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Tuesday, November 17, 2020

The Honourable GEORGE J. FUREY,
Speaker

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THE SENATE

Tuesday, November 17, 2020

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

Prayers.

SENATORS' STATEMENTS

THE HONOURABLE NORMAN E. DOYLE

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, on Remembrance Day, our colleague Senator Norman Doyle took his retirement after over three decades of provincial and federal public service. He has proudly represented Newfoundland and Labrador here in the Senate of Canada for almost nine years. Senator Doyle has been a loyal, courteous and thoughtful colleague, and I know he will be missed by honourable senators on all sides of this chamber.

Norman Doyle grew up in Avondale and was raised primarily by his mother. Her lessons of faith, resilience and courage have served our former colleague well his entire life. As a young man, Norm Doyle travelled to New York City working as an ironworker on the World Trade Center site. It was not long, however, before he found his true calling in politics, first winning election to the Newfoundland and Labrador House of Assembly in 1979. He spent almost 13 years in provincial politics and held several cabinet portfolios in Brian Peckford's government, most notably as minister for transportation and minister for municipal affairs.

He then went on to federal politics and, for over a decade, Norm Doyle represented the people of St. John's East in the House of Commons, winning four consecutive elections. While a member of the other place, Norm served in the important roles of caucus chair under both the Progressive Conservative Party and the Conservative Party of Canada. He chaired the Standing Committee on Citizenship and Immigration. When he retired from the House of Commons in 2008, he thought he was done with political life for good. Four years later, however, he returned to Parliament Hill following his appointment to the Senate of Canada on the recommendation of the Right Honourable Stephen Harper. Since then, Senator Doyle has been a member of almost every standing committee that one can think of.

Honourable senators, in his first speech as a member of Parliament in 1997, our former colleague spoke of wanting to make a contribution to his province and his country while also recognizing that one has to make a lot of sacrifices to be in public life. He stated:

However, I do know that the sacrifice is worth making if one wants to live in the greatest nation on earth. The privilege which we in this country have is to live in the greatest nation on earth.

Senator Doyle served Canada honourably for over 30 years and we are sad to see him go. On behalf of the entire Conservative caucus and on behalf of all honourable senators, I wish Senator

Doyle and his wife Isabelle, their sons Deon and Randy, and their grandchildren all the very best as he begins his next chapter of life. May Senator Doyle enjoy a long, happy and healthy retirement.

Hon. Senators: Hear, hear!

PEN INTERNATIONAL—DAY OF THE IMPRISONED WRITER

Hon. Paula Simons: Honourable senators, I rise today to mark the PEN International Day of the Imprisoned Writer, which took place Sunday, November 15.

This annual event calls upon all of us who value freedom of the press and freedom of artistic expression to speak out in support of writers and journalists around the world who are being held as political prisoners, or who are under threat of arrest because of their words. This year, PEN asks us to pay urgent attention to the cases of five brave, remarkable writers who are in prison or under threat of imprisonment.

Chimengül Awut is an award-winning Uighur poet and editor from Kashgar. She has been held without any contact for two years in a re-education camp in China. Her crime? Editing a Uighur-language novel.

Osman Kavala is a publisher and cultural rights activist in Turkey, who has been imprisoned in Istanbul since 2017. He was acquitted of his original trumped-up charges in February of 2020, but he is now facing a new trial for the crime of threatening the constitutional order.

Kakwenza Rukirabashaija is a novelist from Uganda who has been the subject of arbitrary arrest and torture. He was released temporarily in September under a peace bond, but PEN reports that he and his family are under constant surveillance by Ugandan state security agents.

Paola Ugaz is a Peruvian investigative journalist and author who has been the subject of a campaign of legal and social media harassment because of her in-depth investigations of corruption and sexual abuse within powerful Catholic organizations in Peru. She is currently facing trial for the crime of aggravated defamation, which carries a three-year prison sentence.

Sedigh Vasmaghi is a poet and theologian from Iran. This August, she was convicted of the crime of signing a petition criticizing police brutality. A subject of harassment and surveillance in Iran for years, she now faces a six-year sentence.

• (1410)

In an open letter, Vasmaghi wrote:

You can imprison my body, but never my conscience!

I protest against the government that wants to deprive us of humanity and turn it into indifferent and silent statues.

Vashmaghi addressed her letter to Iranian authorities, but I think she speaks for all the courageous writers I honour today.

We cannot be indifferent and silent statues. We need to acknowledge the humanity of these writers and join with PEN International in calling for their liberation. Journalists and writers around the world are under threat today. The act of telling the truth itself has become dangerous, so we need our truth tellers more than ever.

Let's honour the courage of those who risk everything to tell us the stories we need to hear and stand united in support of writers who need our voices when they cannot speak freely for themselves.

Thank you, *hiy hiy*.

IN THEIR OWN WORDS: PRINCE EDWARD ISLAND'S FAMOUS FIVE

Hon. Diane F. Griffin: Honourable senators, today I would like to mark the recent release of a new book entitled *In their Own Words: Prince Edward Island's Famous Five*. This is the compelling story of five women leaders, their path to Province House and their place in Prince Edward Island's political history.

This book details how, in 1993, women held five of the most influential positions of government in the Province of Prince Edward Island. The Honourable Catherine Callbeck was the Premier; the Honourable Marion Reid was Lieutenant-Governor; the Honourable Patricia Mella was the Leader of the Opposition; the Honourable Nancy Guptill was the Speaker of the Legislative Assembly and the Honourable Elizabeth Hubley was the Deputy Speaker. It was the first and only time in Canadian history that five women held these positions at the same time.

Some colleagues in the chamber know, having served with Senators Callbeck and Hubley, that they were ultimately named to the Senate on the advice of Prime Minister Jean Chrétien. Both are now retired.

As the Honourable Natalie Jameson, the Prince Edward Island Minister responsible for the Status of Women, said:

Through their hard work, grit, tenacity, never-quit attitude, and willingness to step out of their comfort zones, these five women forged a path in politics that has allowed women such as myself to step forward and lead.

Personally, I am profoundly grateful that these stories will be accessible to a new generation in Prince Edward Island, and I hope their example is an inspiration for leaders to come. As part of this effort, the book will be distributed to all female Grade 7 students throughout the province.

These "famous five" are folks I have the privilege of knowing. One is deceased, but the others are still making contributions to the community in various ways. Through this book, I will continue to treasure their wisdom and advice.

Thank you.

Hon. Senators: Hear, hear.

DIABETES AWARENESS

Hon. Patricia Bovey: Honourable senators, I would like to send my condolences to all who have lost loved ones and friends to COVID-19 and to the more than 300,000 Canadians who have had the virus.

The toll is huge in ways that were previously unimaginable. During the pandemic, other diseases have not stopped. Canadians continue to receive stressful diagnoses of cancer, heart disease and other conditions, including diabetes, which affects many families — some in this chamber.

November is Diabetes Awareness Month, and November 14 was World Diabetes Day. There is much work to be done on this disease.

In the April pandemic surge, my nine-year-old granddaughter was suddenly hit with Type-1 diabetes. It is a shock to learn that one's own is affected. As you know, my children and grandchildren live in the U.K., and it was impossible for me to go, however much I wanted to. COVID was rampant. My son-in-law rushed her to the hospital and stayed with her through her eight-day sojourn. My daughter was not allowed to enter the hospital at all, despite the fact that my granddaughter had some critical times.

In 1921, almost 100 years ago, Canadian doctors Best and Banting discovered insulin, thereby saving millions of lives globally. I thank Canada's national and provincial diabetes associations, and their leaders and volunteers everywhere for their work; the Juvenile Diabetes Research Foundation; the doctors and researchers for their untiring dedication; and all the nurses, psychologists, nutritionists and others who work daily with patients and families.

This diagnosis seriously challenges family routines, especially in the middle of a national lockdown.

We know Type-1 diabetics do not survive for more than two days without insulin. We also know that Type-1 and Type-2 diabetes are different diseases. We still do not know the cause of Type-1 diabetes, nor do we have a cure. Science has found ways to delay its onset for a couple of years in some instances.

The treatments with different insulins, new pumps and glucose monitors that send readings to one's phone are great advances, but the need for continued and increased research funding is paramount. So, too, is equal access for those who require the monitoring equipment, pumps and specific types of insulin.

As we approach this centenary, we need a nationwide strategy for both Type-1 and Type-2 diabetes. I am dedicated to new medical advances and supporting families who face the dramatic

shifts in daily life that such a diagnosis brings. Hearing my nine-year-old Zoe pine for “life the way it used to be” tears at my heartstrings. But she was pleased to learn that Canadian children are presented with the same Rufus, the Bear with Diabetes, she was given at King’s College Hospital in London.

Thank you.

