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OFFICIAL REPORT
(HANSARD)

Tuesday, October 20, 2026

The Honourable RAYMONDE GAGNÉ,
Speaker

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THE SENATE

Tuesday, October 20, 2026

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

Prayers.

BUSINESS OF THE SENATE

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(k), I move:

> That, notwithstanding any provision of the Rules or previous order, for today's sitting, the period for Senators' Statements be extended by 18 minutes, to be used for the purpose of paying tribute to the victims of the tragedy in Wainwright, Alberta; and
>
> That, notwithstanding rule 4-2(3), for today's sitting, a senator making a statement be permitted more than one intervention.

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

Hon. Senators: Agreed.

[*Translation*]

SENATORS' STATEMENTS

CFB WAINWRIGHT, ALBERTA—VICTIMS OF TRAGEDY

TRIBUTES

The Hon. the Speaker: Honourable senators, it is with a heavy heart and profound sorrow that I address you today.

As a mother, it is difficult for me to imagine what the families affected by this tragedy are going through. A parent never expects to receive the kind of news that changes their life forever. This is unthinkable, yet it is the reality that these families and loved ones are now facing.

I am deeply shaken by the tragedy at Canadian Forces Base Wainwright in Alberta.

[*English*]

Parents have lost their children. Spouses have lost their loved ones. Brothers and sisters in arms must now learn to live without those who served alongside them, with whom they shared their daily lives and a common mission to defend our freedom.

Today, our thoughts are with Sergeant Morgan Wong, Private Shaun Farrell, Private Aidan Goulding and Private Hayden Lykkemark. To their families and everyone who loved them, I offer my most heartfelt condolences. I know that no words can ease such pain, but I want you to know that we are thinking of you and that you are not alone in this difficult time. We stand with you. The entire country stands by your side.

My thoughts are also with the 39 injured Canadian Armed Forces members and their loved ones, who are going through an especially difficult time. My heartfelt wish is that you find the strength you need to face this immense hardship.

[*Translation*]

My thoughts are also with the first responders who were called to the scene and had to carry out their duties under such trying circumstances. They have my heartfelt gratitude.

Choosing to wear the uniform and serve one's country takes courage and involves sacrifices that we do not always fully appreciate. These women and men deserve our respect and recognition.

We will honour their memory forever.

[*English*]

Hon. Pierre Moreau (Government Representative in the Senate): Honourable senators, those who serve this country face a risk most of us will never be asked to face. We tend to associate this risk with overseas deployments, dangerous missions and theatres of war, but sometimes tragedy strikes here at home.

On October 17, at Canadian Forces Base Wainwright in Alberta, a fast-moving fire swept through a military training area, killing four Canadian soldiers and injuring 39 others. Those who died were Sergeant Morgan Wong, Private Shaun Farrell, Private Aidan Goulding and Private Hayden Lykkemark.

Four soldiers, four lives cut short, four grieving families whose lives have been changed forever.

[*Translation*]

Honourable senators, we ask so much of the women and men who wear our country's uniform. They must face down danger, be separated from their loved ones, endure hardship and, when circumstances demand it, put the safety of others ahead of their own.

[*English*]

Our colleague Senator Patterson, in a speech earlier this year, told us about the "unlimited liability" that uniformed women and men accept. Whether they are serving abroad or here at home, unlimited liability means they may be ordered or may have to order others to operate under dangerous, life-threatening conditions.

[*Translation*]

Members of the Canadian Armed Forces accept this unlimited liability out of a sense of duty and a desire to serve their country. We must never take that commitment for granted.

Military service also requires families to make sacrifices. They endure long separations, sleepless nights and uncertainty about the future. Their courage is more understated, but it is just as real and deserves the same recognition. However, no family can ever truly prepare for the loss of a loved one.

[*English*]

The poet Christina Rossetti wrote:

> Remember me when I am gone away,
> Gone far away into the silent land.

For four families, those words now carry sorrow beyond anything we can imagine. A familiar voice has fallen silent. A place at the family table is empty. Plans for the future, journeys yet to be taken, ordinary moments yet to be shared — all of it — are taken from them. No words spoken in this chamber can fill that emptiness, but we can assure those families that they do not grieve alone and that their loved ones will not be forgotten.

[*Translation*]

I offer my deepest condolences to these families, and I wish the injured soldiers courage and a swift recovery.

• (1410)

I also want to thank the firefighters, paramedics, medical staff and all those who came to the victims' aid.

Their courage and dedication remind us that, even in the darkest times, there are people who are willing to risk their own lives to save others.

We must get to the bottom of what happened in Wainwright. Questions must be answered, and lessons must be learned from this tragedy to prevent anything like it from happening again.

These four soldiers accepted the risks associated with military service, but their families had every right to expect that they would return home. This trust places a unique responsibility on our institutions.

Those who serve our country deserve more than our respect. They are entitled to our vigilance, our protection and an ongoing commitment to their safety.

[*English*]

Honourable senators, today we remember four soldiers who set out to serve their country and did not come back. May they rest in peace. May their families find strength in knowing that Canadians mourn with them, and may we honour their memory not merely by the words we speak today but also by the duties we carry out tomorrow. Thank you.

Hon. Senators: Hear, hear.

Hon. Leo Housakos (Leader of the Opposition): Honourable senators, over the weekend, our country was confronted with a Canadian tragedy felt in every corner of our nation when it suffered the heaviest peacetime loss on home soil in the modern history of our military.

On behalf of the Conservative caucus in the Senate, our thoughts are fixed on the communities across this country that are wrapping their arms around the 39 injured soldiers and around the grieving mothers and fathers of the four young lives lost at CFB Wainwright: Sergeant Morgan Wong, aged 26, of Edmonton, Alberta; Private Shaun Farrell, aged 22, of Prince Albert, Saskatchewan; Private Aidan Goulding, aged 23, of North Vancouver, British Columbia; and Private Hayden Lykkemark, aged 19, of Langley, British Columbia. Each of them were young men, bound by a commitment to duty, a deep-seated pride in wearing our uniform and a willingness to undergo the hardest, most perilous tasks asked of those who defend Canada.

That commitment is what cemented their place among the storied ranks of the Princess Patricia's Canadian Light Infantry, a regiment whose proud history of valour was forged on the battlefields of Frezenberg and Kapyong and carried forward through generations of peacekeeping and international operations. It is also what brought them to Wainwright, a true sanctuary of Canadian military readiness and the crown jewel of our training grounds, where Allied forces from around the globe come to train shoulder to shoulder with our great troops. Condolences continue to pour in from international partners around the world who know first-hand the skill, calibre and dedication of our great Canadian soldiers.

Honourable colleagues, this is a loss that asks us to reflect on how much we ask of those who serve. We ask them to train for the worst so that the rest of us may live in peace, to leave their homes and to miss the moments that make up their life. We ask their families to wait, to worry and to be the strength behind every uniform. No words are equal to their sacrifice.

[*Translation*]

To the families of Sergeant Wong, Private Farrell, Private Goulding and Private Lykkemark: There are no words to describe their sacrifice or your grief.

Please know, however, that an entire nation, a grateful nation, stands behind you, honours their memory and will always remember their service, long after this day has passed.

Today, we mourn four lives that were tragically cut short.

We pray for the recovery of the wounded, as well as for the first responders and medical teams who continue to care for them.

To the members of Princess Patricia's Canadian Light Infantry and to all the soldiers who wear our uniform, we say thank you. Your service is a testament to the strength of our country.

We will remember them.

[*English*]

Hon. Marty Deacon: Honourable senators, on behalf of the Independent Senators Group and the Standing Senate Committee on National Security, Defence and Veterans Affairs, I rise during this difficult time to speak to the tragedy at CFB Wainwright in Alberta. You have heard the names of our very young Canadians lost, but I will say them again: Sergeant Morgan Wong of Edmonton, Alberta; Private Shaun Farrell of Prince Albert, Saskatchewan; Private Aidan Goulding of North Vancouver, British Columbia; and Private Hayden Lykkemark of Langley, British Columbia.

There are 39 others in hospital, some in critical condition. It breaks our hearts to think of the lives that will be forever changed because of this terrible tragedy. I no doubt speak for all of you when I say our sympathies, our hopes and our fears are shared with every family member and loved one affected by this as they endure their pain and loss.

Colleagues, as we are all well aware, there are still a number of unknowns at play here. The Canadian Armed Forces and the RCMP are working diligently to determine what went wrong. At this moment, it looks like it was a terrible accident that took those lives and caused so much destruction in its wake.

I have walked through the Wainwright facility. It is truly an amazing training site where the brave members of our Armed Forces take on no small amount of risk as they prepare to defend our country at home and abroad.

We must also take a moment to recognize the first responders who sustained the critical rescue efforts at CFB Wainwright and will need additional support throughout the aftermath. Thirty emergency units sprang into action, including ambulances and aircraft. Their work takes an immense toll, and in situations like this, the importance of their contributions cannot be overstated.

Colleagues, last week, here in Ottawa, upstairs in my role as the Chair of the Standing Senate Committee on National Security, Defence and Veterans Affairs, I met with the Latvian ambassador to discuss Operation REASSURANCE and our leadership role there. The gratitude and admiration from that country for our presence there cannot be overstated. Operation REASSURANCE is such a good example of what we as a country stand for: defending those who cannot completely defend themselves in the face of overwhelming odds and pushing back against the forces that would seek to rob us and others of our freedoms.

These brave individuals at Wainwright were training to deploy to Latvia in six months' time. They represent the best of what Canada stands for in the world. While this can in no way comfort those who have experienced loss in the wake of this tragedy, we and Canada will remember what they died for, and we will be forever in their debt.

Today, I'm choosing to wear this special pin of honour for those who have served our country. This maple leaf represents Canada, and the boot represents the hundreds of thousands of Canadians who have traded in their civilian shoes for combat boots to serve in times of war, military conflict and peace. On behalf of the Independent Senators Group, I would like to extend our deepest condolences to the impacted families whose loved ones were taken from them too soon. The fallen leave behind a legacy of selfless service and commitment to Canada. Thank you.

Hon. Senators: Hear, hear.

Hon. Brian Francis: Honourable senators, on behalf of the Progressive Senate Group, I too would like to offer condolences in the wake of the terrible tragedy in Wainwright, Alberta.

Private Shaun Farrell from Prince Albert, Saskatchewan, was described as a generous and deeply loyal friend. Private Aidan Goulding, aged 23, from North Vancouver, British Columbia, was the guy who kept everybody's spirits up. Private Hayden Lykkemark, aged 19, from Langley, British Columbia, was a good kid who was always looking out for everyone. Sergeant Morgan Wong, aged 26, from Edmonton, Alberta, was described by his family as an incredible person who was always there whenever anyone needed him.

It is always difficult to grapple with loss, but it feels especially heavy when it comes so unexpectedly. These four young men, along with the 39 injured, were working in service of their country. We are grateful for their service. It will be honoured.

In the wake of such tragedy, as we navigate our individual and shared grief, we are reminded that there are moments that shape us as a nation. We have all seen how collective compassion can unite us. We have witnessed how inspiring it can be to see those who step up to help during times of crisis and uncertainty.

• (1420)

The wounded will certainly have a long and difficult road to recovery. Their service and sacrifice will not be forgotten. As their friends and families await updates, please know that you are not alone. Our hearts and thoughts are with you.

We offer our gratitude to the military and civilian first responders who rushed to the scene and to the medical personnel who delivered compassionate care and continue to dedicate their time and skills to the wounded. To those at CFB Wainwright and beyond who stepped up to help, this profound loss will add a new layer of meaning to this year's Remembrance Day ceremonies. To the friends, families, communities and fellow CAF members, please know that Canadians across the country share your heartache and mourn with you.

On behalf of the Progressive Senate Group, I offer our sincere condolences. We share your grief and will honour their services. We will remember them.

Hon. Senators: Hear, hear.

Hon. Rebecca Patterson: Honourable senators, I rise on behalf of the Canadian Senators Group to mark this dark moment. We have all seen the news reports and have been impacted by the events that took place at CFB Wainwright on Sunday that killed four members of the Canadian Army and left 39 seriously injured. I will reinforce the fact that they were training for deployment to Latvia with Operation REASSURANCE.

I join with my colleagues — past and present — to offer our deepest condolences following the tragedy and as we mourn the four members of the Canadian Armed Forces. I will say their names again and tell you who their other family is: Sergeant Morgan Wong of the Loyal Edmonton Regiment working with the 3rd Battalion, Princess Patricia's Canadian Light Infantry, or PPCLI; Private Shaun Farrell, 3rd Battalion, PPCLI; Private Aidan Goulding, 3rd Battalion, PPCLI; and Private Hayden Lykkemark, 3rd Battalion, PPCLI. We speak their names with respect, gratitude and profound sorrow.

These four Canadians chose to serve their country. They accepted the demands of military life and the responsibility of standing beside others in service. Their deaths leave an absence felt across their units, their communities, our nation and — most importantly — their families.

To the families who have lost a cherished loved one, no words can or will ease the pain you are enduring. We mourn as a nation with you.

To those who are injured and to the families and fellow service personnel waiting anxiously beside them, know that you are in our thoughts and that your care and recovery remain a priority.

For both serving Canadian Armed Forces members and veterans, in the days ahead, please look to one another. Make room for grief. Accept support and reach out when you need it. You do not have to carry this alone. We are stronger together.

I also want to recognize those who responded: the military members, civilian first responders, medical teams and Canadian Armed Forces search and rescue personnel who worked tirelessly to help others under such challenging circumstances. We know that members of the Canadian Armed Forces ran toward danger, not away from it. We thank you.

What took place in Alberta this weekend has been described as one of the worst tragedies to occur for the Canadian Armed Forces on Canadian soil during peacetime. For many, this loss is deeply personal because the CAF is a family. These are friends, colleagues and people they trained beside and trusted. Behind every uniform is a person whose life reaches far beyond military service. This tragedy will be felt in homes, in friendships and in communities across Canada and the Canadian Armed Forces.

My next message is to the regiments of the fallen. All of Canada holds the line with our brothers and sisters of Princess Patricia's Canadian Light Infantry and the Loyal Edmonton Regiment.

I wish to leave you with a few lines from D. B. Marsh's poem "The Originals." It was written in 1915 about the actions of Princess Patricia's Canadian Light Infantry at the Battle of Ypres Salient during the First World War:

> This task was not easy
> But they'd do it again
> Such was the spirit
> Of the Canadian men

Lest we forget.

Hon. Senators: Hear, hear.

