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(HANSARD)

Monday, June 3, 2019

The Honourable GEORGE J. FUREY,
Speaker

This issue contains the latest listing of Senators, Officers of the Senate and the Ministry.

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THE SENATE

Monday, June 3, 2019

The Senate met at 6 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

NATIONAL INQUIRY INTO MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

Hon. Murray Sinclair: Honourable senators, this morning at the Museum of History, Indigenous women, non-Indigenous women and several other Canadians gathered in order to listen to the presentation of the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls entitled *Reclaiming Power and Place*.

The report reveals that the root cause behind Canada's staggering rates of violence against Indigenous women, girls and 2SLGBTQQIA is the persistent and deliberate human and Indigenous rights violations and abuses that they have faced historically and that continue to this day.

Why is this important? I think that's a valid question. First, the numbers of Indigenous women who have gone missing or been murdered has been measured in the area of 1,200 by the RCMP, according to their own statistics, but, according to the report of the national inquiry, the number could easily be several thousand more.

It is clear that the number of Indigenous women who have gone missing or been murdered over the years is the highest number of women in Canada in terms of its comparison with the non-Indigenous population.

What was it once like for Indigenous women in Canada? Understanding the role of women is part of what the report talks about. Women in Indigenous societies generally were treated as equal with significant roles to play over the years in Indigenous governments.

Why did it change? How did it change? Those are valid questions as well to consider. It changed because essentially disrespect was shown to Indigenous people by Canadian governments since Confederation. Legislation was put in place which disempowered Indigenous women in the roles of government, and language was developed which talked about them in demeaning terms.

What needs to be done, therefore, is to begin to have a conversation about Indigenous female issues using a language of respect. The language of assimilation that has been part of our conversation in Canada has been a violent language. Terms such as "Kill the Indian and save the man; kill the Indian in the child; the only good Indian is a dead Indian," are common phrases we have all heard in the course of our lifetime.

A similar evolution of a term which was once a proud term, "*esqua*," which means "woman" in Indigenous languages, has now come to be used as "dirty squaw" in many communities.

Violence has been part of our relationship for generations: verbal, emotional, mental and physical violence. We, as a society, must bring this to an end.

Keep that in mind, colleagues, as we begin our conversations from time to time about what the report means and as we gather together and spend more time together in this place recognize that as leaders we have a responsibility to change the way that we talk about things, about how we talk to each other and about how Canadian society will talk to each other. 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 Jade Fletcher and Jacob Dupuis-Latour. They are the guests of the Honourable Senator Boyer.

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

Hon. Senators: Hear, hear!

PETER HYNES

CONGRATULATIONS ON SPECIAL OLYMPICS PERFORMANCE

Hon. Fabian Manning: Honourable senators, today I am pleased to present Chapter 60 of Telling Our Story.

This afternoon, colleagues, I have the honour to tell you about another amazing young Newfoundlander and Labradorian. Peter Hynes was a proud participant in the 109-member Canadian team that competed from March 14th to the 21st at the 2019 Special Olympics World Games in Abu Dhabi.

Peter is just 15 years old and is from Jerseyside in the town of Placentia. The Special Olympics Placentia Lions team was formed just a few years ago in 2015. Peter has been a member of the team for the past three years. He attended his first Provincial Games in 2017 and since that time has won several medals at both the provincial and federal levels. Peter's sports include athletics, soccer, basketball, bocce and swimming. He says the Special Olympics has helped him run faster, jump further and throw longer.

This young man earned his berth on Canada's track and field team as a result of his performance at the Special Olympics Canada Summer Games held in Antigonish, Nova Scotia last August. Peter was the only athlete to represent Newfoundland and Labrador at this year's World Games.

Trish Williams, who serves as the Executive Director of Special Olympics Newfoundland and Labrador, said they were really proud and excited for Peter to have the opportunity to participate at the World Games. Ms. Williams went on to say, "The world games are important because they bring attention to the talents and capabilities of people with an intellectual disability, helping to change attitudes and break down barriers that can exclude them from full participation in their communities."

On March 16, Peter competed in the M01 mini javelin event and won the bronze medal for Team Canada and later placed fifth in the 100-metre run. Afterwards Peter said, "That made me feel really great. I feel proud of myself." Indeed, he should be. Peter's parents, Rod and Jane Hynes, are very proud of their son's magnificent accomplishment and are to be commended for their continued support of Peter and the Special Olympics program. Rod is one of Peter's coaches with the team in Placentia and said that participating in the World Games was a great learning experience for Peter and his family.

After a whirlwind month in Abu Dhabi and Dubai, and proudly wearing his Olympic bronze medal, Peter returned home to Newfoundland and Labrador where he received a hero's welcome in his hometown of Placentia. A motorcade made its way to the town hall where a reception was held in Peter's honour. The young boy from Placentia had made his mark on the world stage and made his community, province and the entire country proud. It was a time to celebrate the hard work, commitment, passion and, most important of all, it was a time to celebrate inclusion.

Peter has shown us all that anything is possible when you put your heart and soul into it and believe in yourself. I want to congratulate Peter's parents, his coaches and all those who were involved in making this inspiring story a reality. A special thank you to Special Olympics Newfoundland and Labrador for their untiring efforts to foster, support and include Peter and so many others.

As Peter settled back into his school year he said his goal was to keep training and stay healthy. I believe that we have not heard the last of Newfoundland and Labrador's Special Olympics champion. We await to see what happens next. Congratulations, Peter Hynes. Job well done! Thank you.

Hon. Senators: Hear, hear!

• (1810)

TIANANMEN SQUARE MASSACRE

THIRTIETH ANNIVERSARY

Hon. Jim Munson: Honourable senators, today and tomorrow must never be forgotten. I'm still haunted by events that took place in Beijing, China, 30 years ago.

As I ran into the massacre unfolding in Tiananmen Square, I heard a voice from the shadows along Chang'an Avenue in Beijing: "Tell the world what is happening here."

I never saw that person again, but when you witness history and watch the horror of young people die, it is important to continue to tell the world what a government did to its people.

I was based in Beijing for CTV News. The year 1989 remains seared in my memory. Nothing will erase what I and many other journalists saw on June 3 and 4.

There was still optimism on June 3 when troops first showed up on the streets of Beijing. Residents even fed some of the soldiers. There were rumours there was dissent in the military — not everyone in the army agreed to a brutal crackdown.

During the Beijing Spring, millions had come out to support the students and the pro-democracy movement. Only days before the massacre, I watched, as far as the eye could see, a sea of humanity marching towards Tiananmen from every walk of life. There was a sense of a liberated city.

But inside the Great Hall of the People, the moderates in the Communist Party were losing the battle with the hardliners. The army was given its orders.

It is very hard, honourable senators, to watch as you see others die, run over by tanks and shot as they run for cover, or a chaotic scene in a Beijing hospital where doctors attended to the injured and where bodies filled a room. Hundreds were killed that night.

But today in China you wouldn't know it. This totalitarian regime has erased the massacre from Chinese history. This is the same Communist Party that today has cracked down on millions of ethnic Uyghurs, suppressed the voices of Tibetans and jails anyone who questions its authority.

In Hong Kong, everybody looks over their shoulders as Big Brother in Beijing gradually squeezes the life out of democracy.

Honourable senators, I remind you that this is the same Communist Party that holds two innocent Canadians behind bars. It could have been so different if the moderates in the party had won the day 30 years ago, but that didn't happen.

Today, we live in a world where China is a dominant economic force, but at what cost? We are talking about rights — human rights.

Listen to the words of Wang Dan, a student leader who now lives in the United States. He writes in the *New York Times*:

> . . . I paid a hefty price. In addition to spending a better part of my youth in prison, I am not allowed to return to my native country, where my ailing parents live. Yet, as painful as this is, I don't regret my choices.

Honourable senators, we live in a society where we have a voice. Please pause for a moment to honour and remember those voices that were silenced on a deadly June night in Beijing.

Thank you.

Hon. Senators: Hear, hear.

EID UL FITR

Hon. Mohamed-Iqbal Ravalia: Honourable senators, tomorrow marks the beginning of Eid ul Fitr, also called the "Festival of Breaking the Fast."

This is an important religious holiday celebrated by Muslims in Canada and around the world and marks the end of Ramadan, the Islamic holy month of fasting.

This past month, Muslim families and friends have fasted during the daytime and broken their fast in the evening. Observants have had *suhoor*, which is the meal served before dawn, and *iftar*, which is the meal served after sunset. Both meals typically include fresh fruit, vegetables, halal meats, breads, cheeses and sweets.

Fasting during Ramadan is one of the five pillars of Islam. These pillars, or duties, form the basis of how Muslims practise their religion.

Colleagues, Ramadan is a time for prayer, spiritual introspection, reconnecting with loved ones and giving back to your community.

Ramadan is also an opportunity to celebrate Muslim communities and the important contributions they make, and continue to make, within and beyond Canada.

In my home province of Newfoundland and Labrador, the local Islamic community recently held an *iftar* dinner where prominent members of society were invited to share in the celebration of the holy month.

Politicians, law enforcement officers, journalists, members of the Indigenous community and other guests were given a tour of the local mosque and an overview of the principles of Ramadan and its meaning to the Muslim community.

Honourable senators, this is one example of how the Muslim community has reached out to fellow citizens to highlight a faith that embraces the ideals of peace, benevolence and generosity of spirit.

In a troubled and increasingly polarized planet, extremists have used religion as a premise upon which they commit their acts of terror and heinous crimes. Every peace-loving mainstream Muslim condemns these horrors and perverse behaviours.

Muslims in my province are part of a broad interfaith coalition that works towards community-wide efforts to help those in need. Collaboration and education help to eradicate misunderstandings that occur and foster unity and strength.

For all those who observed this sacred month, I hope you had a blessed and peaceful Ramadan. On behalf of Senators Ataullahjan and Jaffer, my fellow Muslim senators, and on behalf of all of you, I would like to wish all celebrants *Eid Mubarak*.

Thank you, *meegwetch*.

[*Translation*]

ROUTINE PROCEEDINGS

CONFLICT OF INTEREST AND ETHICS COMMISSIONER

2018-19 ANNUAL REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the report of the Conflict of Interest and Ethics Commissioner on the performance of his duties and functions under the *Conflict of Interest Act* in relation to public office holders, for the fiscal year ended March 31, 2019, pursuant to the *Parliament of Canada Act*, R.S.C. 1985,c. P-1, sbs. 90(1)(b).

OMBUDSMAN FOR VICTIMS OF CRIME

2016-17 ANNUAL REPORT TABLED

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, the 2016-17 Annual Report of the Office of the Federal Ombudsman for Victims of Crime.

[*English*]

OIL TANKER MORATORIUM BILL

SEVENTEENTH REPORT OF TRANSPORT AND COMMUNICATIONS COMMITTEE PRESENTED

Hon. David Tkachuk: Honourable senators, I have the honour to present, in both official languages, the seventeenth report of the Standing Senate Committee on Transport and Communications, which deals with Bill C-48, An Act respecting the regulation of vessels that transport crude oil or persistent oil to or from ports or marine installations located along British Columbia's north coast.

(*For text of report, see today's* Journals of the Senate*, Appendix, p. 4911-4922.*)

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

(On motion of Senator Tkachuk, report placed on the Orders of the Day for consideration at the next sitting of the Senate.)

[*Translation*]

THE SENATE

STATUTES REPEAL ACT—NOTICE OF MOTION TO RESOLVE THAT THE ACT AND THE PROVISIONS OF OTHER ACTS NOT BE REPEALED

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

That, pursuant to section 3 of the *Statutes Repeal Act*, S.C. 2008, c. 20, the Senate resolve that the Act and the provisions of the other Acts listed below, which have not come into force in the period since their adoption, not be repealed:

1. *Parliamentary Employment and Staff Relations Act*, R.S., c. 33 (2nd Supp):

   -Parts II and III;

2. *Contraventions Act*, S.C. 1992, c. 47:

   -paragraph 8(1)(*d*), sections 9, 10 and 12 to 16, subsections 17(1) to (3), sections 18 and 19, subsection 21(1) and sections 22, 23, 25, 26, 28 to 38, 40, 41, 44 to 47, 50 to 53, 56, 57, 60 to 62, 84 (in respect of the following provisions of the schedule: sections 1, 2.1, 2.2, 3, 4, 5, 7, 7.1, 9 to 12, 14 and 16) and 85;

3. *Comprehensive Nuclear Test-Ban Treaty Implementation Act*, S.C. 1998, c. 32;

4. *Preclearance Act*, S.C. 1999, c. 20:

   -section 37;

5. *Public Sector Pension Investment Board Act*, S.C. 1999, c. 34:

   -sections 155, 157, 158 and 160, subsections 161(1) and (4) and section 168;

6. *Modernization of Benefits and Obligations Act*, S.C. 2000, c. 12:

   -subsections 107(1) and (3) and section 109;

7. *Marine Liability Act*, S.C. 2001, c. 6:

   -section 45;

8. *Yukon Act*, S.C. 2002, c. 7:

   -sections 70 to 75 and 77, subsection 117(2) and sections 167, 168, 210, 211, 221, 227, 233 and 283;

9. *An Act to amend the Canadian Forces Superannuation Act and to make consequential amendments to other Acts*, S.C. 2003, c. 26:

   -sections 4 and 5, subsection 13(3), section 21, subsections 26(1) to (3) and sections 30, 32, 34, 36 (with respect to section 81 of the *Canadian Forces Superannuation Act*), 42 and 43;

10. *Assisted Human Reproduction Act*, S.C. 2004, c. 2:

    -sections 12 and 45 to 58;

11. *Budget Implementation Act, 2005*, S.C. 2005, c. 30:

    -Part 18 other than section 125;

12. *An Act to amend certain Acts in relation to financial institutions*, S.C. 2005, c. 54:

    -subsection 27(2), section 102, subsections 166(2), 239(2), 322(2) and 392(2);

13. *An Act to amend the law governing financial institutions and to provide for related and consequential matters*, S.C. 2007, c. 6:

    -section 28, subsections 30(1) and (3),88(1) and (3) and 164(1) and (3) and section 362;

14. *Budget Implementation Act, 2008*, S.C. 2008, c. 28:

    -sections 150 and 162;

15. *Budget Implementation Act, 2009*, S.C. 2009, c. 2:

    -sections 394, 399, and 401 to 404;

16. *An Act to amend the Indian Oil and Gas Act*, S.C. 2009, c. 7:

    -sections 1 to 3; and

17. *An Act to amend the Transportation of Dangerous Goods Act, 1992*, S.C. 2009, c. 9:

    -section 5.