VETERANS WEEK REMEMBRANCE DAY

Hon. Thanh Hai Ngo: Honourable senators, as we were not sitting last week, I rise today to pay tribute to all the brave Canadians who served and continue to serve. Our observance of Veterans’ Week and Remembrance Day is how we remember the fallen and show respect for all those still defending our freedom and the values we hold dear.

We can be proud of our noble legacy of fighting tyranny and oppression in some of the greatest global conflicts during World War I, World War II, the Gulf War, Afghanistan and Syria. We can also take great pride in our continued and significant role of upholding international peace and security through NATO and UN peacekeeping missions such as in the former Yugoslavia, Rwanda, Kosovo and Iraq.

Valuable contributions have also been made by our troops fighting for freedom and democracy in Asia, during the Korean War, in Hong Kong and particularly in my native country of Vietnam, where they played an important role — Canadians who died fighting and those contributing peacekeeping forces in 1973 to investigate compliance and uphold the provisions of the *Agreement on ending the war and restoring peace in Viet-Nam*, known as the Paris Peace Accords, to which we are a signatory. Canadians were key contributors, as one the four nations, along with Poland, Indonesia and Hungary, that formed the International Commission for Supervision and Control — Vietnam, struck under this agreement, mandated to monitor the enforcement of specific provisions of the Paris Peace Accords and to investigate ceasefire violations.

Canada was also one of the signatories of the Act of the International Conference on Viet-Nam, along with the U.S.A., South Vietnam, France, the U.K., Indonesia, Poland, Hungary, North Vietnam, the Provisional Revolutionary Government of South Vietnam, China and the USSR. The act established the commission’s rules of conduct and its reporting mechanisms.

Despite the invasion of South Vietnam by North Vietnam’s Communist forces in 1975 in violation of the Paris Peace Accords and the Act of the International Conference on Viet-Nam, I am proud of Canada’s valiant dedication and immeasurable efforts in trying to secure a lasting and just resolution to the conflict through peacekeeping, diplomacy and choosing to remain a participant for six months — well beyond the 60 days initially agreed upon.

To our Canadian troops, past and present, words fail to describe our inconceivable debt of gratitude for your service and sacrifice. For this, we are eternally grateful. Thank you.

Hon. Senators: Hear, hear.

THE INVISIBLE VISIBLE MINORITY

Hon. Mobina S. B. Jaffer: Honourable senators, I am so pleased and feel incredibly proud to be launching a project called *The Invisible Visible Minority*. Senators, you will have now received by email both the French and English versions of the animated whiteboard video. I will also be distributing an e-book to your offices shortly. The entire project can now also be viewed by Canadians online at mobinajaffer.ca/invisiblevisibleminority. Many Canadians are not sure what systemic racism is and how it impacts our collective communities. That is why, over the course of the summer, my staff and I have been working tirelessly to study systemic racism and its lived realities.

• (1420)

Honourable senators, all my life I have struggled to explain my reality as a racialized woman to people who are not racialized. It can be very easy to understand explicit bias, but systemic racism is deep-seated. My hope is that this project can serve as a tool to raise awareness about systemic racism and thus better enable our country to address the racial, social, political and economic injustices it breeds.

With respect, I encourage anyone who questions the truth of lifelong racism to review the statistics raised in the animation. For example, 50% of racialized Canadian people and families live in inadequate and unsuitable homes.

A study conducted by the Toronto District School Board showed that Black students accounted for 48% of total expulsions, despite representing only 20% of the population. Indigenous children were 0.3% of the student population, while accounting for 1% of expulsions. South Asian students were 4% of the population, and yet they accounted for 8% of all expulsions.

These lived realities are a reminder of our important role as legislators and our responsibility to represent the most marginalized Canadians. I can tell you, senators, I’m still learning about racism. There are all kinds of racism. I’m growing by learning from all of you, and I welcome and encourage all of you to reach out to us, to reach out and see how we can continue to work together to make sure Canadians of all walks have equal opportunities and feel they are part of our Canadian fabric.

Honourable senators, our role is to stand up for all Canadians. Let us work together to make sure we achieve this goal.

Hon. Senators: Hear, hear!

[Translation]

ROUTINE PROCEEDINGS

INCOME TAX ACT

BILL TO AMEND—FIRST REPORT OF NATIONAL FINANCE
COMMITTEE ON SUBJECT MATTER TABLED

Hon. Percy Mockler: Honourable senators, thank you for giving me the opportunity to table a report in the Senate of Canada during a hybrid sitting, the new parliamentary normal during the COVID-19 pandemic.

[English]

Honourable senators can rest assured that the Standing Senate Committee on National Finance will always continue to uphold and table reports that will reflect our motto: transparency, accountability, predictability and reliability.

Honourable senators, I have the honour to table, in both official languages, the first report of the Standing Senate Committee on National Finance, which deals with the subject matter of Bill C-9, An Act to amend the Income Tax Act (Canada Emergency Rent Subsidy and Canada Emergency Wage Subsidy) and I move that the report be placed on the Orders of the Day for consideration at the next sitting of the Senate.

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

THE SENATE

MOTION TO RESOLVE INTO COMMITTEE OF THE WHOLE TO
CONSIDER SUBJECT MATTER OF BILL C-9 ADOPTED

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I move:

That, notwithstanding any provisions of the Rules or usual practice:

1. the Senate resolve itself into a Committee of the Whole at 3 p.m. on Tuesday, November 17, 2020, to consider the subject matter of Bill C-9, An Act to amend the Income Tax Act (Canada Emergency Rent Subsidy and Canada Emergency Wage Subsidy), with any proceedings then before the Senate being interrupted until the end of Committee of the Whole, which shall last a maximum of 125 minutes;
2. if the bells are ringing for a vote at 3 p.m. on that day, they be interrupted for the Committee of the Whole at that time, and resume thereafter for the balance of any time remaining;

3. the Committee of the Whole on the subject matter of Bill C-9, receive the Honourable Chrystia Freeland, P.C., M.P., Deputy Prime Minister and Minister of Finance, accompanied by one official;
4. the witnesses' introductory remarks last a maximum total of five minutes; and
5. if a senator does not use the entire period of 10 minutes for debate provided under rule 12-32(3)(d), including the responses of the witnesses, that senator may yield the balance of time to another senator.

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

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[Translation]

INCOME TAX ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-9, An Act to amend the Income Tax Act (Canada Emergency Rent Subsidy and Canada Emergency Wage Subsidy).

(Bill read first time.)

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

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-6(1)(f), I move that the bill be placed on the Orders of the Day for second reading later this day.

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

Hon. Senators: Agreed.

(On motion of Senator Gold, bill placed on the Orders of the Day for second reading later this day.)

[English]

JANE GOODALL BILL

BILL TO AMEND—FIRST READING

Hon. Murray Sinclair introduced Bill S-218, An Act to amend the Criminal Code and the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (great apes, elephants and certain other animals).

(Bill read first time.)

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

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

• (1430)

THE SENATE

COMMITTEES AUTHORIZED TO HOLD HYBRID AND VIRTUAL MEETINGS

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I move:

That, notwithstanding any provision of the Rules, previous order or usual practice, and taking into account the exceptional circumstances of the current pandemic of COVID-19, until the end of the day on December 18, 2020:

1. standing Senate committees have the power:
 - (a) to hold hybrid meetings, with senators able to participate either from the meeting room in the parliamentary precinct or by videoconference; and
 - (b) to hold meetings entirely by videoconference, subject to the terms of this order;
2. the scheduling of meetings of standing Senate committees be prioritized, subject to available capacity, as follows:
 - (a) meetings on Government Business;
 - (b) meetings of the Standing Committee on Internal Economy, Budgets and Administration;
 - (c) meetings of the Standing Committee on Audit and Oversight;
 - (d) meetings of the Standing Committee on Ethics and Conflict of Interest for Senators, when and if established; and

- (e) any other study conducted in accordance with an order of reference from the Senate;
3. hybrid meetings of Senate committees have priority over meetings entirely by videoconference, and such a committee only meet entirely by videoconference:
 - (a) for the purpose of an organization meeting, including discussion of future business at such a meeting; or
 - (b) for other purposes only if:
 - (i) there is an order of the Senate authorizing the committee to hold such a meeting; or
 - (ii) authorized to hold such a meeting with the signed consent of the Government Liaison, the Opposition Whip, and the whips and liaisons of all recognized parties and recognized parliamentary groups;
 4. for greater certainty, it be understood that the provisions of this order concerning the prioritization of meetings and restricting meetings by videoconference do not apply to any subcommittees that may be established by the Standing Committee on Internal Economy, Budgets and Administration, which can meet entirely by videoconference;
 5. any conflict in the scheduling of committee meetings be settled by consensus between the Government Liaison, the Opposition Whip, and the whips and liaisons of all recognized parties and recognized parliamentary groups;
 6. the practice of restricting committees to regular time slots be suspended, with the requirement for a pre-established meeting schedule for committees under section 3 of Chapter 5:03 of the *Senate Administrative Rules* also being suspended;
 7. hybrid committee meetings or meetings entirely by videoconference be considered, for all purposes, to be meetings of the committee in question, and senators taking part in such meetings be considered, for all purposes, to be present at the meeting;
 8. for greater certainty, and without limiting the general authority granted by this order, when a committee holds a hybrid meeting or meets entirely by videoconference:
 - (a) all members of the committee participating count towards quorum;
 - (b) such meetings be considered to be occurring in the parliamentary precinct, irrespective of where participants may be; and