SILENT TRIBUTE

The Hon. the Speaker: Honourable senators, we are deeply saddened by the tragic events that occurred on October 17 at the Canadian Forces Base, Wainwright, in Alberta.

As they mourn this immeasurable loss, our thoughts are with the families, friends and loved ones of those who lost their lives; those who were injured and their families, friends and loved ones; the first responders; and the entire military community.

[*Translation*]

Honourable senators, I would ask that you all rise and join me in observing a minute of silence.

(*Honourable senators then stood in silent tribute.*)

The Hon. the Speaker: Thank you, honourable senators.

SAGUENAY–LAC-SAINT-JEAN

Hon. Richard Martel: Honourable senators, it is with great pride and humility that I rise for the first time in this chamber.

Hon. Senators: Hear, hear!

Senator Martel: Before I continue, my thoughts are with the people affected by the tragedy at CFB Wainwright in Alberta and with their families and colleagues. Whenever I have had the opportunity to visit CFB Bagotville in my region, I have witnessed first-hand the dedication and commitment of our military personnel. Today, my thoughts are with the entire Canadian Armed Forces family.

As you know, I am from Saguenay—Lac-Saint-Jean, a region that I am deeply attached to and that I championed tirelessly as a hockey coach with the Saguenay—Chicoutimi team and as the member for Chicoutimi—Le Fjord. My 20 years in hockey, many of them as a Quebec Major Junior Hockey League coach and general manager, enabled me to travel thousands of kilometres by bus, day and night, criss-crossing Quebec from north to south and from east to west. I discovered all the wealth and beauty of our vast land with its lakes and forests as far as the eye can see, its farmland, its businesses and its industries.

Most importantly, I came to realize just how rich in resources and potential our regions are. During my eight years as the member for Chicoutimi—Le Fjord, I learned more about the economic, social and political conditions in the regions. In Saguenay—Lac-Saint-Jean, several key sectors of our economy coexist, including the aluminum, forestry and agricultural industries, as well as port operations and national defence, particularly with the military base in Bagotville. However, these assets must never lead us to overlook the unique challenges facing our regions: Distance, access to services, infrastructure, workforce considerations and economic development are realities that must be taken into consideration in all of our decisions.

Today, as a senator, I will draw on all this experience on the ground to inform our parliamentary work. When we study a bill, we should be asking ourselves what impact it will have on the people in our regions. A law that may seem to work well for a big city may have a very different impact in Abitibi, on the North Shore or in the Gaspé. Our regions are not asking for special treatment. They just want their circumstances to be understood, respected and taken into account.

• (1430)

It is with that conviction and a desire to contribute to the development of our regions and the well-being of those who live there that I embark on this new chapter of my parliamentary life.

Thank you.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Nikko Soucy, Branch Chair and Youth Representative for the Ottawa Association for Families of Korean Adoptees. He is the guest of the Honourable Senator Cormier.

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

Hon. Senators: Hear, hear!

[*English*]

INTERNATIONAL YEAR OF THE WOMAN FARMER

Hon. Tracy Muggli: Honourable senators, I rise today to recognize that 2026 is the International Year of the Woman Farmer.

The goal of the year is to shine a light on the essential roles women play across our food systems. In Canada, nearly 80,000 farm operators are women; that is about 30%. In fact, 42% of farms have at least one woman operator.

Agriculture programs are also seeing a growing number of young women preparing for careers in the sector. According to the 2021 census, three quarters of women farmers under 35 years of age have a post-secondary education.

One of those educated female farmers is Lesley Kelly, a grain and oilseed farmer and entrepreneur from Watrous, Saskatchewan. Lesley recently spoke to Agriculture and Agri-food Canada on their farming podcast called “The First Sixteen.” I recommend it. Lesley spoke about taking on a leadership role at her family farm and co-founding The Do More Agriculture Foundation, which helps to bring national attention to mental health in farming communities. I am a big fan of this work.

When asked about the challenges women still face in agriculture, Lesley said something that I know to be true from our work at the Standing Senate Committee on Agriculture and Forestry: “Success is tied to access.” That’s access to land and capital, to mentorship and opportunities and to conversations about succession and the future of the farm.

My colleagues at the Agriculture and Forestry Committee and I spend a lot of time talking about food security, soil health and the future of Canadian agriculture. I am proud to report that we hear from women day after day who are taking on the challenge of feeding Canada and the world.

Women are conducting research, starting important conversations and asking questions about sustainable practices, emerging science and mental health in farming. Importantly, they are taking on leadership roles across the sector. Just look at my colleague Senator Robinson, who was and remains a strong female voice in Canadian agriculture.

On this International Year of the Woman Farmer, I want to thank the women who have sustained Canadian agriculture for generations and recognize the women who are preparing to lead it next.

Thank you. *Meegwetch*. *Marsee*.

Hon. Senators: Hear, hear.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Samir and Nikhil Reynolds, sons of the late Ritu Khullar, Alberta’s Chief Justice. They are the guests of the Honourable Senator Simons.

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

Hon. Senators: Hear, hear!

THE LATE RITU KHULLAR

Hon. Paula Simons: Honourable senators, today Albertans are celebrating the resounding results of our vote to stay in Canada, while at the same time we are grieving the horrific tragedy at Canadian Forces Base Wainwright.

Against that background, I rise to celebrate the life and grieve the untimely death of an extraordinary Albertan, a great Canadian, an acclaimed jurist and a champion of civil liberties.

Ritu Khullar was Alberta's beloved Chief Justice as well as the Chief Justice of the Northwest Territories and Nunavut. I could tell you that Ritu was Alberta's first South Asian judge. I could tell you that she was Canada's first South Asian Chief Justice. However, she would have hated that. She always defined herself as a Canadian, full stop.

She insisted that she be judged not as a visible minority woman who shattered glass ceilings but, rather, as the brave advocate and sharp legal thinker she was.

Ritu was as Albertan as it's possible to be. Her parents — one Hindu, one Sikh, both teachers — came to Alberta from India to work in the tiny Mennonite community of La Crete, about 700 km north of Edmonton. She was born in Fort Vermilion, as it had the nearest hospital, and spent most of her childhood in the francophone farming community of Morinville. She spent her summers working as a guide in Jasper National Park and Waterton Lakes National Park, falling deeply in love with Alberta's mountains.

She cut her teeth as a young advocate, working on the landmark *Vriend* case that established queer rights in Canada. She practised labour law and disability law and won a precedent-setting judgment for a client that established that obesity was a disability and that airlines had to make reasonable accommodations for passengers who could not fit into their narrow seats. As a litigator before the court, Ritu brought not sound and fury but, rather, reason, moral authority and logical legal analysis.

She brought that same gravitas to her work on the bench, where she was never afraid to write a ruling that might offend popular political sentiment. She was also a fine legal administrator who brought order to the court, along with a visionary commitment to better serve the Dene and Inuit communities of the High Arctic.

Ritu was a fiercely proud mother to her sons, Samir and Nikhil, and a doting wife to her husband, Rob Reynolds, whom some of our table officers may remember as the former parliamentary counsel for Alberta's legislature. Sam and Nikhil join us today, and Sam is, in fact, living in Ottawa and clerking to the Supreme Court this year. Her beloved sons have lost their brilliant, kind, courageous mother far too soon. I have lost a friend and a neighbour, and Albertans have lost a true moral leader at a time when we need one most.

May her memory be for a blessing.

Thank you.

Hon. Senators: Hear, hear.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of representatives of the Royal Canadian Navy and the Canadian Coast Guard for Navy and Coast Guard Day on the Hill. They are the guests of the Honourable Senators Patterson, Henkel and Quinn.

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

Hon. Senators: Hear, hear!

NAVY AND COAST GUARD DAY ON THE HILL

Hon. Rebecca Patterson: Honourable senators, I rise a second time on a more joyous moment.

Today, I rise to mark Navy and Coast Guard Appreciation Day on the Hill. In doing so, I want to acknowledge and honour the valuable role that both the Royal Canadian Navy and the Canadian Coast Guard play in Canada's history, defence, security, sovereignty and our future prosperity.

Canada is a maritime country, though it can be hard to see sometimes. All but two provinces and all three territories have direct access to tidal water. Canada's motto, "From Sea to Sea," references this, but if you ask me, it should be updated to "From Sea to Sea to Sea to Lake." I think this would better reflect Canada's immense sovereignty over the Arctic, the East Coast, the West Coast and, of course, our Great Lakes.

History teaches us that the railways helped build Canada, and that is partly true. However, I would also contend that the oceans, lakes, rivers and canals helped build Canada. Not only is Canada a maritime country; it is also a trading one. Approximately 20% of Canada's international trade goes by sea.

In an ever-contested security environment, it's the sailors of the Royal Canadian Navy and the Coast Guard who work tirelessly to ensure that the sea lanes are open, secure and safe. Whether that be the HMCS *Moncton* and HMCS *Edmonton* working with the Standing NATO Mine Countermeasures Group One in the Baltic Sea or the Canadian Coast Guard Ship *Judy LaMarsh* ensuring that the St. Lawrence Seaway remains open and safe to navigation, the Royal Canadian Navy and Coast Guard operate as a team with a common purpose, and that is to keep Canada safe and open in the maritime domain.

As good mariners, both the Royal Canadian Navy and the Canadian Coast Guard are not just aware of the here and now; they are also keeping an eye on the horizon. Both are in the process of major recapitalization projects. The Royal Canadian Navy is looking towards a future fleet of new destroyers, supply ships and submarines and exploring the possibility of new corvettes and training vessels.

• (1440)

The Coast Guard is getting ready to accept two new Arctic and Offshore Patrol Vessels, like the six already in service with the RCN, as well as two new heavy icebreakers. The keels have been laid down in Canadian shipyards.

But hulls in the water are only part of the equation. Every person who crews those ships is a Canadian. They are our family and our friends. Those who choose to serve deserve to know that we as parliamentarians support them and stand not just behind them but with them.

This is why days like today are important. Navy and Coast Guard Day on the Hill is a chance for both the Royal Canadian Navy and the Canadian Coast Guard to tell their stories to parliamentarians directly, to explain what they do and why their work is so important to Canada's defence, security, economic prosperity and sovereignty.

In closing, as the daughter of an RCN submariner and a Royal Navy nurse, permit me to quote Tennyson:

> Sunset and evening star,
> And one clear call for me!
> And may there be no moaning of the bar,
> When I put out to sea . . . .

Thank you.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of His Excellency Tewodros Girma, Ambassador of Ethiopia to Canada, as well as recipients of the Governor General's Awards in Commemoration of the Persons Case. They are the guests of the Honourable Senator Pate.

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

Hon. Senators: Hear, hear!

PERSONS DAY

Hon. Kim Pate: Honourable senators, Saturday was Persons Day, when we commemorate the 1929 Persons Case that recognized certain women — but not all — as legal persons for the purpose of serving here in the Senate.

Ninety-seven years on, the chamber has now surpassed gender parity. Yesterday, at Rideau Hall, and today, here, we celebrate the achievements of the 2025 and 2026 recipients of the Governor General's Awards in Commemoration of the Persons Case, highlighting amazing women who have made incredible contributions to the advancement of women's equality.

They are award-winning aerospace engineer and advocate Damineh Akhavan, who has advanced equity, education and opportunity for women and girls as she champions women in STEM; respected Matriarch, Knowledge Keeper and advocate Dr. Sandra DeLaronde; Indigenous advocate Marjolaine Étienne; Shianne Gordon, for advancing safety, healing and inclusion for marginalized youth survivors of sexual violence; Meseret Haileyesus, who has transformed the national conversation on economic abuse and economic justice, advancing women's financial independence; inspiring youth leader and educator Rochelle Prasad; visionary Inuk leader Amanda Kilabuk, for advancing the safety, rights and visibility of Indigenous women, girls and Two-Spirit people, while empowering Inuit communities and inspiring meaningful change throughout Canada and beyond; distinguished feminist journalist Penney Kome, who has spent five decades advancing women's equality through influential journalism, acclaimed books and independent media leadership and has inspired generations to pursue justice and equality; Sunny Marriner, for three decades advancing justice, accountability and equality for survivors of sexual violence; Dr. Amanda McCormick, for advancing knowledge and practice in preventing intimate partner violence through her research, collaboration and leadership; distinguished Métis leader Melanie Omeniho, who devoted more than four decades to advancing equality, safety and opportunity for women and communities; and Yanique Brandford, founder of Help A Girl Out, for advancing menstrual equality.

Together, we celebrate all 12 deserving award recipients, and, as their work underscores, we commit to continuing to work to achieve our Charter's guarantees and insist that equality be more than unjustly incremental, exclusionary and elusive, especially for Indigenous, Black and other racialized women, women with disabilities, members of the 2SLGBTQIA+ communities and women who are poor or homeless or fleeing violence.

We honour the contributions of today's remarkable recipients by pledging to continue their aspirations and efforts for long-overdue justice, hard-won equality and a Canada in which all are included and empowered to create the just, equal and fair future everyone deserves.

Meegwetch. Thank you.

Hon. Senators: Hear, hear.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of participants in the 2026 edition of the Parliamentary Officers' Study Program.

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

Hon. Senators: Hear, hear!

ROUTINE PROCEEDINGS

STUDY ON ISSUES RELATING TO OFFICIAL LANGUAGES GENERALLY

SECOND REPORT OF OFFICIAL LANGUAGES COMMITTEE—GOVERNMENT RESPONSE TABLED

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, the government response, dated October 20, 2026, to the second report of the Standing Senate Committee on Official Languages, entitled *Proposed Official Languages Administrative Monetary Penalties Regulations*, tabled in the Senate on May 7, 2026.

(Pursuant to rule 12-23(4), this response and the original report are deemed referred to the Standing Senate Committee on Official Languages.)

BUDGET 2025 IMPLEMENTATION BILL, NO. 2

THIRTEENTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE ON SUBJECT MATTER DEPOSITED WITH CLERK DURING ADJOURNMENT OF THE SENATE

Hon. Denise Batters: Honourable senators, I have the honour to inform the Senate that pursuant to the order adopted by the Senate on June 10, 2026, the Standing Senate Committee on Legal and Constitutional Affairs deposited with the Clerk of the Senate on October 9, 2026, its thirteenth report which deals with the subject matter of those elements contained in Division 5 of Part 4 of Bill C-31, A second Act to implement certain provisions of the budget tabled in Parliament on November 4, 2025.

(Pursuant to the order adopted June 10, 2026, the report was deemed referred to the Standing Senate Committee on National Finance and placed on the Orders of the Day for consideration at the next sitting of the Senate.)