• (1820)

[*English*]

LEGAL AND CONSTITUTIONAL AFFAIRS

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Serge Joyal: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(a), I move:

> That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to meet on Wednesday, June 5, 2019, at 2:30 p.m., for the purpose of its study on Bill C-78, An Act to amend the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act and the Garnishment, Attachment and Pension Diversion Act and to make consequential amendments to another Act, even though the Senate may then be sitting, and that the application of rule 12-18(1) be suspended in relation thereto.

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

Hon. Senators: Agreed.

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to.)

QUESTION PERIOD

CANADIAN HERITAGE

INFORMATION MEDIA PANEL

Hon. Larry W. Smith (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate concerning Unifor's inclusion on the panel that will help determine which news outlets will receive a portion of the media bailout fund worth half a billion dollars of taxpayers' money.

Since the government appointed Unifor to this panel, Unifor's anti-Conservative bias has been repeatedly and publicly reinforced. For example, in an interview last week, Unifor's president was asked if he would tone down the campaign against the Conservatives and Andrew Scheer. Jerry Dias stated:

> I'm probably going to make it worse. He's really irritating me in the last few days.

Senator Harder, Unifor should not be included in a panel this government claims is both fair and independent. Will the government consider removing Unifor from this panel?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for the question. It's the same question he asked last Thursday. I will bless him with the same answer: The government's view, of course, is that the measures in the budget bill — two of which were tax measures, one was a fiscal measure with respect to charitable status — are important elements of supporting the journalists and media in this country.

Honourable senators know, because we voted on this matter and spoke about it at the time, these measures are designed to meet some of the pressures the sector is undergoing. The commitment of the government is to have an arm's-length body review any support that is given to any one individual or organization. That body is being put together as we speak.

The specific answer to the question being asked is no.

Senator Smith: Honourable senators, that took a long time to say. That's the longest "no" I've ever received. I wore my jacket to encourage you.

Jerry Dias of Unifor also stated in an interview last week:

> My organization will absolutely be open and transparent of our disdain of Andrew Scheer.

Senator Harder, as a representative of the Government in this place, do you acknowledge that is a biased statement? How can your government continue to justify the membership of an openly partisan organization on an allegedly fair and unbiased panel?

Senator Harder: Honourable senators, again, it's important from the perspective of the government that these decisions are made by a body that is arm's length from the government. That is the objective that is being put in place.

I'm not surprised that the honourable senator is opposing labour representation because that is the tradition of the party he represents. That is not the view of the government.

Hon. Yonah Martin (Deputy Leader of the Opposition): Government Leader, I think the key is transparency and fairness.

Honourable senators, my question is regarding the media bailout panel. The Canadian Association of Journalists, which was named by the government as a member of this panel, has raised a number of concerns about the basic transparency of the process. For example, the association said most of this process has been conducted behind closed doors. It has called for the panel's terms of reference, meeting minutes and agenda to be

public. It has also called for the full list of organizations applying for funding to be posted online, noting that without a full list of who has applied, there would be no way to see who is being denied funding by this panel.

Senator, last week you told us this process would be transparent. The points raised by the Canadian Association of Journalists show that this is not the case. Why should Canadians support a biased, secretive process such as this?

• (1830)

Senator Harder: I thank the honourable senator for her question. Let me reiterate it is the view of the government that an arm's-length process is the prerequisite. That is the objective. As to the concerns the honourable senator raises, I will make sure that they are brought to the attention of the minister responsible.

Senator Martin: Last week the Canadian Association of Journalists also said that it was told that journalists on the panel will be asked to sign confidentiality agreements. Senator, what possible reason would your government have to require journalists to sign confidentiality agreements? Doesn't this completely undermine the government's argument that the process is transparent?

Senator Harder: Again, I don't want to go behind the decisions made by an independent panel, but let me say there are good professional and commercial sensitive reasons why those undertakings might be requested.

[*Translation*]

JUSTICE

NATIONAL INQUIRY INTO MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

Hon. Jean-Guy Dagenais: Leader, General Roméo Dallaire condemned the use of the word "genocide" in the report of the National Inquiry into Missing and Murdered Indigenous Women and Girls. No one would challenge his expertise on that score. Former Minister of Aboriginal Affairs Bernard Valcourt called it a sham. The use of the word "genocide" has been called inappropriate by a number of commentators across the country, including Yves Boisvert of *La Presse* in Montreal, who said it was a biased twisting of words that undermines the credibility of the inquiry.

The Prime Minister avoided using the word "genocide" in his speech at the closing ceremony where the report was presented. Leader, when can we expect the Prime Minister to announce whether he agrees with or condemns the use of the word "genocide," which appears more than 200 times in the report?

[*English*]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. He will know, because I'm sure he's read the Truth and Reconciliation report, that it references what they term cultural genocide to describe the treatment of Indigenous peoples.

I think it's important that we read the report that was tabled today before we draw conclusions or condemn language that is used.

With respect to the former Minister Valcourt — who I should add was the first minister for whom I was a deputy minister 29 years ago and I thought he was an excellent minister — he probably could have used some deputy minister advice yesterday.

ORDERS OF THE DAY

FOOD AND DRUGS ACT

BILL TO AMEND—MESSAGE FROM COMMONS—MOTION FOR CONCURRENCE IN COMMONS AMENDMENTS—MOTION TO REFER MOTION AND MESSAGE FROM COMMONS TO COMMITTEE—MOTION IN AMENDMENT NEGATIVED

On the Order:

> Resuming debate on the motion of the Honourable Senator Seidman, seconded by the Honourable Senator Boisvenu:
>
> That the Senate agree to the amendments made by the House of Commons to Bill S-228, An Act to amend the Food and Drugs Act (prohibiting food and beverage marketing directed at children); and
>
> That a message be sent to the House of Commons to acquaint that house accordingly.
>
> And on the motion of the Honourable Senator Wallin, seconded by the Honourable Senator Bovey:
>
> That the motion, together with the message from the House of Commons on the same subject dated September 19, 2018, be referred to the Standing Senate Committee on Agriculture and Forestry for consideration and report.
>
> And on the motion in amendment of the Honourable Senator Smith, seconded by the Honourable Senator Martin:
>
> That the motion be not now adopted, but that it be amended by adding the following after the word "report":
>
> > ", and that the committee hold no fewer than five meetings".

The Hon. the Speaker: Honourable senators, pursuant to the rule 9-6, the bells will ring for 15 minutes for a deferred vote on the amendment of the Honourable Senator Smith on the motion of the Honourable Senator Wallin regarding Bill S-228.

The vote will take place at 6:48.

Call in the senators.

• (1840)

The Hon. the Speaker: Honourable senators, the question is as follows: It was moved by the Honourable Senator Smith, seconded by the Honourable Senator Martin:

> That the motion be not now adopted, but that it be amended by adding the following after the word "report" —

Shall I dispense, honourable senators?

Hon. Senators: Agreed.

Motion in amendment of the Honourable Senator Smith negatived on the following division:

YEAS
THE HONOURABLE SENATORS

Anderson	Mockler
Andreychuk	Neufeld
Batters	Ngo
Boisvenu	Oh
Carignan	Patterson
Dagenais	Plett
Doyle	Poirier
Duffy	Richards
Griffin	Smith
Housakos	Stewart Olsen
MacDonald	Tannas
Manning	Tkachuk
Marshall	Verner
Martin	Wallin
McInnis	Wells—30

NAYS
THE HONOURABLE SENATORS

Bellemare	Greene
Black (*Alberta*)	Harder
Boniface	Joyal
Bovey	Klyne
Boyer	Kutcher
Busson	LaBoucane-Benson
Campbell	Lankin
Christmas	Massicotte
Cordy	McCallum
Cormier	Mégie
Coyle	Mitchell
Day	Miville-Dechêne
Deacon (*Nova Scotia*)	Moncion
Dean	Moodie
Duncan	Omidvar
Dupuis	Pate
Dyck	Petitclerc
Forest	Pratte
Forest-Niesing	Ravalia
Francis	Ringuette
Gagné	Saint-Germain
Galvez	Simons
Gold	Sinclair—46

ABSTENTIONS
THE HONOURABLE SENATORS

Dalphond	Munson
Downe	Wetston—4

• (1850)

IMPACT ASSESSMENT BILL
CANADIAN ENERGY REGULATOR BILL
NAVIGATION PROTECTION ACT

BILL TO AMEND—THIRD READING—
DEBATE

Hon. Grant Mitchell moved third reading of Bill C-69, An Act to enact the Impact Assessment Act and the Canadian Energy Regulator Act, to amend the Navigation Protection Act and to make consequential amendments to other Acts, as amended.

He said: Honourable senators, I rise today to speak at third reading of Bill C-69 as amended by the Standing Senate Committee on Energy, the Environment and Natural Resources. Our deliberations and the input we have received have at times been intense, emotional, loud and divisive, but none of this is really surprising. The stakes are very high.

My province of Alberta is at the centre of it all. For Albertans, the energy industry is visceral, emotional and deeply significant. It is how we feed our children, pay our mortgages, define ourselves, envision our future and calculate the tremendous contribution we have made to the prosperity and strength of this remarkable country. Many Albertans fear for their futures. We see this industry under siege. One senior energy executive told me that after many years of building, employing and contributing, he has been made to feel like he has somehow done something wrong.

At the same time, a majority of Canadians, including many Albertans, are increasingly uneasy about climate change and other environmental challenges. There is no doubt that this is a seminal driving factor in the debate provoked by Bill C-69. We recently learned that Canada is warming at twice the rate as the rest of the world. Canadians understand this and many are already experiencing the impacts of climate change in their own lives. Canadians' concerns about the environment cannot be diminished in the search for public policy solutions to issues of resource development.

Indigenous peoples bring yet another set of aspirations, anxieties and legitimate grievances. There are particular concerns for Indigenous women that further heighten the intensity and stakes in this debate. They deserve our respect and our attention.

It is this mix of competing interests, vocal stakeholders, historical grievance, emotion, and high economic and environmental stakes that has defined the nature of the Bill C-69 debate. This debate has become a proxy for a broader and deeper issue that Canadians cannot avoid and must confront.

We are at a critical inflection point in our history. Canadians, and perhaps in particular Albertans, are facing unrelenting environmental, social and market pressures. We have to address how we will develop an economy of the future capable of sustaining our prosperity while confronting increased angst and fear about the environment.

All of this makes for the kind of difficult debate we have experienced over Bill C-69, but great parliaments confront these kinds of debates head on because these issues must be confronted. Great parliaments provide leadership in difficult and complex times. That's what this debate is about. No, it has not been easy. At times like this, it never is, but without doubt, it is necessary and I am very proud of this place.

You might ask, of course, why even open the proverbial Pandora's box that Bill C-69 seems to have become? The obvious answer is because our current process for project reviews defined in the Canadian Environmental Assessment Act of 2012, known as CEAA 2012, simply has not worked. The CEAA 2012 regime has not delivered a pipeline to tidewater. It has continued to burden the mining industry with duplicative review processes. It has failed to build the public trust amongst Canadians that is critical to successful project review, and it has been mired in continual litigation that has unsettled investors.

The key public policy objective of Bill C-69 is to fix CEAA 2012, and in order to do this — I borrow this concept from Senator Wetston — we have to align the competing interests that surround resource development. We must create an efficiently functioning review process with certainty for proponents, to be sure. At the same time, we must build public trust in our impact assessment processes. That requires answering environmental, Indigenous and broader public interest concerns. We live in a democracy, public trust matters. It defines what we can and cannot do.

• (1900)

So what was the process that went into developing this legislation that essentially formed its foundation? First, the federal government undertook a massive consultation on the modernization of impact assessments. It spanned more than two years, visited many communities, included studies by two expert panels and two House of Commons committees, received numerous submissions and received much public response to several discussion papers.

This consultation involved ongoing engagement of industry, Indigenous organizations, environmental groups, life cycle regulators, provinces and territories through the Multi-Interest Advisory Committee and it involved multitudes of individual Canadians.

It was out of this process that the basic architecture of Bill C-69 was created. Committee work in the House of Commons and the Senate has built upon that architecture with extensive hearings and meaningful amendments. First, the House of Commons Standing Committee on Environment and Sustainable Development held 14 meetings, heard from 87 witnesses and received 150 briefs. The committee approved 135 amendments responding to stakeholders' concerns.

In turn, the Senate as we all know, carefully examined Bill C-69 over the past year. In addition to the many — and I mean many — emails, calls, letters, and meetings that I know each of you have received and participated in, the Energy, Environment and Natural Resources Committee heard from 275 witnesses over 108 hours of hearings in 10 cities across the country and received 121 briefs.

We have listened to Canadians from every part of the country, and I have every confidence that the final version of this bill will have been significantly enhanced by the work of the Senate.

In addressing the weaknesses of the current system, Bill C-69 set out to first build public trust; demonstrate respect for Indigenous rights, participation and concerns; create greater certainty and efficiency for business — key, of course, to investor confidence; and to create a much better early planning process which supports each of these three elements and other elements as well. Let me provide detail in each case.

First, in order to build public trust, the bill, among other things, expands the factors to be considered in impact assessments, including climate change and gender-based analysis. It would be hard to imagine an assessment in today's context having any credibility with the public if it did not address climate change in some way.