- (c) the committee be directed to approach in camera meetings with all necessary precaution, taking account of the risks to confidentiality inherent in such technologies;
9. subject to variations that may be required by the circumstances, to participate in a meeting by videoconference senators must:
- (a) participate from a designated office or designated residence within Canada;
 - (b) use a desktop or laptop computer and headphones with integrated microphone provided by the Senate for videoconferences;
 - (c) not use other devices such as personal tablets or smartphones;
 - (d) be the only people visible on the videoconference;
 - (e) have their video on and broadcasting their image at all times; and
 - (f) leave the videoconference if they leave their seat; and
10. when a committee holds a hybrid meeting or meets by videoconference, the provisions of rule 14-7(2) be applied so as to allow recording or broadcasting through any facilities arranged by the Clerk of the Senate, and, if a meeting being broadcast or recorded cannot be broadcast live, the committee be considered to have fulfilled the requirement that a meeting be public by making any available recording publicly available as soon as possible thereafter;

That the Senate recognize the principle that, as hybrid capacity increases, the frequency of meetings entirely by videoconference will decrease in consequence; and

That the Government Representative in the Senate be encouraged to deploy best efforts, in collaboration with the Speaker and the Senate Administration, to explore ways to expand hybrid capacity as quickly as possible.

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

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

QUESTION PERIOD

FINANCE

COVID-19 ECONOMIC RESPONSE PLAN

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, my question today happens to be for the government leader. My question, Mr. Leader, is a follow-up to a question I asked on June 26 about rent assistance for the Royal Canadian Legion.

The Trudeau government bent over backwards to help its friends at the WE charity, but the Legion still couldn't access support more than six months after the pandemic started. On September 2, the Legion's Dominion President, Thomas Irvine, stated that his two letters to the Prime Minister had been met with radio silence. He said, "The federal government is dragging its heels in providing promised assistance."

Bill C-4, which received Royal Assent in October, set out \$20 million in support for veterans organizations. Leader, could you tell us if the Royal Canadian Legion has received funding under Bill C-4 to pay for their operational costs for November? If not, when will they get it?

Hon. Marc Gold (Government Representative in the Senate): Thank you very much for the question. Since the beginning of this pandemic, it has been a priority for the government to ensure that veterans organizations like the Legion are able to continue the good work they do for veterans and their families.

I was able to pay for my legal education at The University of British Columbia by playing in bands in legions in Vancouver, so as a younger man I saw first-hand the important sense of community that legions build.

The government's announcement, senator, to which you referred, of a \$20-million temporary organizational emergency support fund, will provide that emergency support. It's an important measure to help these legions.

I don't know exactly what the status is of the money, so I will make inquiries and be happy to report back.

Senator Plett: Every day I am amazed at the government's priorities, while things of top priority are not done.

• (1440)

Last week, leader, was Remembrance Day and actions speak louder than words. Leader, along with the status, can you also find out when your government expects to have fully distributed the promised \$20 million to veterans' organizations?

Senator Gold: I certainly will, thank you.

FISCAL UPDATE

Hon. Leo Housakos: Thank you, Mr. Speaker. My question is for the Leader of the Government in the Senate.

Senator Gold, we all recognize and understand that the responsibility for doing the heavy lifting with COVID-19 falls squarely on the shoulders of the provincial governments, but we do know it is the responsibility of the federal government to provide the resources necessary to deal with the pandemic.

Last week, Prime Minister Trudeau, during a first ministers' conference call, must have had an epiphany. He mentioned in that conference call that federal resources are not infinite, which I was pleased to hear. After five years of spending like a drunken sailor, he's finally figured out that fiscal responsibility is rather important. I also found it really unusual that, of all people, Prime Minister Trudeau is admonishing and lecturing provincial leaders about fiscal responsibility when his government hasn't tabled a budget in close to two years.

My question is simple: When will the Prime Minister and his government table a budget so the people of Canada can get a sense or an idea of the state of the economic affairs of the country?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. The position of the government remains, as I have expressed in this chamber and as other ministers have as well, that the government is committed to continuing to invest in Canadians and Canadian businesses in order to help us get through the pandemic. This is a time for us to be focused on securing our well-being during this very difficult time. The government has undertaken to provide fiscal updates, and when the time is right, they will do so.

The Prime Minister's references to the provinces reflect the reality of the federal system and the requirement of cooperation between the federal and provincial governments, not only to manage our economic well-being but, more importantly in this moment, to manage our response to the crisis. I think that was the thrust of the Prime Minister's remarks to which you referred.

Senator Housakos: The thrust of the question that I put forward is: When are the people of Canada going to see a budget from the government? Two years is unacceptable. We are the only G7 country that hasn't tabled a budget in close to two years.

Let me understand, government leader. It has been almost two years and we haven't tabled a budget. We have raced through hundreds of billions of dollars over the last nine months with very little oversight and scrutiny, both from the House of Commons and the Senate. We have seen the coercion and how the government has cajoled us to rush through all the spending.

We also saw an unnecessary prorogation from this government. We all know it had nothing to do with the pandemic. It had to do with them covering up misuse and abuse of funds during this pandemic with the WE scandal. Today we have the Prime Minister out in public, again using coercion, telling the Senate that the latest subsidy program they are putting forward, which hasn't even arrived in this chamber yet, has to be passed expeditiously. At which point will this Prime Minister

allow Parliament to do its work? When will he stop trying to cajole the opposition through the media to rush through billions of dollars of spending? When will he allow Parliament to do its work? I think it's clear: we either believe in scrutiny and oversight when it comes to fiscal responsibility of taxpayers' dollars, or we don't.

Senator Gold: Well, there is a lot in your question but most of the assumptions, with all due respect, are not correct. This government, with the support of parties in the other place and with the support of the leaders of the parliamentary groups and Senate, has worked together to make sure that the legislation that is brought before us for the benefit of Canadians is passed in an expeditious and effective manner. Moreover, this government is committed to the principle of proper oversight and transparency. We have circulated with our colleagues a proposal for a special committee on oversight and one that would also include Senator Tannas' proposal for lessons learned. We are still waiting for feedback from all the groups. That continues to be something to which this government is committed.

[Translation]

HEALTH

REPORT ON THE STATE OF PUBLIC HEALTH IN CANADA 2020

Hon. Rosa Galvez: Honourable senators, my question is for the Leader of the Government in the Senate.

[English]

Senator Gold, last week, Dr. Theresa Tam, the Chief Public Health Officer of Canada, issued a report on the state of public health in Canada in 2020. She proposes a health equity approach to the COVID-19 framework with work in four high-impact areas based on the consequences of COVID-19: economic security and employment conditions; a stable housing and healthy built environment; health, education and social services systems; and environmental sustainability.

The report, like my own white paper — *Building Forward Better: A Clean and Just Recovery from the COVID-19 Pandemic* — is based in part on the One Health concept, a holistic approach helpful for preventing and responding to the pandemic as it considers the links between humans, animals and the environment. Her excellent report also highlights inequality in Canada, the need to further support mental health, and to fight racism, discrimination and misinformation to overcome this pandemic.

Senator Gold, how does the government intend to follow up these important recommendations of its top health scientist?

Hon. Marc Gold (Government Representative in the Senate): Senator, thank you for your question. The Government of Canada values the input and ongoing good counsel of Dr. Tam and of all the public health professionals at the federal and provincial levels. It's guided the policy of this government throughout this crisis.

The recommendations of Dr. Tam will be and are being considered seriously by the government and its provincial counterparts and will be taken seriously, as her advice always is.

CITIZENSHIP, IMMIGRATION AND REFUGEES

SPONSORSHIP APPLICATIONS

Hon. Ratna Omidvar: My question is for Senator Gold, the Government Representative in the Senate.

