chastise its choice to do so in controversial fashion recently for Bill 21 and Bill 96, but to purely reduce it to populist or majoritarian would be overly simplistic. We must appreciate the context specific to each province and territory in our scrutinizing works.

[Translation]

I will now talk about the use of the notwithstanding clause that may at times, and in rare cases, be justified.

There may be cases where the use of the clause is justified in extraordinary circumstances. Its use may allow a duly elected government to make important decisions that are political in nature and remove them from the judicial authority of unelected persons. Finally, the provincial legislators are responsible for

their decisions and, if they're deemed unacceptable, including because they violate freedoms, they will be tested in the next election cycles.

• (1650)

This relates to the concept of parliamentary supremacy, which has been around for some time and is in use in the United Kingdom, as our former colleague, Brent Cotter, explained in his speech on the motion that preceded this bill. Let us also remember that the override power set out in section 33 of the Charter is not absolute. It applies only to certain provisions and is subject to a five-year limit.

On the subject of that limit, let's recall that, in Quebec in 1988, Robert Bourassa's Liberal government used the notwithstanding clause for its Bill 178, which limited the use of English in signage and advertising. Here I would echo Senator Batters' comments during question period on this debate last week, when she pointed out that Allan Blakeney, the former NDP premier of Saskatchewan and a supporter of the override power, could hardly be described as a populist. I think one would have to be very creative to describe Robert Bourassa as a populist as well.

In Quebec, the signage issue was deemed to be an urgent problem requiring an extraordinary solution. Those measures were replaced five years later by a bill that was Charter-compliant. By using the clause, the Government of Quebec at the time was able to take immediate action to deal with what it considered a serious and urgent threat to the linguistic vitality of the majority.

Premier Bourassa was very aware of the burden of using the clause and did so only after much reflection:

In terms of principles, it was an extremely difficult decision. Party tradition, reason and the heart all dictated that we needed to try to preserve these individual rights as much as possible. We therefore tried to find a formula that would take both into account. In the end, however, when it came time to choose between fundamental freedoms and collective rights, I decided in favour of collective rights by agreeing to apply the notwithstanding clause.

It is important to remember that promoting collective rights doesn't necessarily mean resorting to majority rule. The collective is not unitary or homogeneous. The majority is defined by a juxtaposition of minorities and very diverse groups. It is not automatically a homogeneous group that imposes its will on a minority. In certain cases, the elected government must have the right, exceptionally and within limits, to defend collective rights to the detriment of individual rights so as to benefit the public interest.

[English]

Now, a reflection on the clause and the role of the Senate.

In spite of my reservations on Bill S-218, I do agree with Senator Harder on the importance of this discussion and the need to better safeguard the use of section 33. We need to thoughtfully study such a complex issue.

[Senator Saint-Germain]

As such, I believe that Bill S-218 must receive the scrutiny and serious study it deserves at the committee stage. During this study, we could further think about safeguards and alternatives if and when we might have to scrutinize bills using the "notwithstanding" clause.

One of these alternatives would be for us to develop criteria to be applied if and when such bills are introduced in the Senate.

We could be inspired by the work of experts such as Tsvi Kahana, which criteria based on the concept of tyrannical use of the clause has been referred to by Senator Cotter.

He defines tyrannical use as:

... when a given use of the mechanism is motivated by a desire to disadvantage minorities or silence opposition, or when it results in exceptionally severe rights violations such that it offends universal liberal values and is unacceptable in a democracy. ...

His method to understand whether the use is indeed tyrannical is based on a rigorous evaluation with criteria such as motivation, impact on rights, freedom of expression, equality, privacy and legal effect.

Furthermore, we would be wise to look at and take inspiration from the Supreme Court of Canada in its different judgments relating to the constitutionality of bills.

Now — and this may not pertain to the "notwithstanding" clause per se — but we could have a general reflection on the possibility for the Senate to refer to the Supreme Court regarding the constitutionality of federal legislation.

As things are now, this power is the prerogative of the government as per paragraph 53(1)(b) of the Supreme Court Act, the Senate and the House of Commons having the limited power to refer to the court on private bills or petitions.

In a future where the federal government would be more inclined to proceed with the use of the "notwithstanding" clause rather than with the caution of a Supreme Court reference, this power would be an interesting tool for the Senate as an institution of sober second thought.

One last thing we could consider is the reasoning behind the provinces' and territories' use of the "notwithstanding" clause. We could look at all previous uses of the clause such as: Yukon in 1982 for an unadopted land development bill, Saskatchewan in 1986 for back-to-work legislation, Alberta in 2000 for a bill against gay marriage and more recent well-known examples in Quebec as well as Ontario.

By closely looking at these examples, we could identify if and when the use was grossly unjust and wrong or when it was more justified. We could base our analysis on debates between provincial legislators, court judgments and public reaction to those bills.

We must also understand that there may come a day when the federal government has good reasons to use the clause and temporarily suspend certain rights. For this day, we need criteria and safeguards, not necessarily limitations and delaying tactics.

In his speech, Senator Harder referred to an anecdote told by former prime minister Jean Chrétien. Mr. Chrétien confided that whenever he met Pierre Elliott Trudeau, after 1982, he rarely missed an opportunity to express his frustration at having been forced to accept section 33, that he was mad precisely at the possibility to overrule the Charter and its protected rights.

Well, Prime Minister Pierre Trudeau should be one to recognize the importance of such exceptional measures, having himself suspended the individual rights of Quebecers in October of 1970. It was before 1982, so the possibility to refer to the “notwithstanding” clause did not exist then. Even going, in this instance, way beyond the scope of the “notwithstanding” clause, it’s very important that we keep this in mind.

In conclusion, colleagues, whatever we may think of section 33 of the Constitution Act, 1982, the power to derogate is an integral part of our Constitution. If, however, we consider part of our constitutional agreement to be so abusive and tyrannical that it endangers our democracy and the rule of law, then the right way to proceed is through changes to the Constitution.

For this, I commend Senator Harder because while I felt that his previous motion was not the right way to proceed, he has now identified a better process to tackle this important issue, although I do agree with my colleagues Senator Batters, Senator Housakos and maybe even Senator Harder himself that this bill should ideally have originated from the elected house.

Bill S-218 raises a real and important question for the health of our democracy, and while I do not believe that in this current form the bill is the right solution, I still want it to proceed to committee so it can be studied with the seriousness and application that is required of a constitutional amendment.

Thank you, *meegwetch*.

Some Hon. Senators: Hear, hear.

Hon. Denise Batters: Would Senator Saint-Germain take a question?

Senator Saint-Germain: Yes.

Senator Batters: Thank you for your well-reasoned speech. I wanted to ask a couple of things. First of all, Senator Harder’s bill significantly curtails the Senate’s ability to legislate by requiring an infringing bill — a bill that actually uses the “notwithstanding” clause — to originate in the House of Commons and specifically preventing it from originating in the Senate, yet Senator Harder purports to achieve that using his Bill S-218, which does originate in the Senate. I think you briefly mentioned it in your speech but I may not have gotten the complete gist of it. Is that something that also concerns you, this bill’s significant curtailment of the Senate’s ability to legislate by requiring any such bill — no matter what the issue might be — to originate in the House of Commons?

• (1700)

Senator Saint-Germain: The short answer is yes, for two reasons: first, because it would restrict our power to initiate some bills; and second, because the threshold for such a bill to be passed by both houses would be a majority of two thirds, which is even more restrictive.

Senator Batters: Thank you. I’m a little unclear what the threshold for passage is in the Senate. I think that section only deals with the House of Commons — that part that deals with the recognized party — but that will be something to be determined.

My second question is about the potential use of the “notwithstanding” clause. In the last election, there was an issue brought forward that has kind of been the elephant in the room. This issue, brought forward by the Conservative Party and Pierre Poilievre and regarding a potential use of the “notwithstanding” clause, hasn’t been spoken about. It was to prevent criminals convicted of multiple murders from receiving a significant volume discount on those murder conviction sentences and the possibility of being freed from prison after only 25 years — the minimum amount of time for a first-degree murder sentence for one murder — even if they have killed five people.

In your speech, you talked about “good reasons” to use the “notwithstanding” clause, and you also referred to a previous usage of the phrase “tyrannical use.” Given that context, would you consider that to be a “good reason” to the “notwithstanding” clause, which is a legitimate part of our Canadian constitution, or a “tyrannical use”?

Senator Saint-Germain: I will not comment on a bill that I have not seen and that is still hypothetical. All I will say on this is that the Senate should not refuse to study any bill that comes from the democratically elected government; then we will have the opportunity to play our role to ensure that the bill is balanced — and to ensure that if some rights are suspended, it is because the public interest would be better served by doing so. This is in relation to your first question; this is another demonstration that the Senate should not be restricted in its ability to receive and scrutinize bills.

Hon. Duncan Wilson: Honourable senators, I proudly rise in this chamber today during International Pride Month to join the debate on Bill S-218.

[Translation]

I’d like to thank our colleague, Senator Harder, for bringing forward this very important piece of legislation at such a critical moment in Canada’s history.

[English]

Colleagues, those of you who know me will know I’m passionate about the need for Canada to realize its full economic potential. I’m particularly seized with the need to act boldly to meet the moment, a sentiment I share with not only our Prime Minister but also Canadians across the country. As such, I envisioned my first speech in this place to be about the economy. Instead, I am compelled to speak on another issue that is important not only to me but to all of us: our protected rights

under the Canadian Charter of Rights and Freedoms, and our duty as senators to safeguard those rights for minority groups and all Canadians.

Human rights should be table stakes for our country, but in recent times, we have seen such rights eroded around the world as well as here in Canada. We have seen that increased political polarization and the rise of single-issue voting has, in some cases, turned the “notwithstanding” clause into a weapon used for political gain at the provincial level. We have now heard talk of this approach at the federal level as well. While I recognize that Bill S-218 will not dictate any provincial government’s use of this clause, I rise today to support the intent of Senator Harder’s bill: that we in this chamber might serve to guide and inspire future governments in its measured use.

Therefore, colleagues, I congratulate Senator Harder for being bold, being provocative and introducing Bill S-218 to enshrine overdue legislative safeguards that will ensure that any future use of the “notwithstanding” clause happens, as we would all hope, only in the most exceptional circumstances, with robust consultation, written justification and only after a Supreme Court ruling so justifies — never pre-emptively.

[Translation]

These protections will help safeguard minorities and marginalized populations. In fact, by protecting minorities, we protect the vast diversity that’s central to our Canadian identity and that strengthens our ties to the international community.

[English]

I’m going to take a slightly different approach from our colleagues who have spoken to this legislation already and maybe share a bit more of a human perspective in terms of what it might mean. Colleagues, today, I’m going to pull on just one thread of this magnificent tapestry of diversity in our country. In doing so, I hope to provide some rationale as to why the “notwithstanding” clause should be used only as a tool of last resort — and even then only with an exceptional level of transparency and oversight.

Today, this one thread of our tapestry that I will give voice to regards the stories of just a few members of the 2SLGBTQIA+ community. In my view, these stories demonstrate how far we have come but also how current challenges continue to bear a striking similarity to those of the past.

Honourable senators, I would like to give forewarning that some of what follows may be difficult to hear and for me to say.

In 1982, the same year that the Canadian Charter of Rights and Freedoms came into effect, a young teenaged boy struggled with the realization that he was attracted to men. He felt ashamed as he fought, unsuccessfully, to deny his feelings. Self-hate and thoughts of self-harm were part of his daily life. He lived in fear that this information might get out and lead to ridicule, bullying

and, almost certainly, violence. Given the duress this youth lived under, it is sad to think he was safer in some ways back then than some kids are today, over 40 years later. In those days, no province was pushing through legislation that would require his teachers to disclose his identity to his parents or to anyone to whom he did not want it disclosed.