We heard compelling testimony about how major projects can affect women, including Indigenous women in especially harsh economic ways like feeding and sheltering their children in boom towns with spiking food and housing prices. These things need to be mitigated.

The bill further requires that the assessment of each of the factors not be optional, but that each factor be considered by either the agency or the proponent as required by the agency.

Public engagement under this bill will be started earlier, during the new early planning process.

The bill modernizes the structure of what has been the National Energy Board by splitting two functions, the review and the subsequent life cycle regulatory processes. That will be captured in the role and mandate of the new board which replaces the NEB, the board is called the Canadian energy regulator.

The bill introduces the element of public interest in the decision criteria and lays out clearly what these criteria will be. It creates greater transparency.

Second, with respect to Indigenous rights, participation and concerns, Bill C-69 makes explicit reference to the United Nations Declaration of the Rights of Indigenous Peoples and specifies that impacts on Indigenous rights must be assessed.

Bill C-69 requires that impacts on Indigenous communities be assessed and that Indigenous knowledge be considered in all assessment reports.

Certain review and advisory bodies will have to include representatives of First Nations, Inuit and Metis communities.

The bill requires funding for Indigenous participation in impact assessments and for capacity building.

Indigenous jurisdictions are given a stature commensurate with provincial and territorial governments under new provisions for substitution and delegation of impact assessments from the federal level.

Third, Bill C-69 addresses the need for greater certainty and efficiency which are key to proponent and investor confidence. For example, it shortens every timeline currently in place under CEAA 2012. The assessment stage for most projects will drop from 720 days to 300 days. Most pipeline reviews will drop from 450 to 300 days.

Reasons for which timelines can be suspended will be reduced to three and specified. Each of these three are under the control of the proponent. Currently there are no such specified reasons for delays.

Public consultation, often seen as a reason for delay, will have to be completed with a specified timeline.

The bill requires that reasons for delays and assessments and final decisions on projects be explained publicly.

While evolving the NEB into a new modernized body, the CER, the Canadian energy regulator, the bill provides for the transfer of personnel from one to the other and with it the expertise that has been built.

The bill refers to economic benefits 171 times.

The new regional assessment and strategic assessment processes will inform and streamline project reviews.

The bill will reduce duplication amongst jurisdictions, departments and agencies through new early planning and substitution provisions.

Building public trust has a serious implication for certainty and efficiency in, among other things, diminishing the litigation risk that is so unsettling to proponents and investors.

I want to make a special note that the bill establishes a formal early planning process, which may not be widely understood, but which is very important, in fact, critical, to the functioning and the advantages offered by this bill. Its importance and advantages were captured extremely well in the testimony of Pierre Gratton, CEO of the Mining Association of Canada. I refer you to his testimony.

While this early planning process is seen by some to add 180 new days to impact assessments, project proponents, of course, already currently undertake extensive planning, but this planning is not counted into comparative timeline tallies. Unlike the current planning efforts, Bill C-69's early planning process will formally require of federal departments and agencies certain critical commitments and responsibilities.

For example, all relevant federal agencies and bodies will have to identify possible issues and information requirements based upon early consultations with communities and Indigenous peoples that might be affected. In addition, there will be five structured outputs required of the impact assessment agency early in this early planning process critical to clarifying what is expected of the proponent.

First, the tailored Impact Statement Guidelines document will define explicitly how factors for review will apply to given projects and which ones will be the responsibility of the proponent and which ones the responsibility of the agent. This will clarify, for example, for each project factors to be determined or considered such as economic, health, social and, yes, gender-based analysis and climate change review requirements.

Second, an Indigenous engagement and partnership plan based upon consultation with Indigenous peoples will be prepared. That's at least in part a direct response to industry concerns that they're not clear about which communities they need to consult with.

Third, a public participation plan outlining parameters of public consultation will be delivered out of the pre-planning process.

Fourth, a cooperation plan detailing how agencies and jurisdictions will work together and avoid duplication will be a product of this early planning process.

Finally, there will be a permitting plan designed to streamline the post-approval permitting process.

These examples of provisions already in the bill underline how many of the weaknesses in CEAA 2012 have been addressed by Bill C-69. However, and this is very important, the input we have received over the past year, as intense and thorough as it has been, makes it clear that more can be done to enhance this bill.

The committee's report includes a broad range of amendments designed to meet that objective. For example, there are many instances where ministerial powers can be delegated to officials reducing the political discretion that exists in CEAA 2012.

Certain amendments will clarify the scoping of factors for the particulars of each project, ensuring that those that should be done by the proponent will be but not necessarily requiring all of those to be done by the proponent.

• (1910)

Other amendments are directed at lowering the risk of litigation. Reassurance can be given through some of these amendments that economic competitiveness will be acknowledged more in this bill. Additional references to Indigenous rights and greater acknowledgment of the impacts of project development on Indigenous women are captured in amendments proposed by Senator McCallum.

Honourable senators, we have all worked extremely hard to understand these issues, to listen to stakeholders and translate what we heard into amendments. We have contributed to what I believe has been a remarkable public policy process, characterized by extensive public consultation and equally extensive review by the Senate.

I thank all of you, your staff and the Senate administrative staff once again for outstanding work on a very challenging policy issue.

I now simply suggest — I ask — that we send this bill, as amended, back to the House of Commons in an expeditious manner so that the government and the house can take a serious look at the amendments and propose a response.

Some Hon. Senators: Hear, hear.

Hon. Mary Jane McCallum: Honourable senators, our country Canada is a land of plenty, and yet there is inequality and inequity in how our resources are shared. Many of our citizens are rendered hungry, homeless and vulnerable. What is worse, certain people face a dire struggle to obtain their inherent human dignity and basic human rights. How did we, as an internationally esteemed country, get here?

Colleagues, last week, you heard several perspectives on the narrative surrounding Bill C-69. Today, I want to share with you my perspective as an Indigenous woman and senator. As a member of the Standing Senate Committee on Energy, the Environment and Natural Resources, I was tasked with others here to study this bill. I feel compelled to share my disappointment with how Indigenous voices were often sidelined in favour of industry.

This issue was reflected by the committee's travel itinerary. When the topic of travel was initially introduced, I asked if the committee could go to Fort Chip in Alberta or Fox Lake in Manitoba, both greatly impacted by resource extraction. The committee opted instead to visit city centres, which, I argue, favours industry headquarters and mobilization capacity as opposed to the remoteness and travel limitations faced by many Indigenous communities.

Honourable senators, I am sure most of you have heard a working group was formed, of which I was not a member, tasked to review the 200-plus amendments submitted by all senators on Bill C-69. They were asked to streamline these amendments for a more efficient journey through clause-by-clause.

What you did not hear was that the amendments that surrounded Indigenous issues — my amendments — were not allowed to be part of this agreement. All of the ISG amendments and all of the Conservative amendments, however, were. The committee then proceeded to pass all of these agreement-centric amendments, on division, on Thursday, May 16.

I strongly encourage every single senator here to review the transcripts of that meeting. You will see chunks of amendments in groups of 10, 12 and even 16 passed without a word of debate. The only interruption in this process was when my amendments came up — the ones not suitable to be included in this prearranged agreement. I, unlike the vast majority of others, had to fight for the amendments I had presented in committee on behalf of Indigenous groups across Canada.

Today, I will be presenting a single amendment that encompasses three of these, all dealing with the same subject matter: the United Nations Declaration on the Rights of Indigenous Peoples.

Colleagues, in response to assertions made by some senators that they would like a Canada-made solution, I and many others, support them wholeheartedly. In their preface of the second special report of the Centre for International Governance Innovation entitled, *UNDRIP Implementation: More Reflections on the Braiding of International, Domestic and Indigenous Laws*, Oonagh Fitzgerald and Larry Chartrand stated:

> UNDRIP represents the concerted efforts of Indigenous leaders from around the world to stem the destructive and disempowering effects of colonialism and to create conditions for Indigenous peoples to reclaim their social, cultural, linguistic, spiritual, political, economic, environmental and legal autonomy.

Yet, many of these documents expressed concern that:

> . . . Canada's vision of Indigenous jurisdiction over lands and resources is a very narrow one, and perhaps little more than a modified version of the status quo.

They go on to say:

> In September 2017, on the occasion of Canada's 150th anniversary, Prime Minister Justin Trudeau made an impassioned speech to the UN General Assembly in which he acknowledged that . . . Canada was best seen as "a work in progress." He referred to Canada's colonial legacy, the broken promises and the harms that racist policies have inflicted on Inuit, Métis and First Nations peoples, and he renewed promises to use domestic implementation of UNDRIP as "a way forward" to correct past wrongs, support nation-to-nation, government-to-government, and Inuit-Crown relationships, and achieve reconciliation.

Honourable senators, First Nations from Canada went to the United Nations to help draft the United Nations Declaration on the Rights of Indigenous Peoples since they had received no support from Canada on this effort. Chief Wilton Littlechild from Alberta went to the UN for 40 years to help draft the minimum standards that would protect Indigenous peoples. Despite this long road to fruition, UNDRIP is a solution that is proudly representative of the input of Indigenous peoples from Canada. In this way, it is very much a Canada-made solution.

This is perhaps best described by Chief Littlechild himself. In his address to the UN Human Rights Council on the sixtieth anniversary of the Universal Declaration on Human Rights, he stated:

> Sixty years ago the United Nations General Assembly adopted the world's most important human rights document, an international law to recognize the inherent rights of all peoples. For the Cree Nation we say "Kikpaktinkosowin", "Oyotamsowin", those we are blessed with by the Great Spirit, Our Creator, rights we were born with as members of the human family. An inherent right to self-determination. An inherent right to govern ourselves, our territories and resources, according to our own laws and customs. Rights that were recognized for all peoples as the foundation of freedom, justice and peace in the world.
>
> But in 1948 Indigenous Peoples were not included in the Universal Declaration [of Human Rights]. We were not considered to have equal rights as everyone else. Indeed we were not considered as human nor as peoples. Consequently, there were violations, at times gross violations of our human rights. Indigenous peoples simply did not benefit from the rights and freedoms set forth in the Universal Declaration.
>
> . . . In my community the leaders and Elders gathered in the mid-seventies, very concerned about this. . . . After much deliberation and spiritual ceremonies they decided to seek recognition and justice from the international community. We were here in 1977, when we could not gain access so we could inform the UN family of nations about our issues and concerns. The Maskwacis Cree delegations have been coming here since then. Yes, we have called attention to ongoing Treaty and Treaty rights' violations but we have always also recommended solutions for positive change, recognition and inclusion.

Chief Littlechild concludes by saying:

> Many challenges remain. Why is it that we as indigenous tribes, peoples and nations continue to lead in all the negative statistics? Why is it that there is still abject poverty among our families, especially our children? Why is it in our country the education of indigenous students is in a crisis? Why is it that we continue to be excluded from the economic mainstream, . . .? Why is it that our treaties continue to be violated? . . . Why do [States] want to pick and choose which rights they want to uphold, contrary to the statement of the Secretary-General today? . . .
>
> I would not do justice to those I represent not to call on others to:
>
> Say Yes to a new framework for partnership.
>
> Say Yes to honoring treaties and agreements with mutual respect for each other.
>
> Say Yes to our full inclusion and continued contribution to humankind. . . .

• (1920)

Honourable senators, as this was a commitment made by the Canadian government and not by industry or a project's proponent, this amendment ensures that this responsibility lies solely with government. This is accomplished by the reference within these amended clauses to the decision statement in clause 65 of this bill, which would ensure that any reference to UNDRIP is connected to government action and consideration and not the actions of individuals or companies.

I will close by extending my thanks for allowing me the opportunity to speak to the critical human rights element of this bill. At times, the nature of the conversation has been industry laden, which underscores the importance for me to bring balance and give voice to the Indigenous perspective.

Senators, our Constitution is put in place to protect individuals and not industry. I respectfully ask that you join me in supporting this amendment.

MOTION IN AMENDMENT

Hon. Mary Jane McCallum: Therefore, honourable senators, in amendment, I move:

That Bill C-69, as amended, be not now read a third time, but that it be further amended in clause 1,

(*a*) on page 16, by adding the following after line 15:

"**(c.1)** the extent to which the issuance of a decision statement under section 65 allowing the proponent of the designated project to carry out the designated project would be consistent with the Government of Canada's commitment to implementing the *United Nations Declaration on the Rights of Indigenous Peoples*;";

(*b*) on page 20, by adding the following after line 19:

"**(c.1)** the extent to which the issuance of a decision statement under section 65 allowing the proponent of the designated project to carry out the designated project would be consistent with the Government of Canada's commitment to implementing the *United Nations Declaration on the Rights of Indigenous Peoples*;"; and

(*c*) on page 42, by adding the following after line 25:

"**(c.1)** the extent to which the issuance of a decision statement under section 65 allowing the proponent of the designated project to carry out the designated project would be consistent with the Government of Canada's commitment to implementing the *United Nations Declaration on the Rights of Indigenous Peoples*;".

Some Hon. Senators: Hear, hear.

The Hon. the Speaker: In amendment, it was moved by the Honourable Senator McCallum, seconded by the Honourable Senator Boyer, that Bill C-69 be not now read a third time, but that it be amended in clause 1 — may I dispense?

Hon. Senators: Dispense.

The Hon. the Speaker: Is there anything on debate?

(On motion of Senator Omidvar, debate adjourned.)

NATIONAL DEFENCE ACT

BILL TO AMEND—THIRD READING—
DEBATE ADJOURNED

Hon. Marc Gold moved third reading of Bill C-77, An Act to amend the National Defence Act and to make related and consequential amendments to other Acts.

He said: Honourable senators, I am pleased to rise in this chamber today for the third reading of Bill C-77, An Act to amend the National Defence Act and to make related and consequential amendments to other Acts.

I want to apologize at the outset. My speech last week on Bill C-59 was a model of brevity. I think I came in under five minutes. This one will not, but it's a good speech so hang in there.

Let me begin by reminding you what the bill proposes to do.