I have welcomed the recent announcements by the Minister of Immigration to increase immigration levels so we can catch up with the landing losses that we are experiencing during the pandemic. My question, though, is about family reunification, which is so important to so many people. In trying to clear the backlog on family reunification, the government has announced that it will now resort to a lottery system. I don't know about you, Senator Gold, but I don't buy lottery tickets anymore because I know the odds are stacked against me. I think that many who have waited in line for years feel cheated that a chance may rob them of their opportunity to be reunited.

Will you agree with me that using a lottery system to manage the backlog list of parents and grandparents is tantamount to an admission of failure of management?

Hon. Marc Gold (Government Representative in the Senate): Well, thank you, senator, for your question. I can certainly imagine the frustration of families who haven't been able to benefit yet from this program, but I respectfully disagree that the use of a lottery system once again reflects a failure of management.

The government knows the program for parents and grandparents is very important to many people, and the government has been working to improve this process. Although a maximum of 10,000 applications will be accepted in 2020, in 2021, the government will open a new intake to accept a total of 30,000 new applications.

The Hon. the Speaker: Senator Omidvar, do you wish to ask a supplementary?

Senator Omidvar: Yes, please, Your Honour.

Senator Gold, thank you for that answer. Recently the government also announced that they would adjudicate 6,000 spousal applications each month between October and December to facilitate their long-awaited reunification. Can you give us an update on how this plan is progressing, and is the government meeting these targets?

Senator Gold: Thank you again for your question. The government's announcement on September 24 of plans to adjudicate 6,000 spousal applications came with new measures to reduce wait times such as, for example, increasing the number of officials working on spousal applications by 66% and ramping up efforts to move paper applications to digital.

• (1450)

The government is also making it easier to submit biometrics that are needed to process applications and is beginning to conduct interviews with applicants remotely.

Thank you, senator, for your advance notice of this question, which allowed me to inquire with the government. I have not yet received the specific information you request on the status of these new measures to achieve the monthly goal of 6,000.

HEALTH

MANDATORY QUARANTINE

Hon. Diane F. Griffin: Honourable senators, my question is for the Government Representative in the Senate.

Since the COVID-19 pandemic began, the federal government has limited the number of airports accepting international arrivals and has also imposed a mandatory 14-day quarantine for most international arrivals. This quarantine occurs at a traveller's destination rather than the port of entry.

My question is the following: Will there be a significant number of Canadian snowbirds travelling south this winter despite federal travel advisories? I can answer that one myself. Yes, there will be.

To reduce the risk of community transmission — especially in the Atlantic bubble, where I live — when travellers return to Canada, does the federal government intend to copy the Australian model of traveller-paid mandatory quarantine in hotels at ports of entry rather than quarantine at destination?

Hon. Marc Gold (Government Representative in the Senate): Thank you, senator, for your question and for the suggestion that we consider how measures taken by other countries might inform Canada's response to the COVID-19 pandemic.

The government continues to advise against all non-essential travel outside of Canada until further notice in order to limit the spread of COVID-19. For those who do choose to travel, as you know, to protect the health and safety of Canadians, the government requires all travellers returning to Canada to isolate themselves for a mandatory 14 days under the terms of the Quarantine Act. But as far as I'm aware, the government is not planning to force all incoming travellers to stay at a hotel at the port of entry.

The Hon. the Speaker: Senator Griffin, did you wish to ask a supplementary?

Senator Griffin: Thank you. Yes, I do.

To understand how international arrivals impact the Atlantic bubble, could the government, by consulting with the Public Health Agency of Canada, provide the Senate with a list of all international travel related to COVID-19 cases whose final

destination is in Atlantic Canada as of November 17, 2020? I ask that the destinations be categorized separately by province and that the traveller's port of entry be included. Thank you.

Senator Gold: Senator, thank you. I will certainly inquire with the government in the hope of providing the information to you and the chamber in a timely fashion.

[Translation]

JUSTICE

STUDY OF BILL C-7

Hon. Pierre J. Dalphond: My question is for the Government Representative in the Senate. Senator Gold, I gather that Bill C-7 on medical assistance in dying must receive Royal Assent by December 18, that is, one month from now, or the Attorney General of Canada will have to ask the Superior Court for an extension.

To date, the House of Commons Standing Committee on Justice and Human Rights has held five meetings and heard from no fewer than 45 witnesses, and its work is not complete.

Has the government reached an agreement with the other parties in the House of Commons regarding a time frame for the report of the Justice and Human Rights Committee and the end of the third reading debate in the other place?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. I actually asked the same question yesterday. At this point, I don't know whether a deadline has been set. We look forward to the bill making its way here to the Senate. In the meantime, the Standing Senate Committee on Legal and Constitutional Affairs has been tasked with conducting a pre-study, which will give us a head start before the bill is debated in the Senate.

Senator Dalphond: I'm sure you would agree that Bill C-7 is not like Bill C-9. It addresses issues having to do with morals, ethics and other fundamental principles. The government proposed making it a free vote in the House of Commons. This is a rather sensitive issue. How can we complete a pre-study if we don't have the text of the bill or, at the very least, the report of the committee from the other place on the content of the bill?

Senator Gold: Thank you for the question. That is true. You're right to say that once the bill arrives in the Senate, it might contain changes made by the other place. That being said, the committee will have the bill as presented in the House of Commons. Everyone understands the challenge we are facing. I'm not talking about deadlines, but the fact that this is a response to a Superior Court decision in *Truchon*. The parameters of the bill are different than they were for Bill C-14, which created the framework required to address this very sensitive and important issue.

PUBLIC SERVICES AND PROCUREMENT

UNTENDERED GOVERNMENT CONTRACTS

Hon. Claude Carignan: My question is for the Leader of the Government in the Senate. In October, I asked you a question about a \$237-million contract to manufacture 10,000 ventilators that was awarded without tender to FTI Professional Grade, a company that had been in business for less than 10 days.

Speaking on behalf of the government, you answered as follows:

The government acted responsibly to ensure that it has access to what Canadians need.

I would like to remind you that FTI Professional Grade then signed a subcontract with Baylis, a company owned by a former Liberal MP. He is a shareholder in that company and one of its top executives. Do you think it is responsible to award a contract to manufacture 10,000 ventilators to a company that had never manufactured ventilators before?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. It is extremely responsible of the Government of Canada to do everything in its power to ensure Canadians' well-being by giving them what they need, be it the equipment you just mentioned, vaccines or anything else.

It is important to remember that we are in the midst of an unexpected crisis that is like nothing we have ever experienced. The government did everything it could to provide Canadians and regions across the country with all of the equipment they needed.

Senator Carignan: You keep saying that the government acted responsibly by awarding a contract to a company that sprang up overnight and had no employees. We are talking about a \$237-million contract to manufacture 10,000 ventilators, which was then subcontracted to a Liberal crony. Do you realize that this contract was awarded to a company that had never manufactured ventilators, and on top of that, the ventilators had yet to even be approved for use by Health Canada and Industry Canada?

[English]

The Hon. the Speaker: Sorry, Senator Gold, but it is now three o'clock.

ORDERS OF THE DAY

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, pursuant to the order of earlier this day, I leave the chair for the Senate to be put into a Committee of the Whole on the subject matter of Bill C-9,

An Act to amend the Income Tax Act (Canada Emergency Rent Subsidy and Canada Emergency Wage Subsidy). The Honourable Senator Ringuette will chair the committee.

On return, following the Committee of the Whole, we will resume Question Period for the balance of the time remaining, including the answer to Senator Carignan's supplementary.

The sitting will now be placed into Committee of the Whole.

• (1500)

INCOME TAX ACT

CONSIDERATION OF SUBJECT MATTER IN COMMITTEE OF THE WHOLE

On the Order:

The Senate in Committee of the Whole in order to receive the Honourable Chrystia Freeland, P.C., M.P., Deputy Prime Minister and Minister of Finance, accompanied by one official, respecting the subject matter of Bill C-9, An Act to amend the Income Tax Act (Canada Emergency Rent Subsidy and Canada Emergency Wage Subsidy).

(The sitting of the Senate was suspended and put into Committee of the Whole, the Honourable Pierrette Ringuette in the chair.)

The Chair: Honourable senators, the Senate is resolved into a Committee of the Whole on the subject matter of C-9, An Act to amend the Income Tax Act (Canada Emergency Rent Subsidy and Canada Emergency Wage Subsidy).

Honourable senators, in a Committee of the Whole senators shall address the chair but need not stand. Under the Rules the speaking time is 10 minutes, including questions and answers, but, as ordered, if a senator does not use all of his or her time, the balance can be yielded to another senator. The committee will receive the Honourable Chrystia Freeland, P.C., M.P., Deputy Prime Minister and Minister of Finance, and I would now invite her to enter, accompanied by her official.

(Pursuant to the Order of the Senate, the Honourable Chrystia Freeland and her official were escorted to seats in the Senate chamber.)

