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(HANSARD)

Thursday, October 2, 2025

The Honourable RENÉ CORMIER,
Speaker pro tempore

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THE SENATE

Thursday, October 2, 2025

The Senate met at 1:30 p.m., the Speaker pro tempore in the chair.

Prayers.

SENATORS' STATEMENTS

THE LATE RIGHT HONOURABLE THE BARONESS THATCHER, L.G., O.M., P.C., F.R.S.

Hon. David M. Wells: Honourable senators, on October 13, 1925, almost 100 years ago, in Grantham, England, Margaret Roberts was born. Many of you will know her by her married name, Margaret Thatcher. The daughter of a grocer, she rose to the heights of political power in Britain and in the world, serving as Great Britain's first female prime minister from 1979 to 1990, the greatest prime minister since Sir Winston Churchill.

Like Churchill, she had a clarity of vision, an unwavering belief in the principles she championed, an undaunted sense of purpose, an encyclopedic command of the facts and a masterful command of the language. She was formidable. In two words, she was the Iron Lady.

In his biography of Thatcher, Charles Moore wrote of Thatcher's first foray into politics as a Conservative candidate in Dartford, Kent, then a Labour stronghold. In her exchanges with her Labour opponent, Moore wrote: ". . . she had driven into the argument with a bulldozer of facts." In a campaign debate on a recent devaluation of the British pound, she cut to the heart of the matter by calling for a new policy "by which 'the pound can look the dollar in the face and not in the bootlaces'."

But if her political ideology can be summed up at all, it is by her belief in the importance of individual responsibility, individual freedom and her staunch opposition to socialism. Much of what she had to say on these issues remains relevant today. Most famously she said: "The problem with socialism is that you eventually run out of other people's money."

She also loathed socialism for its curtailing of individual freedom and responsibility:

> The essence of socialism —

she said

> — is that you surrender quite a bit of power over your own life to the state.

Socialism means you pay ever-higher taxes because socialists

> . . . think that politicians can spend money better than the people can spend it. But the more you take away —

she argued

> — the less there is for private industry, and that is where the creation of wealth comes.

She argued that:

> Politicians . . . should . . . be a little more modest about their abilities. We can't run everything and we shouldn't try.

She believed that socialism by its very nature is central control over the lives of people. It results in less freedom for people to use their own talents and abilities and make their own decisions, and more power by the government over people.

Words were her superpower. My friend the Right Honourable Sir John Whittingdale, a current Conservative MP in the U.K., who served as Baroness Thatcher's political secretary from 1988 through 1990, told me that he credits her for extending the golden era of speech making that began in the 1880s and lasted a hundred years.

Please join me in remembering Baroness Margaret Thatcher, a great prime minister, a defender of the West and someone who remains a beacon of hope for those who seek to advance freedom of the individual from the state.

Thank you, colleagues.

CANADIAN YOUTH CLIMATE ASSEMBLY

Hon. Mary Coyle: Honourable senators, today, as we mourn the passing of Jane Goodall, the renowned scientist who cared deeply about our planet and who believed in the power of young people, I want to speak about a youth effort that is good for the health of our planet, our country and our democracy.

On September 21, twenty of our Senate colleagues, hosted by Speaker Gagné, were joined by members of Parliament and other invited guests to hear the findings of the Canadian Youth Climate Assembly, the first national citizens' assembly on climate change in Canada and the first anywhere in the world designed specifically for young adults 18 to 25 years of age.

A sincere thanks to all our colleagues who were there and to the many of you whom I know wanted to be.

Over the course of three online sessions this summer and five days in Ottawa, 33 young Canadians, selected through a civic lottery, deliberated on how Canada can meet its climate commitments in ways that reflect the values and priorities of their generation.

[*Translation*]

The young people began their thoughtful bilingual presentation.

[*English*]

They said:

> We are coming to you from the most rugged wilderness of the Northwest Territories, the soaring mountains of the West, the golden fields of the prairies, the rushing rivers of Quebec and the endless windy shores of the Atlantic provinces.
>
> We have our differences but we all agree on the severity and urgency of the climate crisis.
>
> We have experienced first-hand the effects of climate change impacting our childhoods, our education and our careers and we know that not enough is being done.

That is why over 700 young Canadians applied to be there at that time. As they continued they said: "Our small sacrifice of our time and effort is because we are committed to seeing change."

Their thoughtful recommendations include, among others: wanting parliamentarians to work across party lines on meeting climate commitments; building youth voice and perspectives into decision making; having coordinated approaches to emergency preparedness across all levels of government including Indigenous governments; phasing out public subsidies to the oil and gas sector with remaining support tied to clear emissions targets; accelerating the transition to clean electricity across the country; strengthening interprovincial and territorial grids; investing in proven technologies; respecting Indigenous sovereignty and leadership; and expanding mental health supports for Canadians experiencing climate-related stress and trauma.

Honourable colleagues, as Jane Goodall said, young people are more connected, informed and equipped to protect our planet than any previous generation.

Senators for Climate Solutions looks forward to working with you and our counterparts in the other place, to respond to the meaningful work of the Canadian Youth Climate Assembly.

Wela'lioq, thank you.

VISITORS IN THE GALLERY

The Hon. the Speaker pro tempore: Honourable senators, I wish to draw your attention to the presence in the gallery of Jane and Ab Tilk. They are the guests of the Honourable Senator Muggli.

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

Hon. Senators: Hear, hear!

REGULATORY INNOVATION

Hon. Colin Deacon: Honourable senators, too often, regulators can be a barrier to innovation and change rather than an example of it. However, regulatory agility in modernization and innovation are no longer optional as technological, economic and environmental risks rapidly evolve around us. Regulatory agility is essential if we're to protect citizens and the environment while enabling domestic innovation that drives economic growth. That's why my office's motto is: "An innovative economy needs an innovative government."

I recently had an opportunity to observe an excellent example of regulatory innovation in my home province of Nova Scotia through the Department of Environment and Climate Change and the Office of Service Efficiency, both under the leadership of Minister Timothy Halman.

• (1340)

They've created what's called the Large Industrial File Team, or LIFT. LIFT was established to bring precision, consistency and speed to the oversight of complex industrial projects. Robust regulatory oversight is critical to building social licence, and regulatory certainty is key to successfully attracting the investment that's vital to economic growth.

LIFT is made up of dedicated managers, engineers and hydrologists and seasoned environmental inspectors. They're supported by specialists in water resources, environmental quality and industrial operations. Their collective role is to ensure that every decision is rooted in science, facts and evidence.

Among their first files is land-based carbon dioxide removal, particularly ocean alkalinity enhancement, or OAE, which we are currently studying in the Senate Committee on Fisheries and Oceans. OAE involves adding alkaline material to the ocean water to reduce acidity and improve ocean health, all while capturing carbon dioxide from the atmosphere.

This emerging field has not yet received the required regulatory expertise or attention. That's why it's significant that LIFT will now provide oversight of Nova Scotia's Planetary Technologies, a global leader in OAE. Planetary Technologies was a finalist for the $100-billion XPRIZE Carbon Removal competition and recently secured a $31-million prepurchase of their carbon removal credits from a consortium of U.S. tech leaders. Oversight of Planetary Technologies was transferred to LIFT earlier this year, giving the company clear, evidence-based and agile regulatory oversights.

The LIFT initiative shows what's possible when regulators embrace innovation. It creates clearer, more responsive and easier-to-navigate processes that open the door to globally competitive opportunities, all while upholding our responsibility to protect citizens, the environment and the economy.

Effective regulation isn't about saying no. It's about saying yes while supporting new approaches to ensuring that strong guardrails remain. Let's not deregulate but regulate smarter and empower businesses to innovate while still protecting Canadians and what they value most. Thank you, colleagues.

Hon. Senators: Hear, hear.

VISITOR IN THE GALLERY

The Hon. the Speaker pro tempore: Honourable senators, I wish to draw your attention to the presence in the gallery of Sam Karikas, Chief Executive Officer of the RCMP Heritage Centre. She is the guest of the Honourable Senator Klyne.

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

Hon. Senators: Hear, hear!

RCMP HERITAGE CENTRE

Hon. Marty Klyne: Honourable senators, I rise with pride to speak about the RCMP Heritage Centre in Regina and the progress made in transforming it into a national museum. This project is close to my heart and has extraordinary potential to deepen Canadians' understanding of our history.

The RCMP Heritage Centre is a majestic, 65,000-square-foot facility that houses 18,000 square feet of exhibits. It opened on May 23, 2007, next to the elite RCMP Training Academy, Depot Division, where Mounties have been training since 1885; they continue to train there.

This connection makes it a uniquely powerful place: a living link between the history of the RCMP and the service of today's members. Inside, the centre's exhibits trace the RCMP story back to the earliest days of the North-West Mounted Police and the development of Western Canada.

But the Heritage Centre is not only about artifacts behind glass. It is a place of discovery, reflection and reconciliation. Its vision is to celebrate the courage and service of RCMP members, while also telling the difficult stories of the RCMP's role in Indigenous communities and the traumatic legacy of residential schools. These are approached with honesty, dignity and compassion. This role is central to the centre's commitment to truth and reconciliation.

The transition to national museum status is vital. It will secure the Heritage Centre's future as a place of learning and healing, ensuring Canadians and visitors alike can explore the RCMP's complex legacy in full and its continuing role in shaping Canada. Of 6,400 Canadians surveyed, 91% said they believe it is important or very important to establish a national RCMP museum. Canadians clearly want this. The Government of Canada affirmed this vision by proposing a $12-million commitment in the *2024 Fall Economic Statement*.

As was just pointed out by His Honour, we are joined in the gallery by Sam Karikas, CEO of the RCMP Heritage Centre. Her leadership has been instrumental in turning this vision into reality, and I'm excited about the progress she's achieved.

Colleagues, Mounties — in their red serge, Strathcona boots and Stetson hats — are collectively one of the most recognized symbols in the world. We also know that those who serve in our national police force act with courage every time they put on the uniform, sometimes making the ultimate sacrifice in the line of duty. Situated in Saskatchewan, on Treaty 4 territory and the homeland of the Métis Nation, the RCMP's chapter in Canada's story will soon be told at our newest national museum, a development I greatly appreciate and anticipate.

THE LATE HONOURABLE DONALD H. OLIVER, C.M., K.C., O.N.S.

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I rise today to pay tribute to the late Honourable Donald H. Oliver, a man of unwavering principle, conviction and profound faith.

I'll never forget my first encounter with him. It was my first day on Parliament Hill, in the anteroom adjacent to the National Caucus meeting room. I was very nervous but noticed a man making his way through the crowd and coming towards me. We were practically nose to nose when he greeted me with a warm smile and extended his hand. His first words to me were:

> I've been waiting for you. I'm Senator Don Oliver, the first Black man to be appointed to the Senate. I've been working on diversity and inclusion in Canada for the past 17 years, and I'm looking forward to you working with me.

That moment was more than a welcome. It was an affirmation. He made me feel seen, valued and part of something larger. That was Donald Oliver. He carried himself with dignity but also with a genuine kindness that made you feel as if you belonged. He was a man of deep and abiding faith in God, a faithful attendee of the Wednesday-morning prayer breakfast here on Parliament Hill. He invited me to join soon after the start of my Senate tenure, and I've been attending ever since. That simple invitation opened the door to a rhythm of reflection and Christian fellowship that has sustained me throughout my public service.

From humble beginnings in Wolfville, Nova Scotia, Donald Oliver was raised by parents who instilled in him a sense of duty. No matter one's means, one must give back. He went on to study at Acadia University and Dalhousie Law School, laying the foundation for a life in which service and social change would always be central.

In 1990, he made history. He was appointed to the Senate of Canada, becoming the first Black man from Nova Scotia to serve in the Senate. Over the next 23 years, he carried the weight of that first with grace, integrity and unwavering dedication. In the Senate, he chaired numerous standing committees, served as Speaker pro tempore and was a force in pushing for equity, inclusion and human rights. He introduced motions and

legislation that aimed to break down systemic barriers, including one that led Parliament to formally recognize Black History Month.

His honours and awards are many: five honorary doctorates, investiture into the Order of Canada and the Order of Nova Scotia and numerous medals recognizing public service and leadership.

To his beloved wife, Linda; his daughter, Carolynn; and his extended family, his passing is a profound loss. To Canada, it is the departure of a giant. Rest in peace, dear colleague, mentor and brother in Christ.

[*Translation*]

VISITORS IN THE GALLERY

The Hon. the Speaker pro tempore: Honourable senators, I wish to draw your attention to the presence in the gallery of Patricia Chamoun and Roni Daoud, of the Beirut Film Society. They are accompanied by other members of the organization. They are the guests of the Honourable Senator Henkel.

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

Hon. Senators: Hear, hear!

LEBANON CINEMA DAYS IN CANADA

Hon. Danièle Henkel: Honourable senators, today, it is with heartfelt joy that I celebrate Lebanon Cinema Days in Canada, passionately presented by the Beirut Film Society until October 5 in Montreal. I am honoured to be the honorary chair of the jury.

Cinema is not merely art. It is also shared memory, a mirror held up to society, a universal language that brings people together across borders.

• (1350)

Over 140 years ago, the first known Lebanese immigrant, Ibrahim Abou Nader, arrived in Montreal. He came with nothing but two good hands and stories of a country that he carried in his heart. As he peddled his wares down the snow-covered streets, he brought much more than goods: he brought Lebanon.

For nine years, the Beirut Film Society has made Lebanese cinema come alive in Canada by creating spaces for discussion and by transforming movie screens into instruments of diplomacy.

More than a series of screenings, the event gives a voice to people who journeyed across continents and across generations, and invites new audiences to join the conversation.

This event, a true educational experience, showcases the wealth, challenges and impact of Lebanese culture within our collective heritage.

Canada's Lebanese diaspora forms a living bridge between our two countries. It is at the heart of our cultural and economic exchanges. It carries with it the creativity, enterprising spirit and resilience that characterize Lebanon, and uses it to enhance the vitality of Canada.

In fact, diplomacy is also built on art, education, business and everyday dealings. Cultural exchanges open the way to two-way economic exchanges. This festival is a good example of that: By opening a window on Lebanon through its films, it is also opening a door to broader collaboration between our societies.

I commend this vision and the platform it provides to share stories and ideas and to forge new alliances — the true levers of development.

May the Lebanese film festival be a resounding success!

Thank you.

[*English*]

VISITORS IN THE GALLERY

The Hon. the Speaker pro tempore: Honourable senators, I wish to draw your attention to the presence in the gallery of Christopher and Katherine McPhedran, accompanied by their children Colton and Phoebe. They are the guests of the Honourable Senator McPhedran.

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

Hon. Senators: Hear, hear!

[*Translation*]

ROUTINE PROCEEDINGS

CITIES AND MUNICIPALITIES DAY BILL

FIRST READING

Hon. Éric Forest introduced Bill S-237, An Act respecting a Cities and Municipalities Day.

(Bill read first time.)

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

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

[*English*]

INDIGENOUS PEOPLES

STUDY ON THE FEDERAL GOVERNMENT'S RESPONSIBILITIES TO FIRST NATIONS, INUIT AND MÉTIS PEOPLES—NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY GOVERNMENT RESPONSE TO FOURTEENTH REPORT OF THE COMMITTEE TABLED DURING FIRST SESSION OF FORTY-FOURTH PARLIAMENT AND REFER PAPERS AND EVIDENCE FROM PREVIOUS SESSION TO CURRENT SESSION

Hon. Margo Greenwood: Honourable senators, pursuant to rule 5-3, on behalf of the Honourable Senator Audette, I give notice that, at the next sitting of the Senate, she will move:

That the Standing Senate Committee on Indigenous Peoples be authorized to examine and report on the government response, dated April 26, 2024, to the committee's fourteenth report (interim), entitled *Honouring the Children Who Never Came Home: Truth, Education and Reconciliation*, tabled in the Senate on July 19, 2023, during the First Session of the Forty-fourth Parliament;

That the papers and evidence received and taken and work accomplished by the committee on this subject during the First Session of the Forty-fourth Parliament be referred to the committee; and

That the committee submit its final report to the Senate no later than December 31, 2026, and that the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

STUDY ON THE FEDERAL GOVERNMENT'S RESPONSIBILITIES TO FIRST NATIONS, INUIT AND MÉTIS PEOPLES—NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY GOVERNMENT RESPONSE TO SIXTH REPORT OF THE COMMITTEE TABLED DURING FIRST SESSION OF FORTY-FOURTH PARLIAMENT AND REFER PAPERS AND EVIDENCE FROM PREVIOUS SESSION TO CURRENT SESSION

Hon. Margo Greenwood: Honourable senators, pursuant to rule 5-3, on behalf of the Honourable Senator Audette, I give notice that, at the next sitting of the Senate, she will move:

That the Standing Senate Committee on Indigenous Peoples be authorized to examine and report on the government response, dated February 23, 2023, to the committee's sixth report (interim), entitled *Not Enough: All Words and No Action on MMIWG*, deposited with the Clerk of the Senate on June 22, 2022, during the First Session of the Forty-fourth Parliament;

That the papers and evidence received and taken and work accomplished by the committee on this subject during the First Session of the Forty-fourth Parliament be referred to the committee; and

That the committee submit its final report to the Senate no later than December 31, 2026, and that the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

STUDY ON THE FEDERAL GOVERNMENT'S RESPONSIBILITIES TO FIRST NATIONS, INUIT AND MÉTIS PEOPLES—NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY GOVERNMENT RESPONSE TO TWELFTH REPORT OF THE COMMITTEE TABLED DURING FIRST SESSION OF FORTY-FOURTH PARLIAMENT AND REFER PAPERS AND EVIDENCE FROM PREVIOUS SESSION TO CURRENT SESSION

Hon. Margo Greenwood: Honourable senators, pursuant to rule 5-3, on behalf of the Honourable Senator Audette, I give notice that, at the next sitting of the Senate, she will move:

That the Standing Senate Committee on Indigenous Peoples be authorized to examine and report on the government response, dated March 21, 2024, to the committee's twelfth report (interim), entitled *On the Outside Looking In: The Implementation of the* Cannabis Act *and its Effects on Indigenous Peoples*, tabled in the Senate on June 14, 2023, during the First Session of the Forty-fourth Parliament;

That the papers and evidence received and taken and work accomplished by the committee on this subject during the First Session of the Forty-fourth Parliament be referred to the committee; and

That the committee submit its final report to the Senate no later than December 31, 2026, and that the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

STUDY ON THE FEDERAL GOVERNMENT'S RESPONSIBILITIES TO FIRST NATIONS, INUIT AND MÉTIS PEOPLES—NOTICE OF MOTION TO PLACE TWENTIETH REPORT OF COMMITTEE TABLED DURING THE FIRST SESSION OF FORTY-FIRST PARLIAMENT ON ORDERS OF THE DAY

Hon. Margo Greenwood: Honourable senators, pursuant to rule 5-3, on behalf of the Honourable Senator Audette, I give notice that, at the next sitting of the Senate, she will move:

That the twentieth report (interim) of the Standing Senate Committee on Indigenous Peoples, entitled *Missing Records, Missing Children*, tabled in the Senate on July 25, 2024, during the First Session of the Forty-fourth Parliament, be placed on the Orders of the Day under the rubric Other Business, Reports of Committees — Other, for consideration at the next sitting.