[*Translation*]

NINTH REPORT OF INDIGENOUS PEOPLES COMMITTEE ON SUBJECT MATTER DEPOSITED WITH CLERK DURING ADJOURNMENT OF THE SENATE

Hon. Michèle Audette: Honourable senators, I have the honour to inform the Senate that pursuant to the order adopted by the Senate on June 10, 2026, the Standing Senate Committee on Indigenous Peoples deposited with the Clerk of the Senate on October 9, 2026, its ninth report which deals with the subject matter of those elements contained in Division 14 of Part 4 of Bill C-31, A second Act to implement certain provisions of the budget tabled in Parliament on November 4, 2025.

(Pursuant to the order adopted June 10, 2026, the report was deemed referred to the Standing Senate Committee on National Finance and placed on the Orders of the Day for consideration at the next sitting of the Senate.)

[*English*]

SIXTH REPORT OF AGRICULTURE AND FORESTRY COMMITTEE ON SUBJECT MATTER DEPOSITED WITH CLERK DURING ADJOURNMENT OF THE SENATE

Hon. Mary Robinson: Honourable senators, I have the honour to inform the Senate that pursuant to the order adopted by the Senate on June 10, 2026, the Standing Senate Committee on Agriculture and Forestry deposited with the Clerk of the Senate on October 9, 2026, its sixth report which deals with the subject matter of those elements contained in Division 13 of Part 4 of Bill C-31, A second Act to implement certain provisions of the budget tabled in Parliament on November 4, 2025.

(Pursuant to the order adopted June 10, 2026, the report was deemed referred to the Standing Senate Committee on National Finance and placed on the Orders of the Day for consideration at the next sitting of the Senate.)

[*Translation*]

STUDY ON ACCESS TO CREDIT AND CAPITAL MARKETS FOR SMALL- AND MEDIUM-SIZED ENTERPRISES

EIGHTH REPORT OF BANKING, COMMERCE AND THE ECONOMY COMMITTEE DEPOSITED WITH CLERK DURING ADJOURNMENT OF THE SENATE

Hon. Clément Gignac: Honourable senators, I have the honour to inform the Senate that pursuant to the order adopted by the Senate on November 20, 2025, the Standing Senate Committee on Banking, Commerce and the Economy deposited with the Clerk of the Senate on October 14, 2026, its eighth report entitled *From Potential to Prosperity: The urgent case for greater investment in Canada's SMEs*.

• (1450)

[*English*]

CRIMINAL CODE

BILL TO AMEND—FIRST READING

Hon. Yonah Martin (Deputy Leader of the Opposition) introduced Bill S-252, An Act to amend the Criminal Code (consent to pornographic material).

(Bill read first time.)

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

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

[*Translation*]

SERGEI MAGNITSKY INTERNATIONAL ANTI-CORRUPTION AND HUMAN RIGHTS BILL

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-219, An Act to amend the Department of Foreign Affairs, Trade and Development Act, the Justice for Victims of Corrupt Foreign Officials Act (Sergei Magnitsky Law) and the Special Economic Measures Act.

(Bill read first time.)

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

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

AUDIT AND OVERSIGHT

MOTION TO AFFECT COMMITTEE MEMBERSHIP ADOPTED

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

> That, pursuant to the order of June 17, 2025, the Honourable Senator Kingston be appointed to serve on the Standing Committee on Audit and Oversight.

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

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

QUESTION PERIOD

PUBLIC SAFETY

PAROLE BOARD OF CANADA

Hon. Leo Housakos (Leader of the Opposition): Honourable senators, my question is for the government leader. Senator Moreau, Zakaria Amara, the ringleader behind the Toronto 18 terror plot, was planning to storm Parliament Hill and set off a series of truck bombs around Toronto. He has just been granted full parole. You'll probably tell me that the Parole Board of Canada is independent, but Senator Moreau, your government appoints its members and has the power to change the rules.

We're talking about a violent extremist who plotted attacks on Canadians but was granted full parole. Do you consider that acceptable, Senator Moreau?

Hon. Pierre Moreau (Government Representative in the Senate): With regard to parole, Senator Housakos — and you know this, because when the Conservative Party was in power, the exact same rules applied — decisions around the rules and criteria for release are made under the Corrections and Conditional Release Act and enforced by the relevant agency, Correctional Service Canada. A fundamental principle exists in Canada when it comes to criminal justice. First, individuals must serve the sentences handed down by the courts. Second, the system focuses on rehabilitating people and reintegrating them into society.

These rules have always existed in Canada. The integrity and independence of the parole process must be completely free from any political interference. That's what the government is doing.

[*English*]

Senator Housakos: Government leader, Mr. Amara is a radicalized terrorist. He was planning to blow up things in our largest city in Canada and to do harm to institutions here on Parliament Hill.

He was the ringleader of the Toronto 18. Let's be clear. I said it in French, and I will repeat in English: The justification that the government uses, saying, "We're at arm's-length," when the rules are made by the government and the appointments to the Parole Board are made by the government, just doesn't fly.

Do you think Canadians believe that it is justifiable to say that this individual — an extremist — is suddenly cured overnight and should be free?

Senator Moreau: I will repeat in English what I said in French: In government after government — even the Conservative government — the rules and criteria for conditional release decisions fall under the Corrections and Conditional Release Act and are administered by Correctional Service Canada, who are experts, by the way, and, when applicable, are reviewed by the Parole Board of Canada, both of which operate independently from political officials. I don't suppose, Senator Housakos, that you are suggesting that this should change.

WOMEN AND GENDER EQUALITY

FEDERAL 2SLGBTQI+ ACTION PLAN

Hon. Fabian Manning: My question is also for the Government Representative in the Senate.

I recently met with a number of individuals involved with St. John's Pride, which supports 2SLGBTQI+ people in St. John's and throughout Newfoundland and Labrador. They were here in Ottawa as part of a national coalition of 2SLGBTQI + organizations. They wanted to discuss with me the renewal and expansion of the Federal 2SLGBTQI+ Action Plan through Budget 2026.

Since the action plan was launched, the world has changed, and hate-motivated violence, stigma and discrimination are on the rise for 2SLGBTQI+ people. In my province, the funding has provided huge value and has assisted in providing provincial equity across Newfoundland and Labrador.

In my opinion, this is a serious human rights issue, and a renewed and expanded action plan is an opportunity for the government to make Canada a leader in human rights on the global stage.

Would the government leader be able to tell us today where the government stands on the renewal of the Federal 2SLGBTQI+ Action Plan?

Hon. Pierre Moreau (Government Representative in the Senate): Thank you for the question. As a matter of fact, this is a very important issue. You probably know, senator, that the government is committed to advancing equality and supporting 2SLGBTQI+ communities across Canada.

Since its inception in 2022, the government — through its action plan — has invested in over 100 projects to build capacity for 2SLGBTQI+ organizations and networks to advance equality for their community through the Community Capacity Fund. We have funded 19 projects to advance equality for Indigenous people, launched the unity awareness campaign to help people in Canada actively address stigma against queer Canadians, hired a dedicated senior advisor on 2SLGBTQI+ and implemented a research strategy to strengthen the evidence-based approach in 2SLGBTQI+ priority areas.

The government is committed —

[*Translation*]

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

[*English*]

Senator Manning: Leader, the present federal action plan expires on March 31, 2027. Time is of the essence.

The renewed and expanded action plan is an opportunity to invest in local organizations and programs that the 2SLGBTQI+ community relies on.

I ask the leader today to please inquire with the minister as to the status of the request of the renewal of the action plan and inform the Senate Chamber regarding that response.

Senator Moreau: I will certainly raise the question with the minister. I cannot provide you information on future expenses, but so far, we have provided $4.8 billion from 2023-24 to Fierté Canada Pride to further distribute funds to assist Pride organizations.

The government will continue to uphold the Charter of Rights and Freedoms for all Canadians, including the 2SLGBTQI+ community.

• (1500)

NATIONAL ACTION PLAN TO END GENDER-BASED VIOLENCE

Hon. Paulette Senior: My question is for the Government Representative in the Senate. Every 48 hours in Canada, a woman or a girl is killed by gender-based violence. The Mass Casualty Commission recommended in 2023 that Ottawa appoint an independent gender-based violence commissioner to evaluate national efforts to ensure efforts to address this crisis. Since then, the government has committed $607.4 million to the next phase of the National Action Plan to End Gender-Based Violence. Without accountability and reporting mechanisms, we won't know whether the new national action plan is meeting its goals or where it has been successful and why. Women's organizations have estimated that an independent commissioner's office would cost about $3 million a year, less than 1% of the cost of the action plan.

Can the Government Representative tell us whether Minister Valdez supports creating an independent federal gender-based violence commissioner? Will the government —

The Hon. the Speaker: Thank you, senator.

Hon. Pierre Moreau (Government Representative in the Senate): You raise a very important topic, Senator Senior. I can't comment on future government legislation, but I can surely raise your recommendation of implementing an independent federal gender-based violence commissioner with the minister.

Let me remind you that Bill C-16 classified femicide as a first-degree offence, criminalized coercive control, criminalized "deepfakes" and addressed court delays. As you mentioned, the National Action Plan to End Gender-Based Violence invests in prevention and supports survivors, including $103 million to support 178 shelters and transitional housing units across the country. The government is committed to implementing that national action plan, and I will certainly raise your recommendation with the minister.

Senator Senior: Senator Moreau, this is really about the gender-based violence sector being able to understand how the national action plan is implemented consistently across provinces.

While we're thankful for the investments and bills that have passed, how will the government identify successful efforts to address gender-based violence and enable these projects to scale nationally?

Senator Moreau: Thank you. The government believes that collaboration with provinces, territories, Indigenous partners and community organizations is essential to successfully implement the policies.

To your second question, in Annex B of the national action plan, there are national indicators that the government has identified as central to assessing the effectiveness of the program. The government is committed to further developing the measurement of these indicators with provinces, territories and Indigenous partners to monitor the effectiveness of this initiative.

[*Translation*]

CANADIAN HERITAGE

COMMISSIONER OF OFFICIAL LANGUAGES

Hon. René Cormier: My question is for Senator Moreau.

The Commissioner of Official Languages of Canada, Kelly Burke, just tabled her 2025-26 annual report, which makes two recommendations to the Treasury Board of Canada Secretariat.

She stated the following, and I quote:

> Official languages are a key aspect of Canadian identity, and the procurement, development and implementation of artificial intelligence tools must reflect this fundamental part of Canada's culture. Ensuring substantively equal services must be a priority for all Canadians, and federal public servants need technologies that can function simultaneously and consistently in both languages.

She is therefore recommending that the Treasury Board incorporate official languages throughout its AI Strategy for the Federal Public Service. How does the federal government intend to implement that recommendation?

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

As you know, the government thanks the Commissioner of Official Languages for her recommendations, which will be carefully examined.

The report recognizes that significant progress has been made in implementing the modernized Official Languages Act by strengthening language rights in the public service.

As the government modernizes the public service through the use of artificial intelligence, it continues to ensure that official languages are fully taken into account in order to correct linguistic biases. The government has already taken concrete steps in this regard, particularly in connection with the deployment of GCtranslate, and will keep working to ensure that the use of artificial intelligence respects the equality of French and English.

Senator Cormier: Senator, considering the deficiencies related to language of work rights and obligations, the commissioner also recommends that Treasury Board make the Canada School of Public Service course entitled "Managing Official Languages Obligations" mandatory for public servants in leadership positions by March 31, 2028.

Why isn't this training already mandatory, given the importance of the obligations under Part V of the Official Languages Act? How does the government intend to respond to this recommendation?

Senator Moreau: Public service managers are already responsible for complying with and enforcing the obligations set out in the Official Languages Act, particularly employees' language of work rights. The Canada School of Public Service offers training that specifically targets these responsibilities and covers language of work, governance and accountability.

That said, the government is taking the commissioner's recommendation to further strengthen training for managers very seriously. The government is also continuing to carefully examine the commissioner's recommendations and is taking the necessary steps to —

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

GOVERNMENT RELATIONS

Hon. Julie Miville-Dechêne: Senator Moreau, as you know, the newly sworn-in members of the Quebec National Assembly took an oath to the people of Quebec, not to King Charles III. Since I am not a monarchist, I agree with this law that was passed by the Government of Quebec, which lets parliamentarians make their own choice when they are sworn in.

However, when it comes to protocol, the new Quebec government went even further yesterday by asking the Lieutenant-Governor of Quebec to stay out of the public eye and not attend cabinet's swearing-in ceremony.

Senator Moreau, you served as a minister in a previous Quebec government, and you are now a representative of the federal government. What does the federal government think of this most recent development?

Hon. Pierre Moreau (Government Representative in the Senate): Senator Miville-Dechêne, that is an excellent question. I draw a very important distinction between adhering to protocol and preserving federal institutions established by the Constitution, including the office of Lieutenant-Governor.

As you know, changing this institution requires amending the constitution, which no partner in the federation can do, not even the Government of Quebec. Moreover, the Lieutenant-Governor must sign off on every commitment made by cabinet members, as she did for matters relating to the swearing-in of members of the National Assembly of Quebec.

For its part, the Government of Canada shares the view of the vast majority of Quebecers: Right now, the most important thing is to ensure that the Canadian economy is functioning, that Quebec participates fully in the Canadian federation and that —

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

Senator Miville-Dechêne: Given your response, I'm wondering whether, as some sources have suggested, the federal government has decided to refrain from commenting on this latest episode in order to avoid straining relations between the federal government and the new Quebec government.

The Quebec law on the oath of allegiance is already before the courts. Are you going to challenge it too?

Senator Moreau: The federal government believes that it must intervene before the courts when provisions related to the Canadian Constitution are challenged. The federal government can choose to intervene at any time. It is not required to do so in the first instance. However, anytime decisions are handed down that could have a major impact on how the Canadian Constitution is applied, the federal government will intervene.

FRANCOPHONE MINORITY COMMUNITIES

Hon. Réjean Aucoin: Senator Moreau, francophone researchers in minority communities in Canada face systemic barriers that compromise their ability to publish their work in French. To maximize their chances of securing funding, many of them submit their grant applications in English.

A federal report found that, over a 10-year period outside Quebec, only 4 of the 73 applications submitted in French in investigator-initiated research programs were funded, a success rate of 5.5%.

What concrete measures does the government intend to take to address this inequity so that francophone researchers outside Quebec can present, conduct and publish their research without compromising their chances of securing funding?

Hon. Pierre Moreau (Government Representative in the Senate): Senator Aucoin, thank you for that important question.

