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## Standing Committee on Canadian Heritage

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### EVIDENCE

**Tuesday, February 5, 2019**

—  
**Chair**

**Ms. Julie Dabrusin**



## Standing Committee on Canadian Heritage

**Tuesday, February 5, 2019**

•(1540)

[English]

**The Chair (Ms. Julie Dabrusin (Toronto—Danforth, Lib.)):** We'll mark the beginning of meeting 140 of the Standing Committee on Canadian Heritage.

Today we are doing the clause-by-clause of Bill C-369.

I would like to welcome, as assistance for us, from the Department of Canadian Heritage, Andrew Campbell and Stefan Van Doorn. We also have, from the Department of Employment and Social Development, Sébastien St-Arnaud and Kelly Winter. Thank you for joining us today.

We will now begin. You all have seen the amendments that have been circulated. I will begin with new clause LIB-0.1. Would anyone like to speak to that?

[Translation]

**Mr. Randy Boissonnault (Edmonton Centre, Lib.):** Thank you, Madam Chair.

Fellow members, good afternoon.

I'd like to thank the department officials for being here today.

[English]

I've worked with many of you in my time as parliamentary secretary, so it's nice to see you here.

Colleagues, this is an addition to the bill to provide some extra scope. You can read what it is, what the purpose is. We want to be clear that it's responding to TRC call to action 80. We want to be clear that it's a federal holiday. We want to make sure that we are clear about the fact that we're honouring survivors, families and communities:

ensure that public commemoration of the history and legacy of residential schools, and other atrocities committed against First Nation, Inuit and Métis people, remains a vital component of the reconciliation process.

You all heard the testimony. It was very clear that people wanted us to keep it separate from what was happening on a celebratory note in June, and so it's also important for us to make sure that we have the language of "first nation" and "Métis people" in the bill, so this is the amendment as proposed.

**The Chair:** Thank you.

I see Mr. Blaney.

[Translation]

**Hon. Steven Blaney (Bellechasse—Les Etchemins—Lévis, CPC):** Thank you, Madam Chair.

I'd like to thank my fellow member for putting forward this amendment, but I wonder about something. We've been studying the bill for a few weeks now and heard from many witnesses. Initially, our goal was to make National Indigenous Peoples Day a holiday. Although I understand what my fellow member is trying to do, I'm shocked that he proposed this amendment today, at the end of our study.

The proposed amendment deals with something that representatives of the Inuit community and the Native Women's Association were not consulted on. That's what they said when Mr. Vandal asked them about it.

We are committed to the truth and reconciliation process, which, I would remind you was started by the Conservative government I was a part of at the time. One of the cornerstones of the process is consultation.

The amendment being proposed changes the purpose of the bill, to make National Indigenous Peoples Day a holiday. In fact, the measure would amend the bill to, instead, create a federal holiday called the National Day for Truth and Reconciliation. What I wonder is whether that is in line with what the member who introduced the bill was trying to achieve, so I'm a bit troubled.

First of all, I'd like to know whether the amendment is in order. Second of all, how is it that the government is bringing something like this forward at the last minute, completely dismissing all the work the committee has done for months?

**The Chair:** Mr. Nantel, did you want to say something?

**Mr. Pierre Nantel (Longueuil—Saint-Hubert, NDP):** Yes. Thank you, Madam Chair.

Although I agree with some of what Mr. Blaney said, I think many of us were surprised over the course of the study to learn how wide-ranging the views heard by the committee were. We began our study within a narrower framework, and then we heard many witnesses propose a second holiday. The sponsor of the bill, Georgina Jolibois, heard all of those comments. Therefore, in the spirit of co-operation, we are open to a number of the amendments proposed today.

Mr. Boisonnault, on many occasions, you've poignantly told us how deeply you care about these issues and how much they matter, and rightfully so. However, given Mr. Blaney's concerns, I'm wondering how you would explain this to Ms. Jolibois. This is indeed a last-minute amendment that appears to alter her bill's initial purpose. You're sensible enough to know what I mean.

Yes, there is a problem. What you're trying to do could have consequences I'm sure you don't intend. The fact is you could be perceived as trying to school an indigenous woman who took pains to prepare and introduce a bill. That's the impression we got after speaking with Ms. Jolibois, so I'd like to hear what you think.