• (1400)

STUDY ON THE FEDERAL GOVERNMENT'S RESPONSIBILITIES TO FIRST NATIONS, INUIT AND MÉTIS PEOPLES—NOTICE OF MOTION TO PLACE TWENTY-FIRST REPORT OF COMMITTEE TABLED DURING THE FIRST SESSION OF FORTY-FOURTH PARLIAMENT ON ORDERS OF THE DAY

Senator Greenwood: Honourable senators, pursuant to rule 5-3, on behalf of the Honourable Senator Audette, I give notice that, at the next sitting of the Senate, she will move:

That the twenty-first report (interim) of the Standing Senate Committee on Indigenous Peoples, entitled *Respected and Protected: Towards the establishment of an Indigenous human rights framework*, tabled in the Senate on December 12, 2024, during the First Session of the Forty-fourth Parliament, be placed on the Orders of the Day under the rubric Other Business, Reports of Committees — Other, for consideration at the next sitting.

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY CANADA'S INTERESTS AND ENGAGEMENT IN AFRICA AND REFER PAPERS AND EVIDENCE FROM FIRST SESSION OF FORTY-FOURTH PARLIAMENT TO CURRENT SESSION

Hon. Peter M. Boehm: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Foreign Affairs and International Trade be authorized to examine and report on Canada's interests and engagement in Africa, and other related matters;

That the papers and evidence received and taken and work accomplished by the committee on this subject during the First Session of the Forty-fourth Parliament be referred to the committee;

That the committee be authorized, notwithstanding usual practices, to deposit reports on this study with the Clerk of the Senate, if the Senate is not then sitting, and that the reports be deemed to have been tabled in the Senate; and

That the committee submit its final report no later than March 31, 2026, and that it retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

THE LIFE AND LEGACY OF JANE GOODALL

NOTICE OF INQUIRY

Hon. Marty Klyne: Honourable senators, I give notice that, two days hence:

I will call the attention of the Senate to the life and legacy of Jane Goodall.

QUESTION PERIOD

PUBLIC SAFETY

FIREARMS BUYBACK PROGRAM

Hon. Leo Housakos (Leader of the Opposition): Government leader, yesterday's shooting in a Laval Starbucks is yet another reminder that Canadians are paying the price for a Liberal public safety agenda that empowers criminals across the country. Instead of tackling the real drivers of gun crime, your government insists on barrelling ahead with a staggering $742-million policy to confiscate law-abiding citizens' legally registered firearms, a program that your own public safety minister calls a waste of money.

When will the Prime Minister show leadership, fire his incompetent public safety minister and finally scrap this failed gun buyback scheme and start tackling the real problem of violent crime?

Hon. Pierre Moreau (Government Representative in the Senate): I think that the gun buyback program is a program that Canadians deserve because it has already proved that thousands of arms that were not for hunters or farmers but were aimed at killing people have been recovered by the government.

Instead of calling this program a bad program, you should call this program a safety program that will benefit all Canadians and ensure that Canadians feel safe in their communities.

Senator Housakos: Government leader, your own Minister of Public Safety calls it a waste of money. Senator Moreau, if the minister himself admits this, why can't the Prime Minister stop clinging to a program that has cost $742 million? Take that money instead, and I will tell you what Canadians want. They want that $742 million to go to more RCMP resources and officers. They want scanners for ports in order to deal with the problem of the Canada Border Services Agency, or CBSA, which is claiming we have a ton of illegal products entering through ports that are, right now, not being policed. That is what Canadians want. They want action, not virtue signalling.

Senator Moreau: Senator Housakos, you are well aware that the budget of the RCMP has been increased to tackle criminals in Canada.

Now, you were referring to yesterday's unfortunate situation in Laval. Do you think that it was a gun designed for hunters that was used yesterday? It was a military gun, and those guns have no place to be here in Canada.

[*Translation*]

VIOLENCE AGAINST WOMEN

Hon. Claude Carignan: Honourable senators,

> Her name was Gabie Renaud. She was killed in early September, and her body was found last weekend in her apartment in Saint-Jérôme.

Her partner has been charged with murder. Over the past 20 years, Johnathan Blanchet has accumulated roughly 30 charges for violent crimes, most often committed in a context of domestic violence, and others for failing to comply with the conditions imposed on him. This is the result of a system that promotes revolving doors and "Netflix sentences."

Do you acknowledge that your government's laxity and naivety over the past ten years have turned Canada's correctional system into a massive revolving door?

Hon. Pierre Moreau (Government Representative in the Senate): Senator Carignan, as I've already said, when the justice system is described in negative terms, it undermines public confidence in that system and in the courts. I believe that our role, not only as senators but also as lawyers — since you're also a lawyer — is to support the justice system across Canada.

Releases are granted by an independent board, the Parole Board of Canada. Furthermore, the Minister of Justice has already indicated that he plans to amend the Criminal Code to strengthen the criteria convicted persons will have to meet to obtain parole.

Senator Carignan: If Canadians were asked to listen to your answer to my question, they would lose confidence in the system because you're refusing to acknowledge the existence of problems. As a result, you're not looking for solutions and we're left with a system that doesn't work. The government is struggling to protect Canadian women, both old and young, in the face of repeated tragedies, including femicides. My question is this: What does your government intend to do to keep Canadian women safe? Based on the type of response you've been giving me, I can anticipate your answer: nothing.

Senator Moreau: You shouldn't try to anticipate my answers, Senator Carignan. I will come up with them myself, if you don't mind. The government takes femicide very seriously, as it does any situation that puts Canadians' safety at risk. The Minister of Justice indicated that he plans to strengthen the Criminal Code, mainly to address such situations. The courts are there to enforce the Criminal Code. I believe that it is also your duty to support the courts in their work.

[*English*]

EMPLOYMENT AND SOCIAL DEVELOPMENT

CANADA DISABILITY BENEFIT

Hon. Mary Coyle: Senator Moreau, in July, the much-anticipated Canada Disability Benefit was finally rolled out. However, within the first two months of the rollout, many technical issues have delayed people from receiving their payments in a timely manner, and some have even been prevented from being approved for the benefit.

As you know, some advocates have also argued that the current benefit design will not actually contribute to poverty reduction. Could you tell us how many people have been approved for the benefit and actually received it to date, and if Service Canada has resolved the technical issues that prevented those eligible people from receiving the benefit? Thank you.

Hon. Pierre Moreau (Government Representative in the Senate): Thank you very much, Senator Coyle. I do not have the latest number at this time. However, the government does estimate that the Canada Disability Benefit will improve the financial well-being of over 600,000 low-income individuals, helping to reduce poverty and promote inclusion. The Canada Disability Benefit is a key component of Canada's Disability Inclusion Action Plan and represents a significant step in reducing poverty and improving financial security for working-age people with disabilities.

Senator Coyle: I hope to get the actual numbers.

To be eligible for the benefit, a person must qualify for the Disability Tax Credit. However, many Canadians with disabilities find accessing that credit restrictive, burdensome and very time-consuming. Some do not even have family doctors who can sign off on the application. Minister Hajdu recently said that the government is committed to improving the benefit over time. Senator Moreau, could you elaborate on how the government plans to improve the benefit to ensure better access to that benefit and, hopefully, increase the level to a meaningful amount?

• (1410)

Senator Moreau: To respond to your first question, I will try my best to provide the actual number. I will get it to you as soon as possible.

I have been informed that Canadians can now apply online, by phone, by teletypewriter, through the Canada Video Relay Service, by mail, in person at a Service Canada office and through community outreach and liaison services. The Government of Canada remains focused on ensuring that persons with disabilities receive meaningful support for timely and reliable access to the benefit.

[*Translation*]

HEALTH

PROMOTION OF PHYSICAL ACTIVITY

Hon. Chantal Petitclerc: Senator Moreau, allow me to wish you my best and to congratulate you on your new responsibilities.

The government made it clear that the November 4 budget will contain austerity measures as well as strategic investments. Many organizations that promote physical activity are very concerned that this could mean cuts to their federal public funding. Nowadays, only 49% of adults and 43% of young people follow the recommendations for physical activity. This inactivity costs nearly $4 billion. Senator Moreau, would you agree that investing in these organizations is a strategic investment? Can you reassure these organizations that the health of Canadians remains a priority and that they will continue to be supported?

Hon. Pierre Moreau (Government Representative in the Senate): Thank you for your question and your kind words, Senator Petitclerc.

My understanding is that the health of Canadians, generally speaking, is a priority for the federal government and for provincial governments, which are responsible for health care.

I'm sure you understand that, unfortunately, I don't have access to the November 4 budget, so I can't tell you anything about it. However, I'm sure your concerns have been heard in the other place. I myself will certainly convey your message to the relevant minister during the next Operations Committee meeting.

Senator Petitclerc: Thank you. If you get a chance, could you please raise another issue of concern to the community related to the nature of funding for physical activity? In the past, multi-year funding was the norm, allowing for greater predictability and stability. Now, however, we see a trend toward limiting commitments to an annual term, which creates major planning difficulties and limits the capacity for action. ParticipACTION, for example, received $5 million this year, but that amount covers just one year. Could you pass on the message to have multi-year funding reinstated?

Senator Moreau: I will certainly pass on your requests to the minister responsible, and I'm counting on you to send me a breakdown of the suggestions you raised today.

[*English*]

HEALTH CARE FOR WOMEN

Hon. Krista Ross: Senator Moreau, next week, the IWK Foundation in Halifax will be releasing the results of a health survey of women aged 18 or older in New Brunswick, Nova Scotia and Prince Edward Island.

The survey gathered women's experience in health care across the Maritimes, aiming to illustrate the gendered gaps in our health care system which put women at a disadvantage. For example, according to Women's Health Collective Canada, 70% of patients with medically unexplained symptoms are women. With an outpouring of responses from women across the Maritimes, this survey is a call to action.

Has the government been made aware of this survey, and is there any intention to begin better addressing the health care needs of women in Canada?

Hon. Pierre Moreau (Government Representative in the Senate): Before I answer this question, Senator Ross, I promised to come back to your question from yesterday. I have been informed that the second round of major projects will be unveiled in November.

Regarding today's question, I will certainly bring this study to the minister's attention. This government will always fight for true equity for women when it comes to their health and access to fundamental rights.

The government is committed to working with provincial and territorial partners to improve and increase data collection and sharing to ensure that women do not face these health gaps anywhere in the country. Unfortunately, too many health care issues that primarily impact women are under-researched and underserved, which means women face challenges in receiving the care and treatment they need. I will bring your suggestion to the attention of the minister.

Senator Ross: To follow up on that, while over half the population identifies as women, only 6.8% of national research funding goes specifically to women's health.

There are so many health conditions that disproportionately impact women, like endometriosis and postpartum depression, yet research is scarce. In the budget being tabled on November 4, will the government commit funds to address the considerable gap in research funding centred on women's health?

Senator Moreau: As I said to your colleague earlier, I cannot comment on what may be included in the budget.

I can say that the government is aware of the need to invest in and increase collection of data to help address women's health gaps in Canada, particularly in the understudied areas of menopause, endometriosis, maternal mortality and morbidity, stillbirths and maternal health generally.

As I said, the government is committed to working with provincial and territorial partners to address these women's health issues.

FISHERIES AND OCEANS

PROTECTION OF CETACEANS

Hon. Marty Klyne: Senator Moreau, the Senate led Canada's ban on new whale and dolphin captivity. However, 30 belugas and 4 dolphins remain at Marineland in Niagara Falls, where 20 whales have died since 2019.

Yesterday, Minister of Fisheries Joanne Thompson denied Marineland's request to export the belugas to a Chinese theme park, citing the whales' best interests and saying she could not in good conscience approve the export. Premier Doug Ford has said Ontario will ". . . do whatever it takes . . ." to give the remaining whales ". . . the best life possible . . . ." This is inspiring leadership from the minister and the premier.

Options for the whales could include a sanctuary planned in Nova Scotia — though it has yet to be approved by the provincial government — another in Iceland and the best available aquariums.

Senator Moreau, will the government commit to transparency with Canadians in exploring all options in collaboration with Premier Ford?

Hon. Pierre Moreau (Government Representative in the Senate): Thank you, Senator Klyne. Keeping whales in captivity for entertainment and breeding purposes is unacceptable to the government. Yesterday's decision aligns with the Fisheries Act, which banned the exporting of whales in specific circumstances. Moving forward, the government will continue to work with provincial partners and act in the best interests of the belugas as Canadians expect.

Senator Klyne: I have a supplementary question. Last year, scientists Lori Marino of the Whale Sanctuary Project and Jake Veasey of Care for the Rare, which promotes animal welfare in zoo design, testified in the Senate's study of a government bill to protect captive wild animals.

These independent experts have offered to advise the federal and Ontario governments to help find suitable homes for Marineland's remaining marine mammals and bears. Will the government please consider this offer?

Senator Moreau: Senator Klyne, I will certainly convey those scientists' offer to the minister at the earliest opportunity.

PUBLIC SAFETY

BAIL REFORM

Hon. Yonah Martin (Deputy Leader of the Opposition): Government leader, last week Vancouver police issued a warning about the release of Randall Hopley, a repeat child abductor and sex offender, who hours after his last release was jailed again for breaching conditions.

Senator Moreau, when high-risk offenders like Mr. Hopley repeatedly violate release terms and remain a danger to our children, why does your government still free them back into our communities? Will the government finally admit the catch-and-release framework is broken and commit to bail reform so public safety takes priority over repeat offenders' rights?

Hon. Pierre Moreau (Government Representative in the Senate): Thank you for the question. Community safety isn't a talking point. It is the government's responsibility. My understanding is that the government is taking that responsibility very seriously.

The government has committed to cracking down on repeat violent offenders and will strengthen the Criminal Code, as well as move aggressively to protect victims by making bail laws stricter for violent and organized crime, home invasion, car theft and human trafficking. I think that this is an answer to your question.

Senator Martin: Government leader, Canadians are horrified by the steady stream of violent crimes committed by repeat offenders released under your government's failed bail regime.

• (1420)

At the Victims and Survivors Symposium in Mississauga a few weeks ago, grieving families and police chiefs again demanded urgent bail reform, yet your government continues to defend reckless catch-and-release policies. Why does your government still put the rights of violent criminals ahead of the safety of Canadian families?

Senator Moreau: I will repeat the answer. The government is taking very seriously violent crimes and serial offenders. That is the reason why the Minister of Justice has indicated that he wants to amend the Criminal Code in order to have stricter bail laws and to ensure that violent crime is properly addressed in this country.

All Canadians should be reassured that the government priority is to make them feel safe in their communities.

PRIVY COUNCIL OFFICE

ACCESS TO INFORMATION

Hon. Leo Housakos (Leader of the Opposition): Government leader, recent reporting shows that the Privy Council Office, or PCO, which is the Prime Minister's own department, has been the subject of at least 87 compliance orders from the Information Commissioner over two years, yet delays and denials continue.

The PCO is expected to set the standard for openness. Instead, it has become a bottleneck. Why has the government failed to ensure the PCO complies with its own legal obligations under the Access to Information Act?

Hon. Pierre Moreau (Government Representative in the Senate): I disagree with the premise of your question, Senator Housakos.

The government takes very seriously the possibility for the government to answer any information request. All of the dispositions of the law are followed by the government, by the Prime Minister's Office, as well as by the Privy Council.

Senator Housakos: Government leader, I'm used to you not agreeing with the premise of my question, but are you disagreeing with the Information Commissioner? It is not Senator Housakos; it is the Information Commissioner.

The government promised openness and transparency, yet departments routinely delay, redact or outright deny requests that should be granted under the law we passed in this institution. The commissioner herself has described the system as in crisis. How can Canadians have confidence in government accountability when access to information is deliberately obstructed?

Senator Moreau: Once again, Senator Housakos, I disagree with the premise of your question. The government is committed to obeying the law. Yes, I repeat the answer. The government is — it is difficult, Senator Carignan, to answer a question of your own colleague when you are asking a question at the same time.

PUBLIC SERVICES AND PROCUREMENT

PROCUREMENT PROCESS

Hon. Tony Loffreda: My question is for the Government Representative in the Senate. I read with great interest about the Carney government's proposal to implement a new "Buy Canadian" policy aimed at ensuring that the federal government prioritizes procurement from Canadian suppliers.

This is a welcome development, one that is critically needed to strengthen our domestic ecosystem of small- and medium-sized enterprises, or SMEs. Designed to build a more resilient economy better shielded from global disruptions, this policy will create clear obligations for the public sector to support Canadian industries.

Could you confirm whether it is still the government's intention to implement these measures by November?

Hon. Pierre Moreau (Government Representative in the Senate): Thank you, Senator Loffreda.

I understand that the government is still on track, and the implementation is expected to begin in November with the launch of the policy on prioritizing Canadian materials. This is in addition to a policy on prioritizing Canadian materials in federal procurement that will require suppliers working on defence and construction contracts exceeding a certain value to use Canadian steel and softwood lumber where these inputs are necessary.

Senator Loffreda: Thank you for the answer.

In conjunction with the Buy Canadian policy, the government also announced the creation of a new small- and medium-sized business procurement program aimed at establishing tailored procurement streams for SMEs and providing dedicated support to help them navigate the federal system.

Can you clarify when this program is expected to be implemented and what specific steps are being taken to streamline and simplify the federal procurement process and address long-standing barriers and bureaucratic inefficiencies?

Senator Moreau: Public Services and Procurement Canada plans to launch the small- and medium-sized business procurement program to expedite and simplify access to federal procurement and begin the phased implementation of measures to prioritize Canadian suppliers and content by December 2025.

CROWN-INDIGENOUS RELATIONS

NATIONAL INQUIRY INTO MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

Hon. Marilou McPhedran: Tomorrow, on Parliament Hill, Indigenous women will be gathering to honour stolen sisters. As they do that, issues will be raised about follow-through on the missing and murdered Indigenous women, girls and 2SLGBTQI+ people. There were 52 Calls for Justice from that inquiry. There is great concern about a lack of follow-through.

Those of us who were on Parliament Hill on September 30 were impressed by comments from Prime Minister Carney, who ended his remarks by saying to everyone assembled on Orange Shirt Day, "We will not fail you."