So he kept his secret safely hidden throughout his high school days, until the time came when he felt comfortable sharing this part of his identity with his family and friends. A decade later, that same young man emerged confident. Long free of the terror of being found out, he’d come to embrace his difference and, indeed, had taken on a leadership position in his community, championing queer rights among other things. He believed that the world was changing for the better.

Then one night in December 1996, that confidence was shaken. As he was walking home from the pub with some friends, a car screeched to a halt and three male teenagers leaped out of the vehicle. “You are going to die, faggot” was among the slurs shouted as one of the teenagers fractured the face of the young man with a tire iron. The reconstructive surgery that followed was the easy part. What took much longer to heal was the confidence necessary to walk down the street holding hands with another man. The police refused to characterize this as a hate crime, instead recording it as a traffic incident. Fortunately, I doubt that would be tolerated today.

As some of you may have guessed, that once-young man now stands before you in the Senate of Canada.

Hon. Senators: Hear, hear.

Senator Wilson: As I look back and reflect on those periods of my life, I often ask myself where I would be today had things been different, had I been outed in high school and bullied or even attacked back then, had I not been kept safe or had my rights not been respected. Sadly, we see today that many young people are at risk of losing those rights. We see time and again the intolerance that led to my attack is alive and well and, indeed, growing again in our country, fuelled by politics of division that are putting minority communities at risk.

Colleagues, let’s now move to 20 years after the Charter was proclaimed. In 2002, in a small southern Manitoba town, a young teenager had his head wrapped in tape and pounded against the wall while his tormenters chanted homophobic slurs I will not repeat in this chamber. Meanwhile, teachers stood by and pretended not to see.

• (1710)

When that same boy returned to school for the first day of Grade 9, he was greeted by classmates throwing garbage at him and taunting him with more homophobic slurs. What a terrible environment for a young person to try to learn and thrive in.

[Senator Wilson]

We would hope that those are relics and sentiments of the past, and that we have moved on from them as a society. However, only two years ago, some parents in that same Manitoba community tried to have books that referenced 2SLGBTQIA+ themes banned from the public library. I can only imagine how a young person who identifies as queer might feel in such an environment.

Also two years ago, in British Columbia, a non-binary child was sobbing while they watched the news with their father. Saskatchewan was invoking the “notwithstanding” clause to block legal challenges to a law forcing teachers to disclose students’ chosen pronouns.

The clause was used pre-emptively, despite a judge warning that the law could cause “irreparable harm” to vulnerable students. The teenager watching from another province saw the warning signal clearly: It could happen to them next.

Honourable senators, as I was preparing these remarks, I had the opportunity to have a discussion with the mother of a young transgender girl. To protect the family, I will just say they live somewhere in Canada. Here is what she said to me:

We didn’t ask for a transgender child. Nobody hopes for a more difficult life for their child. The lives of transgender children are debated in legislatures around the world . . . governments decide on a whim whether our child is allowed or not allowed to exist. Some party leaders and candidates running to be elected to political office are willing to sacrifice transgender children in a vain attempt to win votes from constituents. Our child is like any other — she wants to play, learn and grow. We didn’t ask for a transgender child, but our lives are brighter, richer and more fulfilled because of it. She is exactly who she is meant to be.

This family, whom I know personally, lives in fear that a future government may well invoke the “notwithstanding” clause to target the trans community for political gain. Can you imagine living in fear of democracy in Canada?

Honourable senators, although those stories are upsetting and distressing to hear, they represent merely a tiny sliver of what is happening in Canada right now and are just those from my own direct experience and those of people close to me.

They are a reminder of the human consequences of discrimination. Sadly, in many of these cases, it is young people who are suffering the consequences.

Although provincial governments of all stripes have used the “notwithstanding” clause since the enactment of the Canadian Charter of Rights and Freedoms in 1982, as Senator Harder remarked, more recently, populist governments have championed it for very specific and targeted groups. This is inarguable.

Given the diversity in this chamber, I know as I look around that many of you have similar stories of having faced discrimination in your own lives. Maybe they are based on gender, race or cultural backgrounds, but I know many of you have these stories.

I would encourage all of us to share these experiences, and those of our loved ones, and maybe even to include them in your own comments on this bill. It is from that seed of understanding and empathy that we will collectively grow to do better and to be better.

[Translation]

Although implementing a framework governing the use of the notwithstanding clause in a federal context has no direct impact on decisions by provinces that choose a different path, it offers an opportunity for Canada, and for us, here, to lead by example. In time, one province, then two, and then others might follow.

[English]

We only need to look south of the border to be reminded how democracy can be weaponized. Many are being deported from the United States because they have tried to provide a better life and — in many cases — a safer life for themselves and their children.

We must not pretend that Canada is immune. We see early signs of populism threatening minority rights here too.

[Translation]

Honourable senators, the bill before us is of the utmost importance. I encourage each of you to support this bill and ensure its swift passage by this chamber.

[English]

In doing so, we will be sending the strongest signal possible that this chamber stands behind the Canadian Charter of Rights and Freedoms as well as the values and beliefs with which this country has become synonymous, both domestically and abroad.

Maybe one day, that transgender girl will stand here as a senator, and her first speech will be about the economy.

Thank you.

Some Hon. Senators: Hear, hear.

(On motion of Senator Martin, debate adjourned.)

[Translation]

JUDICIAL INDEPENDENCE DAY BILL

SECOND READING—DEBATE ADJOURNED

Hon. Pierre Moreau moved second reading of Bill S-219, An Act to establish Judicial Independence Day.

He said: Honourable senators, I rise today to give my first speech in the upper chamber.

[English]

I am sure that all of you remember your first speech. It is a solemn moment that comes with its own worries. When you first rose, you probably felt the room suddenly become wider and much warmer. That is exactly how I feel today.

[Translation]

I want to begin by acknowledging that we are gathered on the banks of the Ottawa River, on the traditional and unceded ancestral territory of the Algonquin Anishinaabe people. I want to honour their history, their culture and their essential contribution as custodians of this land, while reaffirming my commitment to reconciliation and a future in which the rights of Indigenous peoples are finally fully recognized.

[English]

In her poignant speech last week, my friend and honourable colleague Senator White accurately stated that Indigenous peoples in Canada have a rightful place in the fabric of this nation. I could not agree more.

[Translation]

This vast Anishinaabe territory stretches along both sides of the Ottawa and St. Lawrence Rivers, on the banks of which I was born, one of four boys, in Verchères, Quebec. It's a rural area where large tracts of farmland are still farmed today and where, at the time, my father Jean-Marie, his father and his brothers ran a dairy farm.

[English]

In his welcoming remarks, Senator Plett was correct: This is where I learned the meaning of resilience and hard work — qualities that are shared by those who work the land.

[Translation]

In 1939, during the Second World War, my father Jean-Marie and his brother Laurent volunteered to join the Royal Canadian Air Force on the European front. Laurent was a bombardier and, at just 26, the oldest member of the crew aboard the aircraft. My father, two years his junior, was a tail gunner in another Lancaster bomber. He was demobilised in 1944 after his brother made the ultimate sacrifice of his life. They are among the Canadian heroes who contributed to the surrender of Nazi Germany, the liberation of France and the return of peace to

Europe. My uncle Laurent was one of the 42,000 Canadians who died in combat between 1939 and 1945. Today, we owe them a duty to remember and commemorate their sacrifice for peace and freedom.

• (1720)

Of course, my father is a war hero, but he has been a hero to me all my life. At a very young age, after his father passed away, he made sure the family farm survived and he became involved in his community, first as mayor, then reeve, and finally as president of a group representing Quebec's rural mayors.

As a result of working alongside him, my three brothers and I learned the importance of public service and democracy, the value of work and integrity.

Today, as a senator within this institution that is an integral part of Canadian democracy, I will make it my duty to uphold the values that were instilled in me from childhood.

[English]

Last September, on the day I was sworn in, you all gave me the honour of a very warm welcome. Senator Tannas kindly conducted an archival search of the senatorial district of Les Laurentides, which I am honoured to represent. He evoked with acuity the remarkable character of those that preceded me in this office.

[Translation]

I would like to take this opportunity to pay tribute to my predecessor, Senator Renée Dupuis, for her exceptional contribution to the work of this chamber, and whose considerable work focuses in particular on the importance of fully recognizing the rights of Indigenous peoples.

I would like to thank Senator Saint-Germain, who has been kind and generous enough to mention my past achievements at the Quebec National Assembly. Dear colleagues, I must tell you, however, that political experience has long taught me that the people around us contribute even more to our success than we do ourselves. So it is to them that I would like to direct the compliments so kindly addressed to me by Senator Saint-Germain.

Senator Gold, thank you for the kind words you said about me, but most of all for the hand you so generously held out to me during my early days in Ottawa. You gave me good advice on the senator's role and the importance of working in a thoroughly collegial way. Senator LaBoucane-Benson will undoubtedly convey to you in her effective way the words I'm speaking at this moment. Parliamentarism implies that we can sometimes oppose the ideas of others, even vehemently.

However, such opposition must never come at the cost of respect for those who express them. I will therefore draw on your teachings and, like you, I will always keep my door open to talk and discuss with my colleagues. The quality and sincerity of our relationships will only improve as a result. I would like to take this opportunity to join with my fellow senators in highlighting your contributions to this institution. I wish you a happy retirement, knowing that you want it to be a very active one.

On November 21, I joined the Progressive Senate Group, and Senator Daphond welcomed me with open arms. He was absolutely right when he said I'm passionate about public service, and he did me the honour of appointing me to succeed him on the Standing Senate Committee on Legal and Constitutional Affairs. I also joined him on the Standing Senate Committee on National Finance. In fact, senator, I believe we'll be working very hard soon enough. I'm truly grateful to you for trusting me with that position.

[English]

Allow me to also express my gratefulness to each of the members of my group — our veterans as well as our new recruits. I will count on your immense talent and your expertise to guide my steps in this chamber as we continue our important work under the leadership of Senator Francis. Thank you for welcoming me. You are an amazing group.

[Translation]

I had the honour of serving in the Government of Quebec with my sponsor, Senator Gignac. As I've said before, I hold him in high esteem and consider him a friend. Everyone recognizes his expertise in economic matters, and it's been a privilege for me to benefit from his advice on many occasions as a minister and, later, as a political analyst on Radio-Canada.

The day I arrived in this chamber coincided with Franco-Ontarian Day, which Senator Moncion so eloquently celebrated.

I share her love of the language that, as she said, "stands out for its richness of colour, diverse accents and exquisite expressions." I will strive to give it the pride of place it deserves in every one of my speeches.

As a matter of fact, the Right Honourable Stephen Harper, who typically began his speeches in French, reminded us — and rightly so — that francophones are integral to Canada's foundation and its future. I would add that our North American-accented language must therefore be heard across our country.

[English]

In my maiden speech at the National Assembly of Quebec in 2003, I raised the issue of judiciary independence regarding administrative judges. I intended to make administrative justice more equitable and accessible, and that within their domain, the administrative judges would be independent as are justices of superior courts across Canada.

[Translation]

There can be no denying that the world has changed considerably since 2003. These days, even the independence of superior court judges is under fire in societies where political interference seeks to undermine the rule of law and the necessary independence of the judiciary.

As His Majesty the King pointed out in the Speech from the Throne:

Democracy, pluralism, the rule of law, self-determination, and freedom are values which Canadians hold dear, and ones which the Government is determined to protect.