The Chair: Minister, welcome to the Senate. I would ask you to introduce your official and to make your opening remarks.

Hon. Chrystia Freeland, P.C., M.P., Deputy Prime Minister and Minister of Finance: Good afternoon, honourable senators. Thank you for this opportunity to speak about Bill C-9 at this critical moment in Canada's response to the COVID-19 pandemic.

I have with me today Andrew Marsland, Senior Assistant Deputy Minister of the Tax Policy Branch at the Department of Finance.

From the beginning, our government has been guided by two overriding objectives. The first has been to protect the lives and health of Canadians, and the second has been to preserve and protect Canadians' jobs and livelihoods. We have been guided throughout by the knowledge that the best economic policy is a strong health response. That is the purpose of Bill C-9 and the reason why it deserves our urgent support.

[Translation]

Honourable senators, we are in the midst of the second wave of the pandemic. Winter is fast approaching. December rent will soon be due. We need to act quickly.

We know that slowing the spread of coronavirus comes at a cost for the economy, for Canadians, and for businesses, charities and not-for-profits. That's why the federal government will continue to provide financial assistance so that we can take proper health precautions.

[English]

Canada is well positioned economically to provide this much-needed support. We began the year with the strongest fiscal position in the G7. Today, even after accounting for the unprecedented actions we've had to take in 2020, Canada continues to have the strongest fiscal position in the G7.

Through new targeted support measures, Bill C-9 would provide employers with the support they need to weather this crisis and keep people on their payroll.

Please let me tell you a little bit about the measures we are proposing.

[Translation]

First, Bill C-9 will implement the Canada Emergency Rent Subsidy. This subsidy will provide rent and mortgage support until June 2021 for businesses and other organizations that have lost revenue as a result of COVID-19. The subsidy will cover up to 65% of rent or mortgage interest for the businesses that have been hardest hit. Furthermore, tenants will have direct access.

• (1510)

[English]

Second, Bill C-9 proposes a new lockdown support measure of 25%, over and above the 65% subsidy for organizations whose operations are significantly restricted by a public health order. This means that some qualifying organizations could have up to 90% of their rent covered.

Third, Bill C-9 would extend the Canada Emergency Wage Subsidy until June 2021, as we committed to do in the Speech from the Throne.

I know senators have been concerned about an amendment that was put forward to address the eligibility of rent payable under the new rent subsidy. As I believe you know, we have an interim solution to ensure that rent payable will be an eligible expense from day one. As I mentioned to the Senate committee last week, after Bill C-9 is passed, we will publish and quickly introduce

legislation to formalize rent payable as an eligible expense. We are confident that the Canada Revenue Agency will consider rent payable as an eligible expense from the moment the new rent program is launched. There will be no delay. We have indicated to the CRA that this is our intent, and we will formally commit this to the CRA if and when Bill C-9 becomes law.

We know that this crisis will leave a mark, but we all have to do everything in our power to limit the number of jobs lost and the number of businesses that permanently close their doors. These support measures are not only the compassionate thing to do, they are also the pragmatic thing to do.

Senators, it is within our collective power as legislators to help Canadians and Canadian businesses make it through this pandemic. That is what we must do, and what we must do without delay.

We here in Canada are, I believe, at a critical point. There is now light at the end of the tunnel with the prospect of effective vaccines, but we also face the hardest part of winter just ahead, and the second wave of the coronavirus is truly here in much of the country.

[Translation]

We must act now. Small businesses —

[English]

The Chair: Minister, five minutes have run. Before we move to questions and answers, colleagues, I ask you reduce your preambles to your questions, and Madam Minister, that you give direct answers to the questions.

We are starting the first 10-minute block with Senator Plett, Leader of the Opposition.

Senator Plett: Thank you, chair. That may not allow me to make my preamble.

Welcome back, minister. I was reflecting on your last appearance here. With great respect for your office, I hope that this time will be a little more valuable to those of us who are asking questions. The last time you were here, minister, you took 20% of my speaking time talking about things I had not asked about. You had very few answers for us and suggested that since the bill had passed unanimously in the other house, we should just very quickly do the same thing here.

Yet this was not at all what happened, minister. The bill passed unanimously only because your government introduced a programming motion and cut off debate, and opportunities for any amendments. You threatened — I've got 10 minutes — you threatened and coerced members into supporting it unanimously. It was not an indication that they supported the way you handled your affairs over there.

I am hoping that this is not how you plan to conduct your answers here today, because we have many important questions — and they will be coming — which need to be answered before we pass this bill.

You are forcing us again into a very tight timeline because your government failed to heed the advice of our party six months ago and fix the broken rent assistance program. Now that you have finally gotten around to fixing the program, you failed to get the legislation right and needed to introduce an amendment — you've already spoken about it — but you also failed to get the amendment right. Now you are rushing us once again to pass the legislation. Once it is passed, it will need to be immediately amended — and even then it will still fall well short of what is required — but you are simply saying, "Trust us."

When your predecessor was in front this chamber and I asked him questions, and asked for explicit answers, he asked the chair whether he needed to answer those questions and what our process in the chamber was. He was told by the chair that senators ask questions and ministers answer them.

That is the process that I trust we will follow today. I will ask specific questions which I will give you in their entirety. These are questions which were asked of you, and/or your predecessor, for which I don't yet have concrete answers. I would appreciate, minister, explicit, definitive answers from you. If you are not able to give me those answers at this time, I will ask that you provide those answers in writing before we are expected to vote on this bill on Thursday.

Minister, just about an hour ago, we received Bill C-9. Already this morning the Prime Minister was calling for quick Senate passage of Bill C-9. We didn't even have the bill yet, and he wanted us to pass it.

In 2014, Liberal leader Justin Trudeau said:

If the Senate serves a purpose at all, it is to act as a check on the extraordinary power of the prime minister and his office . . .

Now that he is in office, the Prime Minister is trying to shamefully use the pandemic to avoid accountability. This is another example of the lack of respect for parliamentary accountability, process and the independence of the Senate.

The government is responsible for setting the legislative agenda. They have prepared flawed legislation. They have prorogued Parliament in an attempt to cover up their WE scandal, which caused more delays. Let's be clear, minister — the Trudeau government is the one that needs to do better.

Our Finance Committee spent the entire break week pre-studying this bill. The Conservative Party of Canada will continue to support small businesses and ensure they get the support they need. Perhaps, minister, the Prime Minister is now realizing the value of having a mechanism like a Liberal Senate caucus — as was part of the national caucus — that he could count on to move his legislative agenda forward.

That's my preamble, minister, and here are my questions. You can answer as many of them as you can before the chair cuts you off, and you can send us the rest. We are happy to send them in writing if you need.

How much has been spent on COVID measures so far by this government?

How much has been spent by Crown corporations, including loan guarantees?

How much is the debt of the federal government as of today?

What is the total debt of provincial governments as of today?

What percentage of the federal government debt is owned by foreigners, and what percentage is owned by the Bank of Canada?

How much of the federal government debt is for a term of less than one year, for a term of one year to five years, and for a term longer than five years?

What is the average interest rate payable on the federal government debt?

My next question is a question that Pierre Poilievre tried to get out of people in the house, and maybe it was even out of you that he was trying to get the answer. How much will an increase of 1% on interest rates on this debt cost the federal government?

Finally, how many corporations made an application for the LEEFF program, and how many applications were accepted?

I think you probably have almost five minutes, minister.

The Chair: No. Madam Minister, you have three and a half minutes to answer. Thank you.

• (1520)

Ms. Freeland: Thank you very much, both for the preamble and for the question, senator. Let me work my way through them.

When it comes to money that the government has spent so far, I am very happy to give you our estimates of the costs of the programs that I'm asking you to review, and maybe I'll start there. I think that's very appropriate. Our estimate is that the emergency rent subsidy which we have put before you, including the lockdown support, will cost \$2.2 billion. That is between now and the period we are discussing, so to December 19. Our estimate is the Canada Emergency Wage Subsidy, which we are asking to be extended until the summer of 2021, but we are proposing that the rate be set at 65% until December 19, so our cost estimate now is until December 19 — that set-rate date — that we will spend \$65.5 billion on the wage subsidy.

There are, of course, future periods, but I'm not going to offer estimates on those because we don't yet know what the rates will be, but as I have said, we are committed to having these two measures in place until June 2021.

In terms of the government debt, I am not, senators, going to offer new figures today. I will be providing you, Parliament and Canadians with a fall fiscal update in the coming days and that will include details of our spending so far and detailed fiscal projections.

What I am delighted to do is to remind you of figures that the government provided in the Economic and Fiscal Snapshot. When we provided the Economic and Fiscal Snapshot, we projected that the 2021 deficit would be \$343.2 billion, and we projected a debt of \$1.06 trillion. As I said, I will offer up-to-date figures with the fall fiscal snapshot, but I will not be offering them today.