Senator Moreau, I'd like to ask what action plan there is of this government at this time for the acceleration of the implementation of the 52 Calls for Justice and also to look at —

Hon. Pierre Moreau (Government Representative in the Senate): You made it clear in your question that the Prime Minister himself committed his government to follow through on Indigenous issues.

Concerning missing and murdered Indigenous women and girls, the government has said violence against Indigenous women, girls, Two-Spirit and gender-diverse people must be put to an end. The government action plan is co-developed with Indigenous partners, provinces and territories, with progress on front-line services for survivors.

The government knows that this does not bring comfort to families and communities who have been through this first-hand. There is more to do. The government is committed to ending this unjustified violence. The words of the Prime Minister held to that commitment.

Senator McPhedran: Senator Moreau, on that point, there cannot be implementation, a promise cannot be fulfilled if cuts to the Women and Gender Equality department, as are predicted, happen. Much of what needs to happen for the implementation of the 52 Calls for Justice comes from Women and Gender Equality.

Senator Moreau: Once again, I repeat the commitment of the Prime Minister to take those matters seriously and the commitment of his government to work with Indigenous Peoples and with the community to ensure that violence stops, and everything that has to be implemented to enhance the situation of Indigenous Peoples and Indigenous communities will be done.

[*Translation*]

HOUSING, INFRASTRUCTURE AND COMMUNITIES

LABOUR SHORTAGE

Hon. Martine Hébert: Senator Moreau, at the National Finance Committee yesterday, we had the opportunity to hear from Jimmy Jean, Chief Economist at Desjardins. We talked about labour-related issues, particularly in the construction sector. Apparently, some studies show that there could be a shortage of up to 110,000 workers in this sector within a few years.

Given that we know we will need thousands of workers in this sector, both for the construction of major projects and for residential housing, could you tell us whether the government has begun to address this important issue, which risks compromising the rebuilding of the Canadian economy? Please pardon the pun.

Hon. Pierre Moreau (Government Representative in the Senate): Thank you for the question, Senator Hébert.

As you know, the government takes very seriously the whole matter surrounding Bill C-5, the first bill we passed here since the new government came to power, which deals with major projects. Completing major projects will of course depend on and require a larger workforce. It's only logical that the government should therefore be well aware of the need to secure this workforce.

In any case, I will certainly pass on your question. I'd like to thank you, by the way, since this isn't the first time you've spoken in the Senate on similar issues.

• (1430)

I'll convey your message to the minister responsible to ensure that, as major projects are rolled out, enough workers are available to make them happen.

Senator Hébert: Thank you. I'm delighted with your answer. I know how diligent you always are. All the same, I would like to know when you plan to talk to the people in charge. Will it be soon? I think this problem has to be tackled right away.

Senator Moreau: Thank you for your question. What I can tell you is that, as Government Representative in the Senate, I have daily conversations with government authorities. If time permits, I'll do it this afternoon.

[*English*]

NATIONAL DEFENCE

MILITARY PROCUREMENT

Hon. Yonah Martin (Deputy Leader of the Opposition): Leader, your government promised Canadians transparency on the $33-billion F-35 purchase by committing to release its review report by September 22. That deadline has come and gone, yet Canadians have heard nothing. This is a $33-billion purchase that has already seen costs soar from $19 billion to nearly $28 billion, with over $5 billion more required for its day-to-day operations.

At a time when Canadians expect accountability over our nation's finances, why is the government breaking its promise and hiding this report?

Hon. Pierre Moreau (Government Representative in the Senate): The government is not hiding a report. I think I answered a question on the F-35 purchase lately in this chamber.

The F-35 is part of a generational investment in our Canadian Armed Forces. The government is procuring a new fleet of fighter aircraft for the Royal Canadian Air Force. I think a few days ago, one of your colleagues asked a question about protecting the Arctic. If you want to protect the Arctic, we need to respond to the needs of the Canadian Armed Forces.

The government is committed to procuring what the air force needs while ensuring economic benefits for Canadians. The government, as I said, will share further updates as they become available.

Senator Martin: The date that was set was September 22. Given you referred to our leader's previous question about the Arctic surveillance flights due to failing equipment, it is all the more important that we see the report.

When will the overdue F-35 review be released? That was my question. I know you say that they're looking at it, but it was a September 22 deadline.

How can Canadians trust billions of dollars in defence procurement when this government can't even meet basic deadlines or ensure transparency?

Senator Moreau: The government reviews all procurement approaches to align with the best interests of Canadians and the needs of the Canadian Armed Forces.

I repeat that the government will share further updates as they become available. That's the commitment we've made, and that's what we'll do.

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, pursuant to the order adopted June 4, 2025, I would like to inform the Senate that Question Period with the Honourable Stephanie McLean, M.P., Secretary of State (Seniors), will take place on Tuesday, October 7, 2025, at 2:45 p.m.

ADJOURNMENT

MOTION ADOPTED

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of October 1, 2025, moved:

> That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, October 7, 2025, at 2 p.m.

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

Hon. Senators: Agreed.

(Motion agreed to.)

CRIMINAL CODE

BILL TO AMEND—THIRD READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Boyer, seconded by the Honourable Senator Sorensen, for the third reading of Bill S-228, An Act to amend the Criminal Code (sterilization procedures).

Hon. Paula Simons: Honourable senators, I rise today to speak to Bill S-228, An Act to amend the Criminal Code (sterilization procedures).

This is not an easy speech for me to give. We just finished marking the National Day for Truth and Reconciliation, which is about more than orange T-shirts and more, even, than about the memory of those who survived residential schools and those who did not. It is supposed to be about exposing the truth of generations of violence and trauma inflicted on First Nations, Inuit and Métis Canadians. It is about accepting that truth, and it is about finding meaningful ways in the here and now to make amends and to break down the existing structures of systemic racism and oppression that persist today, in spite of all our land acknowledgements, all our brightly coloured T-shirts and all our promises.

Part of that journey of reconciliation means reckoning with the abuses that Indigenous Canadians have suffered and continue to suffer in our medical system, including — though certainly not limited to — abuses related to reproductive health care.

I cannot begin my analysis of Bill S-228 without acknowledging the extraordinary, visionary and courageous leadership and work of our friend and colleague Senator Yvonne Boyer who has dedicated so much of her professional life to exposing cases of Indigenous women and other racialized and vulnerable women who have been sexually sterilized against their will or without their full and informed consent. She has brought to this work her knowledge and experience as an operating room nurse, as a lawyer, as an investigator and as someone who is willing to listen and to hear. She has earned the trust of Indigenous women across the country, creating a safe way for them to speak — often for the first time — about their sense of trauma, betrayal and loss.

Her bravery, her patience, her compassion and her determination should inspire and humble us all. Bill S-228 is more than just another Senate public bill. It is her passion project and represents the culmination of her promises given to all those women that she would seek justice for them and protect all those who came after them.

I also want to thank and acknowledge Senator Gerba, who shared her own deeply personal pain with us, talking so courageously and passionately about her own experience with racism and misogyny and the way she was sterilized without her consent and understanding.

How, then, can I find the courage myself to raise concerns about this bill because — I confess — I feel more than a little awkward standing here and standing in the way, however briefly, of all the good work that Senator Boyer seeks to do with this legislation.

In the end, I've decided that I have to stand here because before we vote, I wanted to share some of the concerns that legal scholars and medical experts have raised about this legislation, which seeks to do so much good but which may have unintended consequences for thousands of Canadians, including Indigenous women who wish to make their own choices about their reproductive autonomy.

Bill S-228 looks simple enough. It defines a sterilization procedure as:

> . . . the severing, clipping, tying or cauterizing, in whole or in part, of the Fallopian tubes, ovaries or uterus of a person or any other procedure performed on a person that results in the permanent prevention of reproduction . . . .

And it is defined as a form of aggravated assault punishable by up to 14 years in prison.

If you just read section 268 of the Criminal Code, which Bill S-228 seeks to amend, you might assume that all sterilization procedures were illegal, even if the patient consents to them or, indeed, seeks them out. But this amendment has to be interpreted in light of another earlier section of the Criminal Code, which is section 45. It reads:

> Every one is protected from criminal responsibility for performing a surgical operation on any person for the benefit of that person if
>
> **(a)** the operation is performed with reasonable care and skill; and
>
> **(b)** it is reasonable to perform the operation, having regard to the state of health of the person at the time the operation is performed and to all the circumstances of the case.

This might seem to protect any surgeon or other medical professional who carries out a sterilization procedure in good faith or during a medical emergency from criminal liability. And yet the Standing Senate Committee on Legal and Constitutional Affairs heard from expert witnesses, both via testimony and via written brief, who raised serious concerns about, among other things, the chilling effects that Bill S-228 could have on the ability of Canadians to get reproductive or gender-affirming care.

The National Association of Women and the Law put it this way in their recent brief to the Legal Committee:

> One of the most dangerous aspects of Bill S-228 is that it moves sterilization out of the realm of healthcare and into the realm of criminal law. Like abortion, permanent sterilization (when done with consent) is healthcare and should be regulated as such. As soon as sterilization falls under the ambit of criminal law, it becomes easier to restrict access to it.

• (1440)

Now, maybe I've read *The Handmaid's Tale* too many times, but I fear a future when a different government could use these provisions as a way to start to prevent women — and men — who wish to have reproductive control over their own bodies from getting that care.

In the shorter term, the association also raises the concern, which I share, that some doctors may simply stop offering or providing such care for fear of prosecution or even just fear of investigation. And, they argue, the bill's very wording may mean that the most vulnerable women will be the ones least likely to get the care they need and desire.

Let me quote again from the association's September brief:

> A related concern is Bill S-228's potential reinforcement of paternalism and sexism in health care. For example, physicians may not take a woman's consent to permanent sterilization at face value and may require the presence of witnesses or multiple verbal and written affirmations. This ignores the reality that some women experiencing family violence, especially those experiencing reproductive coercion, may wish to undergo permanent sterilization without informing their partner or families. It could also be seen as a value judgment that discourages women from accessing this type of care. . . .

Ironically, then, it may be Indigenous women, immigrant women, women in abusive relationships who may be most hurt by Bill S-228.

How much harder will this make it for any First Nations, Métis or Inuit woman or any woman of colour who sincerely wants a tubal ligation or hysterectomy to get one in a timely fashion?

The National Association of Women and the Law also raised a concern in their brief that no witness, alas, raised in our hearings on the bill. Section 45 of the Criminal Code, they note, only protects people who perform surgeries, not physicians who might deploy other therapies that could end up causing sterilization as a side effect.

They note that certain medications, like chemotherapy and hormone therapy, may result in infertility later in life. It is possible that physicians may hesitate to prescribe such treatments out of fear of later prosecution.

And that leads to one of the other concerns about the bill, its potential inadvertent impacts on gender-affirming care for trans patients. Allow me to quote again from the association's brief:

> Anti-trans activists often point to the loss of fertility as a key reason for denying gender-affirming minors, describing it as mutilation and maiming. Additionally, they use the rhetoric of a so-called "transgender agenda" to suggest that parents and physicians are coercing or pressuring children and adults into becoming trans.
>
> In this context, Bill S-228 may empower governments, particularly in provinces that are already attempting to restrict access to gender-affirming care, to prosecute physicians by claiming that gender-affirming care amounts to forced/coerced sterilization. Even if such prosecutions are unsuccessful, it could result in a chilling effect where fewer physicians offer this type of care due to the risk of prosecution.

Speaking as a senator from Alberta, this is a very real concern in a time when my own province is considering invoking the "notwithstanding" clause to deny Charter rights to trans Albertans. How might Bill S-228 be weaponized in an assault on the health and privacy rights of some people in provinces such as Alberta? I think it is extremely unfortunate that our committee never heard from any witnesses from the trans community, either in our hearings on Bill S-228 or in the hearings on its predecessor, Bill S-250.

But it wasn't only the National Association of Women and the Law who sounded concerns over this bill. We also heard passionate testimony from doctors, specifically from the Society of Obstetricians and Gynaecologists of Canada. The society's president, Dr. Lynn Murphy-Kaulbeck, told us this when she spoke to the Legal and Constitutional Affairs Committee last week:

> Our concern, however, is about how this bill will be interpreted and applied in real clinical settings. Obstetrics and gynecology can be high-stakes fields where emergencies can unfold in minutes. In the middle of a massive hemorrhage or a ruptured ectopic pregnancy, physicians cannot pause to parse the fine distinctions of the law. Their focus must be on saving the patient's life.
>
> If there is even a perception that those life-saving actions could later be second-guessed as a potential criminal offence, hesitation becomes a real risk, and the consequences fall on the patient who may lose precious minutes of care. . . .

Dr. Murphy-Kaulbeck compared the possible risks of Bill S-228 to the disastrous consequences of criminalizing abortion in various American states in the wake of the U.S. Supreme Court's striking down of *Roe v. Wade*. Doctors in states there have let women suffer and even die in the delivery room for fear of violating the law.

Dr. Murphy-Kaulbeck raised concerns that doctors here may similarly hesitate to take immediate action to save a life for fear of a criminal inquiry. She said:

> We have seen how this type of chilling effect has already unfolded in the United States, where legal uncertainty around reproductive health laws has led some physicians to delay or withhold urgent treatment for fear of prosecution. These situations have led to preventable deaths of women in the U.S. If physicians in Canada begin to question whether they could be facing up to 14 years in prison for providing emergency care to a woman whose life may be at risk, this could lead to similar dire consequences here.

Dr. Diane Francœur, Chief Executive Officer of the Society of Obstetricians and Gynaecologists, offered a concrete example of what can happen in a delivery room in a crisis when a woman who spoke no English needed urgent care, and doctors struggled to explain the situation to her and to get her consent. I will do my best to quote Dr. Francœur's testimony in French, since we don't yet have an official translation.

[*Translation*]

She said the following:

> In an emergency, you can't always get informed consent. Let me give you an example of a clinical situation I encountered last year. A new immigrant arriving from India spoke an ancient language that resembled Punjabi. We tried in vain to find interpreters. She was in pre-term, premature labour. I couldn't open up someone's belly unless I was sure that she knew what I was going to do. We finally managed to locate an interpreter in Vancouver. Everyone jumped for the phone to at least be able to tell the patient what was going on. Her baby was premature, the placenta had become detached and she was bleeding. Her condition put her at all sorts of risks.

[*English*]

In this case, Dr. Francœur took extraordinary efforts to obtain consent. But what if she had had to act without it? In such a life-and-death moment, we surely don't want physicians, paralyzed by indecision, putting at risk the health and indeed the life of a mother or a child.

The damage that forced sterilization does, the pain it causes — these things are real and profound, as are the racism, classism, ableism and the misogyny that allow it to continue.

But criminalizing a basic medical procedure that tens of thousands of women need every year is a very blunt and brutal way of solving a profound social malaise that has more to do with power, bias and ignorance than with the mens rea required to sustain a criminal conviction.

I've laid out some worst-case scenarios if doctors start to be prosecuted. But there is another scenario in which this bill is ineffective because charges are never laid, because Crown prosecutors don't see a reasonable likelihood of conviction. Then what have we done to deal with the underlying causes that lead to these abuses?

Let me quote again from Dr. Murphy-Kaulbeck's testimony before our committee last week:

> If we move forward with criminalization — and that's our hammer — but we don't put anything else in place, I think we've failed everyone. We truly need to address all of the things that we have talked about over the course of time in truth and reconciliation. If we criminalize and leave it, we haven't fixed anything. We're still in that place where we haven't actually sat down and talked about how to right these wrongs. How do we work with Indigenous groups, marginalized groups, all women and people and determine how we fix this? Criminalization is just going to be for those rare cases; it doesn't fix that systemic problem.

I can't put it better than that.

My gratitude goes to Senator Boyer, to Senator Gerba, to Senator Wells and to all the members of the Standing Senate Committee on Legal and Constitutional Affairs, past and present, who've worked so hard on this important piece of legislation. And thanks to all of you for allowing me this opportunity to put these concerns on the record. *Hiy hiy*.

Hon. Yvonne Boyer: Would Senator Simons take a question?

Senator Simons: I would.

Senator Boyer: Thank you. This bill targets only sterilization without free and informed consent. If a patient initiates the request and valid consent is obtained, physicians have nothing to fear, because section 45 still protects doctors acting in good faith in emergencies. This was a key reason the committee amended and simplified the original bill during the last Parliament: to ensure voluntary and emergency care remain fully protected.

• (1450)

So criminalizing sterilization without consent is already in the code; it's under the assault —

The Hon. the Speaker pro tempore: Senator Boyer, I'm sorry, but the time allocated for your speech has expired. Are you asking for more time to listen to the question and answer it?

Senator Simons: Yes, if I could.

The Hon. the Speaker pro tempore: Is it agreed?

Hon. Senators: Agreed.

Senator Boyer: Thank you.

We know that criminalizing sterilization without consent is already in the Criminal Code; it's under the assault provisions and throughout the provincial statutes. We know that there has been a problem.

My question to you, Senator Simons, is this: Why haven't all of these sterilizations been stopped? I know that, once this bill goes through, we have the Survivors Circle for Reproductive Justice that will be working with the medical associations, physicians, health care professions and hospitals to hopefully never have to charge anybody, because then we would be doing some of the things that the Society of Obstetricians and Gynaecologists of Canada have said we need to do. We need to look at the social aspects. I don't want to see doctors charged under this. I want to see sterilization stopped.

Why do we still have sterilization if it's already been criminalized within the Criminal Code?

Senator Simons: There is a twofold answer to that question. We still have sterilization because many women seek it out, as it's necessary that they have reproductive autonomy over their own bodies. I fear that we're going to create a situation where women who need to have hysterectomies or seek to have tubal ligations, people who seek gender-affirming care or men who want to have vasectomies will be denied access, because we will have created a situation that has a chilling effect whereby physicians will be sincerely worried they will run into the risk of prosecution.

To answer what I think is your underlying question about why we still have abuse, it is because we still have systemic racism, classism and ableism, and we have a profound culture of misogyny in our health care system, despite the fact that so many more women are now physicians.

I absolutely agree with the Society of Obstetricians and Gynaecologists of Canada: We need conversations, better education in our medical schools and better steps taken by our colleges of physicians and surgeons so that if doctors do commit assault, they lose their licences and are properly investigated — there are consequences that are not necessarily imprisonment for gross acts that are assaults and malpractice.

Senator Boyer: If we had all of those things, we wouldn't have women being sterilized today. Thank you.

Senator Simons: Again, thousands of women seek out sterilization. If you are asking for a world in which women are not sterilized, I do not want to live in that world. If you're talking about women being sterilized against their will or without full, informed consent, the reasons we have that are manifest, but they go back to the things I stated: misogyny, systemic racism, systemic classism, systemic ableism, bad practices in education in medical schools and the failures of colleges of physicians and surgeons to enforce the rules.

What we really need is to respect the reproductive autonomy of all women.