Indeed, the rule of law is the very foundation of any democratic society, and the independence of the judiciary ensures it is upheld. Judges must be able to make decisions based solely on the rule of law.

The separation of powers is the foundational principle of that independence in that it guarantees the impartial treatment of citizens before the courts and in dealings with the state. Like the rule of law, judicial independence guarantees human dignity and respect for human rights. It enables judges to resist all outside interference.

However, under the influence of fear, exacerbated populism, dehumanization or individuals greedy for absolute power, democracy is retreating.

Many regimes have attacked the independence of their judicial institutions, while others have completely overturned the independence of their judiciary in favour of oppressive and arbitrary governments. There are unfortunately many examples of this.

Indian judges are crumbling under the weight of lawsuits because the Modi government refuses to adhere to an impartial appointment process.

Salvadoran judges were dismissed and punished by Bukele's government, which instead wanted to make partisan appointments on its behalf.

Ecuadorian judges are having to navigate between the increasing militarization of their government, decisions surrounding the corruption of some of their colleagues and even the violence of drug traffickers.

As Amnesty International reported, judges in the Philippines were killed under the Duterte government for defending the independence of the judiciary.

The lives of women judges in Afghanistan are being threatened because they have convicted Taliban terrorists and are now being hunted down by them.

Judges in the United States, France and Israel have been targeted by campaigns of discreditation and defamation for upholding legitimately passed legislation designed to counter the administrative decisions of the executive or to sanction the misconduct of one of its members.

In Canada, it is easy to take for granted that these cardinal rules are part of the founding principles of any democratic society. However, as we know, all democracies are fragile, and Canada is no exception.

We ourselves have had politicians who have suddenly and inexplicably thought it wise to criticize the courts and judges and publicly challenge their decisions. The direct consequence of

these criticisms and attacks is to erode public confidence in the administration of justice and undermine the authority of the courts.

For example, a few years ago, members of the executive attacked the integrity of the Right Honourable Beverly McLachlin, then Chief Justice of Canada, when the Supreme Court rejected an appointment proposed by the executive and deemed inadequate within the meaning of the law.

• (1730)

More recently, some provincial premiers have seen fit to say that judges were engaging in legal activism, that politicizing the appointment process would increase the incarceration rate and that federally appointed judges are incapable of interpreting provincial laws.

Honourable senators, here in Canada, we must remember the importance of judicial independence and, by association, our attachment to the rule of law, which guarantees institutional permanence in a free society. That is why the first thing I wanted to do as a senator was introduce Bill S-219, An Act to establish Judicial Independence Day in Canada. This bill is in line with the International Association of Judges' initiative to call on the United Nations to recognize January 11 as the international day of judicial independence in commemoration of the "1000 Robes March." On January 11, 2020, hundreds of Polish judges marched in the streets of Warsaw together with many fellow judges from other European democracies to express their opposition to attacks on judicial independence when the Polish Parliament sought to revoke the principle of judges' security of tenure.

Bill S-219 is therefore also a show of support for the call that was put out, a gesture of remembrance for this event and an act of solidarity. It also underscores Canada's commitment to the efforts that the UN and the International Association of Judges are making to protect judicial independence and safeguard the rule of law. The independence of the judiciary depends on an appointment process that is based on candidate merit and on fair, impartial and transparent disciplinary mechanisms. Judges must be guaranteed security of tenure as well as administrative autonomy and financial security. This will ensure that the courts function properly and judges can rule with equanimity.

[English]

Through partisan political attacks, judges are unwillingly drawn into political debates in which they cannot and should not become involved. The duty of restraint and impartiality to which judges are bound protects them, but it also makes them vulnerable, since they are condemned to suffer under the political assaults brought against their judgments and sometimes even against their person.

When the judiciary comes under frontal attack from the executive, only the people can offer themselves as a bulwark in safeguarding judicial independence and, hence, the rule of law. This is what the judges in Poland understood when they demonstrated peacefully. They sought public support by denouncing the executive overstep and the dangers to which it exposed human rights.

Honourable colleagues, by reaffirming judicial independence through this bill, the Government of Canada, as an extension of its population, will refuse to trivialize attacks on the judiciary and will reaffirm its commitment to the rule of law. Parliament does not speak in vain.

[Translation]

The declaratory nature of the bill is expressed in its preamble, where it emphasizes that the rule of law is fundamental to maintaining a democratic society and upholding human rights. It also states that maintaining the rule of law requires a judiciary consisting of judges who are impartial and independent in the face of political pressures and interference attempts. That's why the third objective of this bill is to proclaim that even in the most envied democracies in the world — and I think that includes Canada — it is necessary to stress the importance of the judiciary because it is one of the foundations of the rule of law.

[English]

The duty to educate and inform belongs to all branches of government. Judges are condemned to silence outside their judgments, but the very function of rendering judgment is to be the expression and application of our public values in response to wrongful actions.

The legitimacy of the courts also rests on the public's trust that justice will be rendered impartially and publicly. It presupposes that we agree on the laws that govern us and then that we all hold ourselves accountable for applying them impartially.

The bill will therefore enable judicial institutions to promote their public information and awareness activities, particularly among young citizens.

I sincerely wish that this bill be a tangible expression of my desire to inscribe myself into the active role the Senate plays in the democratic life of our country. If this bill is adopted by both chambers, Canada would be the first democratic country in the world to recognize with a law the day of judicial independence and, by this act, formally express its commitment to the rule of law. I respectfully look forward to your support towards the adoption of this bill.

[Translation]

As a member of the upper chamber and like all my honourable colleagues, I now have a duty to raise awareness of the fundamental role played by the Senate as a democratic counterweight, a defender of the regions and minorities, a bearer of voices that are sometimes ignored in the other chamber, and a guarantor of in-depth reflection on the legislative process. Even in a democracy like ours, excesses of power can jeopardise balance and justice.

For example, when a government enjoys an overwhelming majority in the House of Commons, it is essential to have an institution capable of scrutinising legislative decisions carefully and independently. This is where the Senate comes in, in a spirit free of any political axe to grind. The Honourable Senator Serge Joyal liked to point out that the Senate acts as our country's collective consciousness. Personally, I believe that this institution

has to transcend partisan issues and focus primarily on the common good of all Canadians in all matters that come before it. In this, we can be guided by our shared values. We must keep in mind that our membership in this great country is not based on the colour of our skin, the language we speak or the people we love, but on the values we share.

[English]

Fortunately, the Senate is not frozen in time. The reform initiated, which entails non-partisan nominations based on the merit of candidates, aims to fundamentally strengthen its independence. I inscribe myself fully in this initiative.

It will enable the Senate to adapt in accordance with ever-changing political realities and to ensure its legitimacy endures in the eye of the public and of future generations.

[Translation]

In conclusion, we have to agree that being one of the 105 Canadians chosen to sit in the Senate is in itself an immense privilege. However, we all know that it would not be possible to devote ourselves to this public commitment without the love and generosity of our loved ones. I can never express enough my gratitude, appreciation and love to my wife Michèle, who has been by my side for 40 years now. Her work as a federal judge, which she has carried out brilliantly for 25 years now on the Quebec Superior Court, hasn't always fit in easily with my life in active politics. Her obligation to keep a low profile meant that we weren't able to spend a great deal of my elected life together. However, I knew she was always there, close to me, like a quiet force, a reassuring presence, an unfailing ally. She is still there today. Michèle, you are the love of my life.

We are blessed to have our daughters Elizabeth and Caroline, and now our granddaughters Jeanne and Madeleine, brightening our lives. It's generally said that apples don't fall very far from the tree. If that's the case, like their mother and grandmother, they are and will become formidable women. Together, they allow me to fulfill my potential. I'm delighted to share my life with you.

Thank you very much. *Meegwetch.*

Hon. Senators: Hear, hear!

[English]

Hon. Denise Batters: Today, the Supreme Court of Canada Chief Justice Richard Wagner gave his annual news conference in Ottawa. He did make some national news out of that, as he commented on some matters. I'm not sure if that was a result of questions he received, but it may well have been, which could be considered controversial.

• (1740)

As senators, we occasionally have the rare opportunity of being able to question brand new Supreme Court of Canada judges when they're potentially going to be appointed. We have the opportunity as members of the Legal Committee — just as the House of Commons sends members of their Justice Committee — to go and ask some restrained questions to these

brand new members of the court before they're formally appointed. Those questions are always informed, must be restrained, and there are quite a few restrictions on what we can ask in those situations.

What do you think of Chief Justice Wagner having these annual press conferences, and yet, on the rare opportunity when we are able to ask questions to someone who is just being appointed to the Supreme Court of Canada — obviously, you cannot control a press conference like you can potentially one of these Supreme Court appointment processes. What do you think of that juxtaposition we might have where the Chief Justice of the Supreme Court is giving a press conference and potentially commenting on issues that could be quite controversial and could be a matter that eventually is heard by the court?

Senator Moreau: The Chief Justice of Canada has a duty to explain to all Canadians the importance of the judiciary and what they're doing in the Supreme Court and in every court of justice in Canada.

This being said, I'm totally at ease to see the Chief Justice of Canada telling Canadians what the judicial functions are. It is a good exercise that reminds Canadians how important it is in a free society like Canada, in a democracy like Canada, to maintain the separation of powers between the executive, the legislative and the judiciary system. I think those press conferences are a good example of what should be done. I'm sure the Chief Justice of Canada has the authority and the restraint necessary to respect the separation of powers.

Senator Batters: Senator Moreau, you just commented on the need for the Supreme Court of Canada to fully inform Canadians as to what is going on with the judiciary across Canada.

Something I was surprised to see earlier this year, at the end of February, was that the Supreme Court of Canada decided to no longer use the platform formerly called Twitter. In their post, they said:

Dear subscribers – moving forward, we will be focusing our communication efforts on other platforms. We invite you to follow us on our LinkedIn, Facebook, Instagram and YouTube accounts to continue receiving our updates. Thank you for your support!

I understand, being someone in politics, the vitriol you can receive online, especially on Twitter. However, it is a platform that allows an institution like the Supreme Court to send out important messages to people who may not otherwise receive them.

What do you think of that, given what you were just saying about the need for the Supreme Court and its justices to be able to inform Canadians?

Senator Moreau: I've been in active politics for more than 15 years, and I've never used Twitter as a way to expose what I think to my fellow citizens.

I think it is a clever thing for the Supreme Court of Canada to not use Twitter as a way to reach Canadians. There are other means. There are better means than Twitter to do that. In that sense, I totally support that idea of the Supreme Court of Canada.

(On motion of Senator Martin, debate adjourned.)

NATIONAL BIRD OF CANADA BILL

SECOND READING—DEBATE ADJOURNED

Hon. Salma Ataullahjan moved second reading of Bill S-221, An Act to provide for the recognition of the Canada jay as the national bird of Canada.

She said:

She is a life giver, a trick player and one of the smartest beings in Creation. Everything she does challenges thought and perception, gifting teachings of responsibility, relationships and life.

Many say she is a food-stealer, but she is brave in her fearlessness, bright in her mistakes. She is kind to those who are kind back, harder on those who need a dose of humility. She is the best parts of all parts.

Honourable senators, those are the words used by Niigaan Sinclair, an Anishinaabe author and son of our former colleague Murray Sinclair, to describe the bird known to them as *Gwiingwiishi*. To us, this bird is known as the Canada jay.

At the onset, honourable senators, I apologize if I mispronounce anything. I know how everyone struggles with the name Ataullahjan.