The government believes that the best innovation demands contributions by both francophone researchers and anglophone researchers. That's why, this past April, the Minister responsible for Official Languages, Marc Miller, announced $1 million to support French-language research, including $400,000 for the Social Sciences and Humanities Research Council, $350,000 for the Natural Sciences and Engineering Research Council of Canada, and $250,000 for the Canadian Institutes of Health Research.

• (1510)

On top of that, as part of the Action Plan for Official Languages 2023-2028, the federal government has pledged to allocate $8.5 million to support the creation and dissemination of scientific information in French.

Senator Aucoin: Thank you. You may have partly answered my second question.

Senator Moreau, the Canadian Institutes of Health Research, or CIHR, has introduced measures to better support grant applications submitted in French. Yet the barriers to French-language research exceed the scope of a single program.

Will the government commit to evaluating these measures and adopting a federal strategy with measurable objectives to guarantee the future of French-language research?

Senator Moreau: That's a great question. I did partly answer it by referring you to the Action Plan for Official Languages 2023-2028.

The government believes that French-language research should be supported all across Canada and that scientific research always benefits from the contributions of francophone researchers. That's why the government made a commitment to support research in both official languages, but particularly in French, through this action plan.

[*English*]

VETERANS AFFAIRS

CANADIAN CORPS OF COMMISSIONAIRES

Hon. Jim Quinn: Government representative, today we learned the Government of Canada awarded the security contract for the Canada Revenue Agency to U.S. security company Allied Universal. This company has hundreds of millions of dollars of contracts with the U.S. Department of Homeland Security, as well as with Immigration and Customs Enforcement — better known as ICE — which is involved in the Trump administration mass deportation system that has terrorized the streets of the United States.

This comes at the cost of the previous service provider, the Canadian Corps of Commissionaires, Canada's largest employer of veterans since 1945. I'm aware of the government's contracting process, but to slight the Commissionaires and the veterans they employ in this way in favour of a company working in concert with ICE, which readily works in violation of the rule of law in the United States, is hard to understand. It will now be responsible for the security of a Canadian federal government agency. That's absurd.

Will the government commit to reviewing and reversing this decision?

Hon. Pierre Moreau (Government Representative in the Senate): It seems that the Commissionaires have difficulty fulfilling their engagement to provide the workforce necessary to meet their commitments. I think that regards your question, unless I did not properly understand it.

I will take your question under advisement and will raise the issue with the minister, sir, because by your reaction, I believe I did not properly answer what you are addressing.

Senator Quinn: Thank you for doing that, because you are correct.

This U.S. administration has put various bans on Canadian goods and services, keeping them from competing in U.S. government contracts. Of concern is that our government has given notice to the Commissionaires that they will be looking to open up the remaining services they provide, ending an 80-year policy where the Commissionaires have the right of first refusal regarding their services.

Will the government review this decision, reverse it and — at a minimum — ensure the company that may be awarded the contract is not a company from the United States?

Senator Moreau: Your question refers to the Canadian Corps of Commissionaires; I have it now.

The Canadian Corps of Commissionaires aims to have 60% of its workforce composed of veterans. However, since 2013, it has not been able to meet this goal as veterans pursue other opportunities. Veterans today have diversified skills, education and interests.

As part of its modernization, Veterans Affairs Canada developed the National Veterans Employment Strategy aimed at supporting —

[*Translation*]

The Hon. the Speaker: Thank you, Senator Moreau. Unfortunately, your time has run out.

[*English*]

CROWN-INDIGENOUS RELATIONS

CONSULTATION WITH INDIGENOUS PEOPLES

Hon. Mary Jane McCallum: Senator Moreau, this question comes from the Southern Chiefs' Organization.

Next week, the Prime Minister of Canada will host a First Nations-First Ministers' Meeting to discuss issues of national importance. This meeting has been proclaimed as historic and an opportunity to support dialogue and establish shared priorities between First Nations, the federal government and the provincial and territorial governments.

Does the Government of Canada plan to live-stream this historic gathering, as it needs to be part of the public record to foster a stronger sense of reconciliation between First Nations, the Government of Canada and the provinces and territories of this nation?

Hon. Pierre Moreau (Government Representative in the Senate): I have had many opportunities to answer that kind of question. It is a strong commitment of the government to work as a partner with First Nations Chiefs and communities across Canada.

I don't have the details of those meetings, but I will certainly raise with the Office of the Prime Minister the question that you have asked today. I know that the idea is to continue toward reconciliation. That is a strong commitment of the Prime Minister, and I'm sure he will abide by it.

Senator McCallum: I would also urge the Prime Minister to expand the participation and inclusion of First Nations Chiefs in the First Nations-First Ministers' Meeting to maximize the opportunity of this historic occasion.

Senator Moreau: I understand that is a recommendation you are making and will bring it to the Prime Minister's attention.

[*Translation*]

PUBLIC SAFETY

FORCED LABOUR

Hon. Julie Miville-Dechêne: Senator Moreau, we just received the latest 2026 report on the compliance of businesses, Crown corporations and departments with the Fighting Against Forced Labour and Child Labour Act, which is a law that I sponsored and that has been in force for three years. This new report tells us that, unfortunately, Crown corporations and departments, which should be leading by example, are submitting increasingly fewer reports on the risks of forced labour in their supply chains.

These entities had submitted 145 reports in 2024. In 2026, only 123 reports were submitted, while private businesses submitted 3,900 reports.

How do you explain this step backward?

Hon. Pierre Moreau (Government Representative in the Senate): Thank you. As you are no doubt aware, the tabling in Parliament of the annual report on the Fighting Against Forced Labour Act coincided with the release of a departmental report on the findings of the public consultations on Canada's approach to the act. One of the things the government wanted to do was fine-tune its strategy for determining which goods to include on the list and which supply chain information is the most important for effectively identifying risks.

However, I can confirm that federal institutions continue to be subject to obligations under the Fighting Against Forced Labour Act and must report to the minister on the measures taken to prevent and mitigate the risk associated with the use of forced labour and child labour.

I don't have any specific information on the totals or the number of reports.

Senator Miville-Dechêne: Thank you for that answer.

However, you started off talking about Bill C-35, the second bill in question. Right now, I'm talking about the bill known at the time as Bill S-211, which made reporting mandatory.

Given that there are clearly fewer and fewer government entities submitting reports, how can you expect the private sector to take the legislation seriously if the public sector isn't doing its part? Why is it that, for the third year in a row, no penalties or fines were imposed on businesses that failed to submit a report, even if they —

Senator Moreau: The government is committed to ensuring that the public sector complies with the forced labour legislation.

In fact, in your preamble and your first question, you correctly stated that 3,878 — to be very specific, you said 3,900 — private businesses had complied with the legislation's requirements. They have no choice. Businesses have to take the act seriously because the government requires it.

The consultations I mentioned earlier identified a number of —

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

• (1520)

[*English*]

ORDERS OF THE DAY

LAWFUL ACCESS BILL, 2026

SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Dhillon, seconded by the Honourable Senator Varone, for the second reading of Bill C-22, An Act respecting lawful access.

Hon. Colin Deacon: Honourable senators, I am prepared for this speech.

I have met many of those who will be expected to comply with Bill C-22, the "Lawful Access Act." I have met domestic and foreign providers of global services, Canadian innovators who are scaling their businesses and engineers who would have to implement the bill. They've raised serious concerns.

Let me be clear about where I stand. I completely agree with the primary objective of Bill C-22, and I recognize the urgency; I have not met anyone who doesn't.

Our ability to prosecute crime in the digital era needs updating if we're to reduce harm to Canadians. Individuals, businesses and critical infrastructure are increasingly vulnerable, and our law enforcement and security agencies need effective tools to respond.

I want to start by thanking our incredible colleague Senator Dhillon for his decades of service on the front lines, keeping Canadians safe. He has seen things that I have not, he knows things that I do not, and my respect for him is absolute.

As a former entrepreneur and advocate for technology-rich organizations, I am going to bring a different lens to this bill than he might. In his second reading speech, Senator Dhillon described an important meeting that he, Senators Ataullahjan, Hay and I had in August with a dedicated group of financial crime investigators at the Toronto Police Service. The scale and sophistication of the crimes they see and the challenges they face are representative of criminal activities more broadly. However, it was very unsettling. Bill C-22 itself was never raised. Had it been, the participants likely would have supported it. They want every tool they can get that might help them protect future victims and bring justice for current ones.

Yet, the data retention and remote access capabilities in Bill C-22 were not among the 32 recommendations raised that day. Each one was tied to a specific problem these investigators face almost daily, and most were simple, practical process improvements. Our report is on my website and it's available from my office.

What specific problem is Bill C-22 meant to solve? Its stated purpose is to ensure that electronic service providers "can facilitate" lawful access. The report of the National Security and Intelligence Committee of Parliamentarians, or NSICOP, found that CSIS and the RCMP face "significant challenges" in accessing timely data but that decryption should not be required and that an "abundance of metadata" is not a silver bullet.

These cautions seem to have been ignored.

My review of the bill, which I will detail shortly, found numerous challenges. My focus today is only on Part 2 of the bill, which would create the "supporting authorized access to information act." For example, subclause 5(6) states that Governor in Council regulations do not ". . . confer an authority to access personal information about the persons to whom the core provider provides services."

That statement makes no sense, given the bill's other powers. The Personal Information Protection and Electronic Documents Act, or PIPEDA, defines personal information as "information about an identifiable individual," and the recently tabled Bill C-36 expands that to include "information that is inferred about the individual."

Yet, in contrast to subclause 5(6), paragraph 5(2)(a) requires core providers to maintain:

> . . . capabilities related to extracting and organizing information that is authorized to be accessed and to providing access to such information to authorized persons . . . .

Moreover, subclause 5(1) enables the cabinet to add new classes of providers and metadata by regulation.

Bill C-22 creates a "lawful access door" of unclear proportions and hands the very innovators we rely upon to grow our economy an open-ended tab to build and maintain it: no price tag, no ceiling and no guaranteed compensation.

Colleagues, I see no evidence that the experts who build and maintain the digital systems that Bill C-22 depends upon were involved in drafting the legislation or will be involved in its implementation. The minister and cabinet approve requirements, but which qualified experts advise them? What governance, accountability and transparency ensure that fighting crime is weighed against the evolving technical risks and commercial landscape?

I will leave whether Bill C-22 infringes upon section 8 Charter rights to those who love constitutional law, which is certainly not me. My concern is that Bill C-22's lack of clarity adds to the uncertainty already facing Canadian small- and medium-sized enterprises and will affect whether they choose to invest and grow in Canada.

Colleagues, I support the intent of Bill C-22, but, as drafted, the security costs and risks of building and maintaining access to digital infrastructure far outweigh the benefits to some investigations, especially when less risky alternatives exist. The United States and New Zealand have no general metadata retention mandates. The United Kingdom and Australia have broader powers but with safeguards that Bill C-22 lacks. The U.K. requires independent judicial approval of each capability notice and a statutory cost contribution. Australia bars requiring a "systemic weakness or systemic vulnerability" and compensates providers on a no-profit and no-loss basis.

Colleagues, why is Canada choosing to be a global outlier, and how does that serve us if we hope to become a trusted digital jurisdiction that attracts investments and the resulting innovations?

House amendments addressed a few concerns, but significant questions remain. Senate committee work is needed here more than ever.

I don't have the answers; I only have questions that deserve careful examination through witness testimony. They fall under two themes: First, is the bill clear and proportionate? Second, is it technically feasible to implement the bill without creating new cybersecurity risks?

Let's dive into those.

The first is regarding clarity and proportionality. Does Bill C-22 provide sufficient clarity and proportionality regarding who is subject to the regime, what obligations they might face, what data they might be required to retain and make accessible, and what risks it may create as currently drafted?

I will look at that through three lenses: scope, impacts upon businesses and metadata.

In terms of scope, what entities fall under the definition of an "electronic service provider," or ESP, and what obligations will be imposed?

Much of the debate centres on the definition of an ESP. It starts with the definition of an "electronic service" in subclause 2(1):

> Electronic service means a service, or a feature of a service, that involves the creation, recording, storage, processing, transmission, reception, emission or making available of information in electronic, digital or any other intangible form by an electronic, digital, magnetic, optical, biometric, acoustic or other technological means, or a combination of any such means.

As all-encompassing as that list is, it's the first few words I find most concerning: ". . . a service, or a feature of a service . . . ." It's very difficult to think of a business that does not deliver a digital service or a digital feature of a service.

In turn, it defines an ESP as follows:

> Electronic service provider means a person that, individually or as part of a group, provides an electronic service including for the purpose of enabling communications, and that
>
> (a) provides the service to persons in Canada; or
>
> (b) carries on all or part of its business activities in Canada.

We now have a very big pot of companies that would fall under this bill.

It has been claimed that the majority of obligations rest on core providers, not ESPs; yet, subclause 7(1) states that the minister can impose anything contained in the core provider regulations "whether or not the provider is a core provider" and can do so through orders lasting up to two years. Clause 11 requires an ESP's compliance, and clause 14 keeps that ministerial order secret.

That is really important. As drafted, Part 2 creates real technology, resource and customer risks for any company compelled to respond to a ministerial order. It also puts trust at risk — the trust sophisticated customers place in Canadian technology — and investors' confidence that a Canadian company won't be exposed to unknown risks. I fear these investors will instead invest in a similar company in another jurisdiction that takes a different approach to lawful access.

• (1530)

We have heard assurances from Public Safety Canada that hotels, car rentals, medical facilities and others will be excluded, but no such written exclusion exists in Part 2 as currently drafted. No rationale underlying those exclusions has been proposed as an amendment.

Although there have been improvements from Bill C-2, the broad definition of electronic service providers, or ESPs, and the fact that any ESP could be treated as a core provider remain major concerns. Who is included as a core provider is currently three blank pages at the end of the bill.

In short, as written, it's reasonable to interpret the legislation in a manner that implies that virtually any organization could fall within the scope of Bill C-22. That alone has created enormous uncertainty, especially for Canada's business community and technology community.

Now let's consider the obligations that these ESPs could face. Proposed subclause 2(1) defines access to include "intercepting the communication," meaning that required capabilities can extend to real-time interception, not just stored data.

Under proposed paragraph 5(2)(a), cabinet can make regulations requiring any core provider — which we now know could include any ESP — to develop, implement, test and maintain operational and technical capabilities, including capabilities for extracting and organizing information and providing access to such information to authorized persons.

Under proposed paragraph 5(2)(b), regulations can require core providers — and we now know that includes ESPs — to install, use and maintain any device, equipment or other thing that may enable an authorized person to access information.