Senator Boyer: The only thing I'd like to say is that this bill targets only sterilizations without free, prior and informed consent. Thank you very much.

[*Translation*]

The Hon. the Speaker pro tempore: Your speaking time has expired.

[*English*]

Do other senators have questions? If you have questions, then we need more time.

Do you agree on more time so Senator Simons can answer the questions that you have?

Hon. Senators: Agreed.

[*Translation*]

The Hon. the Speaker pro tempore: Are you willing to take more questions?

Senator Simons: Yes, with agreement.

[*English*]

Hon. David M. Wells: Your Honour, I don't have a question, but I wanted Your Honour to define how much extra time it is. Is it one question, is it five minutes or is it open-ended?

The Hon. the Speaker pro tempore: We'll take two questions, one from Senator K. Wells followed by one from Senator Dalphond.

[*Translation*]

Is Senator Simons willing to take questions?

Senator Simons: Yes, if there is time. I don't want to monopolize all the time.

The Hon. the Speaker pro tempore: Is it agreed, senators?

[*English*]

Hon. Senators: Agreed.

Hon. Kristopher Wells: I want to thank my honourable colleague for her allyship, which is always admirably demonstrated. I know she will join me in thanking Senator Boyer for her advocacy on this particular issue.

Regarding the work that has led up to this bill, we both know that Senator Boyer has engaged in significant consultations and worked in her policy approach to ensure this legislation will protect individuals from non-consensual sterilization while avoiding unintended consequences of restricting important services, such as gender-affirming care. I believe this bill strikes the right balance.

Does my colleague not agree the difference here is in informed consent? For example, in the situation of gender-affirming care, you have informed consent. In situations considered by Senator Boyer's bill, you do not have informed consent. Is that not the key?

Senator Simons: I think there's a twofold answer to that. First, many physicians may decide not to take on any additional risk. If you're a doctor and you have a choice of whether to perform gender-affirming care — and there is only a very small pool of physicians who do that work — that's the nature of the chilling effect. We all felt the chill this morning. It's the beginning of a concern. The concern may not be grounded in fact. There may not be a realistic threat of somebody being investigated, prosecuted and convicted. Nonetheless, if you're deciding whether to perform a particular kind of difficult procedure, knowing that you could be charged is certainly going to inform your decision about whether to continue that in your scope of practice.

Second, the question that was raised in the brief from the National Association of Women and the Law is a separate concern, and that is that a provincial government could weaponize this legislation and charge physicians, even if a patient consented — for example, if the government says the patient was 17 and couldn't give consent — or if the parents consented and shouldn't have. That's the concern they raised: that a province that is anti-trans could take well-intentioned legislation and twist it to their own uses.

Hon. Pierre J. Dalphond: Would you take another question?

Senator Simons: Yes.

Senator Dalphond: Am I right to believe that this bill is identical to the bill that was approved unanimously before prorogation and sent to the House of Commons? If my recollection is correct, Senator Boyer agreed, after some witnesses raised some concerns you mentioned, to have amendments. We received the assistance of the Justice Department to redraft the bill. Then it was accepted by the committee as being a full answer, as prepared by the Justice Department, to some of the concerns you're raising.

Am I hearing that the bill is now different from what it was before prorogation?

Senator Simons: No, Senator Dalphond; indeed, you are correct. Your memory is perfect: That is the case.

The reason I decided to speak is that this time, witnesses were called who did not have the chance to testify to the bill as amended. They had testified on the scope of the original bill. We brought them back in, and they said that although the bill was much improved, their concerns remained.

I cannot tell you how difficult it was for me to decide to speak out today because of the depths of my respect for Senator Boyer and all of her work.

• (1500)

Nonetheless, as somebody who has spent their entire professional career championing the right to reproductive health for women, I felt it was important that this chamber hear some of the testimony that we heard in committee and hear some excerpts from the briefs we received so that, before we vote, everyone in this chamber who was not privy to all of the testimony, both on this bill and its predecessor, would have the chance to hear that there are very respected organizations that are opposed to the forced sterilization of women who are, nonetheless, raising important and, I think, legitimate concerns, which I wanted to be on the record for us all today.

Hon. David M. Wells: Honourable senators, I had a question earlier, but then I realized that as critic I have 45 minutes to say what I want to say. But I assure you, I will not take 45 minutes.

I wish to begin my remarks with a couple of comments on the previous interventions from Senator Wells (*Alberta*) and my colleagues across the aisle.

This is about informed consent. This is not about an emergency procedure, which happens regularly in hospitals, unexpectedly. This is about informed consent where knowledge, forethought and consideration have been given. Of course, in an emergency, that is not always the case. I think, obviously, the law would have some flexibility there.

Secondly, when I embarked on this — not with Senator Boyer, I'm not in that league — when I was at the Human Rights Committee a couple of years ago when this was first addressed — and other colleagues will have heard me say this before — I did not plan on being even conversant on the topic. Senator Boyer has led me down a path where, first of all, I was shocked to know that this still happened. I thought when we were doing the study at the Human Rights Committee, we were going to look at some remnant of the past. When I learned there were in excess of 12,000 documented cases, and colleagues among us, this was something that became more important than would normally be of importance to me.

Thank you, Senator Boyer, for all that you have done.

Honourable senators, I rise to speak at third reading of Bill S-228. As we heard from Senator Dalphond, this is the same bill that passed third reading here in the last Parliament and was sent to the House. With the prorogation of Parliament, the bill's precursor, Bill S-250, died on the Order Paper.

It is worth noting that the Senate has examined this bill thoroughly a number of times. We've debated it at second reading twice. We've studied it at committee twice. It was amended by the sponsor, Senator Boyer, after careful reflection and advice from colleagues and witnesses.

As Senator Boyer explained in her testimony before the committee last week:

> In the previous Parliament, after hearing from my colleagues on the LCJC Committee, departmental experts, survivors, medical associations, Indigenous midwives, and legal specialists, it was clear that both senators and witnesses had concerns about the broad drafting of the original version of Bill S-250, and the potential for unintended consequences.

Of course, colleagues, here in our chamber of sober second thought, we try to look ahead to the unintended consequences and what might happen, and we try to mitigate that within the wording of the law, within the wording of the legislation.

Senator Boyer continued:

> After hearing these concerns, I consulted with the Minister of Justice and his department to develop the amendment that significantly simplified the bill while maintaining the core goal, to make it explicitly clear in the Criminal Code that sterilizing someone without consent is aggravated assault under section 268(1).
>
> This amendment was unanimously adopted by LCJC — this committee — on September 19, 2024.

I want to thank Senator Boyer again for her persistence and her dedication and her education really of all of us in championing this bill, and even more importantly, for providing a voice to the voiceless. She has shown what it means to be a senator: standing up for minority voices in our country. It is our most important job here in the Senate and one of the main reasons this institution was established. Senator Boyer is an inspiration to us all.

I was encouraged to hear that many of the victims of forced sterilization followed our proceedings — that's rare. I am pleased that they did not have to go through the ordeal of testifying again this time around.

Colleagues, in the initial study we had at the Human Rights Committee, some of our witnesses chose not to give their names. Others chose to appear as a silhouette. It is a difficult circumstance at the best of times, and then you have the cameras of the world on you, making it even more difficult to relive that again. I thank the committee members for sparing them that burden and for moving the bill forward quickly.

I have often spoken about the risk of unintended consequences in legislation. That is why I appreciated Senator Boyer's recognition of this concern in the amended version. She listened to witnesses, senators, the medical community and government lawyers. The result is a bill narrower in scope than the original. It does not amend the Criminal Code, but it clarifies – clearly and directly – that sterilization without consent is aggravated assault. It always was, but now the law leaves no room for doubt.

I would also caution, colleagues, if we decide to not adopt this in the Senate and move it to the other place, what message would that be sending to medical practitioners around the country?

Having said this, no one can possibly account for all the unintended consequences of a bill. Unintended is often because it is unforeseen, which is why legislation and lawmaking is a journey and not a destination. It's another one of the reasons the Senate exists as an institution — to review legislation that almost invariably amends previous legislation, which is frequently, though not always obviously, being amended because of unintended consequences or changing circumstances. That is what we have in this case now.

Honourable senators, in this case, I can accept the possibility of remote or unlikely unintended consequences. At some point, the pursuit of perfection becomes the enemy of good. And when critics suggest that this bill might have a chilling effect on some medical professionals, then I consider that good news. Sometimes a chilling effect on what some perceive as normal is exactly what is needed.

With that, honourable colleagues, if there are no questions for me, I would like to call the question on this bill.

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read third time and passed.)

[*Translation*]

GORE MUTUAL INSURANCE COMPANY

PRIVATE BILL—THIRD READING

Hon. Tony Loffreda moved third 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 at third 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.

I would like to thank my colleagues on the Committee on Banking, Trade, and the Economy, and our chair, Senator Gignac, for so kindly agreeing to study this bill as soon as we returned last week.

We had an excellent meeting during which our witnesses had to answer very relevant and pointed questions from our colleagues.

As you know, in January 2025, Gore Mutual, one of Canada's oldest mutual insurance companies, and Beneva, Canada's largest mutual insurance company, announced their intention to combine their operations in order to stimulate future growth.

I will not repeat what I said during my second reading speech. I will simply remind you that Bill S-1001 is a rare private bill from the Senate, unlike the many public bills on the Order Paper.

This bill would allow Gore Mutual to remain under Quebec law as part of its proposed merger with Beneva. Unlike public bills, private bills grant specific legal powers to a group or organization.

• (1510)

In this case, the aim is to facilitate the merger of two long-standing mutual insurers. Gore Mutual, originally incorporated under federal law in 1937, is seeking the repeal of the laws that govern it in order to allow this transition to take place.

[*English*]

Honourable colleagues, I have no doubt we all agree that interprovincial collaboration is essential for Canada's long-term prosperity and competitiveness. The Beneva-Gore merger highlights how working together across provinces strengthens our economy and builds resilience. Given today's trade environment, interprovincial trade and collaboration are a must for Canada's continued success, and this is a good example of that.

During my remarks on June 10, I also stressed the urgency of passing the bill, as it is the first legal step in a tightly sequenced process involving both federal and Quebec legislation. Delays could postpone the merger until 2026, impact employee retention, raise operational costs and weaken market positioning. This message was heard loud and clear in committee last week, without bypassing any necessary scrutiny.

In fact, allow me to say a few words about the meeting of our Banking Committee held on September 25.

We were honoured to welcome Neil Parkinson, Chair of the Board, and Andy Taylor, President and CEO of Gore Mutual. They were joined by Jean-François Chalifoux, CEO of Beneva; and Pierre Marc Bellavance, Executive Vice-President and Leader of Legal and Corporate Affairs for Beneva. I've had the pleasure to collaborate with them since March when I first accepted to serve as the sponsor of Bill S-1001.

Mr. Parkinson reminded us that the Gore Mutual board unanimously supports the bill, describing it as fair and equitable for all policyholders. Both he and I pointed out that 94.6% of Gore Mutual members voted in favour of the merger at their annual meeting in April. He also highlighted that the merger would allow its members to join Beneva as full members, ensuring continued participation in governance.

For his part, Mr. Taylor, who's been with Gore Mutual for two decades, reminded us that Gore Mutual, founded in 1839, is Canada's oldest mutual property and casualty insurer. With over $1 billion in assets and a strong financial position, the company is poised for sustainable growth. In fact, in reply to a question posed by Senator Henkel, he explained that Gore specializes in SMEs and, as he put it:

> The merger with Beneva will actually unlock additional ability for us to support small businesses nationally across the country.

Perhaps more importantly, Mr. Taylor stressed that the merger with Beneva will allow Gore Mutual to scale, diversify and remain competitive, while retaining its historic roots in Cambridge, Ontario, and commitments to the community it serves.

Together, Mr. Parkinson and Mr. Taylor confirmed that this merger represents a strategic opportunity to strengthen Canada's mutual insurance sector while safeguarding the interests of policyholders, employees and communities. This decision, by two private companies, was not taken lightly.

[*Translation*]

As for Mr. Chalifoux and Mr. Bellavance, they were equally convincing. They painted an encouraging picture of the potential of this merger and the many benefits associated with it. Mr. Chalifoux explained that Beneva was created in 2020 through the merger of La Capitale and SSQ Insurance, forming the largest mutual insurance company in Canada, which now has more than 3.5 million members. As of December 31, 2024, Beneva had $27 billion in assets and $4.2 billion in equity, with consolidated net income of $589 million.

Mr. Chalifoux emphasized that the proposed merger with Gore Mutual demonstrates a strong commitment to interprovincial economic collaboration, in line with calls from governments across Canada to strengthen trade and cooperation within our

borders. The merger will strengthen the growth, innovation and resilience of both organizations in an increasingly competitive and complex risk environment.

[*English*]

As for Mr. Bellavance, he described the legal structure of the merger, the first essential step of which is Bill S-1001. So this is the first essential step. Since there is no general legislative provision allowing a federally chartered insurance company to continue to operate under provincial law, private legislation is required.

The process involves four steps: first, the continuation of Gore Mutual under Quebec law; next, the restructuring of Gore into a mutual holding company and an operating insurer; next, the holding company must be merged with Beneva Mutual; and, finally, the process is completed by the combination of Gore's insurance activities with Unica Insurance, Beneva's Ontario subsidiary.

Mr. Bellavance assured the committee that this bill does not set a precedent, noting that eight similar cases have required private legislation since 1987, including the most recent in 2016. He also confirmed that the federal and provincial regulators — the Office of the Superintendent of Financial Institutions, or OSFI, and Quebec's Autorité des marchés financiers, or AMF — have issued letters of non-objection and letters of support for the transaction. That is an important point.

As I mentioned at second reading, several industry players have also endorsed this merger, including the Canadian Association of Mutual Insurance Companies, the Insurance Brokers Association of Canada and the Insurance Bureau of Canada.

Competition Bureau Canada also weighed in on the matter and confirmed in March that the commissioner does not intend to make an application under section 92 of the Competition Act with respect to the merger. In other words, the bureau agrees that the deal does not raise serious competition concerns, and it sees no reason why the merger cannot proceed as planned.

In light of the fact that the bill was adopted unanimously in committee, and no major issues of concern were raised during our deliberations, I strongly feel we are well informed and ready to proceed with a final vote on the bill. I am confident that Senator Carignan, who also sees the value of this merger, will also encourage us to call the question.

As mentioned earlier, time is of the essence. This bill needs to receive Royal Assent as soon as possible for a similar process to begin at the National Assembly in Quebec before the holidays.

Honourable colleagues, I urge you to pass this bill today and send it to our colleagues in the other place for their review and swift passage. It is non-partisan, non-controversial and essential for ensuring the long-term viability of Canada's mutual insurance sector. I hope senators will agree with me that this proposed merger will help strengthen the national insurance landscape through increased scale, competition and community reinvestment. This is a good merger. There is no reason to delay the passage of this bill.

Honourable colleagues, beyond its immediate impact on the mutual insurance sector, this bill also speaks to a larger imperative: Canada's economic sovereignty. In an era of global uncertainty and competitive financial markets, strong domestic institutions are essential for safeguarding our long-term stability.

By enabling this merger, we are ensuring that mutual insurers, rooted in their communities and governed by their members, remain a viable, resilient force within Canada's financial landscape. This is about more than insurance; it is about reinforcing the strength of Canada's institutions that serve Canadians first.

By approving Bill S-1001, we are not only facilitating a merger, but we are also strengthening Canada's tradition of cooperation, safeguarding jobs and reinforcing a vital mutual insurance sector for generations to come.

Thank you. *Meegwetch*.

Hon. Senators: Hear, hear.

[*Translation*]

Hon. Claude Carignan: Honourable senators, I'm pleased to rise today as the official opposition critic at third reading of Bill S-1001.

I thank Senator Loffreda for sponsoring this bill, which is of the utmost importance for two Canadian companies, Gore Mutual and Beneva.

• (1520)

Just as in my speech at second reading I will be brief. I'm pleased to see that Bill S-1001 arrived so efficiently and quickly at third reading stage. Second reading was also done in little time in June. The Standing Senate Committee on Banking, Commerce and the Economy studied the bill on September 25 and tabled its report without amendment.

Although Bill S-1001 is not controversial, some extremely pertinent questions were raised at second reading and in committee. These stages are a crucial part of our work in the Senate because they allow us, and the Canadians who follow our work, to properly understand the plan to merge these two companies. The representatives from Gore Mutual and Beneva confidently addressed the questions and concerns of the Standing Senate Committee on Banking, Commerce and the Economy. The work was done with great care, and I'm rather proud of the efficiency demonstrated by our institution.

As I mentioned in my second speech, the passage of this bill is a mere formality and no level of parliamentary intervention should slow its adoption since the merger has generated no controversy. On the contrary, a long delay in its passage here and in the other place could have negative consequences for these two companies given that their merger process is just beginning.

Honourable senators, I urge you to vote now in favour of passing Bill S-1001 at third reading so that we can send it back to the other place, where it can be considered as soon as possible.

Thank you.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read third time and passed.)

[*English*]

CRIMINAL RECORDS ACT

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Hon. Kim Pate moved second reading of Bill S-207, An Act to amend the Criminal Records Act, to make consequential amendments to other Acts and to repeal a regulation.

She said: Honourable colleagues, I speak today from the unceded, unsurrendered and unreturned territory of the Algonquin Anishinaabeg to commence second reading of Bill S-207, which would amend the Criminal Records Act.

This is the fifth time that I have introduced this legislation, and I want to thank the fabulous experts whom we consulted during the development and study of this bill, from lawyers and academics, to folks with lived experience, to Legal Committee and Senate colleagues. Over the course of eight years, your feedback and expertise have driven crucial discussions, improved this legislation and allowed it to advance successfully to third reading last Parliament as Bill S-212.

I also want to thank the thousands of Canadians who have reached out to offer support for this bill. Many are family members, friends or employers of those whose lives have been irreversibly impacted by even decades-old records.

Working together to return this legislation to a third reading vote would constitute an urgent and meaningful step toward safer, more just and more cohesive communities for those in need of relief from a criminal record and for all Canadians.

We begin with the story of Kimberly. Kimberly is a member of the Fresh Start Coalition, a group of more than 85 civil society organizations working alongside those with lived experience of criminalization to achieve the type of no-cost, no-application record expiry that Bill S-207 proposes.

Like too many others, Kimberly was criminalized while trying to negotiate and survive victimization. Her criminal record exists within a context of three decades of physical and sexual abuse that began when she was a child. She eventually escaped an abusive partner, but her criminal record followed her wherever she went. She remained trapped in low-paying and precarious work. She once found better employment, only to be part of a mass firing of all recent hires with records. She retrained, working full days and taking online classes at night, only to learn a year in that she could not complete her entry-to-practice exam because of her record.