Colleagues, as you might have already guessed, I rise today to speak on Bill S-221, An Act to provide for the recognition of the Canada jay as the national bird of Canada.

Every country that seeks to define itself chooses symbols to reflect its values, beliefs and aspirations. That's why symbols matter. They are the stories that we tell ourselves about who we are. They are the anchors of our national identity.

In a nation as vast and diverse as Canada, national symbols provide a common ground. It's not just branding; it's nation building.

Take the maple leaf, for example. Even before it appeared on our national flag in 1965, generations of Canadians had already used it as a symbol of Canadian identity. The maple tree, after all, is an important feature of the landscape of eastern parts of Canada, where Indigenous people value it for its sap and other by-products. Now, when we see the Maple Leaf displayed prominently on backpacks overseas or raised at an Olympic medal ceremony, it evokes feelings of pride, belonging and home.

Yet, here we are 158 years after Confederation. We have a flag. We have a national anthem. We even have a national tree, a national horse, but we do not have a national bird.

"But why a bird?" you may ask. Birds are some of the most commonly used symbols to shape a narrative. Out of the 195 countries in the world, 106 have an official national bird, while 21 have unofficial ones. In Canada, all provinces and territories have an official bird.

Birds are universal. They are found in every part of the world and often across national borders. They are visually striking, frequently vocal and observable in daily life.

People take delight in watching birds, thus making birding, or birdwatching, a popular hobby, especially in North America. According to a CBC News article posted last year, a growing community of young people in northern Ontario is choosing birding as their hobby of choice.

Clearly, birds fascinate a lot of people, including me. Like many Canadian households, my family has feeders and birdhouses in our backyard. There's nothing more pleasant than waking up to the sounds of birds as dawn breaks.

Birds play an important role in our daily lives. For example, they help with pollination and pest control. They provide us with eggs and meat for sustenance. Their feathers are used in our clothing, pillows and blankets to provide warmth, as well as in decorative items and some artistic works.

Yet, birds are more than just beautiful or useful creatures. They are metaphors. They represent freedom, aspirations, vision. Their songs mark our seasons. Their feathers drift through our poetry, and their flights lift our imaginations.

• (1750)

Canada is home to over 450 bird species. Given this rich avian biodiversity, it's a shame that we still don't officially recognize a national bird.

During an official trip to West Virginia last year, I was with former MP Brenda Shanahan, and we started talking about our love of birds. She told me about this project that she had been working on with Dr. David M. Bird of McGill University to get Canada to recognize an official national bird. I would like to thank them for all the hard work that they have done on this project.

Let me introduce you to the Canada jay. Some of you might wonder why the Canada jay. Although a bird of many names, it remains Canadian through and through: after all, it has the name of our country in all its official names: Canada jay in English, le mésangeai du Canada in French and *perisoreus canadensis* in Latin.

Found breeding in every province and territory of our country, this remarkable bird thrives in boreal and subalpine forests. It is not found in any other country except the United States, and that only in the western mountains of Alaska. It is also not an official bird for any other geographical entity.

In choosing a bird, we're choosing a symbol to carry our story into the future and to emphasize our natural heritage. During this time when climate change threatens our ecosystems, when our identity continues to evolve and when our citizens seek unity, it is critical that we choose a bird that doesn't represent just our geography but our spirit.

The Canada jay is a member of the Corvidae family, which consist of jays, crows, magpies, and ravens — arguably the smartest birds on the planet. For the Canada jay, this intelligence is shown in distinctive ways. Like other jays and crows, the Canada jay stores food, but unlike its cousins that cache food items in the ground, the Canada jay stores them up in the trees, above the snow line, where these caches will remain accessible despite the thick blanket of snow that covers the ground. And if you think that these food caches are composed of non-perishable, long-lasting seeds — the usual choice for food-storing birds — you would be wrong. The Canada jay stores highly perishable items by coating them in copious amounts of saliva and sticking them to the bark of spruce trees and other conifers, where there are volatile resins that slow down the action of decay-causing bacteria and fungi until winter when the cold temperatures further delay the decomposition process.

As if this were not remarkable enough, individual Canada jays have been documented to make as many as 1,000 individual caches in one single midsummer day so that by the time winter comes around, a single bird may have stashed tens of thousands of food items over its territory. What is even more extraordinary is the considerable evidence showing that they remember where they have hidden those caches of food. Clearly, a great memory and hard work are among the positive attributes of this bird.

These positive qualities do not stop there. Unlike many other birds, the Canada jay is totally monogamous and typically stays with the same mate for life. Talk about unusual. This monogamy is not just for show. A Canada jay pair stays together year-round on their territory, often remaining close to one another. Sometimes, they even perch together side by side while actually touching one another. Now, that's what I call romance in the forest.

Besides being loyal, the Canada jay is also a very friendly, very curious, very bold bird. It approaches hikers and campers; it perches on hats, hands and ski poles and inspects camps. It is very observant of its environment and will investigate new sights and sounds in its territory. It is also so tame and trusting that researchers have counted its eggs by using a finger to gently pry up an incubating female to peek underneath.

As trusting as it is, however, the Canada jay is not oblivious to danger. In the coastal mountains of British Columbia, where bird-eating raptors threaten their survival, Canada jays typically live in territorial flocks. In other parts of Canada, territories are rarely occupied by more than three birds: a mated pair and, at most, one extra bird that is typically one of their own young from the previous nesting.

Here, they face a different threat: red squirrels. To minimize the danger posed by a squirrel discovering their nest, jay parents reduce the number of their feeding visits to the nests while maximizing the amount of food they bring on each trip. If there is a third, younger bird in the territory, jay birds are ruthless in preventing it from approaching the nest until the nestlings gain the ability to fly and are therefore less vulnerable to squirrel attacks.

Beyond its undeniable charm, the Canada jay is a master of adaptation. It can undergo hypothermia at night to save energy. It sunbathes even on the coldest of days. And the best part of it all, honourable colleagues? It does not desert Canada for warmer climates when winter comes.

Some Hon. Senators: Hear, hear.

Senator Ataullahjan: Isn't it amazing to find a bird species that not only survives but thrives in the cold?

How does it do so, you may ask? Well, just like how we Canadians have adapted to our winters, so has the Canada jay. It has done so in such a remarkable way that it nests in temperatures of -30 degrees when most of other bird species haven't even returned from the south yet. It builds its nest in February. Its eggs are laid in March and hatch in early April.

Such behaviour is perplexing, as almost all other birds in the boreal forest wait until fresh food is abundant before they nest. However, this early nesting works well for the Canada jay. Their young are more likely to escape nest predators and prevail in competition with later-produced young, and they end up having more time to accumulate and store food for the winter. Early nesting also ensures that the youngsters will adapt to the cold, allowing them to survive in the coldest months of the year.

The Canada jay is hardy. It's intelligent. It's loyal and it's confident. It's a bird that stores food for leaner days, a bird that stays with us through bitter-cold winters, a bird so friendly that it approaches humans instead of flying away from them. Clearly, it is a bird that lives with grace and resilience, just like Canadians.

Let us not forget that the Canada jay was the first bird — and perhaps the only bird — to greet thousands of explorers, fur trappers, loggers, prospectors, settlers and First Peoples in their camps in the dead of winter. It has long held a place in Indigenous cultures, especially among the First Nations peoples.

There are more than 30 English vernacular names for this remarkable bird, but the most common is whiskey jack, a name derived from one of the Canada jay's names in the Algonquian family of languages, most likely from the Cree word *wiskicâhk*. As such, it is one of the very few English vernacular names for a North American bird species borrowed from an Indigenous language and the only one that is widely used today.

The Canada jay also figures in Indigenous stories. According to Lawrence Martin, former Grand Chief of the Mushkegowuk Council, the *wiskicâhk* is a sacred bird in many Cree communities. He said:

One of the stories is about the bird providing itself to the Cree people when they were near starvation. It is a storyteller. It comes to warn you when misfortune is headed your way.

He goes on to describe how the whiskey jack accompanies hunters and helps lost travellers find their way.

Wouldn't it be such an honour to have this bird represent our nation?

The Royal Canadian Geographical Society launched the National Bird Project to get Canada to name its official national bird by the country's one-hundred-fiftieth anniversary in 2017. After months of voting, the Canada jay emerged as one of the five most popular candidates.

After further consultation with experts and citizens across the country, they chose the Canada jay as the top contender. It beat out flashier contenders including the loon, the snowy owl and the Canada goose. Why? Because people recognized something familiar, something trustworthy in this bird, something enduring, something that reminds us of the values that we hold dear.

The Canada jay is not the loudest, not the biggest, not the rarest, but it is ours; it is distinctly, proudly, undeniably Canadian. We don't need to invent a new narrative. It's already here. It's in our forests. It's on our trails. It's in the stories of hikers, campers, Elders and scientists alike. The Canada jay has already won the heart of this nation. All we must do now is acknowledge it.

• (1800)

Some will ask, "Why not the loon? Why not the goose or the snowy owl?" These are all great birds and all worthy of admiration, but let us remember that the loon is already on our dollar, and it is the official bird of Ontario. How about the goose? It's iconic, but perhaps too infamous. Who among us hasn't been chased by one? How about the snowy owl? It's a stunning choice, but it's a seasonal visitor to many parts of Canada, and it's also the official bird of Quebec.

The Canada jay, by contrast, is a year-round resident of our country. It stays with us. It weathers the storm. By choosing it as our national bird, we will not be "promoting" the official bird of any of our provinces or territories. The Canada jay is as federal as a bird can be. Its deep connection to the people and history of our country sets the Canada jay apart from other birds. It is an emblem of openness and trust, a humble companion in our wilderness and a true Canadian in feathered form. It's time we honour a bird that reflects who we really are, not just in appearance but also in spirit.

[Senator Ataullahjan]

Symbols don't define us, but they do reflect us. In moments of uncertainty and in times of challenge, we turn to our symbols to remind us of who we are. At a time when our sovereignty is being threatened, it is crucial that we, as a nation, remember what matters most — our history, our peoples, our values and our land.

When the bald eagle was chosen in the United States, it wasn't just about feathers and talons; it was about creating a new national identity. It was about uniting people with the powerful image of what they aspired to be.

Today, we stand on similar ground. We are a country redefining itself, reconciling with its past and looking boldly to the future. Let us choose a bird that mirrors that journey. Imagine choosing a national bird not because it is loud or flamboyant, but because it is wise, resourceful, kind and resilient. These are the words that describe us Canadians and what we stand for.

This is what we will accomplish by officially recognizing the Canada jay as our national bird. Let it soar into our national consciousness as the bird that best represents our values. Let us not wait another 158 years. Let us act now. Thank you.

Hon. David Richards: Would Senator Ataullahjan take a question?

Senator Ataullahjan: Yes, I would.

Senator Richards: I was just wondering if you have heard the name "moose bird." In New Brunswick, we call the Canada jay a moose bird. I have had moose birds eat out of my hand while on fishing trips. They are the same bird. Maybe we could call it a moose bird.

Senator Ataullahjan: We could, but I think Canada jay is widely recognized.

Senator Richards: Yes, it is.

Senator Ataullahjan: Thank you, senator, for sharing that information with me. I learn. As I live and grow older, I continue to learn. Thank you very much.

Senator Richards: You're welcome.

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Senator Ataullahjan, I can't tell you how much I appreciated your speech. It was really beautiful, and I support this 150%.

I have heard many Wisahkêcâhk stories — Cree stories — and oftentimes, the Canada jay makes us laugh. He or she is a trickster. I wonder if you would agree that one of the charms of the Canada jay and the reason it could be our national bird is that it has a wicked sense of humour like Canadians.