Colleagues, Bill C-22 needs specific definitions and clearer expectations and thresholds based on factors such as organizational size and capacity, the obligations imposed and whether risks to the organization can and will be minimized. As currently drafted, virtually every organization must assume that it could fall under this regime, with wide-ranging impacts on its risk management operations and plans. This is especially true for the small- and medium-sized enterprises, or SMEs, that are commonly digital-first organizations and represent the foundation and future of our economy.

Now let me move to the second area where the bill lacks clarity and proportionality: the financial and operational implications, especially for SMEs. What are the financial implications for smaller firms, start-ups and scale-ups? Bill C-22 recognizes "the costs to be incurred by the electronic service provider to ensure compliance with the order" as a factor under proposed paragraph 7(3)(c). Proposed subclause 7(4) says the minister may provide for compensation.

The reality is that there is no assurance that the resulting costs will be recoverable for SMEs. For larger companies, they might just see this as a cost of doing business. If the minister does provide compensation, will it reflect the SMEs' full costs and lost opportunities and arrive quickly enough to protect their working capital? Sadly, I doubt it.

Proposed clauses 2, 5 and 7 could force virtually any SME to put aside their customer-facing priorities and build a lawful access door for which they have no budget and no time. Bill C-22 introduces risks and uncertainty that escalate rapidly under the proposed clause 29 penalties of up to $250,000 per violation, with each day being a separate violation. Small companies, like the ones I built, would have to divert scarce resources from customer-facing activities and may be required to leave Canada or simply shut down. Even preparing for a possible ministerial order takes resources that are already in short supply.

Colleagues, this is a very serious problem. Just last week, our Standing Senate Committee on Banking, Commerce and the Economy tabled a report called *From Potential to Prosperity: The urgent case for greater investment in Canada's SMEs*, outlining the astonishing challenges that our SMEs already face. The committee repeatedly heard that structural issues in Canada's economy are preventing SMEs from accessing the funds necessary for them to prosper. As drafted, Bill C-22 adds further barriers and uncertainty.

If the price of admission is too high, how can we expect businesses to choose to build in Canada, especially when no comparable requirement exists under the Communications Assistance for Law Enforcement Act in the United States?

The last area where the bill lacks clarity and proportionality is metadata: what's included and the impact on our economy and global trust in Canada. The concerns about scope and certainty extend to the metadata retention requirements. Proposed section 5(2)(d) permits the government to require the retention of categories of metadata ". . . for reasonable periods of time not exceeding six months."

Cutting this requirement from 12 to 6 months has been positioned as a win. Perhaps, but the requirement to preserve sensitive metadata for up to six months, including information that is not required for business purposes, is in direct conflict with privacy-first digital architecture. For our most cybersecure companies, this would require entirely new data retention, access control, audit and cybersecurity protocols to store information that they have no reason to keep. These businesses would risk losing customers, capital and growth to jurisdictions with stronger privacy protections.

The fact that metadata, browsing history and social media activities are undefined in the bill is a major problem, as is the fact that cabinet will decide which categories are essential and can change the list over time.

Metadata is not harmless, especially in an AI-powered world. Christian Sadilek, Senior Principal Software Engineer at Mozilla, warned that metadata can reveal where you are, your hobbies and even your religion or diseases you might have. Our colleague Senator Simons offered that AI could enable bread crumbs of data to be reconstructed into a loaf, and she is not wrong. Responsible companies build privacy-first business models that collect and retain minimum metadata on their users for this reason.

The gold standard protocol used globally was built by Signal. It is licensed to numerous providers, including WhatsApp, with roughly 3 billion users. Because of this bill's metadata provisions, Signal and others would likely be forced to leave Canada, as Bill C-22 would prevent them from offering the privacy that's central to their value proposition.

If Canada is to build on its global reputation of trust and become a digital technology leader, how can we afford such uncertainty about privacy?

As far as I can tell, outside of traffic violations, police typically accuse a few hundred thousand people per year of a Criminal Code offence, with about 60% ultimately being charged. With a population of about 41 million, that means more than 99% of Canadians would be subject to Bill C-22's weakened privacy protections to potentially assist in investigations involving fewer than 1%.

Now, here is my second overarching theme. The first was just about uncertainty and a lack of clarity. The second is about technical safeguards. Are the bill's requirements technically feasible without creating new cybersecurity risks?

The bill's main protection against weakening cybersecurity is its ban on creating a systemic vulnerability. That is a welcome amendment from the House of Commons, but real uncertainty remains. This is because the definition carves out a crucial exemption, being that the security and privacy risks affecting anyone subject to a warrant can be ignored.

Let me walk you through the proposed section 2(1) definition of "systemic vulnerability." It means:

> . . . a vulnerability in the electronic protections of an electronic service that creates a credible risk, based on recognized international technical standards, that secure information could be accessed by a person who does not have any right or authority to do so . . . .

Let me pause there mid-definition. What I just read describes any vulnerability — a credible risk that someone without authority could access secure information. Nothing in it explains what makes a vulnerability systemic.

That definition of a "systemic vulnerability" depends on a "credible risk, based on recognized international technical standards." This is good practice and could be a very good thing, but it needs more clarity and understanding of how those risks will be reassessed over time.

Now let's proceed to the exception. The definition excludes information "related to persons with respect to whom a warrant" or other authority has been issued.

• (1540)

Once a warrant is issued, any resulting vulnerability can be ignored. The definition of "systemic vulnerability" adds still more uncertainty and more risk. It overlooks how much every one of us depends upon encryption every day.

There is also a question of responsiveness. If a capability is judged safe today, who checks that it is still safe tomorrow, next week, next month or next year?

When cabinet makes a regulation or the minister makes an order, paragraphs 5(3)(e) and 7(3)(e) require that they only take into account the impact on privacy and cybersecurity. After that, subclauses 5(5) and 7(5) leave it to the provider to refuse an order that would create a systemic vulnerability, on its own judgment and at its own risk. Remember that they face a fine of up to $250,000 each day, and each day is a new one.

The organization can then apply to the minister for an exemption, and a decision can take up to 90 days. Again, this creates uncertainty. If the application is denied, the minister determines the date at which access must be restored. Under subclause 7(1), orders can last up to two years. However, cybersecurity threats constantly change, and most demand action within minutes or hours, not days, weeks or months. The proposed framework and timelines ignore the realities of those who manage digital systems.

Finally, let's look at encryption itself. Encryption protects all of us every day. It keeps our banking, health records, businesses and critical infrastructure safe. It also protects the world's most vulnerable people, from those fleeing abusive partners to journalists and human rights defenders, whose safety and even lives depend on secure communications. Encryption scrambles data so that only someone holding the key can read it, and there are two broad kinds.

The first is end-to-end encryption used by apps like Signal, widely seen as one of the world's most secure messaging platforms. The keys are created and kept on the users' own devices. As an organization, Signal never has access to them. Only the people who are in the conversation can read it, and that is why it is so trusted by the world's most vulnerable people — and, yes, no doubt, some of the world's least trustworthy people as well.

The second kind of encryption is controlled by the service provider itself. Data is encrypted as it travels between a user and a service, or between services, and decrypted when it arrives. It is often encrypted again while stored.

Here, the provider, not the user, holds the keys and can unlock the data. A weakness in the system cannot be confined to people named in a warrant, so the "systemic vulnerability" definition cannot exclude risks relating only to them. Either way, weakening encryption to reach suspected criminals weakens it for everyone. End-to-end encryption, the gold standard, simply cannot allow one-off decryption without accessing individual users' own keys.

Subclause 2(4) appears to recognize this. It states:

> No obligations under this Act are to be construed as compelling an electronic service provider to decrypt . . . unless the encryption was provided by the electronic service provider and the provider possesses . . .

— the key. However, the definition in subclause 2(1) contradicts the assurances I just read in subclause 2(4), and those assurances matter. They are essential if this bill is to honour Recommendation R6 in NSICOP's September 2025 report on lawful access, which clearly said that decryption should not be required.

NSICOP recommended that:

> The government table legislation to compel intercept capability for communications service providers (CSPs). The legislation should be encryption neutral and not include a decryption requirement. . . .

Colleagues, to wrap up, I began with two questions: Is Bill C-22 clear and proportionate? Are its safeguards technically feasible without creating new cybersecurity risks?

On the evidence so far, I cannot answer yes to either question. "A service, or a feature of a service . . ." captures nearly every organization in our digital economy. Although there is assurance from Public Safety Canada that hospitals and other organizations will not be captured, the legislation leaves uncertainty.

What will it cost? Every electronic service provider must prepare to build or actually build a lawful access door, then maintain, patch and defend it every day against foreign interference, AI-driven attacks and bad actors. Even small organizations could face crippling fines, lost customer trust and ongoing legal liability.

For security services and police, each door is a theoretical asset. For cybercriminals, it is a target. For entrepreneurs, it is only a liability.

What data is covered is another uncertainty. Metadata, browsing history and social media activity are not defined. Cabinet defines what is essential and can change that list at will.

Six months of retention still covers data that privacy-first companies and their customers consider a liability that they don't retain today.

What about security? The central safeguard, "systemic vulnerability," ignores risks that may be created when targeting those under a warrant, and it carries no duty to reassess as threats evolve.

Why are we an outlier? The United States and New Zealand have no general metadata mandates. The United Kingdom and Australia gave broader powers but paired them with independent approval, cost contributions and a bar on systemic weakness. Canada creates powers but without safeguards.

Where are the experts? I see no sign that cybersecurity experts or architects of privacy-first digital systems helped to draft this bill. This is a perennial problem in Ottawa: Policy is designed by policy experts, while people who understand and must implement the systems are sometimes consulted but rarely involved. Put police investigators and cybersecurity experts in a room for a few days, without policy experts getting in the way, and I have no doubt they would come up with a workable framework. However, that is not what happened.

Then there is the absence of consultation with SMEs. In 10 meetings, the House Standing Committee on Public Safety and National Security met with 106 witnesses, but not one was a Canadian SME or tech company.

Then there is oversight. The minister could recognize and enforce certain foreign data production orders, yet the bill itself sets no rule-of-law criteria for doing so.

Given the uncertainty created, I hope our committee asks why these protections, the many definitions and contradictions I have highlighted and the differences with existing systems across the Five Eyes and G7 are not being addressed in this bill. I hope that many contradictions within the bill, as well as between the bill and the government's statements and intentions, are clarified and amended.

As I said, I don't have the answers yet. I look forward to the committee's study and to forming more informed views once we hear from witnesses and amendments are tabled.

Does Bill C-22 strike the right balance between new investigative tools and the privacy and security that Canadians expect? So far, I have seen little evidence that it does. Regardless, I have no doubt that Canada can protect public safety and privacy — and that it can and will be a place where innovators choose to build and investors choose to invest. We should settle for nothing less. Thank you, colleagues.

The Hon. the Speaker pro tempore: Senator C. Deacon, would you take a question?

Senator C. Deacon: Certainly.

Hon. Baltej S. Dhillon: Thank you, Senator C. Deacon. Your conversations with small businesses are important, and their voice is important in this bill. Their concerns, challenges and worries are things we need to look at and address.

From my time on the community advisory group that dealt with extortion in British Columbia that targeted small- and medium-sized businesses, I wonder if conversation and solutions were brought to you by these same business owners. They were concerned about how they would address those challenges; these same businesses were targeted by cyberattacks and extortion and ransom attempts. Without this lawful access bill, they had no way to address those issues. Were those conversations had as well? If so, what were their responses?

Senator C. Deacon: I haven't spoken to anyone who has been part of an extortion attempt. I have spoken with organizations that are fearful that they have to put this sort of system in place without resources and capacity and, with the way the legislation is written, that it will undermine their core value proposition as a business.

• (1550)

Absolutely, I think we have to look at this through every lens.

What concerns me is that I don't think that the lens of small businesses and Canadian technology companies — we are going to be required to support them more effectively than we do today and, certainly, as we found out in the Standing Senate Committee on Banking, Commerce and the Economy, more than we are as a nation. They are critical to our future economy. We cannot have this bill undermine their value proposition and cause even more to choose to grow outside of Canada. Right now, about 70% of Canadian founders choose to build outside of Canada and 30% build in Canada.

We have a challenge here. That is where I'm focused right now. I am absolutely convinced that we can bridge that gap, as you described, of helping small businesses that are suffering from extortion and criminal activity themselves without undermining the core businesses of so many other organizations. Right now, most of them are captured by quite frightening potential obligations. That is the concern I am focused on.

Senator Dhillon: Would you care for a follow-up, Senator Deacon? Thank you for that.

That balance you speak of is critical. We do need to tip the scale somewhat to the citizenry of the country and their protection as well, in my view.

When you had these discussions with those small and medium businesses, what were the experiences or conversations that they had with their partners or like-minded businesses and enterprises that are now still operating in Five Eyes countries and other countries that have adopted not the same but similar lawful legislation?

Senator C. Deacon: There was a direct point to the United States and the fact that this is not a risk in the United States and that they have the information-gathering legislation they require to achieve this end.

New Zealand and the United Kingdom are also countries who are being pointed to. The reality is that we do not need to be an outlier. We can achieve this end in a way that is comparable to other Five Eyes nations without the bill being drafted as it is.

There is no justification that I can see. There is no reason why we have done something differently. I have not been able to find it. Perhaps there is a really good reason being presented by the minister, but I have not heard it.

I would look at it and say, "Yes, this is solvable." The models already exist. They have been in existence for quite some time, and businesses have been able to adjust to them securely.

For example, Signal continues to operate in those countries. They would have to leave Canada.

Hon. Paula Simons: Would Senator Deacon accept a question?

Senator C. Deacon: Certainly.

Senator Simons: Senator Deacon, in my speech last session, I spoke about some of the economic challenges companies would have setting up these big metadata retention programs, but I didn't consider the liabilities. I wonder if you see anywhere in the bill that companies are protected if they build in these lawful access back doors and then hackers exploit that systemic vulnerability, if we're going to be allowed to call it that, to access data and potentially breach the privacy of customers.

Are the people you've talked to concerned that they may be sued and have to pay liabilities for weaknesses that they have been forced to build into their systems?

Senator C. Deacon: Thank you, Senator Simons, for the question.

There is no commitment on the part of the government to pay for costs associated with this work. Certainly, the issue of liability is not mentioned.

That is a massive concern. You are talking about small companies that have everything on the line already. Technology companies are reinvesting every dollar into improving their customer service, and then some of these requirements, as currently written, go against the value proposition they are actually selling. The liability in that situation is unlimited.