• (1545)

**The Chair:** Mr. Boisonnault now has the floor.

**Mr. Randy Boisonnault:** To Mr. Blaney's question about the amendment's admissibility, I would say that nothing in it came out of the blue. Let's look at what's been proposed today. It's a matter—

**Hon. Steven Blaney:** Point of order, Madam Chair.

**The Chair:** You may go ahead, Mr. Blaney.

**Hon. Steven Blaney:** I submitted the question about the admissibility of the amendment to the clerk, through you, Madam Chair. I'd like an answer. I realize that my fellow member is stating his opinion, but I expect to receive an answer from the clerk, through you.

**The Chair:** I believe the question was addressed to me.

At first glance, the amendment appeared to be admissible. You touched on the issue, and Mr. Nantel talked about it as well. Mr. Boisonnault also has an answer to the question, and I think it would be good to hear it.

**Mr. Randy Boisonnault:** Thank you, Madam Chair.

I'd also like to thank my fellow members.

Ms. Jolibois's bill contained elements that the committee was tasked to shed light on and clarify through the process of hearing from witnesses. The amendment I'm proposing today still seeks to establish a federal holiday for the purpose of honouring first nation, Inuit and Métis people. In fact, that is the wording used in the amendment. What's more, the amendment addresses the Truth and Reconciliation Commission's call to action 80. All of the comments we heard from witnesses revolved around three key themes: the date, the title and the purpose of the federal holiday. This amendment is in keeping with all of those things.

Never would I dream of schooling an indigenous woman on how to rewrite her bill. The committee is supposed to contribute to the bill in a way that ensures it reflects all of the comments we heard. That is our job.

**The Chair:** It is now Mr. Nantel's turn.

**Mr. Pierre Nantel:** If you don't mind, I'd like to know whether you did, or plan to, speak with Ms. Jolibois to explain this to her.

**Mr. Randy Boisonnault:** We've had at least three conversations with Ms. Jolibois about this, and the discussion is ongoing.

**The Chair:** We now go to Mr. Vandal.

**Mr. Dan Vandal (Saint Boniface—Saint Vital, Lib.):** I just wanted to add that, for several meetings now, we've been asking all

kinds of questions about the date and the purpose of the holiday, and during that time, we never considered our questions as being outside the scope of the bill. I don't see why that wouldn't be the case today.

[*English*]

We've been asking these questions for many meetings, and they have never been ruled out of scope. The amendments we're proposing, the amendment Randy is proposing.... It's hard to see how the amendment he's proposing is out of scope, all of a sudden, if the questioning was not out of scope over many meetings. That's the only thing I wanted to add.

[*Translation*]

**The Chair:** Mr. Blaney, you may go ahead.

**Hon. Steven Blaney:** This time, my question is for Mr. Boisonnault. I'd like to follow up on the point my fellow member Mr. Nantel made regarding the member who sponsored the bill, Ms. Jolibois. I'd like him to clarify his comments.

It seems to me that it's important for all the committee members to have a clear understanding of the spirit of the bill that was introduced and voted on by members in the House. Mr. Vandal just referred to the date and purpose of the holiday. The entire time we heard from witnesses, however, the discussion did not revolve around just one date, one title or one purpose. Two dates, two titles and two purposes were actually discussed. We clearly heard that there was a need for commemoration and celebration. Should both of those needs be addressed at the same time or not? Unfortunately, first nation, Inuit and Métis people weren't really consulted.

This amendment puts forward a fundamental question, but not the one debated in the House, when members voted to refer the bill to committee for study. The original purpose of the bill was to establish National Indigenous Peoples Day. Today, we are talking about holding a day of celebration on June 21 and a day to mark the tragedy on which the Truth and Reconciliation Commission shone a light. This bill concerns each and every Canadian. It's a highly important and sensitive issue, so getting this right is essential.

Mr. Boisonnault, you spoke to Ms. Jolibois and the go-ahead was given, so I'd like to know what the spirit of her bill was. Why did she propose National Indigenous Peoples Day? How did she link it to the day recommended by the Truth and Reconciliation Commission? How can the two be reconciled?

I'm not even sure we'll be able to respect the wishes of all the witnesses who appeared before the committee. Some told us they wanted two days. Two said they wanted one day, including the Inuit representative we heard from at the last meeting. Education was also discussed, but that's another component.