For Kimberly, her record meant that at every job interview:

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

Kimberly's experiences both demonstrate the urgent need for this legislation and serve to challenge assumptions about who is subjected to the too-often lifelong burden and stigma of criminal records — and to what end.

Like so many others, Kimberly has been failed by every one of our social service systems and left to survive poverty, homelessness, violence, addiction and/or mental health issues. These are the people who are disproportionately sucked into Canada's criminal legal systems and jails. They end up living with criminal records as a result of legislation we've passed and because of our failure to provide the help and support they need.

As a consequence of unredressed colonialism and inequality, the majority of women in federal prisons are racialized; half are Indigenous. Virtually all — 9 out of 10 — women in federal prisons have histories of physical and sexual abuse.

When a woman like Kimberly — who is trying to escape violence, support her kids and make a fresh start — cannot find a job or housing because of a criminal record, who benefits? Who is kept safe?

Current rules regarding criminal records wait times — costs and complex and onerous application and documentation requirements — work together to make record suspensions virtually inaccessible except for the most well-resourced.

While this starkly inequitable system may sound like a relic of the past, most barriers to criminal record relief were legislated in 2010 and 2012, less than two decades ago. The solutions, however, are not new. Bill S-207 reflects a long-standing and growing consensus that all of us benefit when people who have been held accountable for their actions can move on from the consequences.

This bill proposes three key measures.

First, it would return to Canada's original wait times of five and two years for indictable and summary convictions respectively, reversing the 2012 doubling of wait periods for record relief.

Second, instead of requiring people to complete costly and onerous application processes, records would expire cost free once wait periods elapse, provided that there are no subsequent convictions or charges. As is currently the case, expired records would be kept separate and no longer appear on record checks. Expired records would, however, continue to be available in police databases for legitimate investigative purposes. The bill would also maintain the current system of vulnerable sector checks, whereby expired records relating to sexual assault would appear on special record checks when people apply to work or volunteer with children, seniors or others deemed vulnerable.

Third, unlike current record suspensions, people will not face the spectre of the revocation of the expiry of their record or of it ceasing to have effect, except in certain circumstances related to sexual assault convictions.

Allow me to briefly recap a few key themes emerging from the eight-year history of this bill.

First is the urgent need for this legislation. The federal government has taken some incremental steps to improve the criminal record system. Bill S-207 furthers this important undertaking.

Second is the fact that record expiry and public safety go hand in hand. Removing barriers to record relief supports public safety.

Third, letting people move on from crime further meets the needs and priorities of victims.

Fourth, Bill S-207 prevents stigma and discrimination while still ensuring that police can carry out investigative work.

Fifth, and finally, in terms of feasibility and affordability, Bill S-207 is a better option than Canada's current costly system.

Turning to the first theme, what does Bill S-207 add to the government's previous incremental steps toward a fairer record system?

• (1530)

In 2022, the government reversed recent exorbitant increases to application fees, dropping from $658-plus to $50. While this measure is a major advance, it has not eliminated cost barriers.

For years, Canada's record system operated without any application fees at all. Although $50 may not sound like much, most people applying for record suspensions are trying to find jobs or pursue education and other pathways out of poverty for themselves and their families. The $50 application fee for a record suspension could mean going hungry or without safe shelter, a coat, boots or essentials for their children.

In addition to application fees, other application requirements quickly generate hundreds if not thousands of dollars in hidden costs, such as police checks, fingerprinting, travelling to retrieve records, consulting lawyers or — in too many cases — getting scammed by businesses that do little to assist people with their records while charging unconscionable fees.

As a result, while numbers of applications have increased since the government reduced fees, they have not bounced back to where they were prior to the fee hikes in 2010 and 2012. The number of people making applications is still barely half of what it once was.

Bill S-207 would allow records to expire without a person having to submit an application, eliminating application fees and other related but often hidden costs. It could also reduce and eventually eliminate the need for infrastructure costs related to administering the current process.

In 2024, the government took a step toward this type of no-application expiry. Through Bill C-5, all drug possession convictions now expire automatically two years after the end of a sentence.

We are told that work on the infrastructure for automatic expiry of possession records — which could also serve as the starting point for implementing Bill S-207 — is ongoing.

In the meantime, the government is functionally meeting its obligations through a ministerial directive that orders holders of criminal record information not to disclose information related to affected records, demonstrating the range of options available for immediate implementation of Bill S-207.

The automatic record expiry for drug possession convictions under Bill C-5 came about after unsuccessful attempts to encourage people to apply for pardons for cannabis possession post-decriminalization.

Through Bill C-93 in 2019, the government provided a no-fee application process that was meant to be as simple and supportive as possible. Five years after its implementation, however, the Parole Board had only received applications from 13% of the 10,000 people the government estimated could be eligible, which was only a small fraction of those with cannabis possession records.

Worse yet, more than one in three of the applications were then rejected due to technical issues, including because records didn't specify that the possession conviction was related to cannabis or records were so old that courts had destroyed the paper records. Even an application process specifically designed to be quick and user-friendly was still too costly, onerous and complex for people to successfully navigate.

The government experienced similar outcomes when it developed a no-fee and simplified application process for expiry of records resulting from discriminatory criminalization of members of 2SLGBTQ+ communities. Only a handful of people have been able to benefit. And none of the historical convictions of sex workers convicted under the prostitution law have been eliminated.

Attempts to fast-track record relief came about because the government acknowledged that thousands upon thousands of people — disproportionately members of 2SLGBTQ+, Black and Indigenous communities — still had records for so-called crimes that have since been recognized as discriminatory and removed from our Criminal Code.

The behaviours that were criminalized are now recognized as never having presented a risk to public safety. Yet Canada's record system continued to marginalize and stigmatize these thousands upon thousands and could not provide the necessary relief.

How many other people are currently unable to find jobs or safe housing or unable to support and feed themselves and their families because of criminal records that have nothing to do with a risk to public safety? Their records instead have everything to do with lacking the resources to avoid circumstances such as poverty, homelessness and mental health crises that multiply one's risk of being victimized, exploited and criminalized. Their records also reflect unequal access to the financial and legal resources necessary to attain record relief.

These failed attempts to make applications easier demonstrate that to deliver equitable access to record suspensions, we need the process proposed by Bill S-207.

Reliance on an application process for suspension of criminal records puts the onus on individuals — who are disproportionately impoverished and unhoused, who may not have access to computers or a mailing address and who may experience language and literacy barriers — to fill out complex paperwork and assemble records that may be decades old and held in police stations and courthouses across Canada. These cost-related, time-related, travel-related and legal expertise-related barriers are piled onto those already marginalized. Worse yet, the entire process is stigmatizing, demoralizing and therefore, honourable colleagues, unacceptable.

In 2016, then-public safety minister Ralph Goodale vowed to overhaul the record system, calling it:

> . . . needlessly complex and burdensome [and] . . . a procedural quagmire that is almost unnavigable for lawyers, let alone the general public. The wait times to apply are unnecessarily long . . . . And then there is the cost . . . if you are poor, you are branded for life.
>
> The simple truth is that Canada's record suspension system is punitive and it must be fixed.

Since 2016, at least three rounds of public consultations, one House committee report supported by all parties and our Senate Human Rights Committee report on the human rights of federally sentenced persons have all made similar observations: Record suspension costs are prohibitive, wait times are too long and options for automatic, non-application-based expiry should be explored.

Indeed, the 2021 government consultations on automatic sequestering of records demonstrated that "almost all . . . participants strongly supported" such measures.

Bill S-207 builds on years of government study, evidence, consultations and recognition. Record expiry provides the next cost-effective step to address injustice and inequality in the criminal record system.

This brings us to the second theme: How will removing application processes and reducing wait periods for record relief affect public safety?

All available research is clear that easing barriers to record relief enhances the safety of our communities. Simply put, people can more easily and successfully integrate.

As recently highlighted by Dr. Anthony Doob, professor emeritus and former chair of the ministerial Structured Intervention Unit Implementation Advisory Panel on Bill C-83, studies demonstrate that the best predictors of successful integration into the community are not the onerous and subjective criteria imposed by current application processes. What matters most is access to a job and housing, both of which increase the likelihood of folks being able to live in the community.

As summarized by Public Safety Canada in a 2021 research report, "Securing employment after release from a correctional institution is integral to the successful reintegration . . . ." and associated with reduced recidivism.

After a relatively small number of crime-free years, people with records are no more likely than anyone else to commit a crime.

One U.S. study followed the outcomes of 6,000 people with convictions ranging from property offences to serious sexual assault. Five years after their release from prison, no matter the offence that led to a person's criminalization and incarceration, what was most predictive of successful community integration was whether they had been able to find a job and access education.

This bill would not alter Canada's current vulnerable sector check system, meaning that records — even if they are expired — would still appear on this specific type of record check for those working or volunteering with people deemed vulnerable.

Current mechanisms for reversing record relief — known as revocation and cessation — would be limited to certain situations where convictions are related to sexual assault. This approach aims to account for barriers to reporting abuse and assault that may mean that relevant information is not available until after a record expiry has already occurred.

We must also recognize that given the realities faced by women and children who are violently victimized — from barriers to reporting to lack of accountability — record checks alone are not and never have been an effective means of protecting people from harm.

• (1540)

Parole Board of Canada data indicates that over the five-plus-decade history of the Criminal Records Act, the overwhelming majority — consistently upward of 95% of those with pardons and record suspensions — have remained crime free.

Furthermore, when application criteria were made more punitively complex in 2010 and 2012, that already high success rate did not improve. Implementing effective record relief programs and eliminating arduous application procedures eases barriers to jobs, housing and other essentials.

Public consultations in 2022 on the Federal Framework to Reduce Recidivism emphasized that punitive approaches to those with criminal records are not only cruel, but ineffective. Feedback focused on responding to recidivism through addressing social determinants like housing, education, employment, health and positive support networks.

Bill S-207 builds on these findings as well as steps that the federal government itself contemplated in a bill introduced in 2021. The legislation was pre-empted by an election but, if passed, would have eliminated some of the system's numerous application requirements, allowed pardons for some convictions currently ineligible for record relief and reduced wait times.

We deserve a just system that actually delivers on its promises to make communities safer.

A third theme: Record relief is sometimes falsely equated with excusing acts of violence or neglecting the interests of victims. Neither is true.

Judges impose sentences based on what they determine is necessary and appropriate to hold a specific person accountable for their actions. They make these decisions knowing that, by law, people will have the right to apply for parole and, if eligible — if eligible — may eventually also seek a suspension of their criminal record.

In the words of the Supreme Court of Canada:

> Individuals who have paid their debt to society are entitled to resume their place in society and to live in it without running the risk of being devalued and unfairly stigmatized.

[Senator Pate]

Testifying on this bill last Parliament, the Federal Ombud for Victims of Crime supported removal of barriers to record relief because ". . . the types of barriers that criminal records introduce for people [without further convictions] actually increase the likelihood of more victimization."

The victims ombud also noted that due to inequality and discrimination within the legal system, many victims, too often those who are racialized and women with abusive partners, are themselves living with the burdens and stigmas of criminal records. He testified:

> Criminal records introduce direct and indirect harm to many victims of crime. They are a blunt instrument applied to a wide range of people who come into contact with the justice system. As criminal record checks become more common in applications for employment, volunteer positions, education and housing, the harms continue to grow.

For these reasons, a former Federal Ombud for Victims of Crime described the harsh 2010 and 2012 record suspension amendments as "a stupid thing to do."

The victims ombud office is not alone. Among the dozens of community groups advocating automated record expiry as part of the Fresh Start Coalition are many working with and on behalf of victims of crime, including the Assaulted Women's Helpline, Barbra Schlifer Commemorative Clinic, Centre to End All Sexual Exploitation, Huron Women's Shelter, Luke's Place, Muskoka Parry Sound Sexual Assault Services, Ontario Coalition of Rape Crisis Centres, Ottawa Coalition To End Violence Against Women, Women & Children's Shelter of Barrie, Timmins & Area Women in Crisis, Victim Services of Durham Region and Women's Shelters Canada.

A fourth theme concerns when data about expired records may be relevant to police work. Bill S-207 incorporates amendments added to the previous version of this legislation at Legal Committee, in particular to reflect testimony that the committee heard from witnesses representing police services.

For instance, the Canadian Association of Chiefs of Police noted how the bill could support successful community integration and urged us to ensure — as relief from criminal records becomes the norm rather than the exception it is under the current record suspension system — that police do not lose swift access to centralized data regarding criminal record history that they use in their investigations.

The Legal Committee agreed to my amendment to ensure police access to expired records for limited investigative purposes.

Modelled on the current Youth Criminal Justice Act system, police would have authority to access expired records so long as this access is for legitimate investigative purposes.

This change also acknowledges, however, that public safety goals are undermined, not enhanced, if police use of expired records crosses the line from legitimate investigation into discriminatory carding.

The bill safeguards against expired records appearing on record checks for non-police, civil purposes including applications for housing, employment and volunteering.

Finally, the fifth theme: How feasible and affordable is a record expiry process?

Bill S-207 is a compelling alternative to Canada's existing system of multiple, intricate application pathways, each requiring significant resources to administer, and each using complex and time-consuming criteria unrelated to public safety goals.

As a result of the government's obligations to provide automatic expiry of drug possession records, the proverbial wheels are already in motion toward the system proposed by this bill.

Automatic expiry is part of record systems around the world, including in the U.K., France, Germany and New Zealand, but also here at home, in Canada's youth system.

During consideration of the bill last Parliament, one of the architects of the Youth Criminal Justice Act testified:

> We had many long discussions with record holders in the provincial system . . . police, court administrators, you name it. We worked through the challenges . . . it's been in effect for 20 years now. It's probably a decent precedent that [the Minister of Public Safety] and others could take a look at to bring the provinces on side. I think it [record expiry in the adult system] could be done relatively simply.

It is the current system that is unaffordable and inaccessible. The government has paid $18 million recently to community groups to help people file applications. These community groups indicate that the amounts they received are inadequate to cover the actual costs of supporting people through this complicated process, even when they are doing all they can.

Though not receiving support from this federal program, Nishnawbe-Aski Legal Services in Northern Ontario, in partnership with the Ontario Provincial Police, is assisting community members to apply for record suspensions. This partnership arose from a shared recognition that ensuring people can move on from criminal records is an investment in community safety, economies, health and well-being, as well as in reconciliation and decolonization. As the communities were engaging in economic development activities, criminal records were barring the access of too many to employment opportunities.

I witnessed this first-hand when I visited Pikangikum First Nation two weeks ago. Chief and council talked about the barriers to hiring community members and the resulting lack of access to everything from housing to community supports.

We met with the fly-in judge and lawyers who dealt with the cases of community members flown to jails in the South for pretrial detention and then flown back to the community for trial. Pikangikum has a 16-bed bail resource that could have been used to keep people in community and out of detention. It sits empty, however, due to lack of staff. The legacy of colonization and criminalization within the community means that too many good candidates for this work would not be able to pass the required record check.

A single day of those flights, removing people from their communities and putting them in southern jails, costs our legal system hundreds of thousands of dollars, with zero benefit to the community.

By removing the requirement to make an application, Bill S-207 would ensure more effective access to record relief while allowing the Parole Board of Canada, governments, communities and service providers to reinvest scarce resources into other priorities.

So what are we waiting for? Of the 3.8 million Canadians with criminal records, 9 in 10 do not have a pardon or record suspension. At the rate that the Parole Board of Canada rendered decisions last year, it would take 256 years and counting to consider applications relating to all current criminal records.

In the meantime, low- and middle-income Canadians are struggling to access housing, employment and other supports. Criminal records not only add another layer of discrimination, they pile on the barriers.

Bill S-207 alone will not address all of the current injustices within the criminal record system. It is, however, a meaningful lifeline for people who have served their time and are working hard to rejoin society, integrate into the community, stay safe and healthy, and support and care for their families.

At Legal Committee last Parliament, we heard from a woman named Rachel who has a record and is currently pursuing a PhD in criminology in order to work with and on behalf of others ensnared in the criminal legal system. She spoke to us about the urgent need for this bill:

• (1550)

People —

— with records —

— are out on the streets because they cannot find housing. They are frustrated because they cannot access education. They're not able to obtain regular, meaningful employment. I know of many people who have been forced into sex work . . . .

What does Canada gain from an unjust and inaccessible system that forces survivors of abuse back into the same conditions of isolation and exploitation in which they have been previously victimized and criminalized?

Let us work together to return this bill to third reading. Let us continue the work we accomplished last sitting and bring about long-overdue evidence-based, positive movement within the criminal records system and on so many interrelated areas.

Meegwetch. Thank you.

Hon. Denise Batters: Would Senator Pate take a few questions?

Senator Pate: Yes.

Senator Batters: Thank you. First of all, you noted in your speech that the pardon application fee is now $50, substantially decreased from the previous $658, I believe you said. I'm wondering when that decrease of the pardon application fee happened, what year. How much was it when you introduced the first iteration of your bill? Has the Liberal government made any other changes to simplify the pardon application process?

Senator Pate: The reduction was, I think, two years ago. I'll find the exact date. At the time that I tabled the first bill, this being the fifth, the fee was $650, and then it was increased because it was subject to the provision that says that application fees and procedures have to keep pace with inflation. I can't remember the name of the bill. It's now escaping me, but I'll find it. It was increasing, and then the government brought it back down to $50.

As I mentioned, the rate of people applying didn't go up proportionately because it didn't take into account all the other fees also attached to applying. As I mentioned, people have to go and get their fingerprints. They sometimes have to travel long distances to go to where they were originally convicted to find the files. Sometimes those files don't exist. That has been part of the reason, even when they went through an automatic process for the cannabis convictions, that some people were denied.

I was interested in what these technicalities were. They said one in three people were denied because of technicalities. To learn that one of the technicalities is that nobody can find the record seems to add insult to injury, so to speak, but to really increase the challenge.

At this stage, we are still in a situation where, even though they've made record expiry automatic for cannabis, they had to issue a ministerial directive because they haven't finished the process of automating those systems. Once that automation is done, they should be able to apply it to all records.

Senator Batters: The last part of that question — I may have some others — was, "Has the Liberal government made any other changes other than the reduction of the pardon application fee?" Am I correct that they have not?

Senator Pate: In terms of the record expiry process, they have implemented Bill C-5. The bill they had introduced that died on the Order Paper would have advanced towards the automatic process. For some, they expunged records for 2SLGBTQI+ discrimination. They didn't expunge sex worker records, which was part of it. They expunged records for things like sodomy and that sort of thing.

Senator Batters: Thank you. Yes, I made a note of those other types of changes. I was wondering more on a global scale of their pardon application process if it has been made any easier not just with respect to those specific parts, but it sounds like no.