The reason why Signal says that they would have to leave Canada is that the value they offer to the world would be illegal in Canada if this bill goes through as drafted. The way the bill is drafted right now is against the recommendations of the National Security and Intelligence Committee of Parliamentarians, or NSICOP.

For me, the liability issue is a massive one. I don't think we can expect that companies would profit from this, but at least be very fair and clear that you are going to cover all of the costs. Do not let them make a profit, but do not let them have any costs. The biggest cost that they will have, in my mind, is taking their eye off customer activity and putting it purely on serving the public good and trying to do so in a way that does not create liability.

I can tell you that as you are growing a company, you do not have that headspace, time or the human and financial resources to make that change.

I think some choices have to be made for this legislation to go through and for it to not have significant economic harm because of the uncertainty around liability in many forms, not just financial.

Hon. Denise Batters: Would Senator Deacon take another question?

Senator C. Deacon: Certainly.

Senator Batters: Thank you for your speech and outlining a number of different issues that are problematic with Bill C-22.

You drew to our attention the fact that there are actually three blank pages in that one section. I'm wondering about those types of things, such as the fact that the term "core providers" is not defined and is left to the details, as are many other things, in eventual regulations. As I was discussing with the bill's sponsor last week, I was advised that the first phase of the regulations for this bill will be in a year and a half or two years and eventually other ones could be in as many as five years or so.

Does the fact that there is so much left to be defined to the regulations, yet those regulations may not come for several years, also concern you?

Senator C. Deacon: Thank you for the question, Senator Batters.

I very much share that concern. It comes from the meeting that we had with the Toronto Police Service. They need answers today. We have real risks that Canadians are facing today. We need to empower our police and security services more effectively in the digital era.

We have models out there of countries who have already implemented legislation: Australia, New Zealand, the United Kingdom and the United States. They are our Five Eyes partners. They have already implemented legislation, and they already have regulations. They already have, perhaps, a turnkey system for us to get moving on. I don't understand why we're going down our own road and cutting our own path and then introducing so much uncertainty.

I fully believe in the importance of this legislation, but I really cannot understand why we're going about it the way we are.

I will offer one other thing: I really like the fact that they have pointed to technical standards in that systemic vulnerability area. They have talked about using international technical standards. That is very useful to have as a base for regulations. I have been promoting that since Bill S-6, however many years ago that was. It is a really useful tool. It could be used more commonly.

I would like to see us have digital governance standards organizations as witnesses in committee. We need to use whatever tools we have already available to speed up the process of implementing this bill. Again, the folks who are trying to protect us need this to be in place today, not three or four years from now. Thank you.

Hon. Rebecca Patterson: Senator Deacon, will you take a question?

Senator C. Deacon: Please.

Senator Patterson: It is a very interesting discussion, especially when you compare and contrast with other nations.

Again, we have to study this bill. I respect that. We are very concerned about privacy and cost, et cetera. Do the other nations that you cited have a Charter of Rights and Freedoms as we do?

I seem to recall something to that effect. Was that a part of your discussions, and if it was, what did you hear?

• (1600)

Senator C. Deacon: You are always two or three steps ahead of me; you are in this situation. No, I did not ask, and I do not know, but thank you again for showing me the path.

Hon. Pierre J. Dalphond: Honourable senators, Bill C-22 contains two distinct parts. The first proposes amendments to the Criminal Code and related legislation to modernize the legal framework governing the investigation of crimes committed via the internet.

Part 2 proposes a new statute called the "Supporting Authorized Access to Information Act," which would require certain service providers to develop systems enabling law enforcement to access certain information and could require metadata retentions for up to six months.

I would like to thank my colleagues who have spoken so far. Senator Dhillon, the sponsor of the bill, went over the distinct objectives and content of the two parts. Senator Woo, Senator Simons and, today, Senator Colin Deacon focused mainly on Part 2, raising various concerns, which I hope will be addressed during the committee study.

I will focus on the amendments to the Criminal Code — Part 1 — and how they address Charter-protected digital privacy interests. Maybe that will answer the questions of Senator Patterson.

[*Translation*]

As we all know, computers can contain a wealth of information about our activities, interests, habits and relationships. They also provide access, via the internet, to all manner of data stored around the world.

For the past 15 years or so, the Supreme Court of Canada has been concerned with protecting the privacy of computer and internet users. In 2013, the court reiterated in *Vu*:

> It is difficult to imagine a more intrusive invasion of privacy than the search of a personal or home computer.

For this reason, the court states that computers must be treated as a separate place from their location. Therefore, a separate judicial authorization is required to reconcile the right to privacy with the state's interest in investigating criminal activity. In other words, a search warrant to enter a home is not sufficient to access a computer in the home.

The following year, in *Spencer*, the Supreme Court ruled on the legality of the police requesting information from an internet service provider regarding an IP address used to access child sexual abuse material. The police obtained the information, including the subscriber's address, and then sought a search warrant, which confirmed the possession of the prohibited material at that address. Since anonymity is a feature of much internet activity, the Supreme Court found that, under certain circumstances, there may be a privacy interest in anonymity that engages protection against unreasonable searches and seizures, meaning those conducted without prior authorization from a judge.

In this case, since the police had obtained, through their request to the service provider and without a warrant, information that established a link between a specific individual and prohibited online activities, the court found that, in the absence of prior judicial authorization, this constituted an illegal search. In the wake of this decision, police began using general production orders, previously authorized by judges, to obtain subscriber information from service providers.

[*English*]

The last judgment I shall refer to is *Bykovets*, rendered in 2024. While investigating online fraud, the police asked an online credit card processor to provide certain IP addresses associated with the fraud. Afterward, the police then obtained a general production order from a judge, compelling the service provider to disclose the names and addresses associated with each IP address.

A five-judge majority — so a narrow majority — held that users have a reasonable expectation of privacy regarding their IP address because it can provide a "crucial link" between an individual and their online activity and ". . . may betray deeply personal information — including the identity of the device's user . . . ." The majority described an IP address as " . . . the key that can lead the state through the maze of a user's Internet activity . . . " and the first "digital breadcrumb" on the trail. For that reason, the police must obtain prior judicial authorization to acquire an IP address from a third party.

In their dissenting opinion, the four other judges wrote that an IP address was not attracting an expectation of privacy on its own. It would have to be in a larger context that would disclose more information.

Finally, I conclude this summary of the law by adding that judicial authorization may be granted only where a judge is satisfied by information under oath that the applicable legal standard has been met, either a reasonable suspicion or a reasonable belief of criminal activity. The usual standard is the higher one — the reasonable belief based on the information provided. Thus, a general production order requires reasonable grounds to believe that the information sought will provide evidence of an offence.

However, in the Criminal Code, the lower threshold — reasonable grounds to suspect — is now used in relation to various judicial authorizations. I will quote a few: production order to trace specified communications, production order for transmission data, production order for tracking data, production order for financial data, warrant for a tracking device for transactions or things, and warrant for a transmission data recorder.

Commenting on tracking information, the Supreme Court said that it is ". . . a less intrusive means of surveillance than electronic audio or video surveillance."

In 2022, the Ontario Court of Appeal, in *Dosanjh*, when discussing a production order for tracking data, stated that whilst GPS data may reveal where a vehicle was and, by implication, where its driver was during a particular period, it is nevertheless ". . . really just a form of tracking data."

In conclusion, as the Supreme Court made clear in 2013 in a case called *Chehil*, both the impact on privacy interests and the importance of the law enforcement objective play a role in determining the level of justification required for the state to intrude upon a privacy interest.

This means that Parliament may authorize orders and warrants based on the lower standard of reasonable grounds to suspect where privacy interests are diminished or where state objectives of public importance are predominant.

This overview defines the legal landscape against which the proposed amendments to the Criminal Code should be considered.

[*Translation*]

First, there is the confirmation of service demand, which requires a yes or no answer to the following question: "Do you provide services to the following IP address?"

A yes or no answer doesn't strike me as a violation of privacy, because it doesn't reveal any details about the individual or their activities. The bill also states that before a police officer can ask this question, they must have reasonable grounds to suspect that an offence has been or will be committed and that the confirmation that is demanded from the service provider will assist in the investigation of the offence. Whether this requirement was met at the time the demand was made to the service provider can of course be confirmed during the trial, if charges are brought.

[*English*]

Once the service provider has been identified, the bill proposes to authorize the police to seek judicial authorization for a new order called a subscriber information production order.

• (1610)

This new order is limited to information that may identify the subscriber, disclose identifiers assigned to the subscriber, such as an account number, and describe the services provided.

To obtain this judicial authorization, the police will have to satisfy a judge that there are reasonable grounds to suspect that an offence has been or will be committed, that the identified service provider possesses the subscriber information and that it will assist the police in the investigation of the offence. It is important to remember that details about the use of the services are not allowed.

Furthermore, judges can limit or impose conditions on the information to be disclosed by the provider, mindful of the privacy interests at stake and of the Supreme Court's guidance on the subject. The value of judicial pre-authorization is that Parliament need not spell out every limitation explicitly in advance. Instead, those limits can be imposed by a judge in each specific case.

To pre-empt a fair question that Senator Simons might ask me, I want to add that the lower threshold used herein is likely sufficient under section 8 of the Charter.

First, the name, address and phone number of a subscriber cannot be considered as involving a high expectation of privacy. In the era of land lines, this information — for most Bell Canada subscribers — was readily available in telephone directories. Why should discontinuing those directories increase the expectation of privacy?

Second, the new production order authorizes a description of the services provided to the subscriber but not a description of the use made of these services.

Third, guided by section 8, the authorizing judge must interpret the definition of "subscriber information" reasonably and cannot authorize more than what is specifically mentioned. Furthermore, the judge can impose conditions and restrictions on subscriber information requested by the police.

Fourth, the bill gives providers the right to challenge, in court, production orders that appear unreasonable.

Fifth, if a charge is laid, the accused will have the right to challenge the legality of any order exceeding the scope of the new provision.

For these reasons, I believe that the new order provides a satisfactory balancing of the privacy interests at stake and the importance of law enforcement against crimes committed via the internet.

Once subscriber information has been obtained, the next step will often be to obtain a search warrant. It could be a search warrant of a building, a house, a car, a container or a personal computer. Part 1 of Bill C-22 doesn't modify the law regarding the threshold required to obtain such a warrant. The judge must be satisfied that there are reasonable grounds to believe that there is — in the building or place or on the computer — something that will provide evidence of an offence. The sole modification here is to allow a judge to authorize both the seizure of the device and the examination of its content under a single warrant, rather than requiring two separate judicial authorizations, as has been the practice since the judgments of the Supreme Court, while still requiring a specific authorization for computer data. The same warrant could cover the house and the computer, but there must be two specific authorizations within the order.

This should simplify the authorization process for the police while forcing police and judges to specifically address the privacy issues related to a search warrant, especially if it targets a computer.

In conclusion, my review of Bill C-22 leads me to believe that Part 2 deserves greater attention than Part 1. Incidentally, the numerous emails that we have received and the speeches given so far have all, essentially, talked about Part 2. Such an important task should be given to our National Security, Defence and Veterans Affairs Committee sooner rather than later.

[*Translation*]

Thank you for your attention.

[*English*]

Hon. Denise Batters: Would Senator Dalphond take a question?

Senator Dalphond: Yes, with pleasure.

Senator Batters: Senator Dalphond, in your remarks today, you briefly discussed the reasonable expectation of privacy and whether it's actually reasonable given that telephone directories were once available.

Certainly, I long for the days when we had telephone directories —

The Hon. the Speaker pro tempore: Sorry to interrupt, but the time for your speech has expired.

[*Translation*]

Senator Dalphond, are you asking for five more minutes to answer questions?

Senator Dalphond: Of course. I would be happy to do so with the chamber's consent.

[*English*]

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

Hon. Senators: Agreed.

Senator Batters: I hearken back to the olden times when we had telephone directories. I still use mine, actually. I am the rare person who does. However, because so many people only have cellphones now, we don't have a place where cellphone numbers are readily available in a listing, like a telephone directory, and some people pay an extra fee to have an unlisted number even if they do still have a land line. Does that change your point of view on that? And what about email addresses? There is no public listing for email addresses unless someone has a business account, which is sometimes more available. Does that change your viewpoint on having any reasonable expectation of privacy in those kinds of cases?

Senator Dalphond: Thank you for the question. It is an interesting one. Perhaps I went a bit fast on that part, but essentially, I'm saying that in order to get subscriber information, you need judicial authorization. Then, the issue is: What should the level of privacy involved be? What should the threshold be for the police officer, which is informing the judge? Does he have to convince the judge that he has reasonable grounds to suspect or reasonable grounds to believe?

My impression or my opinion is that, as currently drafted, this new order — called the subscriber information order — asks police officers to satisfy the judge that there are reasonable grounds to suspect. I think this is sufficient because the privacy interests at stake are limited. In the past, someone's name, address and phone number, for example, were not considered essential to an individual's privacy, so I don't think that just because the books are disappearing, this information has become more important.

The other issue is about the service provided. Of course, when we had phone books, I knew they had a phone. The service provided was generally just the phone service. Nowadays, there are internet services as well. You can pay for a lot of services from your provider. That part is kind of personal information. That's why I am glad to see that judicial authorization is required, but still the expectation for that part of your privacy is very limited.

Therefore, for me, "reasonable grounds to suspect" is enough to ask for that type of information and obtain it from a provider, especially because the content cannot be disclosed. They are only disclosing that, yes, the person has fast or slow internet or that they're paying for 20 minutes per month or for unlimited internet. That type of information doesn't disclose anyone that much about you and what you do with your computer.

[*Translation*]

Hon. Paula Simons: Will Senator Dalphond take a question?

Senator Dalphond: Of course.

[*English*]

Senator Simons: I hate to disappoint you, Senator Dalphond, but Senator Batters asked the question that I think you intended for me to ask, so I will ask a different one about foreign production orders.

Proposed section 1 in Bill C-22 would basically compel Canadian telecom providers to provide information on the basis of foreign production orders that may come from countries that have far different rules and expectations of privacy than we have. How comfortable are you with the protections in Bill C-22 in terms of handing over the private data of Canadians to foreign countries and foreign intelligence agencies?

Senator Dalphond: That is a very good question. The information sought is about Canadians living in Canada. Therefore, the Charter does apply. Whether that information is being asked for by the local police or the CIA or the FBI, it doesn't change the fact that you are in Canada and you should enjoy the same level of protection. A judicial authorization should be required if, in Canada, judicial authorization is required.

• (1620)

Senator Simons: Then I guess the question is this: Do you feel that Bill C-22 actually makes that clear?