On the other questions, let me go through the ones I can. In terms of government debt right now, let me say a few things. As senators know, Canada today has a very favourable credit rating. We are rated AAA. As I said in my preamble, we have the lowest debt-to-GDP ratio in the G7, and the interest charges on Canada's debt as a share of our economy are today the lowest they have been in 100 years. That is notwithstanding the extraordinary expenditures which we have undertaken to fight COVID.

So I very much —

The Chair: Minister, I'm sorry but we have to move to the next block of 10 minutes.

Senator Dasko: Minister Freeland, welcome back to the Senate. I want to offer my congratulations to you on your appointment as finance minister and the first woman to be in this role. My congratulations to you.

Minister, a recent survey from the Canadian Federation of Independent Business found that 70% of businesses in our city of Toronto say that they don't have the finances to make it through another lockdown. Your government has provided significant capital to small and medium-sized enterprises through the Canada Emergency Wage Subsidy, which appears to be an effective tool to support Canadian small business. The Canada Emergency Commercial Rent Assistance program, on the other hand, was flawed and is now being replaced. We've all heard of businesses that were unable to receive support because their landlords would not apply for the program and others that did not qualify because they did not meet the revenue-loss threshold.

The Canada Emergency Rent Subsidy is a good response to the complaints about the rent assistance program. However, for many it is arriving too late. As I understand it, the legislation is drawn up to allow eligible organizations to submit an application to the CRA up to 180 days after the qualifying period for which they are seeking support.

Why are you limiting the start date of this program to September 27? Why can you not move the start date of this program back to help those businesses that fell through the cracks of the previous program? For example, it would seem to me you could easily move it back 180 days. Just as you have taken the program to go forward more or less 180, you could take it to go back 180. That is my question to you about the way you've structured this program: Why can't that start date go back and help those people who were hurt during that period?

Ms. Freeland: Thank you very much for the question, senator.

[Editor's Note: Ms. Freeland and Senator Dasko spoke in another language.]

It's a very important question that you ask and something that I have wrestled with. Thank you also for citing the work of the CFIB. Dan Kelly is someone we have talked to a lot in working out this program.

Senator, our government's focus in putting this program together has been to ensure that as many Canadian businesses as possible can keep going. The focus is on today and tomorrow. The focus is not on yesterday. And I am aware that there are businesses which wanted to take advantage of CECRA but were unable to because of the positions their landlords took, and they have great sympathy from me. But, ultimately, given that government resources are limited — we're doing a lot but I think we all realize our resources are limited — the right thing for us to focus on is the going forward, and the right thing to focus on is looking at businesses that are viable today, that are still operating and to give them the support they need to get through the rest of this pandemic.

I would point out that if senators approve Bill C-9, businesses will be able to get access to the following: In our city of Toronto, where restaurants are subject to a local lockdown order, 90% of their rent will be covered, for example; 65% of wages would be covered if they are making revenue losses of 70% or more; and we are also putting forward a top-up to CEBA, so that businesses will be able to get an additional \$20,000 CEBA loan, \$10,000 of which will be forgivable. That is really considerable support, and I think it should help our businesses get through the second wave of the pandemic.

Senator Dasko: Thank you. That's very helpful. I have another question. Minister, in this past summer, your government advanced \$19 billion to the provinces under the Safe Restart Agreement. These expenditures were important and necessary to help the provinces provide vital services, and this is especially important now because we are in the second wave of the pandemic.

In the Speech from the Throne, your government promised to include national standards for long-term care in your agreements with the provinces. However, I have reviewed the Safe Restart Agreement as it has been published, and with respect to long-term care facilities I see that increases in staffing levels were mentioned in some of those agreements, but actual staffing standards were not addressed in those agreements. Experts have

made it clear that improving the standards for staffing, including better training, employment equity, better pay and higher ratios of staff to patients will improve the standards of care.

My question is as follows: Where are the national standards for long-term care that were referenced in the Speech from the Throne? Are investments in increased staffing in some of those agreements your government's response, or is there more to come from the government with respect to these standards? And if there's more to come, can you tell us what those staffing standards might include?

• (1530)

Now, obviously, this is very relevant today as we see, with the second wave, seniors' residences across the country experiencing outbreaks, with mortality rising and great hardship for many seniors. That is my question. Thank you.

Ms. Freeland: Thank you very much for that question. I think all of us are tremendously concerned by what is happening in long-term care facilities across the country. We have seen that this is really a weak spot across the country. I really think it's a national tragedy and a national shame that so many of our elders are dying of the coronavirus. We are seeing with the second wave that long-term care facilities continue to be a point of tremendous vulnerability.

When it came to the Safe Restart Agreement, our objective, working very collaboratively with the provinces, was to give them the additional resources that we felt they needed to get ready for the second wave. We took a very collaborative approach and set out some clear categories where we knew support would be needed — long-term care was one — and some areas where we believed there should be a focus. However, we're also very mindful that, with the Safe Restart Agreement, we were providing federal funding for areas of provincial jurisdiction.

When it comes to national standards for long-term care, there is a broad national agreement today that we need to have that in Canada, but none of us should minimize the amount of work it's going to take to get those standards. To have standards that work for the country, to have standards that have real buy-in from all levels of government is going to require a real process of discussion and negotiation between the provinces, territories and the federal government. We need to do it. We will do it. I believe we need to do it properly.

In conclusion, senators, I will say that while it is some slightly longer-term work needed to get real standards in place to raise long-term care in the country to a new level, there is an urgent need for action and improvement today. The federal government is providing people from the Red Cross right now across the country to support people living in long-term care facilities. As well, we're working actively with the provinces to discuss whether there are other types of support they need to protect our elders.

Senator Tannas: Minister, some senators who attended the committee meetings did not feel that they got a satisfactory answer with respect to how we and the government found ourselves in this position of having a bill that is flawed and can't be amended.

So, from one Albertan to another, plain talkers, what happened? We're interested in developing a committee that will look at the lessons learned from COVID. This will be something we'll possibly pause on. For the sake of all of us, could you tell us how this fix is needed and how it got missed? How did it get missed?

Ms. Freeland: That's a really good question, senator, and I'm happy to talk about it.

Let me start by saying what is most important to me is that we will, provided this legislation is supported by senators here, be able to put in place a rent-support measure where rent payable is accepted immediately, as soon as the measure enters into force. From the point of view of the people I care about most — an actual business — there will be no interruption in the support they get. That is point one. It's a very valid question.

In drafting all of these business supports — an unprecedented degree of support is being provided by the federal government to an unprecedented number of businesses — we strike a balance between getting the support to the businesses who need it as quickly as possible and taking a generous approach toward those businesses and their needs. At the same time, it's important that programs have integrity. It's important to set in place eligibility requirements that give the government, the CRA a confidence that the businesses asking for the funding are truly eligible for it.

Obviously, rent that has already been paid — and proof that the rent has been paid — is a level of proof with a very high degree of integrity. You know that the business used the money to pay the last month's rent. A rent-payable requirement is more complicated for the CRA to enforce with the same degree of confidence. That's the trade-off in coming up with how the program ought to work.

Having said that, given where we are in the pandemic, given how long it has gone on, given the difficulties businesses find themselves in, I was persuaded — we were persuaded — that we should offer this more flexible option for businesses. I'm glad that, although perhaps not in the most elegant way, we will be able to provide that support to businesses.

Senator Tannas: It was not that anything got missed on purpose. You said this is the way you want to go, or you were provided with advice. It's kind of comical when you think about it; we are providing cash so people can pay their rent and suggesting that they have to pay the rent before they get the cash. That's a "who's on first, what's on second" kind of program. But it was not that something got missed. This was a climbdown from the original advice, given the circumstances on the ground and the feedback that you got from, undoubtedly, lots of good people.

Ms. Freeland: Senator, speaking frankly as one Albertan to another, I probably wouldn't use words like "climbdown" and "comical." I work with the CRA every day. We have Andrew Marsland here who has worked very hard to make the rent

payable work. It's a really difficult balancing act for the people at the CRA. These are people who are highly ethical. Their whole motivation is to ensure that the money goes to the right people. I value and respect those concerns that they have.

Having said that, we're living in unprecedented times. We need to do some things a bit differently. I would like to say to all senators here, we all need to be aware — and I know that you are — that difficult balances need to be struck very carefully in delivering these supports to Canadians.

Senator Tannas: Fair enough. Thank you. I'll surrender the rest of my time to Senator Dagenais.