As I see it, the member has pulled a rabbit out of a hat this afternoon. We aren't the only ones caught off guard. All of the witnesses we invited didn't know about this element when they appeared. What's more, I'd like to know where the sponsor of the bill stands.

•(1550)

**The Chair:** It is now over to Mr. Nantel.

**Mr. Pierre Nantel:** It's rare that I get to do this, but I'm going to answer the member next to me, and not the member across the way.

It's paramount that the committee be productive. I can tell you that's the mindset of my fellow member Ms. Jolibois. She clearly sees that an approach was taken to have this holiday reflect the Truth and Reconciliation Commission's recommendation. She wants to work constructively and move forward.

Everyone here should know that, aside from Liberal amendment 0.1, the current topic of conversation, Liberal amendments 1, 2, 3 and 4 have the support of Ms. Jolibois and the NDP, with some reservation. For example, we'd like to know how you plan to make this a significant day. What kind of funding will be allocated to it? Furthermore, how do you plan to implement the measure you're adding to my fellow member's bill?

On principle, I just checked and I've received official confirmation that you did indeed discuss the substance of Liberal amendments 1, 2, 3 and 4 with Ms. Jolibois. Liberal amendment 0.1, though, takes the cake. It's a bit much. I would like you to call her to explain and provide some context.

As for the rest, the committee should know that, in an effort to be constructive, Ms. Jolibois wants to see things move forward. Liberal amendment 0.1 suggests some overconfidence, I would say. It would be good if it were a small amendment. In fact, "amendment" isn't the right word. Let's just say that, out of courtesy, she should get a phone call or a message.

[English]

**The Chair:** Mr. Anandasangaree.

**Mr. Gary Anandasangaree (Scarborough—Rouge Park, Lib.):** Thank you, Madam Chair.

Just to add a bit of context to Mr. Blaney's reference to the intention of the bill, I would like to quote from Ms. Jolibois' intervention with respect to Bill C-369, when she was here:

Over your study of Bill C-369, you're going to be hearing a lot of remarks about residential schools, the Truth and Reconciliation Commission's calls to action... specifically call to action number 80 from the TRC, which calls for a national day of truth and reconciliation to honour survivors, their families and their communities so that the legacy and history of residential schools is never forgotten.

It was in the spirit of call to action 80 that I proposed my bill. I understand that it doesn't meet the exact wording of the call to action, but I do believe my bill fulfills its intentions.

Her intention, then, is quite clear, and I think similar statements were made in the House by a number of speakers, including those around the table. I'm assured, then, that this is something that is within the scope of the bill, and therefore amendments thereto should not be an issue.

With respect to conversations regarding the amendments, I think we've had discussions with Ms. Jolibois with respect to all the amendments, including the one that is referenced as amendment LIB-0.1. We've had discussions on it. She was, in fact, supposed to send us a follow-up on that this morning—I can show you the text

message. I had conversations with her this morning, and they were relayed to our team.

There was a bit of uncertainty as to her understanding of what it meant, and I was able to add some context to it. If you actually read the amendment, it's quite clear that it just adds more context to the bill in relation to what we heard from the various witnesses, particularly the last witnesses, the ITK, as well as NWAC. I believe it's in that spirit that this amendment is being brought forward.

•(1555)

**The Chair:** Monsieur Boissonnault is next, and then Monsieur Nantel.

[Translation]

**Mr. Randy Boissonnault:** Thank you, Madam Chair.

I'd also like to thank my fellow member Mr. Anandasangaree for that clarification.

I think it will be clear, from the record, that when I asked Ms. Jolibois whether she preferred the term "celebration" or "commemoration", she answered "commemoration" and said that the emphasis had to be on the Truth and Reconciliation Commission. That was my inspiration for proposing this evolution of the bill, let's call it, as opposed to an amendment, Mr. Nantel. No one is pulling a rabbit out of a hat. This evolution reflects what witnesses wanted.

**The Chair:** Mr. Nantel, you may go ahead.

**Mr. Pierre Nantel:** I'm going to make things crystal clear.

As I said, the NDP will support Liberal amendments 1, 2, 3 and 4. As for Liberal amendment 0.1, enough fooling around. The matter of the telephone call is at issue. This morning, Ms. Georgina Jolibois received a text about this amendment. Ladies and gentlemen, all I can say is come on. You thought you would do this on top of the rest, merely letting us know in passing. That's a bit over the top.