Senator Ataullahjan: Thank you, senator. I agree; difficult circumstances call for resourcefulness and being a trickster — when need be, I think we can all be tricksters. I'm not going to hold that against the Canada jay.

Hon. Yonah Martin (Deputy Leader of the Opposition): First of all, thank you so much for that poetic, compelling speech.

Why do we not have a national bird? Is this something that has been discussed or contemplated in the past? After 158 years, why are we doing this? I think it is very important, and I too support the bill wholeheartedly.

Senator Ataullahjan: Thank you, Senator Martin. I was surprised that we do not have a national bird. Like I said, we have a tree and we have a horse, but we don't have a national bird.

When you see this bird — I was lucky enough to table this bill — you realize that it is a very important symbol. If I look at the colours, to me it represents Canada in the winter: blue-grey and beautiful. It goes with everything, and there is beauty in those colours too.

I know that in 2017, Professor Bird worked very hard to have this bird recognized as a national symbol. Regarding everybody I have met who does birdwatching, they all agree that this is the bird that should represent our country. Brenda Shanahan and I were just having that conversation. She said, "Professor Bird sent this book to everyone, which I have sent to all of you." She was the only MP who took an interest in this and started the conversation. I told Professor Bird, "Next time you want anything done, come to the senators because we are the ones who get things done."

Hon. Pat Duncan: Honourable senators, I find myself once again with prepared remarks, but also in awe of my colleagues and their eloquence. I would like to speak to Bill S-221, the national bird of Canada act, and I thank Senator Ataullahjan and all of the questioners for their eloquent remarks.

As the bill's critic — a most supportive critic — along with the sage words and the wonderful story that Senator Ataullahjan has presented today, I would like to express my thanks to her and her colleagues for their work on this initiative.

I would like to give some background as to why I think this bill is important and why I think we should ensure its swift passage in the Senate.

My early working life as the manager of the Whitehorse Chamber of Commerce included management of the T.C. Richards Building, a historic building in Whitehorse that, at the time, was the Visitor Reception Centre and home to non-profit organizations, including the Law Society of Yukon, Ducks Unlimited Canada and the Girl Guides of Canada Yukon Council. My volunteer commitment to our community was serving as the provincial commissioner for the Girl Guides. The Girl Guide and Brownie camp property was located at Marsh Lake, which is about a 40-minute drive from Whitehorse.

Yukoners in the area know that spring is truly on its way when the thousands of tundra and trumpeter swans arrive to the slowly opening waters, providing them with their abundant feeding grounds at Marsh Lake. One of my favourite memories of this time was working with my colleague Dale Eftoda from Ducks Unlimited and the Government of Yukon's Renewable Resources

Department and the Girl Guides of Canada Yukon Council to transform the Brownie camp at Marsh Lake into the Swan Haven Interpretive Centre. It was colleagues working together.

Swan Haven is a wildlife refuge and an interpretive centre. Now, 30 years later, it offers an annual return of the swans — the Celebration of Swans festival — and it offers people from throughout the Yukon, northern B.C. and Alaska the opportunity to welcome spring and to witness the annual migration of swans, ducks and geese, as well as to learn more about birds and to appreciate the trumpeting music of thousands of these swans.

Coincidentally, not to miss a somewhat economic opportunity, the arrival of the swans also signals the opportunity to purchase Girl Guide cookies in the spring. They generally arrive at the same time as the swans.

[Translation]

Knowing that this project is close to my heart, you won't be surprised to learn that I was keen to take part in Canada Jay On the Hill.

The event was organized by MPs Richard Cannings, Lloyd Longfield, Elizabeth May and Brenda Shanahan, as well as our dear colleague, Salma Ataullahjan, who has her own love affair with these birds.

This day was an opportunity to learn why the Canada jay should be designated our country's official bird, which is the motivation behind our colleague's Bill S-221.

• (1810)

[English]

Honourable senators have been provided with the book *The Canada Jay: The National Bird of Canada?* by our colleague. The senator has also eloquently highlighted the salient reasons for this initiative.

If you haven't had an opportunity to review the book — or, perhaps, have only just entered the chamber or tuned in — allow me to reinforce the qualities that I consider most important to this discussion.

First Nations and Inuit peoples of Canada have been guardians of this land and all that walk upon it for millennia. The bird was often referred to as the whisky jack in English, as you have heard or will have read, derived from the Cree words "*wiskicâhk*" and "*wiskacân*."

Mark Nadiwan, in Chapter 9 of the book you were given, notes that although his preference would be the more common, Indigenously derived name of whisky jack, he is accepting of the name of the bird the Canada jay, as "Canada" is itself a variation of the word "*kanata*," meaning "village."

As a representative of one of Canada's three territories — each having only one representative — honourable senators will be aware of how strongly I feel that everything we do must be inclusive and representative of the whole country.

The Canada jay is present in every province and territory — unlike the maple tree — and the newest baby birds from previous years are known to help feed the fledglings in a familial setting. It might remind you of federalism, on occasion.

Perhaps most importantly in this challenging time — as Senator Ataullahjan has pointed out — it does not fly south in the winter. It stays in Canada year-round.

Clearly, dear colleagues, I am supportive of Bill S-221. However, I would be remiss in my capacity as a friendly critic if I did not recognize elements of some contention in this bill.

Primarily, there are those who will ask this question: Why the grey jay, the Canada jay? The work undertaken to select the Canada jay — formally and correctly recognized in 2018 by the American Ornithological Society, reverting the name back to what it was before 1957 — is well documented in Chapter 5 of the book.

It is *Canadian Geographic* and birders throughout the country that have requested this initiative and chosen the Canada jay. Honourable senators, it is Canadians who guide what we do for Canada, and I do not dispute their choice or their efforts.

“Why now?” we may ask. Surely, as the chamber of sober second thought, in light of urgent and pressing priorities, we have weightier matters to consider than Canada’s national bird, but let us consider and ponder for a moment the importance of symbols.

Our flag, ours since 1965 — within the lifetime of most, if not all of us in this chamber — is a source of pride. The colours red and white lend so well to our dress, especially the uniforms of our Olympic, Paralympic and Special Olympic athletes. The maple leaf lends itself to all our art forms.

Of course, there are our national games, lacrosse and hockey, the latter often referred to as “our game,” with the hardest of all the sports trophies to win — the Stanley Cup, named after Lord Stanley, Canada’s sixth Governor General.

Finding ourselves in the midst of the Stanley Cup finals lends itself to another question of note in reviewing this bill: why now? Having been a politician for a few years, I know better than to stand between people and the Stanley Cup finals, and I am grateful that Game 4 is tomorrow and not tonight.

Honourable senators will be very familiar with the expression “opportunity only knocks once.” At the risk of being labelled a political opportunist, dear colleagues, opportunity is knocking.

Yes, there are very weighty issues under discussion in the other place and among the public throughout our country. Those discussions are forthcoming to this chamber.

Fires threaten throughout the West, impairing health and air quality here in the East. We are still rebuilding from devastating weather events from recent memory in Atlantic Canada. The very real question of how best to present all Canadians with permitted, environmentally responsible nation-building projects with Indigenous involvement that will work for everyone and for Canada’s future is very much on everyone’s mind.

Shortly there will be a conference in Montreal for Food Banks Canada. Food and food security is a national issue, if not another national crisis.

Colleagues, we also hear the phrase “taking immediate action and showing results for our work.” Should the Senate take the time to discuss Bill S-221 to recognize a national bird?

I offer a resounding “But of course, right now.”

There is an opportunity now. As we await the results of the discussions of the duly elected representatives at the first ministers’ table, the Assembly of First Nations and the Inuit Tapiriit Kanatami with the Prime Minister, and the consideration of legislative proposals in the other place, there is an opportunity to do what I would consider a little housekeeping. That is something we are often able to offer in the Senate, such as when the renumbering of legislation has been overlooked or when there is an unintended consequence of a misinterpretation between the French and English versions of legislation. These are relatively minor amendments that can and, on occasion, do initiate in the Senate.

We have often considered those items without, perhaps, significant time spent in committee, with the understanding and appreciation that these are matters that should be dealt with immediately.

As I’m speaking, I have an opportunity to perform housekeeping on behalf of provincial and territorial emergency management organizations — or EMOs, as they are called — to remind us all during this time of evacuations in many parts of rural and remote Canada of our emergency kit, the grab-and-go bag or the go box. All Canadians, especially in rural Canada, are asked to have that go box packed — that one box or bag you take when you are going out the door. It has the all-important family documents, a battery-operated FM radio to access the CBC, medications, pet food and water — the list is on the provincial, territorial and national EMO websites.

Passing this legislation, accepting the suggestion of Canadians to nominate the Canada jay as Canada’s national bird, is housekeeping. It is packing that go box. It is keeping our elbows up. It is accepting the pass from previous colleagues in the other place and scoring a winning goal in overtime. To pass this legislation without extensive study — study that has already been done by Canadians over the years — is highly possible, and the opportunity that now knocks is one I truly believe we should take.

In this unique time of nation building and a willingness throughout the country to set aside regional differences to build one mighty Team Canada, recognizing the national bird adds to these efforts as a very special symbol of unity.

I would urge and ask all honourable senators to engage in the debate and to pass Bill S-221 before we adjourn for the summer, before someone else thinks this bird belongs to them, as climate change continues to be a threat to its existence and to demonstrate to our colleagues in the other place — and to all Canadians — that we can, in the spirit of collegiality, listen to and act on a simple request from Canadian birders to recognize the Canada jay as Canada’s national bird.

Thank you so much. I appreciate your time and attention.

Shàw nìthàn. Mahsi'cho. Gùndlchìsh.

Some Hon. Senators: Hear, hear.

(On motion of Senator Clement, debate adjourned.)

• (1820)

CRIMINAL CODE

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Hon. Yvonne Boyer moved second reading of Bill S-228, An Act to amend the Criminal Code (sterilization procedures).

She said: Honourable colleagues, I rise today on the traditional and unceded territories of the Anishinabe Algonquin Nation. I offer my sincere thanks to the nations whose land we are on and acknowledge the vital importance of humility and respect in reconciliation. As we begin this Forty-fifth Parliament, let us recommit ourselves to that work, not just in word, but in actions.

Today, I rise to introduce Bill S-228, An Act to amend the Criminal Code (sterilization procedures). This is a reintroduction of a bill that is identical to what the Senate passed unanimously as the amended version of Bill S-250, which was sent to the House of Commons in October 2024. Unfortunately, that bill died on the Order Paper when Parliament was prorogued. But the violence it seeks to prevent has not stopped, and our responsibility has not diminished.

This bill addresses a practice that is both unconscionable and ongoing: the forced and coerced sterilization of women and marginalized persons in Canada. Bill S-228 seeks to make it explicit in the Criminal Code that sterilizing someone without their consent constitutes aggravated assault under subsection 268(1) of the Criminal Code, which states, “Every one commits an aggravated assault who wounds, maims, disfigures or endangers the life of the complainant.”

Bill S-228 adds a “for greater certainty” clause to section 268 affirming that sterilization procedures fall under acts that wound or maim. It defines a “sterilization procedure” as any intervention that permanently prevents reproduction, regardless of whether it is technically reversible. The offence is serious; it also carries a maximum penalty of 14 years in prison.

Let me be clear: Forced sterilization is not a relic of the past. It is happening in Canada today. The first question I am always asked when people discover I am working on the topic of forced and coerced sterilization is this: “Is that still happening? That was a long time ago, wasn’t it?”

The answer is simple: no. It is happening today and at this very moment. Women are being coerced or forced into sterilization whether they are pregnant, have just given birth or are in another situation.