Senator Dalphond: To think otherwise would be to say that when the FBI contacts the RCMP, the RCMP has more power to get information than if it were about the local police asking the RCMP to assist. It cannot be. You need judicial authorization. If you provide that information without judicial authorization, I hope the provider is going —

The Hon. the Speaker pro tempore: Senator Dalphond, your time has expired.

(On motion of Senator Martin, debate adjourned.)

CRIMINAL CODE

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Wallin, seconded by the Honourable Senator Quinn, for the second reading of Bill S-231, An Act to amend the Criminal Code (medical assistance in dying).

Hon. Yonah Martin (Deputy Leader of the Opposition): On behalf of Senator Housakos, I would like to ask leave to take the adjournment for the balance of his time.

(Debate adjourned.)

NATIONAL BLANKET CEREMONY DAY BILL

SECOND READING—DEBATE ADJOURNED

Hon. Mary Jane McCallum moved second reading of Bill S-245, An Act respecting a National Blanket Ceremony Day.

She said: Honourable senators, the topic I am going to talk about is very heavy — as a lot of the topics I discuss are — but it is something that needs to be entered as evidence. Part of the reason I do this is to educate and make the Senate aware of the impact of history on First Nation lives and also to do justice to the children who underwent the Sixties Scoop.

> And the mind that has conceived a plan of living must never lose sight of the chaos against which that pattern was conceived. That goes for societies as well as individuals.

That came from Ralph Ellison's *Invisible Man* and was quoted in *Brown Boy*, a memoir by Omer Aziz.

Honourable senators, before I get into the history of the Sixties Scoop and the request for a blanketing ceremony day, I want to provide context regarding the lives of First Nations on reserves in the 1950s. I do this because the abduction of children through the Sixties Scoop was largely justified through stereotyping. That made it easier to justify taking children into custody through various means.

The 1991 report of the Aboriginal Justice Inquiry of Manitoba states that the effects upon First Nations societies ". . . of the federal government's residential school system, and its policy of assimilation, have been astounding. Residential schools denigrated . . ." First Nations ". . . cultures, customs and religions, and disrupted the traditional practices of Aboriginal child-rearing and education."

This is where the Sixties Scoop comes in. The report continues:

> They tore apart families and extended families, leaving the children straddling two worlds, the European one and that of their own . . .

— First Nations —

> . . . societies, but belonging to neither. . . .

The report continues:

> The loss of successive generations of children to residential schools, the destruction of . . .

— First Nations —

> . . . economic bases, the decimation of their populations through diseases and the increasing dependence on government welfare have led to social chaos. This manifests itself in . . .

— First Nations —

> . . . communities through staggering poverty rates, high unemployment rates, high suicide rates, lower education levels, high rates of alcoholism and high rates of crime.

When you live a life of chaos — when you have been forced to — you understand why this happens in First Nations. It is not that we want to be this way; that is what comes with the coping skills that you force yourself to adopt.

The report continues, "In individuals, the legacy of the residential schools has been lowered self-esteem, confusion —" and stripping "— of self-identity and cultural identity . . . . The residential school experience also resulted in a breakdown in traditional . . ." First Nations ". . . methods of teaching child-rearing and parenting. Entire families once took part in the raising of children."

That's how I was raised before I went to residential school. Young parents, like young parents everywhere, learned how to raise their children from their own parents— by example. Traditionally, First Nations also drew upon the examples and advice of their extended families, grandparents, uncles, aunts and siblings. Residential schools made this impossible, and I know. I am a parent. First Nations worry because they know their young children make up a significant proportion of their populations today, and they fear for the survival of their languages, cultures and societies.

• (1630)

The fear is that yet another generation will be swept into institutions and away from their communities. There is an added fear that, with the removal of status, Indigenous children will also be forced to move from the community.

The report goes on to say that the experience of residential schools is one shared by many First Nations across Canada. That experience was marked by emotional, physical and sexual abuse,

as well as social, emotional and spiritual deprivation. Even as assimilation was stated as the goal for the education of First Nations, one researcher wrote:

> The assimilation was to take place under conditions which would cause no threat to the surrounding business and farming community.

In the same report, it states that when legislative changes were made, Indigenous communities — especially on reserves — were dealing with the repercussions of a century of discriminatory laws that put First Nations people in a position of extreme socioeconomic disparity.

Instead of providing community support, the government's response was to take the children away and put them into non-Indigenous homes.

Colleagues, significant research has been done regarding the apprehension of First Nations, Métis and Inuit children in Canada. The Canadian government implemented different policies for the removal of First Nations, Métis and Inuit children: residential schools, the Sixties Scoop, day schools, ongoing removal through children in care today as well as ongoing extinguishment policies removing First Nations status today.

When looking at the overwhelming Canadian power in relation to First Nations, it has shown that these policies of removal, which so flagrantly disregarded the fundamental rights of First Nations, could be repeated even after residential school.

Indeed, the policies did.

Today, I speak specifically to the Sixties Scoop experience.

Honourable senators, I rise to speak to Bill S-245, an Act respecting a National Blanket Ceremony Day. I want to thank Troy MacBeth Abromaitis, a Sixties Scoop survivor, for approaching First Nations, Inuit and Métis senators for support in bringing forward a private member's bill on behalf of himself and other survivors.

Bill S-245 was co-developed by Mr. Abromaitis with our office. Mr. Abromaitis has worked extensively and tirelessly to have the Sixties Scoop history recognized and understood throughout Turtle Island. A proclamation was signed by the Lieutenant Governor and the Attorney General of B.C. on behalf of the B.C. provincial government to recognize June 30, 2024, as Indigenous Survivors Day. A proclamation by the Honourable Tim Houston, the Premier of Nova Scotia, on behalf of the Province of Nova Scotia, proclaimed June 30, 2025, as National Blanket Ceremony Day for Indigenous survivors throughout the province of Nova Scotia.

A declaration by Susan Holt, the Premier of New Brunswick, proclaimed June 30, 2025, as Indigenous Survivors Day and National Blanket Ceremony Day in the Province of New Brunswick.

A reference letter written by Chief Janet Webster from the Lytton First Nation for Mr. Abromaitis spoke of his 35-year journey to reconnect with his family, people, culture and community as a descendent of the Thom, Oats, Dreaney and Drynock families of the Nlaka'pamux Nation. The Special Chiefs Assembly 2025, through the Assembly of First Nations Resolution 36, which carried by consensus in December 2025, supported a national day for Indigenous child removal survivors by the Government of Canada.

The Nlaka'pamux community at Nicomen Indian Band in British Columbia welcomed Troy MacBeth Abromaitis home after his lifelong journey. It was a lifelong journey that began from the moment Troy was born, as he was destined to be apprehended into the childcare system known as the Sixties Scoop because he was Indigenous. He was welcomed home through a blanket ceremony and received his ancestral name in recognition of his role as one of the helping hands in the rebuilding and recovery of Lytton following the devastating 2021 wildfire.

I want to thank Troy for the extensive research he provided for me, and which I believe he sent to all of you this morning.

What is the Sixties Scoop?

The Sixties Scoop developed into a much longer attempt to assimilate the children of First Nations, Metis, Inuit and non-status people. By the 1880s, Canada was funding residential schools expressly intended to separate children from family and culture, including "killing the Indian in the child." Schooling in residential schools intentionally targeted, then disrupted, the transmission of language, purpose and meaning of life, knowledge and parenting relationships. Residential schools and child welfare histories overlap. Removals into foster and adoptive homes were expanding while residential schools were still operating.

However, the institutional arrangements differed. Residential schooling centred on institutions funded by the federal government and was frequently operated by churches. Child welfare relied on provincial or territorial legislation, social service departments, Children's Aid Societies and courts. Foster families, adoptive families and group homes became places of custody and upbringing.

A child could experience more than one of these institutions, and a parent's residential school experience could shape the circumstances in which an agency could later intervene and remove their children.

Confederation divided legislative powers in a way that became central to this history. Parliament held authority under section 91(24) of the Constitution Act, 1867, while provinces administered their general child welfare systems.

Governments disputed who should provide and pay for services on reserves. The 1951 revision of the Indian Act added a provision, originally section 87 and later section 88, applying provincial laws of general application to Indians. This helped extend provincial child welfare laws onto reserves; it did not remove Parliament's legislative authority or itself order children to be adopted.

Legal applicability did not automatically produce a range of services. Funding and administrative agreements determined what services the agencies actually delivered.

• (1640)

Families could encounter strong powers that gave themselves authority and power to apprehend their children without first providing the adequate assistance/resources required so families would be able to keep their children at home. This combination matters. The expansion of government intervention was not followed by an equivalent expansion of housing, practical support or community-controlled care.

Ontario's agreement of December 1, 1965, illustrates the machinery. Canada financed the extension of 18 provincial welfare programs, including child protection and adoption services, to people with reserve status. Section 2(2) required consultation with each affected band and its concurrence before extending a program. In *Brown v. Canada*, the court found that this consultation had never occurred.

The historical significance is larger than a dispute over which government paid an invoice. Governments expanded services according to outside standards while failing to give affected First Nations the promised influence over those services. A measure presented as equal access could thus increase state control over family life without respecting Indigenous inherent authority over their children. Responsibility has to be traced through the actual law, agreement, agency practice and decisions involved. Attributing the entire history of child abduction exclusively to either Ottawa or the provinces obscures how the system worked.

The route into care was not identical for every child. Apprehension meant an agency unilaterally taking a child into custody. In one instance, the parents went to the store to get food, and when they came back, the children were gone. Temporary wardship placed the child under agency authority for a period, while permanent or Crown wardship could give the state continuing guardianship. Foster care was a living arrangement, not adoption. Adoption created a new legal parent-child relationship. Some children moved through several of these stages, while others remained in long-term care without being adopted.

At the point of assessment, social workers could interpret Indigenous homes through the expectations of a White, middle-class nuclear family. Poverty, unfamiliar food storage, shared caregiving and overcrowded housing could be treated as evidence of parental failure. Workers often lacked local knowledge, and parents could lose their children with little warning and without consent. Judgments about neglect could confuse a lack of material possessions and cultural difference with an inability to love and protect a child. However, this did not mean that every child was safe or that no intervention was warranted.

According to the report of the Aboriginal Justice Inquiry:

> This expansion of child welfare services to [First Nations] communities, which took place across Canada at this time —

— in the 1950s —

> — left a profound and negative impact on these communities. As the Canadian Council on Social Development documented:

> In 1955, there were 3,433 children in the care of B.C.'s child welfare branch. Of that number it was estimated that 29 children, or less than 1 percent of the total, were of Indian ancestry. By 1964, however, 1,446 children in care in B.C. were of Indian extraction. That number represented 34.2 percent of all children in care. Within ten years, in other words, the representation of Native children in B.C.'s child welfare system had jumped from almost nil to a third. It was a pattern being repeated in other parts of Canada as well.

The authors went on to state:

> The child welfare system was doing essentially the same thing with Aboriginal children that the residential schools had done. It removed Aboriginal children from their families, communities and cultures, and placed them in mainstream society. . . . As a result, between 1971 and 1981 alone, over 3,400 Aboriginal children were shipped away to adoptive parents in other societies, and sometimes in other countries.

This shocked me when I found out where children were sent. They were sent to the United States, to Germany, England and Scotland, and that is not a complete list of countries.

The final report of the Indian Child Welfare Sub-Committee in Manitoba, which completed its work in 1980, quoted the statement of Provincial Court Judge Garson, who became the Manitoba Deputy Minister of Justice, as typifying the disorganized state of services:

> The stark reality of the present situation . . . is that the Treaty Indian is caught in a political, financial and legal limbo with both senior governments attempting to disclaim responsibility for the delivery of social and child welfare services, with the not unsurprising result that the Treaty Indian fails to get the services except in life threatening situations. . . . Such a denial of services, for whatever reasons, can only be termed discriminatory to the Treaty Indian.

Saskatchewan provides an unusually clear example of government promotion of transracial adoption. Its Adopt Indian and Métis Project, commonly called AIM, operated as a pilot from 1967 to 1969, initially supported by the federal Department of National Health and Welfare. It tested television, radio and newspaper advertising to recruit adoptive parents in southeastern Saskatchewan. In 1970, the advertising initiative broadened to include all children awaiting placement. AIM was a particular program within the wider Sixties Scoop, not its national administrative name.

Honourable senators, when I left residential school at 16 in 1968, which was the time that this was running, and went into high school in The Pas, Manitoba, I saw those ads of the little children in newspapers. It would be the child's face, and it would say, "Do you want to adopt this child?" At that time, I didn't realize how outrageous and dangerous that was. I saw it as normal. Remember I came out of residential school, which I thought was normal.

Historian Allyson Stevenson's archival research shows how the campaign presented adoption as an answer to children waiting in care, while giving little public attention to the conditions that had separated them from their families. That framing made prospective adoptive households highly visible, and the Indigenous parents and kin largely absent.

The advertisements also made the racial identification of children part of the recruitment process. Examining the campaign, therefore, reveals how a permanent transfer could be presented publicly as benevolent social progress.

First Nations, Métis and Inuit children went through the same removal processes, but their experiences differed. The Indian Act's registration system, reserve residence, provincial boundaries and northern administrative arrangements created different routes into care and different documentary records. The legal category used in a file was not a complete description of a child's identity. For a child who was removed, separation could mean losing the knowledge needed to even name their own family, community or nation. That really became a problem when the Sixties Scoop came to an end and they started to try to find their families.

• (1650)

Métis children experienced removal through provincial systems, including systems that grouped them with First Nations children under broader labels and failed to identify them accurately. The Manitoba Métis Federation and the Métis Child and Family Services Authority situate this history within Métis dispossession, dispersal and uneven access to public institutions. Their 2013 submission describes the damage caused when authorities overlooked extended family caregiving and treated difficult social conditions principally through removal. The submission also stressed the barriers created by closed adoption to later family searches.

The loss extended beyond the moment of removal. Siblings could be placed and grow up separately, and they did. Children could lose their languages, and information about ancestry could be withheld or distorted. A child might be racially marked as Indigenous in school and public life while lacking the relatives and community relationships through which to understand that identity. Sinclair's research describes reconnection as an active process of learning and rebuilding rather than the simple recovery of something in childhood.

Survivors' experiences varied, including the care they received from adoptive or foster parents. I have heard horrendous stories myself. Historical accounts recognize loving relationships as well as abuse and abandonment. It does not require every household to have been abusive to explain the systemic injury of severed family and cultural relationships. Conversely, pointing to an individual's later achievements cannot establish that removal was necessary or that the losses were inconsequential.