Bill C-77 would close the gap between the military and civil justice systems by granting victims within the military justice system the same rights accorded victims within the civil justice system. It would also cure the injustice whereby persons charged with service offences may be subject to criminal prosecution without the benefit of the same procedural rights, including the right to counsel and a right of appeal, as those tried in a civil justice system. And it would introduce into the military justice system the identical sentencing provisions that we find in the civil justice system concerning the sentencing of Indigenous offenders and those convicted of offences motivated by bias and hate.

This bill is a very important bill for everyone who serves in the Canadian Armed Forces. It represents a significant step forward towards ensuring that every person involved in the military justice system is treated with trust, dignity and respect and enjoy the same rights as those in the civilian justice system.

Is the bill perfect? Of course not; no bill is. But it's a good bill that deserves to be enacted into law.

This is especially true and important because attempts at legislative reform of our military justice system are not frequent; nor are they always successful, as previous attempts to reform our military justice system too often have died on the Order Paper.

The National Defence Act was comprehensively overhauled in 1998 by a bill that ushered in the current military justice system. From 2003 to 2011, three bills attempting to implement further reforms died on the Order Paper in successive governments, never making it beyond the House of Commons. Parliament was only able to adopt smaller bills, curing constitutional defects in specific provisions that had been struck down by the Court Martial Appeal Court. Finally, in 2013, Parliament passed the first comprehensive military justice bill in 15 years.

However, these reforms did not include any provisions for the rights of victims. In fact, the military justice system was explicitly excluded from the Canadian Victims Bill of Rights, which was introduced by the previous government in 2014 and passed by Parliament in April 2015. The sponsor of that bill, and its leading proponent, was Senator Boisvenu, the opposition critic on the bill now before us. But the rights of victims in the military had not been forgotten. The government of the day also introduced Bill C-71, a bill that would have introduced a declaration of victims' rights into the military justice system. However, the bill was given first reading on June 15, 2015, only

four sitting days before the Parliament rose for the federal election. I need hardly add that Bill C-71 did not make it past first reading.

This brings me to my final introductory point. At committee, many witnesses, notably those who spoke to the victims' rights provisions, recommended amendments to improve the bill, and several such amendments were proposed during clause-by-clause consideration. In my opinion, many, if not indeed most of them, had considerable merit. They would have strengthened the bill, and they were supported by the opposition members on the committee.

I opposed each and every one of those amendments, and they were all defeated by the votes of ISG and independent Liberal senators on the committee. If you read the transcripts of the committee, we were accused of many things. We were accused of not caring about victims, of being in the Senate only to defend the government and of rendering the Senate useless by refusing to amend the bill. I have no doubt that you will hear a great deal about this when others take the floor on debate.

Honourable senators, I opposed the amendments not because they were without merit. On the contrary, under other circumstances they would have enjoyed my full and enthusiastic support, and I'm sure the support of all members of the committee. I opposed them because of the very real likelihood that, if amended in the Senate, Bill C-77 would die on the Order Paper. And every senator in this chamber knows this is so. There simply are not enough sitting days left in the other place to deal with all of the bills that the Senate has already amended, or like Bill C-69, is likely to send over with amendments, before the end of this Parliament.

Bill C-77 is an important bill, but it simply will not be given priority over many of the other bills that are already in the other place or that are anticipated to be received in the days to come. The result is that if Bill C-77 is amended, it will not pass. Indeed, the minister acknowledged the risk of the bill dying on the Order Paper Day when he was questioned on that point in committee by our colleague Senator McPhedran. And that is why I opposed the amendments, even though they were being recommended by credible witnesses and notwithstanding that they would have improved the bill. Honourable senators, better three quarters of a loaf than no loaf at all.

• (1930)

Although the amendments would have improved the bill, Bill C-77 is not a flawed bill as it stands; on the contrary, it's a good bill. I will endeavour to explain why in the time that remains to me.

[*Translation*]

Let me begin by outlining the proposed changes to the summary trial process under Bill C-77.

In my speech at second reading, I underscored the unique nature of our military justice system, given that military personnel can be tried for Criminal Code offences and other federal offences, as well as offences unique to the Armed Forces. I also mentioned that charges can be handled either through the chain of command by summary trial or in an official court of independent military judges in a trial before a court martial.

Most service offences give rise to an election by the accused to be tried by a court martial, but for a discrete number of minor offences such as absence without leave or drunkenness, they are automatically dealt with by a summary trial. It is important to note that both courts martial and summary trials are penal proceedings where an accused is presumed innocent until proven guilty beyond all reasonable doubt. That is where any resemblance ends.

A summary trial, though penal in nature, does not afford the accused the same rights they would have been entitled to had they been tried in a court martial or even a civil court. Offenders do not have the right to legal counsel. The usual rules of evidence, including the hearsay rule, are more relaxed. There is no official transcript of the proceedings and no right to appeal.

Moreover, summary trials are no exception to the standard of a proper court martial trial. On the contrary, summary trials eliminate the possibility of election even if the chain of command is less and less satisfied. According to the Judge Advocate General's reports, summary trials account for about 90 per cent of military trials and courts martial account for just 10 per cent.

Bill C-77 would completely eliminate summary trials. Henceforth, all service offences will be tried solely by court martial. Bill C-77 therefore proposes a new summary hearing system for less serious disciplinary offences defined as service infractions. Summary hearings are administrative in nature and are designed to enable the chain of command to address disciplinary and morale issues quickly and effectively.

This change is the product of consultations by the Office of the Judge Advocate General with the chain of command. It also responds to an issue of delay in the military justice system generally, and in the summary trial process in particular, an issue raised in the spring 2019 report of the Auditor General of Canada.

In committee, we heard from many witnesses in this regard, all of whom have considerable experience with the military justice system, and they did not agree with this amendment.

[*English*]

Surprise, surprise.

[*Translation*]

Far from it.

Some witnesses argued very strongly that this part of Bill C-77 should not be implemented because they did not think that there had been enough public debate on the matter. Others argued that the new summary hearing process still had some characteristics of a criminal hearing.

Witnesses indicated that the bill violates the rights of service personnel by taking away their right to choose a court martial rather than a summary hearing and by changing the standard of proof at the hearing from a criminal standard of proof to a civil standard of proof. These are serious criticisms from experts, including representatives of the Barreau du Québec and the Canadian Bar Association.

As a former member of both of those organizations, I took their testimony very seriously, as you can well imagine. I raised some of those concerns in my speech at second reading, and we may hear from some of those witnesses in the coming days, as well as from other witnesses who have just as much experience and are just as qualified who completely disagree with this amendment.

[*English*]

Michel Drapeau, a retired colonel and now a lawyer in private practice, was unequivocal in his support of Bill C-77 and in his condemnation of the current system of summary trials, as he stated in his testimony:

> The current summary trial is unfair. When someone can be charged, no rules of evidence, hearsay is accepted, no right to counsel, you can be sent to jail for an extended period of time and you can have a criminal record — that is the system in place at the moment. . . . Bill C-77 has my full and unreserved support for the repeal of the existing summary trial system . . . I sincerely hope that it will receive Royal Assent before Parliament is dissolved.

On to the same effect was the testimony of his colleague Maître Joshua Juneau who stated:

> As it concerns the summary hearing process, Bill C-77 should not only be assented to and put into force as soon as possible, but it should be celebrated.

Moreover, in their view, the proposed summary hearing process definitively was not penal in nature. The minister and officials confirmed that the objective is to create a non-criminal, non-penal administrative process to deal with relatively minor breaches of discipline. They reminded the committee that under the proposed summary hearing process, there is no criminal charge, no accused person, no criminal sanctions and no criminal record.

Speaking as someone who taught both constitutional law and the law of evidence for all the years that I was a full-time law professor, I was persuaded that they were correct in law. But just because a process is not criminal doesn't necessarily mean that it's fair.

One of the themes that preoccupied some members of the committee, myself included, was the extent to which many of the details of the proposed summary hearing process, including the definition of what would be considered a service infraction, were to be contained in regulations that were not yet drafted. I raised this issue both in my second reading speech and at committee. At the end of the day, however, I was satisfied by what I heard at committee.

I am satisfied that the lawyers from the Canadian Armed Forces and the Department of Justice who will be part of the regulatory process will be attentive to all relevant constitutional and legal considerations when defining the infractions, sanctions and procedures that will constitute the new summary hearing process contemplated in the bill.

In this respect, I was very encouraged by the commitments made by the minister, both during his testimony and in a letter that he sent to the committee following his appearance. In that letter, the minister made a commitment, that was the word he used, to:

> . . . ensure that the regulations pertaining to the summary hearing process are drafted in light of the fundamental principles of creating a non-penal, non-criminal disciplinary system.

Honourable senators, having reviewed all of the testimony on this issue, I am satisfied that this part of the bill is a step in the right direction and worthy of our support.

Let me now turn to the second major change that is proposed in Bill C-77, the incorporation of the declaration of victims' rights into the Code of Service Discipline contained in the National Defence Act.

This was the part of the bill that attracted the most attention at committee, and it was the subject of all of the amendments that were introduced during clause-by-clause consideration. I expect that this will be the main focus of the speeches that follow mine and certainly that of the opposition critic. For that reason, let me try to present to you as fairly as I can, and hence the length of this speech for which I apologize once again, the full range of views that were submitted to the committee and the conclusions that I drew from the testimony that I heard.

Let me begin with a fact that is beyond dispute and here let me quote from one of the many witnesses who made this point at committee. Colonel Stephen Strickey, a Deputy Judge Advocate General, stated:

> To the greatest extent possible, the declaration of victims' rights mirrors the Canadian Victims Bill of Rights.

Indeed. In fact, it is virtually an exact copy of the Canadian Victims Bill of Rights, which Senator Boisvenu championed, sponsored and, as he reminded us in the committee, drafted.

Witness after witness agreed that in all material respects, the two texts are almost identical. One may now not support the declaration of victims' rights that is proposed in Bill C-77, that is one's prerogative. One can change one's mind. But all must agree that it is almost word-for-word not only the same as the Canadian Bill of Rights but I should add the declaration of victims' rights that was introduced by the previous government in the dying days of the last Parliament.

• (1940)

Where opposition members and I certainly do disagree is in the weight we attach to the often competing testimony that we heard at committee. Where we clearly disagree, although I have to

confess that it still confounds me, is on the risks that we're prepared to take, that the bill, and the declaration of victims' rights that is contained therein, will die on the Order Paper if the bill is amended here in the Senate. For the life of me, I simply cannot understand how taking the risk that the bill will die enhances the rights of victims. But I digress.

At committee, we heard from many witnesses. Some of them strongly supported the legislation. Others had reservations but still thought it was better than the current state of the law. Some would rather the bill die than pass in its present form. Many of the witnesses were experts in the field of victims' rights, while others were victims and survivors themselves.

I believe that it is fair to say that although the majority of the witnesses supported the intent and objectives of the bill, all witnesses felt that the bill could be improved, and many recommended specific amendments. Within this group of witnesses were Ms. Heidi Illingworth, Federal Ombudsman for Victims of Crime; Dr. Denise Preston, Executive Director of the newly created and independent Sexual Misconduct Response Centre, or SMRC; and Major Lindsay Rodman, a former Judge Advocate in the United States Marine Corps and an expert on the U.S. and Canadian military justice systems. Nevertheless, despite their criticisms, they all agreed that it represented a major step forward and should be enacted into law.

Other witnesses were more critical of the bill and were reluctant to support it without further amendment. This came through very powerfully in the testimony of those witnesses who had been victims of acts of sexual misconduct while they were in uniform. Indeed, one witness, herself a survivor of sexual assault by her commanding officer, testified that the bill could not be saved at all. I was profoundly moved by their testimony, as were all members of the committee. It took enormous courage for them to come forward and share their experience with us.

I want to provide you with a full and accurate picture of the testimony we heard. A number of major issues raised by the witnesses were the subject of amendments proposed but defeated in committee. You will hear these and perhaps others raised in the speeches to come. I wanted to share my point of view on them because this is my opportunity to do so.

The most general and far-reaching umbrella criticism that the witnesses levelled against the bill is simply this: That it fails to provide meaningful rights protection to victims, and the argument was that it failed to do so in several ways.

Witnesses argued that the bill should be amended to ensure that victims are guaranteed their rights without having to request them, as the language of Bill C-77 actually provides. Witnesses and committee members expressed concern that, especially in the hierarchical culture that is the military, victims must be ensured that their rights, including their rights to information and assistance, are provided proactively and not only "on request."

In response, Commodore Geneviève Bernatchez, the Judge Advocate General, stated this:

> One thing that is important to remember . . . is that the declaration of victims' rights aims to completely align with what already exists in the . . . Canadian Victims Bill of Rights. There are similar dispositions to make certain rights conditional to the desire of the victim to receive those rights.
>
> . . . the approach here is one that is very much victim-centric, which aims to be mindful and respectful of victims' desires. Not all victims want to be proactively approached by whichever authorities out there. . . .
>
> Certainly what I see, from a legal perspective, is that by enshrining this declaration in legislation, it creates a positive obligation to the institution to deliver those rights to the victims. Also, it makes the institution and its actors accountable for delivering those rights when the victim wants to have them delivered to them.

And Dr. Preston added the following:

> At the same time as we want to remove the burden, to the extent possible, on the victim for having to be the one to come forward and ask for that information, we also want to respect their choice and empower them, and only provide the information they consent to.

Dr. Preston continued:

> We have to balance privacy and confidentiality as well. . . . Our data show that about 45 per cent of reports are made by third parties. The Auditor General noted quite clearly in their report that many victims resented the fact that third parties would come forward and report on their behalf, because they were not prepared to report and did not want to be put into a formal process. The concern would be if third parties are coming forward and reporting in 45 per cent of the cases, for example, if SMRC or the victim liaison officers approach them directly and said, "I heard you were a victim, can I provide you with information," it has the potential to further burden, frustrate or further violate the privacy of victims.