Some of the underlying reasons will be explained today.

Canada has a long, painful legacy of eugenics, of using sterilization to control and limit certain populations. From 1928 to 1973, Alberta and British Columbia had sexual sterilization acts that disproportionately targeted Indigenous women. Over 4,700 sterilizations were carried out in Alberta alone.

Indigenous women — once revered in their communities as the givers of life and the holders of cultural knowledge — were and are targeted because of colonial beliefs that devalue their bodies and autonomy. This oppression was justified through colonialism, paternalism and racism, and it did not stop with the repeal of those laws.

In 2017, I was commissioned by the Saskatoon Health Authority to provide an external review of their tubal ligation policies after several Indigenous women came forward and said that they were either forced or coerced into a tubal ligation after giving birth by Caesarean section.

I co-authored a report with Dr. Judith Bartlett documenting forced and coerced sterilizations in Saskatoon. Its publication created a national awakening to the reality faced by Indigenous women.

There are hundreds of stories, but one particularly dangerous example stands out for me. A woman told us that a doctor pressured her into signing a sterilization consent form by claiming her baby would be born with cerebral palsy if she didn’t. As you may know, cerebral palsy is caused by a lack of oxygen at birth.

Another was told she had no choice and gave consent while actively in labour. Others were told the babies they were about to deliver would be taken away by social services if they did not sign. Others were sterilized within hours of giving birth without being told the procedure was permanent. Others were simply sterilized without their knowledge.

Louise Delisle, a 15-year-old Black teenager in Nova Scotia, was given a partial hysterectomy without her or her guardian’s consent when she gave birth.

Dr. Josephine Etowa from the University of Ottawa testified that the issue of hysterectomy continually came up in her research interviews of 237 Black women from rural Nova Scotia.

These stories are horrifying, but they are not isolated. My office has counted at least 12,000 Indigenous women who were forcibly or coercively sterilized in Canada between 1971 and 2018.

Across Canada, ongoing class action lawsuits continue to shed light on the scale and persistence of forced and coerced sterilization. These class actions represent hundreds of Indigenous women who were sterilized without consent. The fact that these lawsuits span multiple jurisdictions and remain unresolved underscores the national scope of this crisis. Survivors are seeking justice not only for their personal trauma, but also for the systemic failures that allowed this practice to continue unchecked.

These cases are a stark legal and moral warning: Our health care and legal systems have not yet reckoned with the full weight of this violation, and until they do, the harm will continue.

A particularly heinous case that came to light recently involves Dr. Andrew Kotaska, who removed the ovaries and fallopian tubes of a 37-year-old Inuk woman without consent. Dr. Kotaska was the former Clinical Director of Obstetrics at Stanton Territorial Hospital in Yellowknife. Dr. Kotaska has served as President of the Northwest Territories Medical Association. He has spent years practising medicine and has had professorships with the Department of Obstetrics and Gynaecology at the University of Toronto, at the University of Manitoba and at the UBC School of Population and Public Health. He has published articles on caring for Indigenous patients and, surprisingly, informed consent and ethics.

Dr. Kotaska's patient had pelvic pain, and she consented to having her right ovary and fallopian tube removed if necessary. While she was in surgery, Dr. Kotaska stated, "Let's see if I can find a reason to take the left tube," and he did. He permanently sterilized her. A complaint was lodged with the Northwest Territories Department of Health and Social Services, and a virtual hearing was held. The board of inquiry held that he violated the Canadian Medical Association's Code of Ethics and Professional Responsibilities.

He was suspended for five months — his contract expired so he had already served that — and had to pay \$20,000 for the legal costs of the hearing and take an ethics course. He and the Northwest Territories Health and Social Services Authority are being sued for \$6.5 million, and I have heard he is now working in interior B.C. He is registered with the College of Physicians and Surgeons of British Columbia.

The bill I bring before you today may have stopped this from happening. Dr. Kotaska may have had that sober second thought before he sliced her remaining fallopian tube. He may have thought twice about the possible penalties in Bill S-228. Bill S-228 may have acted as a deterrent.

I have been working diligently since at least 2017 to eradicate forced and coerced sterilization. Early on, I was directed by survivors of this horrific practice to create a law that would criminalize sterilization without consent. I was initially reluctant because of the harms that have historically affected Indigenous people within the criminal justice system.

But I did introduce Bill S-250 after two studies conducted by the Standing Senate Committee on Human Rights in 2021 and 2022.

The first study brought together the disability community, the intersex community, Black women from Nova Scotia, lawyers and the government. From that study we learned how deep the problems go.

The second study, during which we heard directly from survivors of forced sterilization, was one of the most powerful, moving and heart-wrenching experiences of my time in the Senate. During this study, the survivors were clear and spoke with a unified voice, asking that this horrific practice be criminalized. This bill is a direct response to their calls for action.

This bill is also a response to Recommendation No. 1 from the Senate Standing Committee on Human Rights report entitled *The Scars that We Carry: Forced and Coerced Sterilization of Persons in Canada —Part II*. It reads, "That legislation be introduced to add a specific offence to the Criminal Code prohibiting forced and coerced sterilization."

• (1830)

I introduced Bill S-250 in June 2022, and the Standing Senate Committee on Legal and Constitutional Affairs conducted a comprehensive and deeply moving study. Witnesses included Nicole Rabbit, a survivor and board member of the Survivors Circle for Reproductive Justice, who told us that she, her mother and her niece were all sterilized against their will.

We heard from representatives from the Canadian Medical Association, Society of Obstetricians and Gynecologists of Canada, National Council of Indigenous Midwives and Native Women's Association of Canada, all of whom supported the bill's objectives.

Experts from the Department of Justice and Indigenous Services Canada confirmed the bill's legal clarity and necessity. My office also received countless emails and telephone calls supporting this bill.

During the committee study, there were some concerns raised about the unintended consequences and complexity of Bill S-250. After hearing concerns about the complexity of my bill from departmental experts and my colleagues, and listening carefully, I worked collaboratively with the Minister of Justice to amend the bill and streamline it from 55 to 14 lines, making its intent crystal clear and removing any chance of unintended consequences.

The amendment and the subsequent bill were quickly and unanimously adopted by committee and by the Senate Chamber before it was sent to the House of Commons for further study in October 2024. Bill S-228 is the amended version and is now before you.

Colleagues, I cannot overstate this: we must act now. Every day that passes without this bill becoming law is another day someone may be sterilized against their will. This is not theoretical. This is not historical. This is happening. The last forced and/or coerced sterilization I was consulted about was in December 2024.

Just recently, many of you watched the in-depth feature that CBC News North did on the issue of forced and coerced sterilization, focusing on the story of Katy Bear, a First Nations woman who had previously been sterilized without consent. Every time I have spoken on this issue, I have told the story of the pervasiveness of sterilization and about a young woman I met while checking into a hotel late at night in Saskatoon.

The clerk was alone, and the lobby was empty. She asked me if I was the “senator of sterilization.” I explained that it is an area in which I work.

She looked at me, her eyes filling with tears, and said:

They did it to me when I was 21. I am now 35 and my children are grown. I can’t afford in vitro fertilization, and I want more children. I have a new partner.

I became completely choked up and had many tears too. I said I would do what I could to help her.

Now, just a few years after that chance encounter, CBC News North tells her incredible story in March 2025. She was 41 years old and due to deliver in two weeks when I met up with her again. She underwent a tubal reanastomosis after a surprise ectopic pregnancy forced the removal of one of her Fallopian tubes. She had less than a 5% chance of conceiving, but she did conceive.

On March 20 of this year, having almost reached a full-term pregnancy, and being an experienced mother of four, she felt that there was something wrong. She went to the hospital in Saskatoon where she was immediately admitted to the emergency maternal trauma room. This was the same hospital in which she was sterilized 20 years earlier. The doctor who attended to her had her file, which showed what she had experienced so many years earlier and what she had gone through to become pregnant.

The doctor examined her and told her that the baby was breech and had to be turned; otherwise, a C-section was imminent. At that point, in the emergency room, the doctor asked her if she wanted to be sterilized while they were performing her C-section. This doctor was not just a doctor; he was also a professor of medicine at the University of Saskatchewan who was responsible for educating and training our future doctors.

This was not just an inappropriate question; it was a re-traumatizing moment that reflected the deep systemic issues we have yet to confront. For someone like Katy, whose ability to carry a child had already been taken from her once, to be questioned at such a vulnerable time, or asked to give consent, was a chilling reminder that the attitudes and assumptions behind forced sterilization are still present in our health care system today.

This occurred on March 20, 2025 — 82 days ago. What this tells me is that forced or coerced sterilization is not simply going away and that more must be done.

Two days later Katy gave birth via a Caesarian section by her own trusted doctor and gave birth to a beautiful baby girl. Her name is Sage, meaning “good medicine.”

It is already extremely difficult for Indigenous women and other marginalized people to access culturally safe reproductive care. When they do, they are still being told, coerced, threatened or deceived into giving up their reproductive futures.

We cannot stand by. This is not a new conversation. The groundwork has been laid, the evidence is clear and the survivors are waiting. Let us not ask them to wait any longer.

I want to thank the hundreds of survivors who have entrusted me with their stories. I especially want to thank Tracey Banab, Brenda Pelletier, Nicole Rabbit, Katy Bear and the many others whose voices have shaped this bill. You have already changed the national conversation. Now, with Bill S-228, we can change the law.

Let us ensure that no woman — no person — is ever again robbed of their ability to decide if and when to have children. This is not just about criminal law. It is about human dignity. It is about justice. It is about our shared responsibility to ensure that our systems protect — not harm — the most vulnerable among us.

I respectfully urge my colleagues to refer this bill to committee without delay, and I call on the Standing Senate Committee on Legal and Constitutional Affairs to study this bill quickly and efficiently, building upon the extensive record already established.

During the last Parliament, the committee did significant and important work on this bill, shaping it alongside survivors to what stands before us here in the Senate today. It is imperative that their work does not go to waste. I urge the committee to consider the work that has previously been done, review the past reports and usher this bill through the committee in this Parliament with haste.

Let us act decisively. Let us act now. Let us be on the right side of history.

Meegwetch. Thank you. All our relations.

Hon. Paula Simons: I want to start by thanking you for all the work you’ve done on this file. For me, as an Albertan, given my province’s own very dark history of eugenics, it’s especially important for me to recognize that.

I want to make sure that I understand the language of this version of the bill, because, as I read it, it says:

For greater certainty, a sterilization procedure is an act that wounds or maims a person for the purposes of subsection 268(1).

That subsection is “aggravated assault.” There’s nothing in the bill about coercion, deceit or being forced. So what would allow a woman who wants to have a tubal ligation, or a man who wants to have a vasectomy, to receive that health service from a physician without the physician having a fear of being criminalized?

Senator Boyer: Thank you, senator. This is about a positive act. It does not remove the agency of a person to have a tubal ligation if they so wish; it doesn't remove the agency of anyone to have a vasectomy. It only happens when there has been no consent to an assault. The consent falls within the assault provisions within the Criminal Code, and it's clear. I believe that putting it into subsection 268 is the simplest and clearest solution, providing the clearest intent of what it is.

Senator Simons: I ask these questions so that it is on the record here in the Senate as to what your intent is. For women to receive gynecological health services in a respectful context is a challenge.

On the one hand, you're highlighting the very real problem of women who are forced to be sterilized, but it's like a teeter-totter: There is an equal and opposite problem of women who are seeking agency over their own reproductive health who have been denied access to hysterectomies and tubal ligations.