I suggest you put down that neon sign you're holding. My fellow member received word of it this morning and was astounded. I move that Liberal amendment 0.1 be withdrawn. We agree on everything else. I'm not the one making up what people's positions are. That is the position of my colleague Georgina Jolibois. I would remind everyone that this is her private member's bill. We are in agreement on Liberal amendments 1, 2, 3 and 4, but I move that Liberal amendment 0.1 be withdrawn.

Thank you.

[English]

**The Chair:** Seeing no further debate on amendment LIB-0.1, I call the question.

[Translation]

**Mr. Randy Boissonnault:** Madam Chair, would it be possible to take a short break?

[English]

**The Chair:** Yes.

- (1555) \_\_\_\_\_ (Pause) \_\_\_\_\_
- (1600)

[Translation]

**The Chair:** We are now resuming after a short break.

Did anyone want to say something?

Go ahead, Mr. Nantel.

**Mr. Pierre Nantel:** Thank you, Madam Chair.

I'm very glad to say that we've talked. That's very important. It's a matter of principle that Mr. Boissonnault, on behalf of the government, telephone Georgina Jolibois to explain that, because things moved so quickly this morning, she wasn't made aware of the amendment until this morning. In exchange for that call, a sign of courtesy and respect, we are even going to support Liberal amendment 0.1.

Thank you.

**The Chair:** Mr. Boissonnault, you may go ahead.

**Mr. Randy Boissonnault:** In light of Mr. Nantel's comment and our commitment to this bill, we, on the government side, are going to discuss the funding and promotion for the day with our fellow members.

**The Chair:** Did you have something to say, Mr. Blaney?

**Hon. Steven Blaney:** Yes, Madam Chair.

I'd like to follow up on the parliamentary secretary's comments to the effect that Ms. Jolibois was open to the idea of marking the commemoration aspect, in response to the Truth and Reconciliation Commission's call to action 80. However, these adjustments were made quite hastily. I want to stress that we believe in doing things properly. We heard from witnesses about how significant these events are. I appreciate the importance Mr. Boissonnault attaches to education, but there was some confusion as to the date of the holiday. The key stakeholders weren't consulted. We heard from members of the indigenous, Inuit and Métis communities.

For that reason, even though we've always been in favour of the principle behind the bill, we can't support a last-minute amendment. Consequently, we will abstain from the vote on this last-minute change altering the purpose of the bill.

[English]

**The Chair:** All right, let's have the vote on LIB-0.1.

(Amendment agreed to [See Minutes of Proceedings])

(On clause 1)

**The Chair:** That brings us to clause 1 and LIB-1. I need to let you know that the vote on LIB-1 applies to LIB-2, LIB-3 and LIB-4, because they're all consequential.

Is there any discussion on LIB-1? Seeing none, we will vote on LIB-1, knowing that this will take with it LIB-2, LIB-3 and LIB-4 as consequential amendments.

(Amendment agreed to [See Minutes of Proceedings])

(Clause 1 as amended agreed to)

(Clauses 2 and 3 as amended agreed to)

**The Chair:** This brings us to CPC-1, which proposes a new clause, clause 4.

Has CPC-1 been moved? Someone has to move CPC-1 if we're going to discuss it.

Mr. Blaney is moving it.

All right, is there any discussion on CPC-1?

Mr. Vandal.

- (1605)

**Mr. Dan Vandal:** It seems to me that, with the adoption of clauses 1, 2 and 3, CPC-1 is redundant. We've already chosen a date.

**Hon. Steven Blaney:** You're right.

**The Chair:** That is an excellent point. It is redundant and non-votable, so we will move along.

I just want to check one more thing. Because that was a new clause, clause 4, now we have no clause 4. Okay.

I can move to the title, which has been amended by LIB-4.

Shall the title as amended carry?

**Some hon. members:** Agreed.

**The Chair:** Shall the bill as amended carry?

**Some hon. members:** Agreed.

**The Chair:** Shall the chair report the bill as amended to the House?

**Some hon. members:** Agreed.

**The Chair:** Shall the committee order a reprint of the bill as amended for the use of the House at report stage?

**Some hon. members:** Agreed.

**The Chair:** Wonderful. That means we're done.

Thank you very much, and thank you to all the officials for coming to help us today.

The meeting is adjourned.

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