Honourable senators, this is a real policy dilemma, but it is not insoluble. Witness testimony revealed several ways in which victims will have access to the information and support they need to protect and vindicate their rights. For example, Dr. Preston testified that the SMRC is:

> . . . initiating a service enhancement where we will provide case managers or response and support coordinators for all victims — upon consent, of course, or with consent — from the time of first disclosure until such time as they don't need support anymore.

But even more significantly, in his letter to which I referred earlier, the minister commits to:

> Ensure that the SMRC, Military Police, and Military Prosecution Service proactively make victims aware of their rights under this legislation, including the right to request information and to ask any commanding officer for a VLO (victim liaison officer) of their choice.

And to:

> Enable VLOs to work in conjunction with the SMRC Response and Support Coordinators in cases of sexual misconduct to ensure that victims are aware of the resources available to them and their rights under the Declaration of Victims' Rights.

[*Translation*]

Considerable attention was also paid to the role of the victim liaison officer in the bill. Some witnesses stated that they feared their commander would impose an officer, or that the officer would be from the same unit where the alleged perpetrator of the offence would serve their sentence. Will victim liaison officers receive appropriate training? Should they be lawyers? This is what we learned in committee.

Those responsible clearly established that all liaison officers would receive appropriate training enabling them to fulfill their role within the military justice system, which is confirmed in the minister's letter to the committee. The minister also confirmed that the victim would be able to choose their liaison officer. In his testimony, the minister also confirmed that if the officer hadn't yet received the appropriate training, the situation would be remedied quickly.

With respect to the relationship of the liaison officer with the chain of command, witnesses pointed out that it is misleading and even false to presume that the relationship between the chain of command and the individuals under its authority is incompatible. When he appeared before the committee, Lieutenant-General Charles Lamarre spoke with passion when he stated that the main role of the chain of command is to look after all its members.

More importantly, Bill C-77 clearly indicates that the appointment of a liaison officer is not the prerogative of the commanding officer of the victim or the accused. As Commodore Bernatchez explained:

> The bill is quite clear that it's a commanding officer. It's not the accused's commanding officer or the victim's commanding officer. It gives the flexibility to a commanding officer to appoint a victim liaison officer. That's done in order to truly respect the nature of the control that a commanding officer would have of the member designated to ensure that member is held accountable, made free to accomplish their function and is properly trained to accomplish their function. The victim liaison officer does not necessarily come from the victim's unit, the offender's unit or the accused's unit. It's a commanding officer.

As far as the issue of liaison officers and their status as counsel is concerned, witnesses underscored the importance of benefiting from support for themselves and their families that might go beyond the provision of legal advice. Nevertheless, legal advice is very important when navigating the entire justice system, military or civilian. To that point, Dr. Preston evoked a pilot project that is under way, that seeks to provide free and independent legal advice to victims in the military justice system, advice that represents a complement to the support a liaison officer might also provide.

• (1950)

Some witnesses also criticized the bill for not giving victims the right to apply to the courts for compensation if they feel their rights have been violated. However, the Canadian Victims Bill of Rights contains identical provisions denying this recourse. Furthermore, Bill C-77 would give victims access to an internal complaint procedure if they feel that their rights have been violated.

You will also hear that the victims weren't consulted before the bill was drafted. This is true and was acknowledged by the public officials who testified in committee. However, they emphasized that the bill's purpose was to incorporate the provisions of the 2015 Canadian Victims Bill of Rights and that in-depth consultations were held with victims before the bill was introduced in Parliament. Nevertheless, it's clear that victims dealing with the military justice system have a different experience from victims dealing with the civilian justice system and that victims must be involved in developing the regulations. Witnesses were clear about this, and the minister committed to ensuring that "victims and primary stakeholders, such as the Sexual Misconduct Response Centre, or SMRC, are consulted during policy analysis for the regulations, to ensure that all points of view are taken into account."

Honourable senators, many other issues came up in committee that you may hear more about during the debate, but my time is almost up. All I will say is that in light of the testimony we heard and the commitments that the minister made, I am convinced that Bill C-77 is a good bill that deserves our support. However, I do have one final issue to raise, one that goes to the heart of our responsibilities as senators and the hard choice we face at this stage in the life of this Parliament.

Some will tell you that the Senate is not fulfilling its duty if it declines to amend Bill C-77. The opposition critic explained that well during clause-by-clause consideration, when he scolded me for not supporting an amendment to the bill. He said, and I quote:

> If your position from the start is that there's no point in amending this bill, what are you doing as senators? Our job is to improve a bill so it addresses the needs of the most vulnerable people in our society: victims of crime. If we decide we're not going to improve this bill, then what are we doing here?

[*English*]

This is not a trivial question. On the contrary, it goes to the very question of the role of the Senate in our system of parliamentary democracy. So allow me to offer the following answer to that question.

Honourable senators, amending a bill is not the only way the Senate can fulfil its responsibility as a complementary legislative body in the Parliament of Canada. Indeed, it is not always the appropriate way. As has often been affirmed in this chamber, senators have many tools at our disposal, including using our processes and our position as senators to put issues on the public agenda.

Moreover, we can and often do append recommendations and observations to our committee reports, as we did in the case of Bill C-77. Furthermore, we can — and, indeed, we should — make far better use of our committees to follow up on those recommendations and to monitor the implementation of legislation after it has passed.

But in the bill that is before us, the Senate has already added real value to the legislative process and to the benefit of all the participants in the military justice system. First, we received clear commitments from the minister on several key issues that were of great concern to all members of the committee. These provided welcome clarity on how the next steps in the process of reforming the military justice system will unfold.

Second, the committee unanimously approved a series of focused observations and recommendations that we appended to our report. These provide direction to those responsible for drafting the regulations under the act, send a strong signal to the military authorities responsible for implementing reform, and set out the principles to guide us in holding the government and the military to account as they move forward. These are real and tangible achievements, ones for which our committee should be proud.

So what about amendments? Doesn't an amendment carry more weight than an observation or even a written commitment from a minister? Of course it does. But, honourable senators, if I can channel my children, let's be real.

The inescapable truth is that in this first week of June, with only a few sitting weeks left before Parliament rises and only months away from a federal election, we are faced with a difficult but unavoidable decision. Do we pass the bill as is? Or do we amend it with the almost certain result that it will wither and die on the Order Paper? We can regret this choice, as I certainly do. We can blame the government, as I know others will do. But one thing we can't do, we cannot wish this away.

So what did our witnesses say on this issue? All of them had criticisms and reservations about this bill. Most of them brought forward suggested amendments to address the shortcomings of the bill as they saw them. Let me quote from their testimony.

From Ms. Heidi Illingworth, Federal Ombudsman for Victims of Crime:

> I would take the opportunity to encourage you to pass this legislation. Absolutely, it's really important. It's critical that we bring the rights in the military justice system up to par with the civilian justice system.

From former Marine Corps Judge Advocate Lindsay Rodman. The bill:

> . . . is a step in the right direction. . . .
>
> . . . I would hate to sacrifice good progress in the short run just in the hopes that it would not spur even better progress in the long run.

And from Major Carly Arkell, testifying as an individual and as a survivor, and for whom this choice was excruciatingly difficult, these remarks:

> I've been torn about this. . . .
>
> As Major Rodman put it, if this is a starting point — that it's just the beginning and that we have to do more in how we write the policies and regulations to incorporate this bill, but also there are other aspects — that this is simply one piece of the pie and not the total solution — then yes.
>
> However, I give [the bill] a very low grade. It barely passes. I'm not even sure it really meets the standard, to use a military term, but there is a lot of progress that was made in this. Something is better than nothing, but we can't rest on our laurels. We can't stop here.

And finally, from Dr. Denise Preston:

> I think that this is an important bill because it makes the military justice system in parallel with the Canadian criminal justice system. So it would remove the perception that there's a two-tiered system and that victims in the military justice system are somehow lesser or entitled to less. I think that that's an important equalization for victims.
>
> The other thing that I think is important, obviously, is enshrining these rights into law. It's one thing for us to be doing it by policy or by practice, but to enshrine it into law raises it to another level.

Honourable senators, our choice as senators is not between a good but imperfect bill and a better one. Our choice is between this bill and no bill. To choose the former is to advance the cause of military justice reform and to support the efforts to provide greater support to victims within the military. To choose the latter is to maintain the status quo, where victims within the military justice system are denied the very same rights as all others in our justice system. This cannot be the proper role for us as unelected members of the Senate of Canada.

• (2000)

Let me conclude with this: During the committee hearings, we heard from many members of the Canadian Armed Forces who were also present with us during clause-by-clause consideration. They offered technical explanations and clarified points that were raised, but consistent with their roles as officials, they did not offer their views on the policy choices of the bill or on the question of whether the bill should be amended. As we would expect, they stayed within the proper limits of their professional roles.

However, at the end of clause-by-clause consideration, after the bill was passed by the committee without amendments, one of the officials, a woman with a long and distinguished career in the military, stopped me on my way out of the committee room. This is what she said to me, and I'm quoting from memory, admittedly. "Thank you," she said. "You have no idea how very important this is to us."

At that moment, she was not speaking to me as an official. She was speaking to me as a female member of the Canadian Armed Forces.

I have to tell you, at that moment, I've never felt more proud to be a senator and to have helped move a bill through the committee stage and, I sincerely hope, on its way to being enacted into law.

We in the Senate are not compromising our principles in so doing nor are we abandoning the proper role of the Senate. On the contrary, we are doing our constitutional duty as senators to ensure legislation that advances the rights of all participants in our military justice system can be enacted into law in this Parliament.

Honourable senators, by passing Bill C-77, we are curing the unfairness in the summary trial process whereby persons can be charged with criminal offences without a right to a lawyer, a right of appeal or even a transcript of the proceedings. By passing this bill, we will be giving the military the tools it needs to deal quickly and effectively with disciplinary issues so that morale and discipline can be maintained within the forces.

Most importantly, by passing Bill C-77, we are bringing to an end the unacceptable double standard whereby victims of military offences are denied the same rights as victims in the civil justice system. To act otherwise, to put Bill C-77 at risk of dying on the Order Paper, would be to betray the interests of all the people who serve with honour in the Canadian Armed Forces. That's not what we were summoned to the Senate to do. Thank you very much.

Some Hon. Senators: Hear, hear.

Hon. Donald Neil Plett: I have a question for Senator Gold if he'd take one.

Senator Gold: Yes.

Senator Plett: Senator Gold, I find myself agreeing with the majority of the substance of your speech about what Bill C-77 does or does not do. However, I am a little perplexed about the fear mongering around the fact that if the bill gets amended, it dies on the Order Paper.

Bill C-69 has 187 amendments and we have another one tonight. Bill C-68, on the Fisheries Act — and you're on the Fisheries Committee — has a number of amendments and is going to the other place amended. We have other pieces of legislation that we're waiting right now for the house to send back. It is legislation that went over there amended, Bill C-59.

Why would this piece of legislation be so special that the government would not at least entertain looking at viable and proper amendments? Has the government told you that we will not look at any amendments and this bill will die on the Order Paper if it's amended?

Senator Gold: Thank you for your question. There are a couple dozen sitting days left in the other place. Every bill that contains amendments that we send over has to be dealt with not only by cabinet, which has to decide what response government takes but then, of course, has to go through and be debated in the house. Even with time allocation and closure or whatever the correct term is, that can occupy two days of government sitting time.

The house already has a number of bills with amendments that they are working through and others will come. I have been advised by the minister — and I shared that information with many members on the committee and even beyond the committee, as you well know — that there is simply not going to be enough time to deal with all the bills that they have or are expected to have and other bills, or at least all other bills that come over.

I was advised further — and sincerely believe — that important though this bill is, it will not be bumped up in priority. You mentioned Bill C-69, Senator Plett. We could probably list a number of them. Bill C-59 comes to mind and others.

I chose my words carefully. I clearly gave the impression, but I did not think I was giving the impression that I was fear mongering. I was telling us what we all know. There is a real serious risk, confirmed by the minister publicly in testimony, confirmed to me in conversations, the details of which I shared with members of the opposition, as well as my own colleagues and even unaffiliated members in this chamber. I'm not prepared to take that risk.

I think this is a good bill that takes a major step forward in advancing the rights of victims in the military, cures injustice, long-standing problems in the summary trial process. As I said in my speech — the image is perhaps rather inelegant — better three quarters of a loaf than no loaf at all.

I'm not a gambling man, Senator Plett. The rights of the victims and all participants in the military justice system would be seriously at risk — and I would be the last to impugn intentions here — however meritorious the amendments would be, it would put this bill at risk. That's what I believe. That's what I was advised. I think, frankly, this is what we all know.

That's why I took the position that I did. It was not an easy position. It wasn't an easy position for the other members of the committee who came to the same conclusion as I did, that this bill is too important and too good on its face to put at risk.

Senator Plett: Again, I'm not disagreeing with the merits of the bill, but when we find ways of improving something, you are now telling us that the Trudeau government has said, "No, we're not interested in hearing improvements." Is that what the Trudeau government told you and Senator Pratte about Bill C-71? Make sure Bill C-71 comes back with no amendments? They are not saying that on all legislation. Perhaps we need to get either you or Senator Harder or somebody to tell us which bills we have the right to amend and which ones we don't. Senator Gold, I think it behooves us to take a very clear look at this legislation, in light of the fact that you are saying, "Don't dare amend it."

We better find out why we shouldn't amend it and maybe we need to take a little closer look than what I was prepared to do earlier today.

Senator Gold: Thank you for your question, Senator Plett. I think you've misunderstood what I said. Let me be clear: The Trudeau government didn't tell me anything. I don't have that kind of relationship either with the Prime Minister or the government. I'm happy to explain, if it matters. I reached out to the minister early in the week — I guess I've committed a sin of which I was unaware.

As a sponsor of the bill, I reached out to the minister because I wanted to understand better his receptivity to amendments. I made that undertaking to members of the committee who indicated to me that they would be introducing —

The Hon. the Speaker: I'm sorry, Senator Gold, but your time has expired. I know there's at least one other senator who wishes to ask a question.