[Translation]

Senator Dagenais: Minister, since the start of the pandemic, every one of the government's bills to help Canadians has raised concerns in connection with the potential for fraud. I believe the government's measures in that regard are pretty feeble. Canadians have had their identities stolen by fraudulent CERB claimants. So have business owners. The police are being flooded with complaints, but the government doesn't seem troubled by the situation.

Early on, the state of emergency might have justified this lack of vigilance, but nine months into the pandemic, it's not really an emergency anymore. Dare I suggest that the problem might be incompetence?

My question is very simple. Is the government deliberately leaving tough fraud prevention measures out of its legislation, or are these bills just being drafted by intellectuals who have no concept of security?

• (1540)

Ms. Freeland: Thank you very much for this question. I think your question is a great follow-up to Senator Tannas' question. As I tried to explain, with our measures, we are attempting to strike a balance between ensuring the integrity of the programs and addressing the current significant needs of Canadians and our businesses. It is difficult to strike this balance.

I believe that we must respond urgently because the needs are urgent. At the same time, I want to assure you that we have put a great deal of thought into this. We've created programs to establish criteria, such as the rent program we were just discussing, criteria that the Canada Revenue Agency believes in, strong criteria that allow us to obtain facts and evidence.

We are trying to strike a balance. On the one hand, you expressed concern about fraud and, on the other, there was the question from Senator Tannas from Alberta, who said that we must respond urgently and give businesses what they need today. We are trying to strike a balance, and I believe we have succeeded.

Senator Dagenais: Minister, you know that criminal organizations are taking advantage of loopholes in the programs. This bill also has loopholes. We know that there is a great deal of identity theft going on. Criminal organizations are often behind these identity thefts, and they are exploiting the current programs. These organizations will surely take advantage of the

programs in Bill C-9 that will be implemented. You'll have to be extremely vigilant when drafting future bills, or else give us more time to study them so we can make the necessary amendments to make them even more secure.

Ms. Freeland: Once again, thank you for the question. We must be vigilant, and we have put measures in place to ensure the integrity of the programs. I would like to acknowledge the professionalism of the Canada Revenue Agency's employees. They're doing an excellent job. They paid out the funds, and they're ready to do the necessary checks afterwards. At the same time, I think we need to acknowledge that we are in the midst of a pandemic and that we are —

The Chair: Minister, we must move on.

[English]

Senator Cordy: I'll be sharing my time with Senator Bernard, chair.

Minister, welcome to the Senate of Canada. I understand that the CRA will be administering the rent subsidy program along with administering the wage relief program. I think that's the right decision to be made.

But, minister, has the department received additional resources from the government, because it is a huge job to administer both of these programs in a timely manner? If so, could you let us know what kinds of timely resources have been provided so that the programs can be administered on time?

Ms. Freeland: Thank you very much, senator. That's an excellent question. I'm not going to go into the specific details, but I am very aware that the CRA is doing a monumental job right now supporting all of Canada. I am very grateful to the CRA, and our officials are right now in discussion with the CRA to ensure that the CRA has all the necessary resources to do this important work.

They are doing a heck of a job, and you're absolutely right to point to the fact that we all need to be assured they have the resources, both human and in terms of technical platforms to do that work.

Senator Cordy: Thank you. My second question has to do with the response to the previous rent subsidy program. It required landlord participation and, at that time, I understand that landlords were hesitant to participate. I wonder if you could let us know why this was and whether those concerns have been dealt with in this particular piece of legislation.

Ms. Freeland: With the previous program, CECRA, it's important for us to note that nearly 140,000 small businesses that employed 1.2 million people did benefit from CECRA, so that provided some real support to businesses and to their workers.

The new program goes directly to tenants, so it doesn't require landlord participation. It may be worth emphasizing that, under this new program, mortgage interest payments will also be an eligible expense for businesses. If you have bought your property and are paying a mortgage on it, you can claim for the interest as well.

Senator Cordy: Thank you.

The Chair: Senator Cordy, do you have any other questions?

Senator Cordy: Senator Bernard has the rest of my time.

Senator Bernard: My first question is a follow up to Senator Cordy's question and your response, minister. You said that a number of businesses were supported in the previous legislation, and I'm wondering if you have race-based data and if you could tell us how many of those businesses that did receive support previously were racialized businesses. In particular, I'm interested in how many were Black-owned businesses.

Ms. Freeland: Thank you very much for that important question, senator. Together with my colleague Ahmed Hussen, I was lucky enough to participate in a round table with some Black business leaders talking about Black entrepreneurship and the coronavirus response.

I don't have that breakdown for the CECRA support, but I do agree that we as a government need to do a much better job of collecting disaggregated data. I'm also very pleased that the Prime Minister and Minister Mary Ng were able to announce a special fund for Black entrepreneurship a few weeks ago. That is something I discussed this morning with the Prime Minister. He is very keen for us to get it up and running very quickly, and we're working on that.

Senator Bernard: Thank you, minister. Now for the question I wanted to ask today: COVID-19 has amplified existing inequities impacting Black communities. In the *Toronto Fallout Report: Half a Year in the Life of COVID-19*, 39% of Black Canadians indicated that the pandemic had a strong or moderate impact on their ability to meet their financial obligations or essential needs.

I commend the support given to Black business owners and entrepreneurs through the Black Entrepreneurship Program. However, I am hearing from black-led community and business organizations that the process of gaining access to the funds, and the application processes themselves, are very cumbersome. Many state that they cannot afford to wait for the government to issue a call for concepts for the National Ecosystem Fund and the Black Entrepreneurship Knowledge Hub. Black business owners are tired of being an afterthought, and they need support now.

• (1550)

Minister Freeland, how will the government ensure that black Canadians have equitable access to timely relief, and that their voices are included during the development of an equitable recovery?

Ms. Freeland: Thank you again, senator, for that really important question. Let me kind of try to answer it in parts.

First of all, thank you for that very specific feedback about the programs. I agree with you that there is an urgent need to get those programs up and running, and to make the process of getting access to them as smooth and quick as possible. That's useful feedback, and I will follow up on it with my colleagues in cabinet.

In terms of the broader response, I think that we need to be aware that COVID — both in terms of the health impact and the economic impact — has not touched all Canadians equally. Racialized Black Canadians have been hit harder, and we need to be aware of that, both in the support programs that we're providing to get through coronavirus, and we will also need to be very mindful of that in the measures that we put in place in what I think of as our COVID recession recovery plan, which we are working to design right now.

Senator Bernard: Thank you very much.

The Chair: Senator Bernard, you still have two minutes.

Senator Bernard: It's fine. Thank you.

The Chair: Okay. Then we will move on to the next block of 10 minutes.

[Translation]

This block will also be shared between Senators Carignan and Marshall.

Senator Carignan: Minister, my question follows up on Senator Tannas' question regarding the amendment put forward to make rent payable an eligible expense so that people can claim an amount for rent, even if they haven't paid it, in order to respect their ability to pay.

You introduced an amendment in the other place at third reading, but it was rejected. You're just saying that the Canada Revenue Agency heard you, that it heard your comments and that it will take them into account when it processes claims for reimbursement.

Don't you think such comments are somewhat disrespectful towards Parliament, towards both chambers and particularly towards the Senate, where it is perfectly possible to propose an amendment and bring a bill into line with your ministerial intentions, rather than letting public servants implement the law as they see fit?

Ms. Freeland: Thank you for the question, senator. I have two answers for you. First, and it is up to each senator to decide, I think we are in an urgent situation. When I talk to businesses — and I think you hear the same things I do — they tell me that they need help now. That is why all of us, senators, MPs, public servants, as well as the people working at the Canada Revenue Agency, need to do things a bit differently than we normally would.

That is why I think the best thing to do is to support Bill C-9 in its current form. We've done a lot of work with the Canada Revenue Agency. I'm confident that businesses will get what they need, and that's what matters most to me.

[Ms. Freeland]

As far as respect for Parliament, the House of Commons and the Senate is concerned, we're going to propose an amendment, and I hope it will get support from the House of Commons and the Senate. Nevertheless, I don't think our businesses can wait.

Senator Carignan: I think you're making this more complicated than it needs to be. Your former colleague, Minister Morneau, previously proposed an amendment in this chamber through the Leader of the Government, seeking to change a flawed budget bill. It was adopted in the Senate and sent back to the House of Commons, where it was passed. It would be perfectly possible for you to ask your Leader of the Government to propose this amendment, which would be adopted here then sent back to the House of Commons. Then we would have a complete bill, instead of a bill full of holes that public servants would yet again be responsible for filling.

Ms. Freeland: Senator, the process you're describing is obviously perfectly possible. However, if we proceed in that fashion, our businesses will have to wait even longer. I think that, seeing as we're in the midst of a pandemic and facing a second wave, we need to take action now and give businesses the help they need.