Senator Pate: The only other one is the one I mentioned, where they provided $18 million to community groups to try to assist people to do the pardon application process. Through that process, folks inside the government — particularly with the Parole Board — have acknowledged that part of the challenge is the application process is challenging for people, not just because some don't have computers, as I mentioned, but because of the technicality of completing the process.

Now there are groups that are being funded to do that. And then, like NAN Legal Services, the Nishnawbe Aski group; they're doing it. The Ontario Provincial Police, or OPP, is working with them to try to achieve that because they see the injustices. They can't hire people in their own community because they have criminal records, and they're people who they see would be valuable to be able to work in those areas. They're doing that. In fact, I found out about it because they came to lobby me to support the previous bill that I'd introduced, not realizing that I was the sponsor of the bill.

Senator Batters: Dealing with that Bill C-5 issue that you talked about, the drug possession, how I had it written down here — sorry; I didn't know until I was already in this building today and in committee meetings non-stop that you were going to be making your speech today, so I'm not as prepared as I'd like to be — I think you stated that drug possession records would expire automatically two years after the sentence is completed. Is that correct? Is that all drug possession convictions? What are the requirements for that?

Senator Pate: It would be simple drug possession, which would be the less serious type of possession. The expiry was supposed to happen — it has been a ministerial directive, which is essentially the minister saying to all law enforcement, "You can't use these records for this purpose," even though they don't have the structure in place to do their automated elimination from the system.

Senator Batters: Thank you. That's interesting. Bill C-5 is a few years old at least by this point. I note that you referred to Bill C-93 in 2019. I used to refer to that as "tiny pot pardons," a tiny number of them, because so few people were actually eligible for them, as you pointed out. I remember questioning public safety minister Ralph Goodale at committee about this; it was his bill. I noted you quoted him from 2016 where he talked about how important it was that these types of pardons were granted, yet he's the one who brought in this 2019 bill on pot pardons.

I think you said there were only 10,000 people that the government estimated would be eligible because there were strict criteria as to what would be required to receive this. As it is, only 13%, I think you've said, were actually able to get this out of a very tiny amount. Certainly, there are many times more people who would potentially have a marijuana possession conviction. Do you happen to know what that number is? What would be an estimate of the potential number of marijuana possession charges without all of those different requirements?

Senator Pate: No, that's why I didn't say a specific number. I asked for that. It's recognized that it would be at least double, potentially many more times than that.

The challenge really has been why people didn't apply. This is anecdotal. They haven't done research on this, but when I started to talk to people on the same issues and the organizations that were getting the $18 million to assist people, one of the reasons why people were saying they weren't coming forward was because some of their records were so old, they didn't trust that if they came forward to get the pardon, it wouldn't dredge up that evidence. Some of them were grandparents; their children may not have known, and their grandchildren certainly did not know of their records, and they still carried that stigma. Although for some people I spoke to it was important for those records to be expunged, they weren't willing to come forward. That's partly why they went to an automatic expiry process. The first iteration required people to put their names forward, but people were not willing to do that, particularly in historical records.

Senator Batters: As I recall, when the Public Safety officials first came to our committee about that, they were throwing out the numbers that there could be 250,000 or 300,000 people eligible for this, and then when it boiled down, it was so few. It wasn't because they couldn't find the records, but I believe one of the requirements was you couldn't have any other criminal conviction, even if it was something completely unrelated to a marijuana possession charge.

There is one other thing I'd like to ask you about. I believe you said something in your speech similar to this — I may have gotten it wrong when I wrote it down — "People with a criminal record are no more likely to commit a crime." I think it was something like that.

• (1600)

Watching Canadian news stories about myriad people who are frequently arrested for serious crimes, I often find it comes out as part of a news story that the person was out on bail or parole at the time. It seems as though in at least every second news story about serious crimes you watch, that is what you hear.

So this does not seem to ring true. That statement just does not seem as if it could possibly be true, so I am asking: What is your evidence to be able to state that?

Senator Pate: I mentioned that Dr. Anthony Doob has done research on this. In fact, this morning, he sent me new information about bail research, which I will be digesting and will be happy to share after I have done so. It's his research and the research of many others.

Yes, there are issues around bail. However, many of these issues have to do with the fact that we are dealing with people who are often homeless, and the reason behind locking them up is not necessarily first and foremost a public safety issue, but instead a lack of housing. As a lawyer, you know that is not supposed to be a reason to lock someone up, hence some of the challenges in terms of public perception of what bail is about.

In this case, we are talking about people who have completed their sentences. The new research is that people who have been out, have completed their sentence and have been living crime-free for five years with no interventions with the police and no charges are no more likely than you, me or anyone else in society to commit a new offence. It is based upon the period of stability after the record, which is why it is in this speech.

Senator Batters: I would like to receive that research, if you could provide it.

Yes, to say that it's someone with a criminal record who's been crime-free — or conviction-free, I guess — for a five-year time frame is an important qualifier. Is that the qualification they are putting on it — that those people are no more likely to commit a crime?

Senator Pate: The reason that I focused on that is because that is the time frame in this bill. It would be five years for indictable offences, going back to the original time periods from when pardons were first introduced. It was two years for summary convictions and five years for indictable offences. It is going back to those time frames. A part of the reason is that in the research that the then-solicitor general and Public Safety Canada did on that, those were the time frames at the time.

(On motion of Senator Martin, debate adjourned.)

VOTE 16 BILL

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Senator McPhedran moved second reading of Bill S-222, An Act to amend the Canada Elections Act and the Regulation Adapting the Canada Elections Act for the Purposes of a Referendum.

She said: Honourable senators, I will begin in French.

[*Translation*]

As a senator from Manitoba, I acknowledge that I live on Treaty 1 territory, the traditional lands of the Anishinaabe, Cree, Oji-Cree, Dakota and Dene peoples, and the homeland of the Red River Métis Nation.

I want to thank all the senators who have spoken on the issue of expanding voting rights, whether they support this measure or not. A rich and open debate will inevitably serve to enhance the Senate's deliberations on any issue brought before our chamber.

I am particularly proud of and deeply grateful to my colleagues in the Senate who, during the debate on an earlier version of this bill in the final days of the Forty-third Parliament in 2017, recognized its potential and voted to send it to committee for further study. This was the first Vote16 bill to pass second reading in either the House of Commons or the Senate. Whether or not they agreed with expanding the right to vote, a majority recognized the importance of referring the bill to committee for study and evaluation. This was a clear signal of two things:

First, that we recognize and respect the importance of young people in our democracy and that their increased participation in the electoral process deserves study and our sincere attention.

Second, that we honour our duty as representatives to give serious consideration to issues of national importance.

As many of you know, when I first arrived in this chamber, I established a youth advisory committee. I created my first strategic plan in 2017, in collaboration with a diverse group of young leaders, including young francophones, who made expanding voting rights their top priority.

In fact, the first national youth organization in Canada to focus on the benefits of voting for 16- and 17-year-olds was the Fédération de la jeunesse canadienne-française more than 20 years ago. Young people continue to lead the Vote16 movement to this day.

I recognize that there are diverse opinions on this issue, but I hope you'll agree that, as senators, we must first and foremost examine the legislative proposals presented to us. There is a wealth of evidence to support lowering the voting age, and I invite you to visit our website, vote16.ca. There you will find our collection of Senate speeches and a comprehensive review of the evidence gathered, including data, empirical academic research, documented cultural and social benefits, and decades of proven experience reports from pioneering countries such as Austria, Scotland, and Brazil. The total number is now 17.

Since I introduced this bill seven years ago, the evidence, academic studies and concrete proof of its benefits have only grown.

To summarize the evidence for expanding the right to vote in a democracy: nothing bad happens.

[*English*]

Dear colleagues, allow me to repeat in English: The summation of research-based evidence on impacts on democracies when voting rights are expanded to include 16- and 17-year-olds is that nothing bad happens.

Since the introduction of my first Vote16 bill, the worldwide trend of expanding voting rights has continued to grow. Relevant to the Canadian context is the recent unprecedented announcement by the government of the United Kingdom, with 70 million people in four countries, that 16- and 17-year-olds will be voting in their next election.

Prime Minister Starmer said at the time:

> If you can work, if you can pay tax, if you can serve in your armed forces, then you ought to be able to vote.

The U.K. Prime Minister is not alone. This is for my dear Conservative colleagues.

• (1610)

The United Kingdom Conservative the Right Honourable Damian Green has noted:

> The traditional Conservative response to the idea of giving 16-year-olds the vote has been to reject it on the ground that they are not mature enough, they don't pay taxes and therefore they don't feel the consequences of any vote they may cast. . . . The traditional response needs further thought.

He makes the case that Conservative support would show:

> . . . that we were confident of taking our arguments to a new generation. We could introduce them not only to the good habit of voting in elections, but to the even better habit of voting Conservative.

He is joined by another Conservative voice. Ruth Davidson, former leader of the Scottish Conservatives, has said:

> . . . having watched and debated in front of 16 and 17 year olds throughout the referendum . . . . My position has changed. We deem 16 year olds adult enough to join the army, to have sex, get married, leave home and work full-time. The evidence of the referendum suggests that, clearly, they are old enough to vote too.

While Vote16 has already been adopted in many countries, the U.K. reform is of particular interest to us here in Canada. First, our entire democratic system in Canada is based on the U.K.'s Westminster model of government. Indeed, to this day, we continue to share a common head of state. Second, the U.K. has 70 million voters, making this one of the largest examples of an expanded voting age in the world. Third, 50 years ago, the U.K. extended voting rights to 18-, 19- and 20-year-olds, and Canada followed soon thereafter.

The core argument in favour of this bill is quite simple and straightforward: We should extend the voting age to 16 because the overwhelming evidence verifies that 16- and 17-year-old Canadians are more than sufficiently mature, informed and ready to exercise the right to vote in federal elections, commensurate to the ability displayed by those aged 18 and older.

Extending the voting age will increase voter turnout by providing young people the opportunity to vote for the first time in an environment supported by their schools and their families. Additionally, we know that those who vote at an earlier age for the first time are more likely to vote on into the future. It's lamentably ironic that polling stations are often located in high schools, even as most students must watch from afar as others exercise their right to vote.

These are not anecdotal affirmations. We know these facts because an ever-growing body of quantifiable research, mostly in Europe, confirms it — but not for long. I'm excited to invite you to two academic round tables on democratic resilience here in the Senate. On November 5, Indigenous scholars and students will explore what research needs to be done in Canada on democratic resilience, and on November 19, they will join other Canadian colleagues to further this inquiry in a Canadian context.

Colleagues, knowing that this is a debate new to many of you, I would like to address several questions and objections raised over the years, many of them procedural rather than substantive. In doing so, I hope to demonstrate the legitimacy of this bill and the vital role the Senate can and should play by referring it to committee for comprehensive study.

Voting age has changed over time as convention and societal norms have evolved. It should not be conflated with the age of majority, as has been argued here by some senators, if for no other reason than that the age of majority itself is not consistent across Canada, being 18 years in six provinces, 19 years in the other four provinces and three territories but 18 years federally.

There are numerous rights and legal privileges afforded to young Canadians that are not at all linked to majority age, such as driving, work, military service or medical and sexual consent. These age-based responsibilities are grounded on task-specific maturity, responsibility and ability to form analytically sound, independent decisions.

Voting capacity aligns with this science. It is a scientific fact that the neurocognitive development required to make reasoned decisions is as fully developed in a person of 16 years as in a person over 18.

Dr. Sarah-Jayne Blakemore, a neuroscientist and professor at Cambridge, writes:

> They can weigh arguments, think abstractly and consider long-term consequences. This type of careful, deliberate thinking used in calm situations is called cold cognition. It is the kind of decision-making typically involved in voting.

Another senator once contended that "common sense" should tell us not to continue this debate. Well, I submit it is exactly common sense that says we must. We know young people can reason just as clearly and logically as adults — the science of cold cognition — and common sense demands we study whether extending voting rights is right for these times.

Another senator asked us to contemplate the proper age of wisdom to be qualified to vote. I grant it is a beautiful question — but irrelevant. Wisdom may denote sense and judgment, which often deepen with age and experience, but wisdom is not a prerequisite for any voter. We all know many Canadians, young and old, who choose to be informed, engaged and involved in their communities, to stay up to date on political events and who thoughtfully formulate their own policy preferences and positions. But let's be honest; we also know many others who choose not to be. The lower voter turnout data across Canada attests to this disengagement. However, we do not limit voting to those who can prove a certain level of engagement or knowledge.

In fact, wisdom is in knowing that doing so is fundamentally wrong. There is no pre-screening knowledge test to qualify a voter. We simply use an arbitrary minimum age at which we agree individuals can carry the weight of informed decision making. For the past half-century, this has been at 18 years. This age was previously 21 years and before that, 25 years. Not so long ago in our history, women and Indigenous people were denied the vote, essentially deemed incompetent, echoed in many arguments against 16- and 17-year-olds today.

Consider that all political parties welcome 14-year-olds as fully capable to serve as voting delegates, entrusting them with full rights to make reasoned and informed voting decisions on their selection of member of Parliament candidates and even a potential future prime minister but, on the other hand, think them incapable of voting during a national general election.

Senators, perhaps these issues are exactly why this bill merits careful scrutiny by a Senate committee.

I want to address another counterpoint raised in this chamber — that if we deign young Canadians ready to vote at 16, we should also lower all other age-based restrictions, such as drinking. Science notes how cold cognition differs in neurological function and development from hot cognition, which is more entwined with emotion as motivation. This aspect of neurological development takes longer to mature because, unlike cold cognition, it is heavily affected by ongoing hormonal and physiological growth. That is why Canada permits driving at 16 years but restricts drinking and legalized drug consumption, which target emotional processes and physical control, to 18 or 19 years.

In the U.S., this is even more pronounced. You can join the army at 17, vote at 18, but only drink at 21. We already distinguish between these capacities in law, and voting clearly belongs with reasoning, not with drinking.

• (1620)

Medical research shows the higher the drinking age, the better the health outcomes, but the voting research shows that the lower the voting age, the stronger the democratic outcomes. Studies across Europe show that extending the voting age increases turnout, builds lifelong voting habits and even encourages older generations to re-engage with democracy.

As I often say, "Vote young, vote long."

In debate on my bill Bill S-201, Senator Plett, as the critic, raised points that bear repeating, because I agree with him. He acknowledged that the Charter of Rights and Freedoms enshrines voting rights to Canadians and does not specify an age, to the point where we must no longer ask the question, "Why should we extend the voting age?" but rather, "Why should we not?"

Indeed, young Canadians have brought a Charter challenge, arguing that the current voting age is in violation of sections 3 and 15 of the Charter of Rights and Freedoms and is therefore unconstitutional. A landmark 2022 decision of the Supreme Court of New Zealand held that their current voting age of 18 was a discriminatory, unjustified limitation on the rights enshrined in the New Zealand Bill of Rights Act. Note that the drafters of the New Zealand bill studied the Canadian rights model in the development of their own.

As the critic of a previous Vote16 bill, Senator Plett cited the Lortie Commission of 1991, mandated to examine national voting age. Youth and adult engagement were compared in three areas: first, the extent to which those to be enfranchised had a stake in the governance of society; second, the extent to which they could be expected to exercise a mature and informed vote; and third, the level of participation in activities of citizenship. On all three criteria, the commission found youth on par with adults.

Senator Plett relied upon the commission not reaching consensus on extending the voting age. However, he omitted important findings in the recommendations made by that Royal Commission. This is from page 57 of the report:

> Since Confederation, the franchise has undergone regular change to include an ever-increasing number of Canadians. As our society continues to evolve, it is possible that a lower voting age will become the focus of stronger demands by those concerned and greater support on the part of Canadians . . . . The voting age is not specified in the Constitution and is therefore relatively easy to change. We therefore conclude that . . . Parliament should revisit the issue periodically.

It has been more than 50 years since Parliament last seriously revisited this issue. In that half century, science and neuroscience have vastly deepened our understanding of youth maturity, reasoning and comprehension. In that 50-year time span, young Canadians have been asked to take on more responsibility and become more politically aware and engaged, and they are more directly affected by decisions about which they have little or no input.

A range of global and Canadian studies have found that 16- and 17-year-olds are not less politically developed than adults; in some cases, they are as knowledgeable as or more knowledgeable than adults. Similarly, Elections Canada has found that those aged 16 to 17 are just as interested in participating in various forums of political activity as — and sometimes more than — older voters, including both voting and non-electoral civic activities.

In the past five decades, countries around the world have recognized this reality, extending voting rights to 16- and 17- year-olds, and have seen tangible benefits: higher youth participation, stronger civic habits and greater engagement across all generations. This year alone, three cities in the United States have extended the voting age to 16.

We now have international research and resources that strengthen our options for revitalizing our democracy. I'm especially encouraged by the Democracy Classroom Network's *A Roadmap to Votes at 16*, which sets out 16 steps to ensure lowering the voting age ". . . becomes a transformative step for UK democracy," including a guaranteed entitlement to democratic education, strong support for educators and expanded opportunities for youth leadership and influence. Backed by toolkits on tackling social media misinformation, understanding echo chambers and making civic dialogue engaging, this work comes as the U.K. government prepares to table its youth strategy on Curriculum and Assessment Review, which contains decisions that will shape national youth engagement.

With Canada and the U.K. bound by a shared Crown and constitutional heritage, their leadership reflects a global shift worthy of this chamber's consideration.

There are some in this chamber who hold that this is not the proper chamber for this discussion — that bills affecting the Canada Elections Act should be introduced by the elected house. To quote Senator Tannas on this point:

> I believe the subject matter of this bill is not one that the Senate should be initiating. . . . It is, in my mind, disrespectful for the Senate to proactively seek change to election processes for members of Parliament, but that's my opinion.

I respect Senator Tannas, and I respect his opinion, although I do not share it. Please note that opinions do not supersede parliamentary rules, conventions or precedents. Nothing in the rules prevents a senator from introducing a bill on any subject. The Constitution Act, 1982, grants the Senate as much legislative power as the House of Commons, excluding — as we all know — money bills. Moreover, in the past 20 years, the Senate of Canada has introduced 15 bills that amend the Canada Elections Act. Only one of these was a government bill. One of those public bills passed the Senate and was referred to the other place.

One of those significant Senate public bills proposed mandatory voting. This proposal was vehemently debated at second reading. One of those bills — and this may perk up the ears of a few of my colleagues — was introduced by former Senator Frum. It proposed to ban foreign contributions to political entities. That bill was referred to committee within a year of its introduction.

It may interest senators to know that at no time during any of the debate on any of those election-related bills was the objection ever raised by any senator of any political party that the Senate is the improper chamber to initiate changes to the Canada Elections Act until we came to my Vote16 bills.