Are you asking for five more minutes?

Senator Gold: Five more minutes.

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

Hon. Senators: Agreed.

Senator Gold: I undertook to the opposition critic and one of my colleagues, who was concerned about aspects of the bill, to explore the receptivity of the government to amendments.

• (2010)

I thought that was an appropriate thing for me to do as sponsor, given that we had a relatively compressed period of time.

I was finally able to speak to the minister, who had returned from overseas. He confirmed to me what he confirmed at the committee: In light of the limited number of sitting days left, there is a real risk that this bill, if amended, would die on the Orders of the Day because they simply would not have got to it before dealing with all the other bills that they would have to deal with first.

I communicated that information to all interested senators on the committee and beyond over the weekend. I'm not fearmongering here. I've only been in this chamber for two and a half years. Many of you have been here far longer. You know very well how things work in the last dying days of a Parliament. The previous government knew that when it introduced the identical declaration of victims' rights — the same title, the same words, the same request for rights, the same lack of recourse — four days before Parliament was going to rise. Nobody had any illusions that somehow it could be fast-tracked through and passed.

In this particular case, we're stuck with the constraints, imperatives and the challenges of the calendar. I won't apologize that I think it is the responsible thing for us as senators, regardless of caucus, parliamentary group or ideology, to have a clear-eyed and honest look at the risks that, in this particular case, unfortunately, we may be faced with that difficult choice.

To pretend otherwise is to elevate rhetoric above rationality. It is to sacrifice not only principle but the actual interests of flesh and blood human beings who serve this country with honour at the altar of a gamble. It's a gamble I'm not prepared to take.

Hon. Carolyn Stewart Olsen: I thank the honourable senator for those words. I share my colleague's questions about not amending "because of." We can get ourselves into a lot of trouble if we have bad legislation and we don't look at it as senators. Anyway, that's just my statement, but my question to you is: What measures did you take in committee to compare this piece of legislation with other countries? Military justice systems have always been considered sacrosanct and apart from ordinary criminal justice within countries.

I'm always nervous when the Liberal government meddles in our military and what's happening. I would really like to know the comparison between countries. Are we better or are we worse or did you look at that?

Senator Gold: Thank you for your question, senator. Some comparative aspects emerged in the testimony but it was not an extensive survey of how the world deals with things.

Lindsay Rodman, to whom I referred, who has spent time in Canada as a visiting fellow in a university setting, a judge advocate and a major testified and gave us some of the distinctions between the American system and how it's evolved and our system.

One of the important things that emerged from the committee, at least on the victims' bill of rights — it's a complicated bill. There are a lot of different things. On victims' rights, it was simply that they were trying to reintroduce, literally, word for word — don't hold me to that but virtually word for word — the provisions of the declaration of victims' rights that died on the Order Paper in 2015. That document was virtually a word-for-word copy of the civilian bill of rights that was introduced in the previous Parliament.

It took many witnesses and officials — and, frankly, me — by surprise when it became the flashpoint for so much debate. It wasn't perfect then and it's not perfect now, but it was a major step forward.

You'll recall that the Canadian Victims Bill of Rights explicitly excludes the military. It's there in black and white. That's why, I presume, the previous government came forward with a bill for the military but it came forward, as I said, literally four days before Parliament rose.

There wasn't a big comparison on the victims' bill of rights with other countries. They didn't feel it necessary. They were simply trying to correct a mistake or fill a gap that had been left in the law in the previous Parliament.

With regard to the summary trial and summary hearings, that was very much a product of a couple of years of consultations within the chain of command and initiated by the office of the Judge Advocate General. Thank you.

The Hon. the Speaker: Senator Gold, your time has expired again. You're not asking for more time?

Senator Gold: No, I don't think so.

(On motion of Senator Martin, debate adjourned.)

[*Translation*]

CORRECTIONS AND CONDITIONAL RELEASE ACT

BILL TO AMEND—THIRTY-FIFTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE— DEBATE ADJOURNED

The Senate proceeded to consideration of the thirty-fifth report of the Standing Senate Committee on Social Affairs, Science and Technology (Bill C-83, An Act to amend the Corrections and Conditional Release Act and another Act, with amendments and observations), presented in the Senate on May 30, 2019.

Hon. Chantal Petitclerc moved the adoption of the report.

She said: Honourable senators, I rise today in support of the thirty-fifth report of the Standing Senate Committee on Social Affairs, Science and Technology, which deals with Bill C-83, An Act to amend the Corrections and Conditional Release Act and another Act.

[*English*]

The purpose of Bill C-83 is to reform the federal correctional system in a number of ways. One of the objectives of the proposed legislation is to respond to recent court rulings on administration segregation: the 2017 decision of the Ontario Superior Court of Justice in *Corporation of the Canadian Civil Liberties Association v. Her Majesty the Queen* and the 2018 decision of the Supreme Court of British Columbia in *British Columbia Civil Liberties Association v. Canada (Attorney General)*.

According to those two decisions, certain practices related to the administrative segregation of federal inmates violate sections of the Canadian Charter of Rights and Freedoms.

To the best of its ability, the committee endeavoured to examine the subject matter of Bill C-83, working diligently under challenging time constraints.

[*Translation*]

Over the course of its meetings, the committee heard from 17 witnesses who appeared either as individuals or on behalf of eight different organizations. We also received more than a dozen letters and briefs from experts and organizations.

On behalf of the committee, I thank everyone and all the organizations that shared their expertise with us.

[*English*]

Based on the testimony we received, the committee made several amendments to Bill C-83 with the goal of strengthening the bill.

A definition of "mental health assessment" is added at the beginning of the bill, in clause 1. The committee wants to highlight that individuals who are incarcerated have a right to access qualified health care professionals and have the appropriate competencies to provide effective and suitable mental health treatment.

A statement is added to clause 2 of the bill to affirm that Correctional Service Canada "gives preference to alternatives to carceral isolations," particularly through a broad interpretation of sections 29, 81 and 84, which provide for transfers to the health facilities or the community for eligible offenders. The goal of this amendment is to shift the culture of Correctional Service Canada towards the use of least restrictive forms of incarceration and to encourage the use of community-based approaches to incarceration when possible.

[*Translation*]

Clause 2 has been amended to indicate that the Correctional Service of Canada must ensure the effective delivery of programs to incarcerated persons for the purpose of rehabilitation, including educational programs, vocational training and volunteer programs. The CSC must also consider and give preference to alternatives to carceral isolations. With this amendment, the committee is seeking to emphasize how critical it is for incarcerated persons to participate in rehabilitation and reintegration programs.

The bill is also amended in clause 3 to stipulate that offenders should undergo a mental health assessment as soon as practicable within 30 days of arriving at the penitentiary.

• (2020)

Some witnesses indicated in committee that most offenders suffer from a diagnosed mental illness and a timely assessment of their mental health is essential. The provisions of clause 7 were rearranged to emphasize the importance of transferring an offender to a hospital or mental health facility when possible.

[*English*]

The committee heard that federal penitentiaries are ill-suited to treat those with mental illness. This amendment seeks to ensure that offenders with mental illness receive the care and treatment they require in a hospital or mental health facility.

The bill is amended at clause 7 to state that an individual transferred to a structured intervention unit should receive a mental health assessment within 24 hours of such a transfer, and if that individual suffers from any "disabling mental health issue," they shall be transferred to a psychiatric hospital in accordance with section 29.

The purpose of this amendment is to reduce the harm to offenders with mental illnesses who are placed in conditions that are similar to solitary confinement in structured intervention units.

Clause 10 of the bill is amended to affirm that confinement in a structured intervention unit is to end "as soon as possible," and will be of a duration of no more than "48 hours unless authorized by a Superior Court."

Members of the committee strongly believe that judicial oversight of the use of structured intervention units is necessary to protect the rights of offenders.

Clause 14 is amended in the bill to require that Correctional Service Canada staff members have "individualized reasonable grounds" to conduct a strip-search of an offender.

Witnesses spoke of the negative effect of strip searches on offenders' mental well-being, particularly for female offenders who have previously experienced sexual abuse.

The goal is to ensure that strip searches are not a routine occurrence but are instead based on individualized suspicion of the offender in question.

This amendment is in line with the United Nations Standard Minimum Rules for the Treatment of Prisoners — the Mandela Rules — which state that strip searches should be undertaken "only if absolutely necessary" and not used as a matter of routine.

[*Translation*]

The bill is amended at clause 23 to indicate that Correctional Service Canada personnel must also take into account family and adoption history when making decisions in accordance with the act about an Indigenous offender. The purpose of this amendment is to ensure that, when making decisions about an Indigenous offender, Correctional Service Canada personnel take into account all the unique socio-historical factors affecting Indigenous peoples, including intergenerational trauma caused by the residential school system.

[*English*]

Clauses 24 and 25 are amended in the bill to affirm that Correctional Service Canada may, for the purposes of providing correctional services, enter into an agreement with an Indigenous organization, an Indigenous governing body or a community group that focuses on the needs of a disadvantaged or minority population.

Furthermore, if an offender requests the support of one of the mentioned entities on release, Correctional Service Canada shall provide that entity with an opportunity to propose a plan for the offender's release and integration into the community in which the offender is to be released.

The committee's goal is to encourage Correctional Service Canada to work with Indigenous communities, as well as groups representing other disadvantaged or minority populations, to promote community-based alternatives to incarceration of these populations.

[*Translation*]

A new clause, 35.1, is added to the bill so that an incarcerated person may apply to the court that imposed the sentence being served for an order reducing the period of their incarceration or parole ineligibility if, in the opinion of the court, there was unfairness in the administration of a sentence. "Unfairness in the administration of a sentence" includes any decision, recommendation, act or omission by Correctional Service Canada that affected the incarcerated person and that was contrary to law or an established policy; unreasonable, unjust, oppressive or improperly discriminatory; based wholly or partly on a mistake of law or fact; or an abuse of discretionary power.

The purpose of this amendment is to provide offenders with recourse in the event of an abuse of power on the part of Correctional Service Canada, such as the unfair use of isolation for an extended period of time.

[*English*]

Lastly, clause 40 is amended to state that, in the second and fifth years after which the act comes into force, a comprehensive review of the provisions enacted by the act must be undertaken by a committee of the Senate and a committee of the House of Commons.

The purpose of this amendment is to ensure accountability by guaranteeing that the changes implemented by this act are monitored by the Senate and the House of Commons.

[*Translation*]

That is where things stand with the 16 amendments adopted by our committee. In our study, the committee weighed the constitutional concerns that were raised in this chamber at second reading stage. Some of our amendments are presented in an effort to respond to those concerns.

In one of its three observations, the committee calls on this assembly to review this matter in more detail during debate at third reading. The two other observations concern the psychiatric assessment of incarcerated persons. The committee is concerned about the fact that Bill C-83 does not require Correctional Service Canada personnel to have mental health training or expertise to better screen and support incarcerated persons who are suffering from mental illness.

The committee is also concerned about the fact that the bill does not provide details on the nature of the therapy and rehabilitation programs offered to incarcerated persons in a structured intervention unit, nor on the selection criteria for participants or program evaluations. We felt this aspect was really important to understanding and improving the mental health of those incarcerated in a structured intervention unit.

On that, I recommend that you adopt this report so that this chamber may move on to third reading stage of Bill C-83. Thank you.

(On motion of Senator Martin, debate adjourned.)

THE ESTIMATES, 2019-20

VOTE 1 OF THE MAIN ESTIMATES—THIRD REPORT OF JOINT COMMITTEE ON THE LIBRARY OF PARLIAMENT—DEBATE ADJOURNED

The Senate proceeded to consideration of the third report of the Standing Joint Committee on the Library of Parliament, entitled *Main Estimates 2019-20: Vote 1 under Library of Parliament*, tabled in the Senate on May 30, 2019.

Hon. Lucie Moncion moved the adoption of the report.

She said: Honourable senators, before discussing the Main Estimates of the Library of Parliament, I would like to share with you the work that was accomplished over the past year. We hear very little about the challenges of operating the Library of Parliament and so I'd like to give you a brief update, which will help you better understand the operations of this institution that is so important to the work of Parliament.

• (2030)

Over the past year, the Library of Parliament had to move out of Centre Block and relocate its operations to several different locations: the renovated branch at 125 Sparks Street; Confederation Building; here, at the Senate of Canada, on the second floor of the section next to the dining hall; and, finally, in West Block. Together with the branch located at 180 Wellington Street, there are five locations to serve us in the Parliamentary Precinct. The building located at 45 Sacré-Coeur, in Gatineau, has been renovated and now houses the rare books collection. It features greater storage and improved work spaces.

When Centre Block was closed, the Library of Parliament had to adjust how it served Parliamentarians and how it provided tours of West Block and the Senate building. Senators will recall that the parliamentary gift shop moved and is now located in the new Visitor Welcome Centre. I encourage you to go take a look. You can see the new facilities and get an idea of what our future facilities will look like, since Centre Block's set-up will be similar.

In cooperation with the National Film Board, the Library of Parliament is working on a project to provide virtual access to Centre Block during the years it is under renovation. The technical development of the virtual reality environment is complete. Immersive virtual reality, or VR, online 2D experiences and a national mobile classroom program will be launched this fall.

The Library of Parliament is fine tuning its priorities for the 2019-20 fiscal year and has developed a work plan with the Standing Joint Committee on the Library of Parliament. The library provides services including customized research, training for staff, public outreach and access to the collections and to all services offered at the branches.

To carry out its activities and priorities for 2019-20, the Library of Parliament is requesting $49,952,016 in funding through the Main Estimates. Approximately $34 million will go to salaries, $5 million to the employee benefit plans and $10 million to goods and services.