I want to ask you if there is any concern that physicians might deny women these services for fear of being prosecuted, even if that fear is not well founded, and if it could have a chilling effect on women's capacity to access reproductive health care.

Senator Boyer: Thank you, senator. I believe that this bill will act as a deterrent for the doctors who believe that women should be sterilized without consent.

• (1840)

And it does not remove anyone's agency to having a tubal ligation or a vasectomy.

Hon. David M. Wells: Thank you, Senator Boyer, once again. We've been down this road before, and I thank you for your important work on this.

We, in the Senate over the years, have done a lot of bills on things that are important to Canada and to Canadians, but I can't think of something more important than the work that you've brought to our chamber, and I thank you for that.

You know that I'm a critic of this bill, you know I was a critic of the bill in the last Parliament, Bill S-250, and you also know that I support the bill.

Could you talk a little bit, please, about what happens, aside from the legislation? And let's assume it passes. Let's assume it passes the Senate and the other place. It doesn't have money attached to it, but there is clearly money required for the supports that come once the legislation has been enacted. Registries, healing support funds, public education, data and research.

You mentioned even just 82 days ago, even with the publicity around this in the last Parliament on Bill S-250, that people are still recommending it or suggesting it. So there has to be public education. What kind of things would you consider important in the next step once the bill passes?

Senator Boyer: Thank you, Senator Wells. There has been an organization that has been created called the Survivors Circle for Reproductive Justice. They were incorporated about a year ago and they are up and running, and they've created a registry for

women to be registered with them and access healing. They are funded by the government, and I believe they're at the beginning stages of being able to address many of these issues throughout Canada.

It is a national organization so they're able to go from east to west and north to south. I foresee this organization being very helpful in relation to education and to being able to help people like Katy when things like this happen. They've certainly been very helpful for me because the last time I was consulted was December 2024. They're taking over. They're working very closely with Indigenous midwives as well, who are also funded by the government.

I'm hoping that between the midwives and a national organization that they are able to address many of these issues and provide support when it's needed.

Senator D. M. Wells: Will you take another question, Senator Boyer?

Senator Boyer: Yes.

Senator D. M. Wells: So this is federal legislation and it would go under the Criminal Code. The doctors who do perform these practices, they fall under the provincial hospital and health systems.

Do you see any problems with the divide in getting information through the hospital system, through the clinic system, through the whole provincial medical care system that is required? Obviously, education is required. Do you see any issues with that? Is there a divide between what we're doing federally under the Criminal Code and what is at practice provincially?

Senator Boyer: Thank you, Senator Wells.

I can tell you that I've worked over the past few years with British Columbia, and they have been very advanced as far as working with their doctors. And I've been on grand rounds with them talking about forced and coerced sterilization, what consent is and how it needs to be really tailored for an Indigenous mother who is about to give birth. To me, they are the leaders in provincial health care, as far as reproductive rights go.

Throughout the years, I've worked with the Canadian Medical Association, I've worked with Senator Osler, and she's been vital. There's been a lot of wonderful allies out there that are willing to work in the provincial system so that we can eradicate this, so that the doctors are understanding what sterilization is and what consent is.

Even for the doctor who asked Katy, she's in the emergency room and she's in distress, and she asked her if she wanted to be sterilized. She asked for consent. Well, that's not consent, that's under duress. So the doctors are being educated as well.

I think that this bill, like I just recently said, it's going to act as a deterrent. I'm hoping that we will be able to take one more step in eradicating this. Thank you.

Hon. Marty Klyne: Would you take another question?

Senator Boyer: Yes, I will.

Senator Klyne: I might be coming at this from a naive perspective, but I certainly echo the thoughts that Senator Wells had, particularly the compliments to your work and everything you're putting into this.

But we've listened to these things, and it was really mind-boggling to try to understand or comprehend — and here might be some of the naïveté — why a doctor who is under a Hippocratic oath would commit sterilization without consent or the right kind of consultation to get there? In many ways it's forced sterilization.

But they're not alone in that room. There are some assistants around there of a medical level, nurses and what have you. So maybe there's a whistle-blower clause necessary.

But with the provinces, Senator Wells is correct because it's their jurisdiction for the health side. But I cannot see any province, a premier of a province or the chief medical officer of a province not wanting to eradicate this. It just makes no sense to sterilize someone who hasn't consented to the sterilization nor gotten the right advice to even think about or consider sterilization. So sometimes it takes tough consequences to eradicate something.

I don't know if you're thinking about what the strategy is to get the provinces to join you in this because I can't see any electorate allowing this to happen in their province.

Senator Boyer: Thank you, Senator Klyne. I agree there is definitely work to be done, but it's only a few doctors — it's not all doctors, it's the bad apples.

I think the provincial system, they've done work, they've been educating, they've been talking about culturally relevant health care, culturally relevant maternal care. There are programs happening. There is work going on. I believe that they truly do want to address this as well.

It's mind-boggling to me how this happened with Katy, just in March. How that happened when we've done so much work. And there are so many people, so many allies out there that want to see this stopped as well.

I don't have any answers, but I do know the provincial system is on board as well. The federal government had pulled together a round table of all the provinces to discuss this. The federal government has also pulled together racism in health care workshops around the country that I've been involved in. The education goes on. I believe that they want to stop it too, so I don't know why. I wish it wasn't happening.

• (1850)

Senator Klyne: Again, something like that needs consequences. Is anyone trying to formulate what the consequences could be for those “bad apples”?

Senator Boyer: I think Bill S-228 is a good deterrent; that's a good place to start.

Let's have some consequences because this has been going on for a very long time. It has been against the law; there are assault provisions in the Criminal Code. Every time somebody is sterilized without their consent, they can fall within these provisions, but they haven't been prosecuted. Let's have a deterrent out there. Let's see if that will work.

It is just one tool in the tool box. There are so many other things that have to be done and that are being done, such as the Survivors Circle. They are working very hard at accessing all the women in Canada who have been sterilized.

It's a national scope, and I think the bill is just one more tool.

[Translation]

Hon. Michèle Audette: First of all, a heartfelt thank you on behalf of the many people who tried to shed light on this tragedy during the National Inquiry into Missing and Murdered Indigenous Women and Girls. It should never have happened. Tomorrow will mark one year since the president of the Collège des médecins du Québec, Dr. Mauril Gaudreault, realized that, in Quebec alone, more than 30 First Nations and Inuit women were sterilized without their consent between 1980 and 2019.

Are you partnering with Professor Suzy Basile, who is working on these issues? Are you following the progress of the class-action lawsuit that has been filed to denounce this injustice that has also occurred in Quebec?

[English]

Senator Boyer: Thank you, Senator Audette. Yes, I have been working with Professor Suzy Basile for several years now. I know the class action in Quebec has been certified against three doctors and the health authority, as well. What's happening there is just one more tool in the tool box, but that is going to affect whether the other class actions in the country are going to be certified. It has set a very good precedent, and the work that they're doing in Quebec is phenomenal.

Hon. Flordeliz (Gigi) Osler: Senator, thank you for introducing this bill back into our chamber.

My question is a follow-up to Senator Simons' question about the wording or lack of wording of “consent” in Bill S-228. I believe you had mentioned that the wording in the Criminal Code section 268 already covers consent. I was just having a look at it, and I believe the current wording talks about excluding those cases where consent was given, but the wording is very specific to surgical procedures on different parts of the anatomy and it doesn't refer to sterilization procedures.

Can you expand upon that? Without changing the consent wording in section 268 — and there is no wording in your bill about consent — could an unintended consequence potentially be criminalizing sterilization procedures?

Senator Boyer: Thank you.

I think the key words here are “wounds” or “maims” a person, and that would certainly be without consent. So the key words that bring it into the aggravated assault provision are “wounds”

and “maims.” It’s an assault when it’s wounding or maiming. There would be no consent, of course, because wounding and maiming would be without consent.

Senator D. M. Wells: Honourable senators, as the critic of the bill, I plan to speak to this on Thursday.

(On motion of Senator Wells (*Newfoundland and Labrador*), debate adjourned.)

GORE MUTUAL INSURANCE COMPANY

DECLARATION OF PRIVATE INTEREST

Hon. Scott Tannas: Honourable senators, I note for the record that I believe I have a private interest that might be affected by the matter coming before the Senate momentarily. The general nature of the interest is that I’m a shareholder and the chairman of the board of a company that competes with Gore Mutual Insurance Company.

The Hon. the Speaker: Honourable senators, Senator Tannas has made a declaration of private interest regarding bill S-1001 and in accordance with rule 15-7(1), the declaration shall be recorded in the *Journals of the Senate*.

[Translation]

PRIVATE BILL—SECOND READING—DEBATE ADJOURNED

Hon. Tony Loffreda moved second reading of Bill S-1001, An Act to authorize Gore Mutual Insurance Company to apply to be continued as a body corporate under the laws of the Province of Quebec.

He said: Honourable senators, I rise today to speak to Bill S-1001, An Act to authorize Gore Mutual Insurance Company to apply to be continued as a body corporate under the laws of the Province of Quebec.

Since this is my first opportunity to rise in this new Parliament, I would like to congratulate all members on their election. I would also like to welcome all of our new colleagues in this honourable house. I look forward to working with all of you and with our colleagues in the other place in the months and years ahead.

Colleagues, the bill before us is fairly straightforward. Essentially, the federal corporation Gore Mutual is asking the Parliament of Canada to approve its merger with the Quebec corporation Beneva. Back in January 2025, Gore Mutual, one of Canada’s oldest mutual insurance companies for fire, accident and miscellaneous risks, and Beneva, Canada’s largest mutual insurance company, announced their intention to combine their operations to stimulate future growth.

I will be speaking more specifically to the details of this merger in a few moments, but I wanted to start by saying a few words about the unique legislative situation in which we find ourselves.

[Senator Boyer]

[English]

As you may have noted, the bill before us is a Senate private bill. Unlike most of our other Senate bills, this one has a four-digit number associated to it. We don’t often have an opportunity to examine Senate private bills. In the last 15 years, only 11 Senate private bills have been introduced, 8 of which have received Royal Assent, while we’ve seen hundreds of Senate public bills introduced by our honourable colleagues.

“What makes these bills unique?” you may ask. “What is the difference between a Senate public bill and a Senate private bill?” The answer is quite simple: Unlike Senate public bills, which we are all quite familiar with, Senate private bills are unique insofar as they are based on a petition from a distinct group or person asking for the passage of legislation that can confer specific powers or rights, or that deals with certain benefits or exceptions.

You may recall Senator Clement sponsored a private bill last Parliament on The Roman Catholic Episcopal Corporation for the Diocese of Ottawa-Cornwall. In recent years, our former colleague Senator Jaffer also sponsored a private bill regarding the Girl Guides of Canada.

Such bills are introduced after the receipt and examination of a petition from the affected parties and are subject to special provisions in the Rules. I am happy to report, as did the Senate Examiner of Petitions for Private Bills last week, that Gore Mutual has indeed checked off all the required boxes before I tabled Bill S-1001.

• (1900)

[Translation]

The Hon. the Speaker: Honourable senators, it is now seven o’clock. Pursuant to rule 3-3(1), I am obliged to leave the chair until eight o’clock, when we will resume, unless it is your wish, honourable senators, to not see the clock.

Is it agreed to not see the clock?

Hon. Senators: Agreed.

[English]

Senator Loffreda: I will try not to keep you too long here, but this is important.

This included a publication notice in the *Canada Gazette* and in a leading newspaper with substantial circulation in the area where the corporation has its principal place of business. In this case, it was the *Waterloo Region Record*.