It was mistakenly suggested by a senator last session that all parties opposed the Vote16 bill in the House of Commons. In fact, the NDP, the Bloc and the Green Party all voted unanimously in favour, as did more than 20 members of the governing party bravely breaking from the whip. Together, those MPs represented over 30% of the national popular vote — over 4 million Canadians — in the 2021 election.

Colleagues, we are in the business of incremental change. That vote tells a different story, of growing acceptance of expanding voting rights to revitalize our democracy, and provides clear evidence from many Canadians, perhaps especially those whose voices cannot be heard now in Parliament unless we continue to clear the way, inviting them to speak directly to senators in committee.

The evidence is clear. The moment is now ours.

I was deeply honoured by the level of support my Vote16 bills have received. More than 50 civil society organizations endorsed a joint statement calling to expand voting rights, including Apathy is Boring, the Association francophone des parents du Nouveau-Brunswick, the BC Teachers' Federation, the Canadian Federation of Students, the Canadian Labour Congress, the Canadian Women's Foundation, the Conseil jeunesse provincial de la Nouvelle-Écosse, Fair Vote Canada, Fair Voting BC, Franco-Jeunes de Terre-Neuve et du Labrador, the Manitoba Association for Rights and Liberties, Operation Black Vote Canada, the PEI Coalition for Women's Leadership, the Samara Centre for Democracy, UNICEF Canada and Youth Ottawa.

• (1630)

Being free from the biases and pressures of the electoral cycle and partisanship, isn't the Senate best placed to initiate the long-overdue study of this important issue? By its very design, the Senate is intended to participate in the legislative process in a manner that is removed from the pressures of the electoral cycle and the partisan politics of the moment.

As our esteemed Senator Harder noted in the *National Journal of Constitutional Law*:

> Because Senators were appointed for a long tenure, it was expected that they would not place the interests and fate of political parties at the heart of their deliberations. Instead, senators would take an independent and disinterested approach to the task of legislative review and debate, applying their thoughtful judgment without being hampered by electoral or partisan pressures.

Freed from the pressures, constraints and imperatives of the electoral cycle, senators may be able to bring a more nuanced distance to the reform of the voting age that may not be possible for an elected body, which must face the biases and pressures, both known and unknown, associated with their elective functions.

Colleagues, let me be clear: We are not asking here for a final vote on this bill. We are asking that it be sent to committee for a thorough, substantive study. That is the proper forum to examine evidence, hear from experts and Canadians directly affected and explore any questions or concerns that senators may have. The arguments that were used in the past, mostly technical, are no longer relevant in this Parliament. There is no legal or constitutional impediment to studying this bill.

The only barrier would be one we choose to create ourselves. By referring this bill to committee, we will uphold the integrity of the legislative process and demonstrate trust in the Senate's unique capacity to deliberate responsibly and independently.

I do very much want to convince you of the merits of studying this bill, of the appropriateness of doing so here in the Senate and of how doing so fulfills our responsibility to speak for the voiceless and under-represented.

Further, as senators, we have a unique role in this sensitive issue precisely because we are removed from the pressures of the electoral cycle. Please consider the following thoughts and reflections of our Senate colleagues.

Former Speaker Furey reminded us on May 11, 2023, that the Senate is a chamber like no other. He said:

> Senators are in the distinct position of being able to resist public pressure in order to do public good. Never has this been more important than in today's world.

We are not bound by the immediate pressures of elections. We can look ahead, focus on the long term and apply our knowledge and experience to strengthen public discourse.

On April 20, 2023, Senator Housakos put it clearly:

> . . . when this house was created, the "Father of Confederation," John A. Macdonald, also made it clear . . . that this body would speak for the voices that . . . were not being adequately spoken for in the other place.

I am also reminded of the words spoken by Senator Wallin:

> We are not required by law, or the Constitution, to defer to the elected house. They have rights and authorities and so do we.

That independence carries with it a responsibility: the duty to study legislation fully.

On June 21, 2023, former Senator Cotter perhaps said it well:

> One of the advantages of this bill coming to us first — turning us, in a way, into a chamber of sober first thought — was that there was a greater degree of freedom and openness in the development of amendments to the bill, including amendments from the government itself . . . .

Even when senators oppose a bill, they understand that committee study is essential to a full and measured Senate deliberation.

To quote Senator MacDonald on April 18, 2023, speaking on universal basic income:

> . . . I know there is no support for this bill in our caucus. However, all bills deserve a chance to go to committee. . . .

On March 19, 2024, former Senator Plett echoed this principle:

> . . . I have always said that I support legislation going to committee. I would be inconsistent and hypocritical if I tried to stop this from going to committee. . . .

Why does committee study matter? It's because public debate is often messy, and Senate committees are rigorous. On September 27, 2022, Senator Woo alluded to this:

> . . . advocates and opponents are often debating different versions . . . and hence talking past each other. If a Senate committee can clarify the issues . . . that will be a positive contribution on an important public policy issue regardless of whether this bill is adopted. . . .

Senator Woo was referring to universal basic income, but the same holds true for vote 16. Sending this bill to committee would allow for expert witnesses, academics, advocates and, most importantly, young people to come and testify, enriching our understanding of this issue and informing our decision making in profound ways. We need to hear from people on this issue, and when Canadians raise their voices, the Senate must listen.

Senator Housakos said on April 20, 2023:

> There also comes a point in time when we, as legislators, have heard such an outcry . . . that I think we have an obligation, both constitutional and moral, to ensure those voices are heard.

Colleagues, there are Canadians who have been waiting for years to be heard on vote 16. How will we choose to respond? This is a growing issue, and it will only grow larger. The data, the public support and the growing weight of evidence from Canada and around the world indicate as much. It is a growing wave. It hasn't crested yet, but it will. I truly think parliamentarians and political parties have the opportunity to show national leadership and get ahead of this wave, where we can potentially direct and inform its trajectory positively, or we will likely find ourselves buried underneath it and dismissed as entrenched opponents.

Young Canadians are leading this wave. In Toronto, thanks to the work of youth organizers like Sarah Morra and Aleksi Toiviainen, along with more than 20 civil society organizations involved in public safety, disability rights, transit, democratic reform, youth engagement and public spaces, Toronto City Council voted in April of this year to allow 16-year-olds and 17-year-olds to take part in neighbourhood polls. Through this change, Canada's largest city has ensured that more voters will cast their ballots as youth in a familiar and supportive environment.

Sarah also addressed the town council of Port Hope, Ontario, this past June. Citing the recent breakthrough in Toronto but also in Montreal, Mont-Saint-Hilaire and Vancouver — where 16-year-olds and 17-year-olds have been included in participatory budgeting initiatives — Sarah argued:

> By engaging young people civically early on, they are introduced to active citizenship and their civic responsibilities — thus increasing the likelihood they will remain engaged throughout adulthood.

• (1640)

Joined by youth advocates Paaven Ghuman and Sam Nadurata, who organized a petition among Port Hope's youth, they called on council to allow 16- and 17-year-olds to serve on advisory committees like Parks, Recreation and Culture and the Environmental Advisory Committee. The group had spent months researching the town's decision-making processes, refining their proposal and talking with council staff and the mayor. Council voted unanimously to formally refer this proposal to its advisory committee bylaw review and expand youth participation as part of this process.

I couldn't agree more with the words of Councillor Todd Attridge, who said on that day, "Every time youth come and speak to us, I'm always impressed."

I also want to note the initiative of some of the members of my youth advisory in Winnipeg, Manitoba, who organized and met with council members of our city council, and Winnipeg became one of the first cities in the world to declare itself a nuclear-free city directly as a result of youth organizing and informing and making sure that councillors were well prepared before the vote took place.

Over this past summer, the British Columbia Special Committee on Democratic and Electoral Reform held a province-wide consultation tour, hearing presentations from individuals and groups on how to enhance voter participation and democratic engagement in the province. Of the 41 presentations that included an opinion on the voting age, 93% were in favour of extending it to 16.

Senator Harder has long been emphatic in his defence of the Senate as an indispensable forum for rarely heard voices:

> The second chamber provides . . . a voice for smaller regions and minority interests so that they are not drowned out by the larger and louder voices.

And:

> . . . it is the function of the Senate to detect and communicate the views and opinions that the representative system in the Commons fails to detect adequately . . .

This point has also been made in another way by comedian Rick Mercer. It was quoted by former MP Scott Simms in support of Vote16:

> If I were 16, I would write my member of Parliament, I would complain, except if I were 16 they wouldn't care what I had to say because I don't have the vote and that's the problem.

A committee study would allow the Senate to hear from young Canadians, weigh the evidence and provide the sober, independent perspective this chamber is designed to offer.

Finally, I recall the words of Senator Batters, shared in this chamber on April 25, 2023, during debate on another contentious bill, attesting that curtailing debate on important issues ". . . runs roughshod over the very minority interests senators are sworn to protect."

She powerfully declared that:

> In this place, one of our roles as senators is to safeguard and preserve the rights and interests of minorities that may be overrun in a House of Commons elected by representation by population.

What was true then holds true now. Colleagues, this is precisely why a study on extending the voting age belongs here. We have the authority. We have the independence. We have the responsibility. Let us hear the evidence. Let us hear the youth. Let us provide the guidance this country deserves. Extending the voting age to include 16- and 17-year-olds is not simply about adding more names to the voters list. It is about renewing and strengthening our democratic institutions at a time when they are under real strain.

Here in Canada, voter turnout has declined sharply over the last 40 years, and trust in Parliament and public institutions has weakened. Around the world, similar forces are at play — polarization, disengagement and cynicism. The best response to these pressures is not to narrow participation but to broaden it, to invite more Canadians into the process to show that their voices matter and to make clear that our democracy belongs to them.

The evidence shows this works. In Austria, where 16-year-olds have been voting since 2007, turnout rates among this group are comparable to, and often higher than, those of older first-time voters. In Scotland's independence referendum, 16- and 17-year-olds voted at an estimated rate of 75%, outpacing those just a few years older. A more recent study in Scotland has confirmed that young people who were enfranchised at age 16 or 17 tend to vote in higher proportions not only immediately but also in subsequent elections onward into their twenties.

This brings me to one of the most compelling arguments in favour of extending voting to 16- and 17-year-olds: developing healthy democratic habits. Here in Canada, Elections Canada has consistently found that voting is habit-forming. Young Canadians who vote in their first eligible election are far more likely to continue voting throughout their lives. But if they miss that first opportunity, disengagement tends to persist. Right now, our system introduces voting at a moment of disruption, when young people are often moving away from home, starting work or post-secondary study and are least rooted in their communities. By extending the vote to the age of 16, when most people are still in school and in stable environments, we give them the best possible conditions to form that lifelong habit.

Far from weakening our democracy, empowering young Canadians earlier would make our democracy more resilient, more participatory, more representative and stronger against the forces that seek to erode democracy.

Research also shows a "trickle-up" effect. When young people engage, their parents and grandparents are more likely to re-engage as well. In other words, expanding the voting age does not just strengthen youth participation; it strengthens participation across society.

As the Chief Electoral Officer for the Northwest Territories recently stated:

> In the jurisdictions where they have lowered the voting age, what they've found is that 16- and 17-year-olds vote at a higher rate than 18- to 24-year-olds . . . but they're also more likely to vote in the next election, and the one after that.

I stand here today not in an effort to convince you of the merits of expanding —

The Hon. the Speaker pro tempore: Senator McPhedran, the time allocated for your speech has expired.

Senator McPhedran: Could I ask for three more minutes?

The Hon. the Speaker pro tempore: Is it agreed?

Hon. Senators: Agreed.

Senator McPhedran: Thank you, colleagues. I appreciate that.

I stand here, urging you to send this bill to committee so we can all learn more about its potential benefits. Bill S-222 is not a radical proposition. Seventeen countries, including Scotland, Germany and the United Kingdom, are expanding voting rights at the national, state or local levels. We have much to learn from this experience. If the British government has the clarity to expand voting rights, surely this house can muster the curiosity to learn why.

• (1650)

I look forward to hearing this bill's critic, Senator Mary Jane McCallum, and all other senators who wish to speak. If you're unsure about the merits of this bill, if you're undecided or even if you're just curious, please send this bill to committee. We owe it to ourselves to learn more so we can do our job and keep our promise to Canadians to hear them.

Thank you, *meegwetch*.

Hon. Denise Batters: A few of us have some questions. Senator McPhedran, thank you very much for your speech.

First of all, a second reading vote is, of course, not just a vote to send a matter to committee for study; it is a vote on the principle of the bill, which could actually become law if it goes through the process and passes.

The first question I have for you is this: In your speech — I believe you were quoting from the U.K. — you said that if you can join the military or join the army, you should be able to vote. But in Canada, you actually can't join the military at the age of 16. You have to be at least 17 years old. I believe it's 17 with parental consent and 18 without parental consent.

Does that affect your quote?

Senator McPhedran: Not entirely, because at 16 and younger, you can join the reserves and cadets. You can become part of the military process in this country.

Senator Batters: Here are a number of other things you can't do at the age of 16 in Canada, just a few that I was writing down as I was sitting here listening to you: You cannot drive without conditions in many provinces, certainly in my province of Saskatchewan. You cannot buy cannabis. You cannot buy alcohol. You cannot sign a legal contract. In fact, Connor Bedard, Regina Pats superstar in the NHL and the number one draft pick that year, wasn't 18 yet when he was set to sign his first NHL contract, so his dad had to sign his contract for him. Even the age to marry: Some provinces only allow those who have reached the age of 16 to marry, with major limitations like parental or court consent.

Given all of those limitations, isn't it proper that we should be waiting until age 18 rather than 16?

The Hon. the Speaker pro tempore: Senator McPhedran, you asked for three more minutes and the time has expired. Are you asking for more time?

Senator McPhedran: I would love more time.

The Hon. the Speaker pro tempore: Is it agreed?

Hon. Senators: Agreed.

The Hon. the Speaker pro tempore: Five minutes.

Senator McPhedran: Thank you so much.

Senator Batters, thank you for the question. I think I did make the point earlier that we have a wide range of different ages for different functions, but one of the most important indicators of the capacity to vote is the capacity for cold cognition. A number of the examples you gave were a mixture of what requires hot cognition and cold cognition.

What we focus on, certainly in the work that I'm doing with the campaign across this country, is capacity. The scientific research lines up very solidly behind the capacity of 16- and 17-year-olds to think through and be able to form a decision in order to vote.

Senator Batters: With that issue of capacity, then, wouldn't the age to enter into a contract be the most comparable to voting? That directly goes to capacity, and the age for that is the age of majority, which is 18 in some provinces and 19 in some provinces, but certainly not 16.

Senator McPhedran: I think it's an interesting comparison, but it's not a determinant. We're talking about extending voting rights. We're talking about revitalizing our democracy. The research around the ability to vote and to vote responsibly is very strongly in favour of the capacity of 16- and 17-year-olds.

The fact that there may exist a law elsewhere in our country that deals differently with age — we have many laws with many different age limits for many different reasons — should not be a reason for us to look specifically at the right to vote, the capacity to vote and the relevant evidence connected to that capacity.

Hon. Yonah Martin (Deputy Leader of the Opposition): I'll just ask one question to start. I know that you have been so passionate about working with youth, and I applaud you for that.

I don't agree that the Senate is the best place for a bill that will have very significant implications and consequences. We're the furthest removed from the classroom, where students are captive by adults who will be their teachers. I was a former teacher, as you know.

You mentioned bringing youth as witnesses, but you didn't talk about teachers, unions or all these stakeholders. Would you agree that the Senate would be a great place for a study that would inform us before we enter into a bill that will have huge ramifications?

Senator McPhedran: Thank you for the question. There are a couple of points that I want to respond to. One is your point about influence in the classroom.

In April of this year, we had 880,000 high school students in this country who voted in the April election within their high school system, run by Elections Canada. That voting was distributed widely. You might be pleased to know that they actually elected a Conservative minority government.

The point about influence of teachers is actually not borne out by what is clearly research and practice, including this year.

To your other point about a study, yes, that is exactly what I'm suggesting, but I'm also suggesting the substance of looking at changing the law. That is the essence of every bill that we look at in this chamber. If we were the first country to be looking at this, I might be persuaded by your argument to back up a little bit, but we're not. The research that's available is strongly in favour of the benefits to democracies to do this.

To hesitate on this and not follow the regular procedure that we have when a bill is proposed and take the time to study it, trust our colleagues in committee to come back and report to senators is —

The Hon. the Speaker pro tempore: Senator McPhedran, your time has now expired, but Senator Patterson wanted to ask a question. Do you want more time for that question?

Senator McPhedran: If I'm allowed more time, I would be grateful.

The Hon. the Speaker pro tempore: Is it agreed to allow time for one more question?

Hon. Senators: Agreed.

Hon. Rebecca Patterson: I want to continue talking about some of the points that have been raised. We're talking a lot about the cognitive ability of the voter, and I think you have a compelling case there.

Voting is one of the greatest privileges of a democracy. One of those principles of democracy is that what you're voting on, you're accountable for. You've certainly made compelling cases when it comes to things within the provincial or municipal jurisdictions. You've talked compellingly about people who are not voting engaging in the democratic process, and I'm really with you, but I'm going to go back.

One quick clarifier on military age. Canada is a signatory of the United Nations Security Council resolution on child soldiers. Eighteen is the age in Canada, as it is internationally. Even if a person can join the reserves at 16 with parental consent — I will say my son signed at 16 — there are severe restrictions. They cannot go to war.

When I talk about the obligations and responsibilities that come with voting, I think it's essential that anything that we do with this, it's great to talk about my rights — the cognition is perfect — but what are your accountabilities, especially with regard to things that fall within the federal domain?

I do not believe that a 17-year-old should be incarcerated for murder. However, if you vote at the federal level for a party, a group or a politician, you are contributing to decisions being made on a platform.

I agree that the cognition is there, but I think in order to fully study this bill, I would ask you: Would we also be looking at, especially the most extreme things, the obligations and responsibilities of the democratic right to vote, that we have to look elsewhere to see whether we need to also change some of our ages of restriction for minors? Would that be included as part of your study?

• (1700)

Senator McPhedran: That's the beauty of Senate committees: They have the authority to decide what is relevant to study, and I would trust in their wisdom.

On your point about responsibility and accountability, what we want to strive for is consistency: not to impose standards on 16- and 17-year-olds that we don't impose on other voters. That was part of my point earlier — we all know people that should not be voting, but they have the right.

The other beauty of the potential here is that this has constitutional implications, but doesn't require a constitutional amendment. If this were to come about, we are talking about roughly two million potential new voters.

The proposal here is to delve into exactly the kind of questions that are being raised here today and have the benefit of having this house informed by the rigorous process that our committees undertake.

(On motion of Senator Clement, debate adjourned.)

ARAB HERITAGE MONTH BILL

SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Al Zaibak, seconded by the Honourable Senator Aucoin, for the second reading of Bill S-227, An Act respecting Arab Heritage Month.