The Library of Parliament can count on the services of over 630 employees who work in areas related to parliamentary committees, research, customer service, activities related to guided tours and the ambassador program. Under the leadership of Heather Lank, whom we all know very well and who is supported by an excellent team of staff, the Library of Parliament offers a wide range of services to its personnel who support us in all of our work. We are very well served, and we owe them our very sincere thanks.

On that, Mr. Speaker, honourable senators, I move the adoption of this report and of the Main Estimates for the Library of Parliament for the 2019-20 fiscal year.

Thank you for your attention.

Hon. Senators: Hear, hear!

(On motion of Senator Martin, debate adjourned.)

(*At 8:34 p.m., the Senate was continued until tomorrow at 2 p.m.*)

THE SPEAKER

The Honourable George J. Furey

THE GOVERNMENT REPRESENTATIVE IN THE SENATE

The Honourable Peter Harder, P.C.

THE LEADER OF THE OPPOSITION

The Honourable Larry W. Smith

THE LEADER OF THE SENATE LIBERALS

The Honourable Joseph A. Day

FACILITATOR OF THE INDEPENDENT SENATORS GROUP

The Honourable Yuen Pau Woo

OFFICERS OF THE SENATE

INTERIM CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS

Richard Denis

LAW CLERK AND PARLIAMENTARY COUNSEL

Philippe Hallée

USHER OF THE BLACK ROD

J. Greg Peters

THE MINISTRY

(In order of precedence)

(June 1, 2019)

The Right Hon. Justin P. J. Trudeau	Prime Minister
The Hon. Ralph Goodale	Minister of Public Safety and Emergency Preparedness
The Hon. Lawrence MacAulay	Minister of Veterans Affairs Associate Minister of National Defence
The Hon. Carolyn Bennett	Minister of Crown-Indigenous Relations
The Hon. Dominic LeBlanc	Minister of Intergovernmental Affairs and Northern Affairs and Internal Trade
The Hon. Navdeep Bains	Minister of Innovation, Science and Economic Development
The Hon. Bill Morneau	Minister of Finance
The Hon. Chrystia Freeland	Minister of Foreign Affairs
The Hon. Jean-Yves Duclos	Minister of Families, Children and Social Development
The Hon. Marc Garneau	Minister of Transport
The Hon. Marie-Claude Bibeau	Minister of Agriculture and Agri-Food
The Hon. Jim Carr	Minister of International Trade Diversification
The Hon. Mélanie Joly	Minister of Tourism, Official Languages and La Francophonie
The Hon. Diane Lebouthillier	Minister of National Revenue
The Hon. Catherine McKenna	Minister of Environment and Climate Change
The Hon. Harjit S. Sajjan	Minister of National Defence
The Hon. Amarjeet Sohi	Minister of Natural Resources
The Hon. Maryam Monsef	Minister for Women and Gender Equality Minister of International Development
The Hon. Carla Qualtrough	Minister of Public Services and Procurement Minister of Accessibility
The Hon. Kirsty Duncan	Minister of Science and Sport
The Hon. Patty Hajdu	Minister of Employment, Workforce Development and Labour
The Hon. Bardish Chagger	Leader of the Government in the House of Commons
The Hon. François-Philippe Champagne	Minister of Infrastructure and Communities
The Hon. Karina Gould	Minister of Democratic Institutions
The Hon. Ahmed Hussen	Minister of Immigration, Refugees and Citizenship
The Hon. Ginette Petitpas Taylor	Minister of Health
The Hon. Seamus O'Regan	Minister of Indigenous Services
The Hon. Pablo Rodriguez	Minister of Canadian Heritage and Multiculturalism
The Hon. Bill Blair	Minister of Border Security and Organized Crime Reduction
The Hon. Mary Ng	Minister of Small Business and Export Promotion
The Hon. Filomena Tassi	Minister of Seniors
The Hon. Jonathan Wilkinson	Minister of Fisheries, Oceans and the Canadian Coast Guard
The Hon. David Lametti	Minister of Justice Attorney General of Canada
The Hon. Bernadette Jordan	Minister of Rural Economic Development
The Hon. Joyce Murray	President of the Treasury Board Minister of Digital Government

SENATORS OF CANADA

ACCORDING TO SENIORITY

(June 1, 2019)

Senator	Designation	Post Office Address
The Honourable		
A. Raynell Andreychuk	Saskatchewan	Regina, Sask.
David Tkachuk	Saskatchewan	Saskatoon, Sask.
Serge Joyal, P.C.	Kennebec	Montreal, Que.
George J. Furey, *Speaker*	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Jane Cordy	Nova Scotia	Dartmouth, N.S.
Mobina S. B. Jaffer	British Columbia	North Vancouver, B.C.
Joseph A. Day	Saint John-Kennebecasis, New Brunswick	Hampton, N.B.
Pierrette Ringuette	New Brunswick	Edmundston, N.B.
Percy E. Downe	Charlottetown	Charlottetown, P.E.I.
Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire, Que.
Terry M. Mercer	Northend Halifax	Caribou River, N.S.
Jim Munson	Ottawa/Rideau Canal	Ottawa, Ont.
Grant Mitchell	Alberta	Edmonton, Alta.
Elaine McCoy	Alberta	Calgary, Alta.
Lillian Eva Dyck	Saskatchewan	Saskatoon, Sask.
Larry W. Campbell	British Columbia	Vancouver, B.C.
Dennis Dawson	Lauzon	Sainte-Foy, Que.
Sandra M. Lovelace Nicholas	New Brunswick	Tobique First Nations, N.B.
Stephen Greene	Halifax - The Citadel	Halifax, N.S.
Michael L. MacDonald	Cape Breton	Dartmouth, N.S.
Michael Duffy	Prince Edward Island	Cavendish, P.E.I.
Percy Mockler	New Brunswick	St. Leonard, N.B.
Nicole Eaton	Ontario	Caledon, Ont.
Pamela Wallin	Saskatchewan	Wadena, Sask.
Yonah Martin	British Columbia	Vancouver, B.C.
Richard Neufeld	British Columbia	Fort St. John, B.C.
Patrick Brazeau	Repentigny	Maniwaki, Que.
Leo Housakos	Wellington	Laval, Que.
Donald Neil Plett	Landmark	Landmark, Man.
Linda Frum	Ontario	Toronto, Ont.
Claude Carignan, P.C.	Mille Isles	Saint-Eustache, Que.
Jacques Demers	Rigaud	Hudson, Que.
Carolyn Stewart Olsen	New Brunswick	Sackville, N.B.
Dennis Glen Patterson	Nunavut	Iqaluit, Nunavut
Elizabeth Marshall	Newfoundland and Labrador	Paradise, Nfld. & Lab.
Pierre-Hugues Boisvenu	La Salle	Sherbrooke, Que.
Judith G. Seidman	De la Durantaye	Saint-Raphaël, Que.
Rose-May Poirier	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent, N.B.
Salma Ataullahjan	Ontario (Toronto)	Toronto, Ont.
Fabian Manning	Newfoundland and Labrador	St. Bride's, Nfld. & Lab.
Larry W. Smith	Saurel	Hudson, Que.
Josée Verner, P.C.	Montarville	Saint-Augustin-de-Desmaures, Que.
Norman E. Doyle	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Jean-Guy Dagenais	Victoria	Blainville, Que.
Vernon White	Ontario	Ottawa, Ont.
Paul E. McIntyre	New Brunswick	Charlo, N.B.
Thomas J. McInnis	Nova Scotia	Sheet Harbour, N.S.
Thanh Hai Ngo	Ontario	Orleans, Ont.
Diane Bellemare	Alma	Outremont, Que.
Douglas Black	Alberta	Canmore, Alta.
David M. Wells	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Lynn Beyak	Ontario	Dryden, Ont.
Victor Oh	Mississauga	Mississauga, Ont.
Denise Batters	Saskatchewan	Regina, Sask.
Scott Tannas	Alberta	High River, Alta.
Peter Harder, P.C.	Ottawa	Manotick, Ont.
Raymonde Gagné	Manitoba	Winnipeg, Man.
Frances Lankin, P.C.	Ontario	Restoule, Ont.
Ratna Omidvar	Ontario	Toronto, Ont.

Senator	Designation	Post Office Address
Chantal Petitclerc	Grandville	Montreal, Que.
André Pratte	De Salaberry	Saint-Lambert, Que.
Murray Sinclair	Manitoba	Winnipeg, Man.
Yuen Pau Woo	British Columbia	North Vancouver, B.C.
Patricia Bovey	Manitoba	Winnipeg, Man.
René Cormier	New Brunswick	Caraquet, N.B.
Nancy J. Hartling	New Brunswick	Riverview, N.B.
Kim Pate	Ontario	Ottawa, Ont.
Tony Dean	Ontario	Toronto, Ont.
Diane F. Griffin	Prince Edward Island	Stratford, P.E.I.
Wanda Elaine Thomas Bernard	Nova Scotia (East Preston)	East Preston, N.S.
Sabi Marwah	Ontario	Toronto, Ont.
Howard Wetston	Ontario	Toronto, Ont.
Lucie Moncion	Ontario	North Bay, Ont.
Renée Dupuis	The Laurentides	Sainte-Pétronille, Que.
Marilou McPhedran	Manitoba	Winnipeg, Man.
Gwen Boniface	Ontario	Orillia, Ont.
Éric Forest	Gulf	Rimouski, Que.
Marc Gold	Stadacona	Westmount, Que.
Marie-Françoise Mégie	Rougemont	Montreal, Que.
Raymonde Saint-Germain	De la Vallière	Quebec City, Que.
Dan Christmas	Nova Scotia	Membertou, N.S.
Rosa Galvez	Bedford	Lévis, Que.
David Richards	New Brunswick	Fredericton, N.B.
Mary Coyle	Nova Scotia	Antigonish, N.S.
Mary Jane McCallum	Manitoba	Winnipeg, Man.
Robert Black	Ontario	Centre Wellington, Ont.
Marty Deacon	Waterloo Region	Waterloo, Ont.
Yvonne Boyer	Ontario	Merrickville-Wolford, Ont.
Mohamed-Iqbal Ravalia	Newfoundland and Labrador	Twillingate, Nfld. & Lab.
Pierre J. Dalphond	De Lorimier	Montreal, Que.
Donna Dasko	Ontario	Toronto, Ont.
Colin Deacon	Nova Scotia	Halifax, N.S.
Julie Miville-Dechêne	Inkerman	Mont-Royal, Que.
Bev Busson	British Columbia	North Okanagan Region, B.C.
Marty Klyne	Saskatchewan	White City, Sask.
Patti LaBoucane-Benson	Alberta	Spruce Grove, Alta.
Paula Simons	Alberta	Edmonton, Alta.
Peter M. Boehm	Ontario	Ottawa, Ont.
Josée Forest-Niesing	Ontario	Sudbury, Ont.
Brian Francis	Prince Edward Island	Rocky Point, P.E.I.
Margaret Dawn Anderson	Northwest Territories	Yellowknife, N.W.T.
Pat Duncan	Yukon	Whitehorse, Yukon
Rosemary Moodie	Ontario	Toronto, Ont.
Stan Kutcher	Nova Scotia	Halifax, N.S.

SENATORS OF CANADA

ALPHABETICAL LIST

(June 1, 2019)

Senator	Designation	Post Office Address	Political Affiliation
The Honourable			
Anderson, Margaret Dawn	Northwest Territories	Yellowknife, N.W.T.	Independent Senators Group
Andreychuk, A. Raynell	Saskatchewan	Regina, Sask.	Conservative
Ataullahjan, Salma	Ontario (Toronto)	Toronto, Ont.	Conservative
Batters, Denise	Saskatchewan	Regina, Sask.	Conservative
Bellemare, Diane	Alma	Outremont, Que.	Independent
Bernard, Wanda Elaine Thomas	Nova Scotia (East Preston)	East Preston, N.S.	Independent Senators Group
Beyak, Lynn	Ontario	Dryden, Ont.	Independent
Black, Douglas	Alberta	Canmore, Alta.	Independent Senators Group
Black, Robert	Ontario	Centre Wellington, Ont.	Independent Senators Group
Boehm, Peter M.	Ontario	Ottawa, Ont.	Independent Senators Group
Boisvenu, Pierre-Hugues	La Salle	Sherbrooke, Que.	Conservative
Boniface, Gwen	Ontario	Orillia, Ont.	Independent Senators Group
Bovey, Patricia	Manitoba	Winnipeg, Man.	Independent Senators Group
Boyer, Yvonne	Ontario	Merrickville-Wolford, Ont.	Independent Senators Group
Brazeau, Patrick	Repentigny	Maniwaki, Que.	Independent Senators Group
Busson, Bev	British Columbia	North Okanagan Region, B.C.	Independent Senators Group
Campbell, Larry W.	British Columbia	Vancouver, B.C.	Independent Senators Group
Carignan, Claude, P.C.	Mille Isles	Saint-Eustache, Que.	Conservative
Christmas, Dan	Nova Scotia	Membertou, N.S.	Independent Senators Group
Cordy, Jane	Nova Scotia	Dartmouth, N.S.	Liberal
Cormier, René	New Brunswick	Caraquet, N.B.	Independent Senators Group
Coyle, Mary	Nova Scotia	Antigonish, N.S.	Independent Senators Group
Dagenais, Jean-Guy	Victoria	Blainville, Que.	Conservative
Dalphond, Pierre J.	De Lorimier	Montreal, Que.	Independent Senators Group
Dasko, Donna	Ontario	Toronto, Ont.	Independent Senators Group
Dawson, Dennis	Lauzon	Ste-Foy, Que.	Liberal
Day, Joseph A.	Saint John-Kennebecasis, New Brunswick	Hampton, N.B.	Liberal
Deacon, Colin	Nova Scotia	Halifax, N.S.	Independent Senators Group
Deacon, Marty	Waterloo Region	Waterloo, Ont.	Independent Senators Group
Dean, Tony	Ontario	Toronto, Ont.	Independent Senators Group
Demers, Jacques	Rigaud	Hudson, Que.	Independent Senators Group
Downe, Percy E.	Charlottetown	Charlottetown, P.E.I.	Liberal
Doyle, Norman E.	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Conservative
Duffy, Michael	Prince Edward Island	Cavendish, P.E.I.	Independent Senators Group
Duncan, Pat	Yukon	Whitehorse, Yukon	Independent Senators Group
Dupuis, Renée	The Laurentides	Sainte-Pétronille, Que.	Independent Senators Group
Dyck, Lillian Eva	Saskatchewan	Saskatoon, Sask.	Liberal
Eaton, Nicole	Ontario	Caledon, Ont.	Conservative
Forest, Éric	Gulf	Rimouski, Que.	Independent Senators Group
Forest-Niesing, Josée	Ontario	Sudbury, Ont.	Independent Senators Group
Francis, Brian	Prince Edward Island	Rocky Point, P.E.I.	Independent Senators Group
Frum, Linda	Ontario	Toronto, Ont.	Conservative
Furey, George J., *Speaker*	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Independent
Gagné, Raymonde	Manitoba	Winnipeg, Man.	Independent Senators Group
Galvez, Rosa	Bedford	Lévis, Que.	Independent Senators Group
Gold, Marc	Stadacona	Westmount, Que.	Independent Senators Group
Greene, Stephen	Halifax - The Citadel	Halifax, N.S.	Independent Senators Group
Griffin, Diane	Prince Edward Island	Stratford, P.E.I.	Independent Senators Group
Harder, Peter, P.C.	Ottawa	Manotick, Ont.	Independent
Hartling, Nancy J.	New Brunswick	Riverview, N.B.	Independent Senators Group
Housakos, Leo	Wellington	Laval, Que.	Conservative
Jaffer, Mobina S. B.	British Columbia	North Vancouver, B.C.	Non-affiliated
Joyal, Serge, P.C.	Kennebec	Montreal, Que.	Liberal
Klyne, Marty	Saskatchewan	White City, Sask.	Independent Senators Group
Kutcher, Stan	Nova Scotia	Halifax, N.S.	Independent Senators Group
LaBoucane-Benson, Patti	Alberta	Spruce Grove, Alta.	Independent Senators Group
Lankin, Frances	Ontario	Restoule, Ont.	Independent Senators Group