In the case before us, Gore Mutual was incorporated in 1937 by a special act of Parliament, and it is currently governed by the Insurance Companies Act. Now Gore is basically asking us to grant them the permission to move forward with this proposed merger by allowing it to operate under the laws of Quebec and by repealing three acts of Parliament under which it currently operates.

So what we have before us is a bill seeking Parliament's endorsement for what is ultimately a business decision that two Canadian corporations agreed to, including Gore's members and board of directors. The merger will bring together two mutual insurance powerhouses with deep roots in their communities. It will foster innovation and sustainability in Canada's financial services sector.

Created in 1839, Gore Mutual is one of Canada's first property and casualty insurers, with offices in Cambridge, Toronto and Vancouver. Today, it has over 550 employees, \$680 million in gross written premiums, over \$1 billion in assets and over \$380 million of total book value.

For its part, Beneva was created in 2020 with the coming together of La Capitale and SSQ Insurance. Today, with its more than 5,500 employees, it is the largest insurance mutual in Canada, with more than 3.5 million members and customers. As of December 2024, Beneva had \$27.5 billion in assets and \$4.2 billion in total equity.

Ultimately, this merger unites Canada's largest and oldest mutual insurance companies, creating a stronger, more stable Canadian-owned option in a rapidly consolidating industry facing numerous challenges. Unlike foreign or public insurers, mutual companies reinvest profits into local communities. The merger will result in over \$8 billion in premiums and \$28.5 billion in assets, strengthening domestic competition and insurance availability at a critical time. Together, they will become the seventh-largest insurer in Canada by total premiums.

The timing and urgency are important. As I mentioned earlier, Gore Mutual must cease to govern under federal law to govern under the laws of Quebec. The Insurance Companies Act does not contain any provisions for the transfer of a corporation from a federal charter to a provincial charter, so here we are. Bill S-1001 is only the first step in achieving this goal.

Gore Mutual and Beneva are relying on us to get this done as soon as possible. Timing is everything here. Let me explain.

The timely enactment of a federal private bill is critical to completing the merger between Beneva and Gore Mutual. This bill serves as the foundational legal requirement for initiating subsequent steps in a tightly sequenced regulatory and legislative process. Any delay would negatively impact both companies' operations, competitiveness and ability to close the transaction on schedule — not to mention retention of personnel and clients.

Consider the following key legal and regulatory implications: Firstly, the federal bill must be passed before the Quebec private bill can be introduced or regulatory filings submitted across provinces. I can confirm that Beneva has been working with the appropriate authorities in Quebec, including the Ministère des Finances, in preparing the draft legislation.

Secondly, Quebec private bills are traditionally passed only on the final day of a session, making timing critical. Our hope is to have Bill S-1001 receive Royal Assent in early fall so the provincial equivalent can be adopted before the National Assembly breaks for the holidays. A federal delay could defer the transaction until the summer of 2026.

Thirdly, special member meetings, essential to approve merger elements, rely on the timely passage of the federal bill for scheduling and compliance.

Beyond these three issues, there are also some operational and market competitiveness risks in delaying the passage of this bill: Firstly, integration efforts cannot advance until legal approval is secured, delaying synergies and elevating costs and uncertainty. Secondly, prolonged uncertainty could affect employee retention and stall recruitment for the merged entity. Thirdly, closing can only occur on June 30 or December 31 due to financial and tax reporting constraints. Missing these windows delays closing by six months. Finally, continued delays risk weakening the merged entity's market position, especially as competitors like Definity expand through acquisitions.

Let me briefly discuss previous Senate private bills. I mentioned earlier that only a handful of Senate private bills have been introduced and adopted in the last 15 years. Yes, they are rare in nature and don't happen very often, but they are also usually quickly adopted. So no pressure here, colleagues.

As a comparison, in 2016, a similar bill with respect to La Capitale Financial Security Insurance Company, which incidentally is Beneva's predecessor, went through the entire legislative process in both houses of Parliament in about five weeks.

In fact, in the last 15 years, it has taken a Senate private bill on average 104 calendar days — not sitting days — to receive Royal Assent. There is no reason for this bill to linger on the Order Paper indefinitely.

Something else we should all keep in mind is the one-week delay between completion of second reading and committee review. Since private bills confer specific rights that are not of general applicability, the *Rules of the Senate* require a delay between the referral of a bill to committee and the start of committee hearings.

I hope my honourable colleagues will take all of this into consideration as you examine this bill.

To quickly mention industry endorsements, I am also happy to report that the proposed merger has received support from national industry associations and relevant stakeholders. I've received several letters in recent weeks with positive comments and urging Parliament to adopt the bill as soon as possible.

The Canadian Association of Mutual Insurance Companies supports this merger, which it believes will “. . . strengthen Canada’s mutual insurance sector” and “. . . ensure that mutual insurance remains a cornerstone of Canada’s financial landscape for generations to come.”

The Insurance Brokers Association of Canada writes that they “. . . are encouraged by the vision and opportunity this planned merger represents” and recognize that “healthy competition in this sector will ultimately benefit consumers and insurance brokers.”

As the leading advocate for Canada’s private property and casualty insurers, the Insurance Bureau of Canada believes that the merger will benefit consumers:

. . . by fostering healthy competition, while strengthening Canada’s economy, and ensuring that the Canadian insurance industry remains resilient to the challenges posed by increased frequency of severe weather events.

[Translation]

In Quebec, the Autorité des marchés financiers, as the primary regulatory body for the Beneva Group, supports the merger of the two companies and the bill that will be introduced at the National Assembly as soon as we have adopted Bill S-1001.

Finally, just a few hours ago, I received a letter of no objection from the Office of the Superintendent of Financial Institutions regarding Bill S-1001.

[English]

So the Office of the Superintendent of Financial Institutions, or OSFI, is also on board with this. They don’t object to it.

[Translation]

In conclusion, honourable senators, given that this bill is neither controversial nor partisan, Gore Mutual and Beneva are counting on us to pass it as soon as possible.

I would also like to thank Senator Carignan and his team for so generously agreeing to act as spokesperson for Bill S-1001. I know that Gore and Beneva have welcomed this good news.

Colleagues, we have a unique opportunity to ensure that mutuals remain a driving force in Canada’s insurance sector. I strongly encourage you to support this bill, and I urge you to ensure that we can refer it to committee as soon as possible so that, with any luck, we can begin studying it when we return from the summer recess in September.

[English]

I apologize for my voice.

• (1910)

The Hon. the Speaker: Before Senator Martin moves the adjournment, I call upon Senator McPhedran.

Do you have a question?

Hon. Marilou McPhedran: I do. Thank you very much.

Will the honourable senator take a question?

Senator Loffreda: Yes.

Senator McPhedran: I still feel puzzled after your explanation, so I would ask exactly how facilitating this corporate merger serves the public good? You mentioned that customers would benefit, but could you give us some specific examples of benefits to customers, please?

Senator Loffreda: Thank you for the question. First of all, there is a difference between a mutual insurance company and a corporation, a stock company. Merging two strong companies is creating a stronger entity that will be able to serve customers better and compete with the corporations. For example, the profits of a corporation are given to the shareholders, right? The shareholders benefit. With a mutual, it’s the members who benefit, and the investments are reinvested in the community.

By creating a stronger mutual insurance company, communities prosper and grow. A mutual company is owned by the policyholders as opposed to — for example, Gore and Beneva, which are mutuals. If we look at Intact Financial Corporation and Manulife, they are corporations, so only the shareholders will benefit.

Even the corporations make donations, obviously. Many of them give 1% of profits or what have you. But with the mutuals, it’s really up to the policyholders, and they are really involved in their communities. When we’re creating a strong mutual company, it’s better for the market. It means more competition, and it’s better for the communities that they serve. The stronger the company, the stronger the communities.

Senator McPhedran: Thank you very much. Could you give us a sense, please, of the actual degree of profit-sharing as compared to the cost of operation? Also, is there information about whether the mutual companies are sued by customers who feel they’ve been unfairly treated more often than the corporations are in insurance?

Senator Loffreda: That’s a good question, but it’s very broad in nature. Here’s one merger: Beneva and Gore. They will combine, for example, over 6,100 employees and 3.8 million members and customers. They are serving and benefiting those 3.8 million members and customers.

It is a huge industry, but these times are very challenging with extreme weather conditions and wildfires. You need strong companies. You need strong mutuals, strong corporations and strong insurance companies in order to serve the customers better. The customers have to rely on strong insurance companies, and the main reason for the merger is to create a very strong company on which their clients can rely on and have confidence in.

Of course, every mutual company or corporation has a different policy with respect to giving back to the community. We can’t generally conceptualize per se, but here we see, for example, together, combined operations, 6,100 employees,

[Senator Loffreda]

3.8 million members, close to \$8 billion in total premiums and \$27 billion in total assets. The merger will consolidate them both, making them the seventh-largest insurer in Canada.

Every company has a different policy, but it is beneficial and it is in the public interest to have strong insurance companies, strong mutuals and strong corporations that will serve their clients. This will create exactly that — a strong mutual company that will better serve its customers, better serve its communities. These are two solid companies, Beneva and Gore.

Sometimes there is a danger in having a weak, large company merging with a strong, small company. We saw that out West with some of the credit unions, creating weaker entities. This is not the situation here. This will be a strong entity going forward.

Hon. Daryl Fridhandler: Will Senator Loffreda take a follow-up question?

Senator Loffreda: Yes.

Senator Fridhandler: I would be interested to know whether you are aware of why the counterparty, Beneva, isn't continuing through the federal legislation as opposed to us approving Gore's continuation into Quebec from the perspective of federal legislators?

Senator Loffreda: Well, Beneva is a Quebec company situated in Quebec City. Quebec is very favourable to mutuals. This is why that decision has been taken. Beneva has gone through this process before, as I mentioned in my speech, with their predecessor. That's exactly why this is happening, and this is why they will continue in Quebec City as a mutual under the name Beneva.

Senator Fridhandler: I assume, as you shepherd this bill through committee, that we will do a comparative study of the advantages and disadvantages of being under the federal legislation versus the provincial legislation when we determine whether it is appropriate to permit Gore to continue through to the Quebec provincial legislation?

Senator Loffreda: As I mentioned, I hope this is sent to committee very quickly. The committee always does its due diligence, and we will do that due diligence. As I have said, this

is not new for Beneva; they've done it before. Quebec is very favourable to mutuals and co-ops. They have very strong co-ops in Quebec, both on the financial institution side with the caisses Desjardins and on the insurance side with the mutuals.

This will be very favourable for the merged entity. I'm looking forward to the committee getting this bill. Senator Carignan said he will speak to it on Thursday. Hopefully, we can all agree and ask the question and send it to committee once the committees are put together, obviously. Hopefully, we'll have those answers by Thursday, but those are great questions. Thank you.

(On motion of Senator Martin, for Senator Carignan, debate adjourned.)

ETHICS AND CONFLICT OF INTEREST FOR SENATORS

COMMITTEE AUTHORIZED TO REFER PAPERS AND DOCUMENTS
FROM THE FIRST SESSION OF THE FORTY-FOURTH PARLIAMENT
AND BY THE INTERSESSIONAL AUTHORITY

Hon. Judith G. Seidman, pursuant to notice of June 5, 2025, moved:

That the papers and evidence received and taken and work accomplished by the Standing Committee on Ethics and Conflict of Interest for Senators during the First Session of the Forty-fourth Parliament and by the Intersessional Authority be referred to the committee.

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

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

Hon. Senators: Agreed.

(Motion agreed to.)

(At 7:18 p.m., the Senate was continued until tomorrow at 2 p.m.)

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