Hon. Mohammad Al Zaibak: I call the question.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

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

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

NATIONAL STRATEGY FOR SOIL HEALTH BILL

SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Black, seconded by the Honourable Senator Downe, for the second reading of Bill S-230, An Act respecting the development of a national strategy for soil health protection, conservation and enhancement.

Hon. Paula Simons: Honourable, senators, I rise now to speak to Bill S-230, an Act respecting the development of a national strategy for soil health protection, conservation and enhancement.

I'm going to begin with a little art history lesson. In the year 1337, the Renaissance painter Ambrogio Lorenzetti was given a great commission: to paint a huge fresco on the walls of the Hall of the Nine in the Palazzo Pubbilco in the city state of Siena.

Siena was a proud republic, ruled over by a council of nine magistrates. Lorenzetti's job was to create a work of art that would remind the magistrates and all those who came after them of the value of good government, of a city and community governed by the virtues of temperance, justice, prudence, courage, magnanimity and peace. The commission took two years, but the finished fresco, *The Allegory of Good and Bad Government*, endures as a masterwork of Italian Renaissance art.

On the one side of the hall are the scenes of good government. They show a happy city full of shops and businesses, customers and merchants, dancers and musicians – a bustling urban streetscape that looks, even now, like someplace I'd like to visit.

Next to the urban sophistication, we see an equally happy countryside. Rich green farmland with happy farmers working the land, fields and flocks and orchards, and, in the distance, wilder mountainsides covered in a thick forest of trees. A scroll of words above tells viewers that everyone may till and sow without fear, as long as justice remains sovereign.

But on the other side of the hall we see what happens when justice, temperance, prudence and courage fail, when we lose the capacity to be magnanimous. In the allegory of bad government the city has fallen into ruin with robbers rampaging through the streets. In the countryside, gone are the happy farmers and livestock. The land is brown, grey, barren, ravaged by drought and fire. The fields go uncultivated; the trees bear no fruit. Even the low mountains in the background look as though they've been strip-mined.

Lorenzetti's frescos are almost 700 years old, but their allegory is as apt today as it was in the 14th century. A good government is one that looks after and protects the land – the agricultural land and the wildlands. A good city is one that lives in harmony with a healthy countryside. Let the land be destroyed, and peace and plenty disappear with it.

Now, I'm going to let you in on two secrets. I've never been to Siena and I've never seen the frescos of *The Allegory of Good and Bad Government* in person. The last time I studied art history was in my first year of university. Still, I've been haunted by the story and images of Lorenzetti's masterwork ever since I saw some slides of it this summer. I wasn't in Italy. I was, in fact, in Bonn, Germany, where I had the honour to be invited to attend the Global Changemaker Academy for Parliamentarians, hosted by the United Nations Staff College and the G20 Global Land Initiative.

Inspired by the United Nations Convention to Combat Desertification, the summer school program gathered 29 parliamentarians from 29 different UN member countries for a kind of boot camp on issues of soil health, land restoration and Indigenous land rights.

I was joined by members of parliament and senators from as far north as Sweden, as far south as Kiribati, from Suriname and Eswatini, Mongolia and Colombia, Azerbaijan to Zimbabwe. It was a remarkable opportunity to meet with politicians, academics, UN experts, NGOs and advocates, all focused on the issue of preventing and reversing land degradation. And it put the recent work of our own Standing Senate Committee on Agriculture and Forestry into a stark global context.

According to the United Nations, 90% of the earth's soils could be degraded by 2050 unless we act now. As much as 52% of the world's agricultural soils are already degraded. And the Food and Agriculture Organization of the United Nations, or FAO, estimates that the world has only 60 years of soil remaining.

Around the world, land is degrading at a rate of 100 million hectares per year – land lost to urbanization, deforestation, industrial development, mining, pollution, over-cultivation and drought.

What are we doing to stop or reverse these dire trends? In November 2020, at the Riyadh Summit, the leaders of the G20 countries launched the Global Initiative on Reducing Land Degradation and Enhancing Conservation of Terrestrial Habitats. The ambition of the Global Initiative was to prevent, halt and reverse land degradation and to reduce degraded land by 50% by 2040 – a huge goal. How? By conserving land and halting habitat loss and land degradation; by promoting integrated, sustainable and resilient land management, primarily through nature-based and traditional practices; and by restoring degraded land through strategies such as reforestation, sustainable and regenerative agriculture and biodiversity conservation, among others.

On paper it all sounds tremendous. Alas, such grand international commitments are not so easily enforceable at local levels. It's not enough to sign pledges and make promises. We actually have to act. That is why I am pleased to support Bill S-230, an Act respecting the development of a national strategy for soil health protection. The bill, sponsored by my friend and colleague Senator Rob Black, builds directly on the top recommendations from our groundbreaking — you should pardon the word — soil health study, *Critical Ground*.

The bill calls on Canada to designate soil as a strategic national asset and to recommend or make recommendations around the appointment of a national soil health advocate, part of whose job would be to raise public and political awareness of the importance of healthy soil to our environment, our agricultural economy and our food security. This would move our committee's recommendations out of the report and make them law, ensuring that our soil report doesn't — well — gather dust.

Now, at the risk of sounding cynical, designating soil as a national asset, even assigning someone the title of soil advocate may sound just as idealistic and intangible as the G20's own Global Initiative, but I believe it's a small, vital first step.

Most Canadians — and most politicians and policy-makers — are urban. We are not connected personally to the soil or the land. We've lost the intimate connection between the city and the country that those marvellous Sienna frescos celebrated.

• (1710)

So, when you present statistics about land degradation or soil health to most Canadians, their eyes glaze over. But the simple acts of designating soil as a strategic national asset and appointing someone to be soil's political and public ambassador could help shake Canadians awake. It could also help Canada to meet its own G20 commitments to reverse land degradation.

In Canada, of course, protecting and restoring land gets complicated from a federal perspective. While agriculture is, in our constitution, a matter of shared federal and provincial jurisdiction, land management generally falls under provincial purview. In our confederation, it's pretty much up to provinces, municipalities and counties to figure out how to reclaim mine sites, manage orphan wells and regulate land development.

As a side note, I tried explaining this constitutional limitation to my classmates in Bonn. They looked at me, perplexed. The MP from India said helpfully to me, "Couldn't you just change that?" He didn't quite understand why I hooted with laughter.

So no, we can't rewrite the Constitution, and as an Alberta senator, I'd certainly not be one to argue that we should ride roughshod over provincial rights.

But a national soil advocate could assume a leadership role, convening provincial, territorial, Indigenous and municipal leaders to talk about how we can best preserve, manage and restore the land we share. And we need to have that conversation right now.

Canada is at an inflection point. Our traditional trade relations are in tatters. Our people don't have enough housing in which to build their lives. The world's political order is undergoing a tectonic shift, and no one knows what will happen next.

As a nation, we need to ensure our economic sovereignty and our long-term prosperity. Small wonder the momentum is accelerating for us to increase oil, natural gas and metallurgical coal production, to fast-track new copper mines, to explore for more critical minerals, to revitalize our nuclear power sector and to build more affordable housing on greenfield sites and productive agricultural lands. Many of these projects, including those that have already been designated projects of national interest, have tremendous economic and social merit.

Yet, while Canada is facing all kinds of economic and political uncertainty, the need to safeguard our domestic food security is also real and pressing. We need clean and healthy soil to grow nutritious food that is untainted by pollutants and carcinogens. And we need to preserve our agricultural land if we want to maintain and grow our export markets and ensure that we can feed ourselves, especially at a time when many Canadians are growing even more skeptical about the economic, political and health impacts of buying imported American food.

We must find a balance. We must find a way to ensure that we are not paving over, polluting or degrading our vulnerable natural ecosystems and our most fertile soil, nor running over the land rights of Indigenous communities and farmers.

We run, of course, into that perennial issue that the Senate cannot author a bill that requires the spending of money. In truth, I don't know what it would cost to designate soil a national asset or appoint a soil ambassador, or if those costs could simply be absorbed by the Department of Agriculture's existing budget. But I do know what it would cost if we don't start taking the issue of soil protection and land degradation seriously.

Temperance. Prudence. Courage. Justice. Those principles, so beautifully depicted on the walls of Renaissance Siena, are as vital to good governance today as they were in the 1300s. And without good governance and care for our soil, our land will be left as bleak and barren as Lorenzetti's darkest imaginings.

Thank you, *hiy hiy*.

Hon. Senators: Hear, hear.

Hon. Robert Black: I have a couple of questions.

Senator Simons: Please, fire away.

Senator Black: Colleague, thank you for your intervention. I really do appreciate it.

When talking to your summer classmates a few months ago, did you get a sense that these other countries had national soil strategies or advocates that we don't know about?

Senator Simons: I don't know if any of them had a national soil advocate, but many were deeply engaged with these issues. If you are from Kiribati and your soil is literally being subsumed by the sea, the matter is very pressing. The MP from Namibia represented a party that represents people without land, and she was a passionate advocate for returning land to people who would husband and tend it.

In every country that was represented there, people were absolutely seized with this issue.

Senator Black: I have a final question: Did you get a sense that these countries were watching Canada and what we are moving forward or trying to move forward on?

Senator Simons: What was exciting about this gathering was that many of us did not know what the others were doing. I would like you to know, Senator Black, that I took with me all the QR codes for our soil study and made sure that every delegate and member of the UN had a copy of the code to our soil study. If they were not paying attention before, I'm endeavouring to ensure that they are now.

(On motion of Senator Martin, debate adjourned.)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO STUDY ISSUES RELATING TO SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY GENERALLY

Hon. Rosemary Moodie, pursuant to notice of September 25, 2025, moved:

> That the Standing Senate Committee on Social Affairs, Science and Technology, in accordance with rule 12-7(11), be authorized to examine and report on such issues as may arise from time to time relating to social affairs, science and technology generally;
>
> That the committee be permitted, notwithstanding usual practices, to deposit its reports on this study with the Clerk of the Senate if the Senate is not then sitting, and that the reports be deemed to have been tabled in the Senate; and
>
> That the committee submit its final report on this study to the Senate no later than October 15, 2029, and that the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

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

Hon. Senators: Agreed.

(Motion agreed to.)

LEGAL AND CONSTITUTIONAL AFFAIRS

COMMITTEE AUTHORIZED TO STUDY ISSUES RELATING TO LEGAL AND CONSTITUTIONAL MATTERS GENERALLY

Hon. David Arnot, pursuant to notice of October 1, 2025, moved:

> That the Standing Senate Committee on Legal and Constitutional Affairs, in accordance with rule 12-7(9), be authorized to examine and report on such issues as may arise from time to time relating to legal and constitutional matters generally; and
>
> That the committee submit its final report to the Senate no later than October 10, 2027.

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

Hon. Senators: Agreed.

(Motion agreed to.)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO STUDY MATTERS RELATED TO THE IMPACT OF ARTIFICIAL INTELLIGENCE

Hon. Rosemary Moodie, pursuant to notice of October 1, 2025, moved:

> That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on matters related to the impact of artificial intelligence in Canada, highlighting issues including:
>
> (a) data governance and sovereignty;
>
> (b) ethics, privacy and safety; and
>
> (c) the risks, benefits and social impact;
>
> That the committee be permitted, notwithstanding usual practices, to deposit its reports on this study with the Clerk of the Senate if the Senate is not then sitting, and that the reports be deemed to have been tabled in the Senate; and
>
> That the committee submit its final report no later than December 31, 2026, and that the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

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

Hon. Senators: Agreed.

(Motion agreed to.)

FISHERIES AND OCEANS

COMMITTEE AUTHORIZED TO STUDY ISSUES RELATING TO FEDERAL GOVERNMENT'S CURRENT AND EVOLVING POLICY FRAMEWORK FOR MANAGING FISHERIES AND OCEANS

Hon. Yonah Martin (Deputy Leader of the Opposition), for Senator Manning, pursuant to notice of October 1, 2025, moved:

> That the Standing Senate Committee on Fisheries and Oceans be authorized, in accordance with rule 12-7(13), to examine and report on issues relating to the federal government's current and evolving policy framework for managing Canada's fisheries and oceans, including maritime safety; and
>
> That the committee submit its final report to the Senate no later than December 31, 2027, and that the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

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

Hon. Senators: Agreed.

(Motion agreed to.)

• (1720)

NATIONAL SECURITY, DEFENCE AND VETERANS AFFAIRS

COMMITTEE AUTHORIZED TO STUDY ISSUES RELATING TO NATIONAL SECURITY AND DEFENCE GENERALLY

Hon. Hassan Yussuff, pursuant to notice of October 1, 2025, moved:

> That the Standing Senate Committee on National Security, Defence and Veterans Affairs, in accordance with rule 12-7(17), be authorized to examine and report on such issues as may arise from time to time relating to national security and defence generally, including veterans' affairs; and
>
> That the committee submit its final report to the Senate no later than October 10, 2027, and that the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

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

Hon. Senators: Agreed.

(Motion agreed to.)

FUTURE OF CANADIAN NEWS MEDIA

INQUIRY—DEBATE ADJOURNED

Hon. Andrew Cardozo rose pursuant to notice of June 18, 2025:

> That he will call the attention of the Senate to the future of Canadian news media and its long-term funding model, including that of CBC/Radio Canada.

He said: Honourable senators, I realize that I stand literally between you and dinner. I pulled out several pages of my speech; I will be brief.

I am launching this inquiry on funding new news media in Canada. Colleagues, there is a real crisis in Canadian news media. This inquiry is about the long-term funding of news media across Canada, public, private and non-profit. It builds on the inquiry I launched in the previous Parliament on the future of CBC/Radio-Canada.

[*Translation*]

I want to sincerely thank our colleagues who rose to speak during the inquiry: Senators Forest, Bernard, Miville-Dechêne, Moncion, Duncan, McCallum, Gerba, Klyne and Aucoin. We heard many valuable viewpoints that made valuable contributions to the broader public debate surrounding CBC/Radio-Canada.

[*English*]

I did not get to close the inquiry due to prorogation, but I issued a summary report which is available on my website, SenatorCardozo.ca.

The main elements of my summation are as follows: Presentations talked about the need for a strong belief in the need for the continuation and growth of CBC/Radio-Canada; the importance of maintaining strong English and French programming, especially French across the country; the need for the public broadcaster to constantly innovate and adjust to the rapidly changing technology of media; the need for a strong focus on diversity in all its forums so as to reflect Canada; the need for drastically increased local programming; better international news coverage; the need for the better reflection of political and social diversity in the programming of CBC/Radio-Canada.

I also wish to salute the work of the Standing Senate Committee on Transport and Communications, which began a study last year tightly focused on local programming at CBC/Radio-Canada.

I wish to compliment my colleagues Senators Hay and Wilson and other members of the steering committee — Senators Smith, Dasko and Lewis — for making the plan to complete the study this fall. It is timely. It will add considerably to the national debate.

The committee heard from 59 witnesses last year and received a lot of thoughtful commentary on a range of viewpoints.

Today, I wish to widen the scope of the discussion and look for options for the financial model for news media in the years ahead, the long-term.

[*Translation*]

Today, we're expanding the scope of the debate to include a discussion of options for the news media economic model in coming years.

In addition to CBC/Radio-Canada, most traditional media — newspapers, radio and television, as well as numerous online publications — have access to public support, direct grants or tax credits. Of course, this model has its supporters and detractors.

[*English*]

Let me be clear in saying that a major reason for this discussion now is that two political parties in the last election — the Conservative Party and the People's Party — promised to end all or most of the federal funding for the public broadcaster and the private sector media. These parties have raised serious issues with serious reservations that deserve a serious conversation.

The key point — and I actually don't disagree with it — is that an independent media should not be getting public funds. Here is the conundrum: If today we end all subsidies, we end all public and independent media in Canada. That is the conundrum I ask you to participate in and have a discussion on. In my view, we urgently need a debate and need fresh ideas on how news media, both public and private, can best thrive and serve the public good.

The following are the four issues that I encourage you to address among any other that you see as important.

First is the option for a viable, long-term funding model for Canadian news media that can garner support and trust of Canadians. One has been to have all funding of the media go through an independent body at arm's length from the government. The new Canadian Journalism Collective that oversees the Google money subsequent to Bill C-11 is one of those options.

You will recall that when Minister Steven Guilbeault was here last week, I asked him a question about that, and he referred to this model as being an option. I would suggest that it go beyond the Google money and that any public money that goes to news media — private and non-profit media — go through this arm's-length body. That is one of the issues up for discussion.

Second is the role in future of CBC/Radio-Canada as one part of a wider news media ecosystem.

You will know that the corporation was established by Conservative prime minister R.B. Bennett in 1936 to counter the onslaught of American broadcasting that could wipe out Canadian culture and identity. The challenge today, ironically and sadly, is the same in content but which is more drastic in volume and speed.

The third issue is the current state and future potential of the emerging online-only news media ecosystems. Numerous new online news media are emerging. Examples include The Hub, The Tyee, The Narwhal, Halifax Examiner, National Newswatch, PressProgress and LiveWire.

This is certainly where the brightest hope lies in the future of news media in Canada, and indeed many other parts of the world. At present, most are small or even boutique, but many are ensuring high standards of fair journalism and deserve our respect for their determination and innovation.

The fourth issue is the effect on democracy of the reducing presence and standards of news media.

We currently have a situation where an increasing number of cities, towns and communities have no coverage of local municipal councils, local businesses, schools and sports. Indeed, that's even the case in many large cities where a newspaper may just cover one or two issues when city councils are dealing with a large number of issues.

Indeed, here in the Senate, we see very little coverage of what happens in the Senate.

With the growing power of social media, misinformation and disinformation online, the growing misuse of artificial intelligence and the ability of bad actors to manipulate democracy, these problems are growing by leaps and bounds and need our attention. Again, the four questions are: Viable long-term financial model for all media; the role of CBC/Radio-Canada; the emerging online media, and the effects on democracy.

[*Translation*]

In conclusion, and to summarize: this inquiry aims to identify a long-term financial model for Canada's news media, whether they are managed by the private sector, the non-profit sector or the public sector.

[*English*]

It is about identifying options for a long-term financial model for news media in Canada.

• (1730)

Many Canadians I've been speaking with over the past few months believe that the largely non-partisan nature of the Senate offers us, offers Canadians, the best venue to have a discussion relatively free of partisan consideration, but rather to focus on the future of news media in a way that is good for Canada, Canadian democracy and the Canadian people.

Colleagues, I invite you to be part of this discussion in the weeks ahead.

[*Translation*]

Honourable colleagues, I urge you to participate in this inquiry into this vital aspect of our democracy over the coming weeks. Thank you.

(On motion of Senator Francis, debate adjourned.)

(*At 5:31 p.m., the Senate was continued until Tuesday, October 7, 2025, at 2 p.m.*)

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