Senator	Designation	Post Office Address	Political Affiliation
Lovelace Nicholas, Sandra M.	New Brunswick	Tobique First Nations, N.B.	Liberal
MacDonald, Michael L.	Cape Breton	Dartmouth, N.S.	Conservative
Manning, Fabian	Newfoundland and Labrador	St. Bride's, Nfld. & Lab.	Conservative
Marshall, Elizabeth	Newfoundland and Labrador	Paradise, Nfld. & Lab	Conservative
Martin, Yonah	British Columbia	Vancouver, B.C.	Conservative
Marwah, Sabi	Ontario	Toronto, Ont.	Independent Senators Group
Massicotte, Paul J.	De Lanaudière	Mont-Saint-Hilaire, Que.	Independent Senators Group
McCallum, Mary Jane	Manitoba	Winnipeg, Man.	Independent Senators Group
McCoy, Elaine	Alberta	Calgary, Alta.	Independent Senators Group
McInnis, Thomas J.	Nova Scotia	Sheet Harbour, N.S.	Conservative
McIntyre, Paul E.	New Brunswick	Charlo, N.B.	Conservative
McPhedran, Marilou	Manitoba	Winnipeg, Man.	Independent Senators Group
Mégie, Marie-Françoise	Rougemont	Montreal, Que.	Independent Senators Group
Mercer, Terry M.	Northend Halifax	Caribou River, N.S.	Liberal
Mitchell, Grant	Alberta	Edmonton, Alta.	Independent
Miville-Dechêne, Julie	Inkerman	Mont-Royal, Que.	Independent Senators Group
Mockler, Percy	New Brunswick	St. Leonard, N.B.	Conservative
Moncion, Lucie	Ontario	North Bay, Ont.	Independent Senators Group
Moodie, Rosemary	Ontario	Toronto, Ont.	Independent Senators Group
Munson, Jim	Ottawa/Rideau Canal	Ottawa, Ont.	Liberal
Neufeld, Richard	British Columbia	Fort St. John, B.C.	Conservative
Ngo, Thanh Hai	Ontario	Orleans, Ont.	Conservative
Oh, Victor	Mississauga	Mississauga, Ont.	Conservative
Omidvar, Ratna	Ontario	Toronto, Ont.	Independent Senators Group
Pate, Kim	Ontario	Ottawa, Ont.	Independent Senators Group
Patterson, Dennis Glen	Nunavut	Iqaluit, Nunavut	Conservative
Petitclerc, Chantal	Grandville	Montreal, Que.	Independent Senators Group
Plett, Donald Neil	Landmark	Landmark, Man.	Conservative
Poirier, Rose-May	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent, N.B.	Conservative
Pratte, André	De Salaberry	Saint-Lambert, Que.	Independent Senators Group
Ravalia, Mohamed-Iqbal	Newfoundland and Labrador	Twillingate, Nfld. & Lab.	Independent Senators Group
Richards, David	New Brunswick	Fredericton, N.B.	Independent
Ringuette, Pierrette	New Brunswick	Edmundston, N.B.	Independent Senators Group
Saint-Germain, Raymonde	De la Vallière	Quebec City, Que.	Independent Senators Group
Seidman, Judith G.	De la Durantaye	Saint-Raphaël, Que.	Conservative
Simons, Paula	Alberta	Edmonton, Alta.	Independent Senators Group
Sinclair, Murray	Manitoba	Winnipeg, Man.	Independent Senators Group
Smith, Larry W.	Saurel	Hudson, Que.	Conservative
Stewart Olsen, Carolyn	New Brunswick	Sackville, N.B.	Conservative
Tannas, Scott	Alberta	High River, Alta.	Conservative
Tkachuk, David	Saskatchewan	Saskatoon, Sask.	Conservative
Verner, Josée, P.C.	Montarville	Saint-Augustin-de-Desmaures, Que.	Independent Senators Group
Wallin, Pamela	Saskatchewan	Wadena, Sask.	Independent Senators Group
Wells, David M.	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Conservative
Wetston, Howard	Ontario	Toronto, Ont.	Independent Senators Group
White, Vernon	Ontario	Ottawa, Ont.	Conservative
Woo, Yuen Pau	British Columbia	North Vancouver, B.C.	Independent Senators Group

SENATORS OF CANADA

BY PROVINCE AND TERRITORY

(June 1, 2019)

ONTARIO—24

	Senator	Designation	Post Office Address
	The Honourable		
1	Jim Munson	Ottawa/Rideau Canal	Ottawa
2	Nicole Eaton	Ontario	Caledon
3	Linda Frum	Ontario	Toronto
4	Salma Ataullahjan	Ontario (Toronto)	Toronto
5	Vernon White	Ontario	Ottawa
6	Thanh Hai Ngo	Ontario	Orleans
7	Lynn Beyak	Ontario	Dryden
8	Victor Oh	Mississauga	Mississauga
9	Peter Harder, P.C.	Ottawa	Manotick
10	Frances Lankin, P.C.	Ontario	Restoule
11	Ratna Omidvar	Ontario	Toronto
12	Kim Pate	Ontario	Ottawa
13	Tony Dean	Ontario	Toronto
14	Sabi Marwah	Ontario	Toronto
15	Howard Wetston	Ontario	Toronto
16	Lucie Moncion	Ontario	North Bay
17	Gwen Boniface	Ontario	Orillia
18	Robert Black	Ontario	Centre Wellington
19	Marty Deacon	Waterloo Region	Waterloo
20	Yvonne Boyer	Ontario	Merrickville-Wolford
21	Donna Dasko	Ontario	Toronto
22	Peter M. Boehm	Ontario	Ottawa
23	Josée Forest-Niesing	Ontario	Sudbury
24	Rosemary Moodie	Ontario	Toronto

QUEBEC—24

	Senator	Designation	Post Office Address
	The Honourable		
1	Serge Joyal, P.C.	Kennebec	Montreal
2	Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire
3	Dennis Dawson	Lauzon	Ste-Foy
4	Patrick Brazeau	Repentigny	Maniwaki
5	Leo Housakos	Wellington	Laval
6	Claude Carignan, P.C.	Mille Isles	Saint-Eustache
7	Jacques Demers	Rigaud	Hudson
8	Judith G. Seidman	De la Durantaye	Saint-Raphaël
9	Pierre-Hugues Boisvenu	La Salle	Sherbrooke
10	Larry W. Smith	Saurel	Hudson
11	Josée Verner, P.C.	Montarville	Saint-Augustin-de-Desmaures
12	Jean-Guy Dagenais	Victoria	Blainville
13	Diane Bellemare	Alma	Outremont
14	Chantal Petitclerc	Grandville	Montreal
15	André Pratte	De Salaberry	Saint-Lambert
16	Renée Dupuis	The Laurentides	Sainte-Pétronille
17	Éric Forest	Gulf	Rimouski
18	Marc Gold	Stadacona	Westmount
19	Marie-Françoise Mégie	Rougemont	Montreal
20	Raymonde Saint-Germain	De la Vallière	Quebec City
21	Rosa Galvez	Bedford	Lévis
22	Pierre J. Dalphond	De Lorimier	Montreal
23	Julie Miville-Dechêne	Inkerman	Mont-Royal
24			

NOVA SCOTIA—10

	Senator	Designation	Post Office Address
	The Honourable		
1	Jane Cordy	Nova Scotia	Dartmouth
2	Terry M. Mercer	Northend Halifax	Caribou River
3	Stephen Greene	Halifax - The Citadel	Halifax
4	Michael L. MacDonald	Cape Breton	Dartmouth
5	Thomas J. McInnis	Nova Scotia	Sheet Harbour
6	Wanda Elaine Thomas Bernard	Nova Scotia (East Preston)	East Preston
7	Dan Christmas	Nova Scotia	Membertou
8	Mary Coyle	Nova Scotia	Antigonish
9	Colin Deacon	Nova Scotia	Halifax
10	Stan Kutcher	Nova Scotia	Halifax

NEW BRUNSWICK—10

	Senator	Designation	Post Office Address
	The Honourable		
1	Joseph A. Day	Saint John-Kennebecasis, New Brunswick	Hampton
2	Pierrette Ringuette	New Brunswick	Edmundston
3	Sandra M. Lovelace Nicholas	New Brunswick	Tobique First Nations
4	Percy Mockler	New Brunswick	St. Leonard
5	Carolyn Stewart Olsen	New Brunswick	Sackville
6	Rose-May Poirier	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent
7	Paul E. McIntyre	New Brunswick	Charlo
8	René Cormier	New Brunswick	Caraquet
9	Nancy J. Hartling	New Brunswick	Riverview
10	David Richards	New Brunswick	Fredericton

PRINCE EDWARD ISLAND—4

	Senator	Designation	Post Office Address
	The Honourable		
1	Percy E. Downe	Charlottetown	Charlottetown
2	Michael Duffy	Prince Edward Island	Cavendish
3	Diane F. Griffin	Prince Edward Island	Stratford
4	Brian Francis	Prince Edward Island	Rocky Point

MANITOBA—6

	Senator	Designation	Post Office Address
	The Honourable		
1	Donald Neil Plett	Landmark	Landmark
2	Raymonde Gagné	Manitoba	Winnipeg
3	Murray Sinclair	Manitoba	Winnipeg
4	Patricia Bovey	Manitoba	Winnipeg
5	Marilou McPhedran	Manitoba	Winnipeg
6	Mary Jane McCallum	Manitoba	Winnipeg

BRITISH COLUMBIA—6

	Senator	Designation	Post Office Address
	The Honourable		
1	Mobina S. B. Jaffer	British Columbia	North Vancouver
2	Larry W. Campbell	British Columbia	Vancouver
3	Yonah Martin	British Columbia	Vancouver
4	Richard Neufeld	British Columbia	Fort St. John
5	Yuen Pau Woo	British Columbia	North Vancouver
6	Bev Busson	British Columbia	North Okanagan Region

SASKATCHEWAN—6

	Senator	Designation	Post Office Address
	The Honourable		
1	A. Raynell Andreychuk	Saskatchewan	Regina
2	David Tkachuk	Saskatchewan	Saskatoon
3	Lillian Eva Dyck	Saskatchewan	Saskatoon
4	Pamela Wallin	Saskatchewan	Wadena
5	Denise Batters	Saskatchewan	Regina
6	Marty Klyne	Saskatchewan	White City

ALBERTA—6

	Senator	Designation	Post Office Address
	The Honourable		
1	Grant Mitchell	Alberta	Edmonton
2	Elaine McCoy	Alberta	Calgary
3	Douglas Black	Alberta	Canmore
4	Scott Tannas	Alberta	High River
5	Patti LaBoucane-Benson	Alberta	Spruce Grove
6	Paula Simons	Alberta	Edmonton

NEWFOUNDLAND AND LABRADOR—6

	Senator	Designation	Post Office Address
	The Honourable		
1	George J. Furey, *Speaker*	Newfoundland and Labrador	St. John's
2	Elizabeth Marshall	Newfoundland and Labrador	Paradise
3	Fabian Manning	Newfoundland and Labrador	St. Bride's
4	Norman E. Doyle	Newfoundland and Labrador	St. John's
5	David M. Wells	Newfoundland and Labrador	St. John's
6	Mohamed-Iqbal Ravalia	Newfoundland and Labrador	Twillingate

NORTHWEST TERRITORIES—1

	Senator	Designation	Post Office Address
	The Honourable		
1	Margaret Dawn Anderson	Northwest Territories	Yellowknife

NUNAVUT—1

	Senator	Designation	Post Office Address
	The Honourable		
1	Dennis Glen Patterson	Nunavut	Iqaluit

YUKON—1

	Senator	Designation	Post Office Address
	The Honourable		
1	Pat Duncan	Yukon	Whitehorse

CONTENTS

Monday, June 3, 2019