The account of Betty Ann Adam and her siblings makes the work of reunion concrete. In the National Film Board of Canada's reporting on *Birth of a Family*, Adam describes reconnecting with Dene relatives and establishing correspondence with her mother in 1985. She met her mother in person in 1990. Finding all her siblings took much longer: Ben was located in 2012, and Esther, in California, in 2014. In 2015, Betty Ann, Rosalie, Esther and Ben first came together as a family group after their mother's death.

The obstacles were administrative as well as emotional. Adam described becoming the administrator of her mother's estate and encountering repeated barriers to locating relatives. The reunion did not restore a shared childhood. Adults had to begin building relationships because they had been denied the opportunity to develop these relationships from childhood, as was their inherent right.

The following statements were made by Troy Abromaitis:

> The Sixties Scoop describes the large-scale removal of Indigenous children into foster care, adoption and other child-welfare placements, particularly from the late 1950s through the 1980s.
>
> The Sixties Scoop occurred not because the government was genuinely concerned for the well-being of Indigenous children but primarily as an extension of the racist policies against Indigenous communities meant to assimilate Indigenous children into Western society and strip them from their culture and communities.

A national blanket ceremony day would not seek to define every Survivor's experience through a single ceremony. Rather, it would create space to honour Survivors, remember children and families affected by removal, champion for public education and reconnection and affirm the continuing importance of First Nations, Métis, Inuit and non-status families, cultures and communities in determining the futures of their children.

The proposed recognition of June 30 as national blanket ceremony day would provide a national moment of remembrance centred on Survivors, family, belonging, reconnection and the enduring strength of First Nations, Métis, Inuit and non-status Peoples.

The blanket carries particular meaning in this context. Across many First Nations, Métis and Inuit communities, blanket ceremonies can express a welcome home, honour, protection, belonging and relationship. For Survivors whose childhoods were marked by separation from family, community and culture, the symbolism of being welcomed and wrapped in a blanket offers a powerful counterpoint to the history experienced by Troy and thousands of Survivors. This is a movement from removal toward recognition, from disconnection toward relationship and from imposed identity toward belonging.

June 30 also creates a meaningful place in the national calendar immediately before Canada Day. It offers an opportunity to acknowledge the experiences of Indigenous children and families before the country turns to its national celebration, while recognizing that Canada's history includes both the actions of governments and institutions and the survival, resistance and rebuilding of First Nations, Métis and Inuit families and nations.

Colleagues, please join me in supporting the people that were "scooped up" in the Sixties Scoop by sending this bill to committee today. The proposed national recognition of June 30 through Bill S-245 will provide an important parliamentary path for Survivor remembrance, family and community recognition, public education and the continuing work of reconciliation.

To the Sixties Scoopers that I know are listening, you matter. Welcome home.

Thank you.

Hon. Senators: Hear, hear.

(On motion of Senator Black, debate adjourned.)

• (1700)

THE SENATE

MOTION TO CALL ON GOVERNMENT TO CREATE A NATIONAL STRATEGY TO ENGAGE CANADIANS ABROAD— DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Woo, seconded by the Honourable Senator Boyer:
>
> That the Senate call on the Government of Canada to create a national strategy to engage Canadians abroad.

Hon. Amina Gerba: Honourable senators, this item is adjourned in the name of Senator Martin. I ask for leave of the Senate that, following my intervention, the balance of her time to speak to this item be reserved.

The Hon. the Speaker: Honourable senators, is leave granted?

Hon. Senators: Agreed.

[*Translation*]

Senator Gerba: Honourable senators, I want to begin by thanking our colleague, the Honourable Senator Woo, for moving this motion, which calls on the government to develop a national strategy to engage Canadians abroad. This motion raises a simple but essential question: How can Canada do more to recognize and engage the millions of Canadians living abroad and make them feel valued?

In 2023, Statistics Canada estimated that up to 5.6 million Canadians could be living abroad, the equivalent of the population of British Columbia.

Senator Woo described this vast community as the "Province of Canada in the World."

That phrase paints a particularly vivid picture. If that province had a premier, they would be asking why the federal government invests so little in its relationship with its own citizens abroad.

These Canadians are living in the United States, Europe, Asia, the Middle East, Latin America and Africa. They are still citizens and retain the right to vote and the right to return to Canada.

However, all too often, we see them only as people to assist in times of crisis, rather than as strategic partners.

Our consular services do a wonderful job when it comes to protecting and helping our citizens abroad. However, focusing only on this aspect is like focusing on the cost of insurance rather than on the value of the house.

[*English*]

This motion does not call for a new ministry or another layer of bureaucracy. What it calls for is vision, coordination and purpose.

[*Translation*]

Canada already has embassies, high commissions, trade commissioners, academic networks and consular services.

What it lacks is a coherent approach to maintaining lasting ties with Canadians living abroad and to mobilizing their expertise in service of our national interests.

Other countries have long understood the strategic value of their diaspora.

Ireland has a minister responsible for the diaspora and has adopted a whole-of-government approach to engaging Irish nationals around the world. As its strategy states:

[*English*]

> Ireland is a small island with a huge reach. Our voice, values and culture are represented around the world by our diaspora.

[*Translation*]

India, Kenya, Senegal and Israel have also developed specialized structures to leverage the skills, networks and economic potential of their communities abroad.

These countries' experiences show that a clear strategy can transform a scattered community into a powerful economic, diplomatic and cultural lever.

I rise today not only as a senator, but also as a Cameroon-born entrepreneur who has dedicated much of her life to building relationships between Canada and Africa.

I know the value of human connections.

When a Canadian company wants to set up shop in Dakar, Abidjan, Douala or Nairobi, it often has the necessary expertise and products. What it may not have is detailed knowledge of the territory, like who to contact, what networks to use, and how to create the bond of trust that is essential to any lasting partnership.

[*English*]

Yet this expertise already exists. It resides in those Canadians who have studied, worked or lived here before continuing their professional careers elsewhere in the world.

[*Translation*]

Consider the engineer, researcher, entrepreneur or professional who studied in Montreal, Ottawa, Moncton or Toronto and now works abroad.

These people know Canada, its institutions and its business culture. They also know their host country's economic, social and cultural realities. This puts them in an ideal position for creating ties.

For our businesses, this represents an incredible competitive advantage. For our universities, it opens the door to new partnerships in research and education.

[*English*]

Canadians living abroad are a valuable asset for Canada. They help strengthen our diplomatic relations, our ties with the Commonwealth and the Francophonie and our engagement around the world. They also form a trusted network that Canada can draw on to build stronger international partnerships.

The Government of Canada recognized this potential in its 2025 Canada's Africa Strategy, which highlights the importance of strengthening ties between people and working more closely with diaspora communities. Building on this commitment, Canada has an opportunity to make better use of these connections to deepen its engagement and strengthen its partnerships across Africa.

[*Translation*]

In my view, these Canadians living abroad are what Senator Woo refers to as "unofficial ambassadors." They do not speak on behalf of the Government of Canada, but they help raise our country's profile, open doors and create opportunities for collaboration.

A true strategy should also strengthen their participation in democratic life.

Too often, Canadians living abroad face administrative barriers that weaken their connection to the country. One practical way to address this would be to make it easier for them to exercise their right to vote through our embassies, consulates and high commissions. Several democracies already use their diplomatic missions to strengthen the ties between expatriate citizens and their institutions. Such a measure would not only boost voter turnout, but would also reinforce citizens' sense of national belonging.

• (1710)

[*English*]

Honourable senators, a country that wants to build strong and lasting partnerships around the world must first recognize the value of its own people, wherever they live. From Hong Kong to Dakar, and from Dubai to São Paulo, millions of Canadians understand the local markets, cultures and societies with which Canada seeks to strengthen its ties.

[*Translation*]

These Canadians are already an extraordinary asset to our country. Senator Woo's motion invites us to better understand this community, to listen to its perspectives and to engage with it more effectively. I thank him for initiating this important discussion.

I fully support the objective of this motion. I urge my colleagues to do the same so that Canadians living abroad can fully realize their potential as economic, cultural and human bridges between Canada and the world.

Thank you.

(Debate adjourned.)

[*English*]

INDIGENOUS PEOPLES

MOTION TO AUTHORIZE COMMITTEE TO STUDY HOW THE FORCIBLE REMOVAL OF FIRST NATIONS, INUIT AND MÉTIS CHILDREN FROM THEIR FAMILIES AND CULTURES CONSTITUTES A CRIME AGAINST HUMANITY AND A GENOCIDE—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator McCallum, seconded by the Honourable Senator Martin:

That the Standing Senate Committee on Indigenous Peoples be authorized to examine and report on how the historical and ongoing forcible removal of First Nations, Inuit and Métis children from their families and cultures, including but not limited to:

(a) removals through the Indian residential school system;

(b) Indian day schools;

(c) the Sixties Scoop;

(d) the epidemic of Indigenous children in care; and

(e) the resultant intergenerational effects of this child apprehension, such as missing and murdered Indigenous women and girls and the over-incarceration of Indigenous peoples;

constitutes a crime against humanity and a genocide, pursuant to the *Crimes Against Humanity and War Crimes Act*, S.C. 2000, c. 24, and Articles 6 and 7 of the *Rome Statute of the International Criminal Court*, and in accordance with Article II of the *United Nations Convention on the Prevention and Punishment of the Crime of Genocide*; and

That the committee submit its final report no later than December 31, 2025.

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

The Hon. the Speaker: Honourable senators, is leave granted?

Hon. Senators: Agreed.

(Debate adjourned.)

[*Translation*]

THE EMERGING PROBLEM OF SATELLITE DEBRIS FALLS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Simons, calling the attention of the Senate to the emerging problem of satellite debris falls in Canada and to the challenges of satellite congestion, pollution and liability.

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

NATIONAL FLAG OF CANADA DAY AND EXTRA RELEVANCE OF FLAG GIVEN CURRENT GEOPOLITICAL SITUATION

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cardozo, calling the attention of the Senate to National Flag of Canada Day and the extra relevance of our flag given the current geopolitical situation.

Hon. Victor Boudreau: Honourable senators, before I begin, I'd like to thank Senator Cardozo for initiating this inquiry on the Canadian flag. The timing is impeccable. In establishing the scope of his inquiry, Senator Cardozo referred to Canada's place in an increasingly unstable world.

If I may, I will address a different aspect in my speech today. I want to talk about national unity.

Just over 60 years ago, at the very moment the Peace Tower clock struck noon, Canada's new flag was raised for the very first time on Parliament Hill.

Nowadays, we tend to forget that the debate over a new flag caused quite a stir in the early 1960s. Lester Pearson was our Prime Minister. He had for some time been keen to introduce a distinctly Canadian flag, something new and modern that wasn't tainted by Canada's colonial past. The story of why he wanted to do that is interesting. It dates back to his time as a senior diplomat and his key role in negotiating an agreement to end the Suez crisis in 1956.

Pearson was apparently caught off guard when the Egyptian government initially opposed the presence of a Canadian peacekeeping force on its territory, partly because the Canadian flag at the time, the Red Ensign, featured the same symbol as the one used on the British Union Jack. That symbol, while deeply meaningful to some, was equally troubling to others, both in Egypt and in Canada.

[*English*]

When he eventually became the Prime Minister in 1963, Pearson put his plan for a new flag into action. The process was rocky, to say the least. The fiery debate in the House of Commons nearly caused the defeat of Pearson's minority government. There were calls for a referendum on the issue, and even the all-party committee that was created to defuse tensions failed to agree on a solution and was disbanded.

A second all-party committee was eventually created in 1964, but due to confusion in the final voting, committee members chose a design that was nobody's preferred option at the time. Almost by accident, they had selected the flag that we know today: the single red leaf on a white background, bookended by two red bars representing the Atlantic and Pacific oceans.

The designer of that flag, incidentally, was a well-known Canadian author, historian and soldier with significant ties to New Brunswick. George Stanley did two stints as a professor at Mount Allison University, and during the second, he became the director of Mount Allison's new Canadian Studies program, the first of its kind in Canada. George Stanley later served as New Brunswick's lieutenant-governor.

The story of how our modern flag came into existence is interesting because it demonstrates how Canada's diversity has long been a central feature of our politics. Prime Minister Pearson's attempt to find a symbol that would unify us was both laudable and fraught with difficulty. The debate itself risked tearing us apart, but then — as now — the debate was necessary, even if it was difficult.

Canada is not an easy country to govern. Our distinct regions, numerous cultures and different languages make it difficult to find common ground and achieve consensus. We are the canary in the coal mine of internationalism. Every one of our disagreements and negotiated solutions become a model that other countries can follow. We don't always get it right, but the fact that we keep trying and keep talking to one another is what matters.

During the 1995 referendum on Quebec independence, I remember someone pointing out a particular feature of our flag. It is one of those hidden images that you don't notice at first, but once it has been pointed out, you can't unsee it. The edges of the maple leaf on our flag, when looked at a certain way, look like the silhouettes of two angry faces, butting foreheads and staring each other down. It seemed like the perfect illustration for the arguments that were taking place in Canada in 1995.

However, those angry silhouettes on our flag are also a metaphor for Canada itself. The two silhouettes on our flag might look angry. They might look like they are disagreeing intensely — even shouting at one another. But here's the key: They aren't turning away. They continue to face one another, and they continue to engage.

[*Translation*]

That is Canada in all its flaws and wonders.

Sometimes our differences can feel disconcerting, if not insurmountable, but there is beauty in them as well. What matters is that we recognize and respect them and care enough about each other to put in the effort to find common ground.

With a referendum in Alberta earlier this week and a potential referendum in Quebec on the horizon, we are once again living in a time of discord and division. No matter how we feel about the arguments put forward by separatists in Alberta or Quebec, we would do well not to dismiss them out of hand. Disdain breeds contempt, and from there, the cancer of marginalization only spreads. The only solution is to engage, talk and listen. I know it's hard, but we've done hard things before and we can do it again.

As we move forward, we must bear in mind that, in spite of appearances, our country has made progress with these kinds of discussions. During the referendum debate in 1995, Indigenous peoples and immigrants were largely sidelined. These days, all Canadians will play a central role in the debates to come. The way this unfolds will not always be easy to watch, but that is precisely my point. These exchanges are difficult. Our differences are significant, but we must persevere and find common ground, as we do so well.

• (1720)

Every time we succeed in doing so, our national project takes another small step forward. This is our quintessentially Canadian approach. I think the parliamentarians who fought so hard to make our current Canadian flag a reality more than 60 years ago would agree. Thank you.

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

(*At 5:21 p.m., the Senate was continued until tomorrow at 2 p.m.*)

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