I understand that you're worried about businesses that want to use the federal government support for rent payable. I agree with you, which is why I'm happy to assure you that the bill before us will ensure that these businesses get the help they need. That's what matters most to me.

Senator Carignan: I don't think we're going to agree.

I have another question. During your last appearance, I asked you when you planned to present an economic and fiscal update. Quebec just released one, as did Ontario. Around \$400 billion was estimated —

The Chair: Senator Carignan, your five minutes have expired. I must move on to Senator Marshall.

[English]

Senator Marshall: Thank you very much, Madam Chair. Welcome, minister, to the Senate of Canada.

Minister, this bill provides for a wage and rental subsidy for businesses up to June 2021. However, the bill sets out the rates and formula for determining the amount of subsidy a business will receive up to December 19 only. The rates and the formula for calculating the amount of subsidy to be received for the periods after December 19 will be set by regulation.

Minister, December 19 is a mere four weeks away and, as you say, winter is coming. Businesses have no idea what their subsidies will be after December 19.

Last week, witnesses at the Senate National Finance Committee testified that uncertainty is one of the biggest problems businesses are facing right now. Given that businesses have yet to be informed as to the rates and formulas for the calculation of their subsidies after December 19, when can they

expect to see those regulations? Could you give us a date for that, minister, and also the date for the next fiscal snapshot? Thank you very much.

Ms. Freeland: It's a very good question, senator. Let me offer some insight into our thinking around setting the rates until December 19 but not beyond that. It was quite an intentional decision.

I agree, senator, uncertainty is very difficult for businesses to live with, but the reality is the course of the coronavirus is innately uncertain. We are living through a second wave of the coronavirus, whose intensity today was not predicted by everyone and whose future course is impossible to foresee with certainty. Likewise, it is impossible for us in the federal government to know for sure what measures different provinces, municipalities and public health officers will take across the country. These two things, the course of the coronavirus and actions taken to fight the coronavirus, which I strongly support, will have a big impact on how much support businesses need through the winter. We have judged that the best course of action is to leave some flexibility. If things get worse, then the government will be in a position to offer more support. If we can flatten the curve, and everyone can get back to work and the economy continues to recover, then we will be able to offer less support. That's the reason for that thinking.

• (1600)

In terms of when the levels for the next periods will be set, let me say that in the coming weeks — I am not going to offer a specific date — but we do know that December 19 is coming soon.

Senator Marshall: Thank you. Can you also give us a date for the next fiscal snapshot?

Ms. Freeland: It will be sometime in the fall.

Senator Marshall: Minister, when you appeared before the Finance Committee last week, we discussed the lack of program and financial information, especially as they relate to the COVID-19 programs. At that time, I referred specifically to the bi-weekly reports on COVID-19 spending because the government had been providing them to us up to August 6, but then after that, the reports were no longer tabled and they were no longer presented. When we met last week, you said: "We are seeking to provide financial information," and that you "accept the core point" that I was making.

My question is this: Will you commit today to reinstating the bi-weekly COVID-19 reports?

Ms. Freeland: What I will commit to, senator, is that in the fall fiscal update, which we are working on right now, there will be detailed information of spending to date and detailed fiscal projections going forward. That's coming soon.

Senator Marshall: Thank you.

Senator McPhedran: Welcome, Minister Freeland, and welcome to Bill C-9. It's good to see the government responding to Canada's business sector. The dedicated efforts of you and your officials are appreciated. I would like to share my time with Senator Galvez.

My question is, again, whether Canada's big six banks are truly helping financially stressed Canadians through the COVID-19 pandemic and on to a healthy recovery for all. Yes, some of the big six temporarily reduced credit card interest rates, temporarily deferred some payments and lowered some minimum payments on credit cards and lines of credits, as well as some 86,000 deferrals and extensions on business loans valued at over \$2.6 billion according to the Canadian Bankers Association. Yet we cannot ignore what we are starting to hear from the financial restructuring sector: An earthquake is coming.

Minister, the Canadian Federation of Independent Businesses has joined the chorus in warning about zombie businesses. As things stand now, all debts will eventually be called in. What are the government's plans for when COVID-19 is finally behind us but Canadians and Canadian businesses face an avalanche of debt? How can they possibly stay alive? Yes, Canada needs its strong banks, as you reminded me the last time I asked you a question like this, but given the very healthy profits that banks are enjoying throughout this pandemic, is the government working with the big banks to incorporate debt forgiveness as part of the national recovery strategy?

Ms. Freeland: Thank you very much, senator. A lot of questions are embedded in that question, so let me try to take some of them in turn.

The government is working with Canadian banks to deliver many of these programs. One example is the Canadian Emergency Business Account, or CEBA, which is delivered through the banks. We are working now to get that next \$20,000, \$10,000 of which would be forgivable, out there as quickly as possible to Canadians. Of course, we are working with the banks, and that is really important. It's a big job. Nearly 785,000 small businesses have received CEBA loans so far. That collaboration is important.

In terms of businesses and the debt that they will have once we are through the coronavirus pandemic, first, one of the reasons that we have created a net of programs to support businesses is that we want as many businesses as possible to come through this crisis viable and solvent. I really believe that the support that the Government of Canada is providing to Canadian businesses is second to none anywhere in the world. We are providing really significant support. As some senators have pointed out, it is expensive, but I think it's the right thing to do because that will put our economy in a much better position to recover from the crisis once we have a vaccine and we are past the coronavirus.

In terms of whether some type of debt forgiveness provision should be part of the coronavirus recovery effort, I think that is a useful suggestion. We still need to see what the landscape is going to be like when we get there. Let me just emphasize that our focus now, quite rightly, is on helping as many Canadian businesses as possible get through this crisis viable and solvent.

Finally, you're quite right, senator, that some sectors in the economy are doing well. The coronavirus is having a very uneven impact, and the banking sector is one of the sectors that is doing reasonably well right now.

Senator McPhedran: I pass my time to Senator Galvez.

Senator Galvez: Minister Freeland, thank you for your interest expressed on my white paper and on a clean and just recovery. During our research, we found that many G20 governments have given a lot of importance to conditionality, efficiency and transparency since billions of dollars have been injected into businesses and into society. They see it as investments. We know we need to keep workers and essential and civil services afloat, but as predicted by scientists, we are in the second wave, and other waves will come until vaccines are widely available. Chances are that COVID-19 remains endemic, hence my worries that we need to find a solid equilibrium between the sanitary exigences and opening businesses safely.

Our National Finance Committee report on Bill C-9 recommends that the recipients of the support should not be allowed to give dividends or bonuses, echoing conditions found in the Large Employer Emergency Financing Facility. That also included climate disclosure conditions and excluded corporations convicted of tax evasion. Are you planning to expand such conditions to all corporate financial support programs? If so, when? And if not, what are the arguments?

Ms. Freeland: Thank you very much, senator, for the question. With the wage subsidy and the rent support, our objective has been to create very broad-based programs, which can be delivered to a lot of Canadian businesses in a robust and timely way, that have some built-in flexibility so that as your revenue loss increases, you can get more support. For businesses that are less hard hit, you get less support. We have also built in, with Bill C-9, some additional lockdown support. I also want to emphasize that the rent and wage subsidies are broad-based for the whole country, for businesses across the country — for hundreds of thousands of businesses.

• (1610)

By contrast, the LEEFF program is about a bespoke loan solution where we have tiger teams that work specifically with the businesses to look at their books and provide targeted and tailored loans. That is why, senator, I believe it is entirely appropriate with the LEEFF program, where we are providing significant loans to businesses that apply for them, powerful conditionality kicks into force, both in terms of corporate compensation and environment.

With the wage subsidy and the rent support, we are really looking to have a program that can go out quickly and effectively to hundreds of thousands of businesses across the country and support millions of Canadians. With those programs, the objective needs to be to get out, to do something robust and that can be relatively fast for businesses to get the support to do something simple. As we've heard, businesses need the support now.

[Ms. Freeland]

[Translation]

Senator Galvez: Since COVID-19 will be with us for some time, are you planning to start the economic recovery as soon as the pandemic is over?

Ms. Freeland: That's a good question. The support we are providing to businesses and Canadians now is meant to support economic recovery.

For workers, the recovery is well under way, since 79% of Canadian workers who lost their jobs at the start of the crisis have already found new jobs. That's an encouraging number, especially compared to the United States, the economy we are most closely tied to, where only 54% of workers have found new jobs. Our economic recovery is already under way.

However, we also need to remember that we're still in the middle of a pandemic, that many provinces and municipalities are implementing new lockdowns and that such measures will obviously have an economic impact. I support those measures, but we need to understand that a full recovery can only happen once we have flattened the curve. I think it is possible.

We got some good news about vaccines this week and last. Canada has bought a supply of vaccines, and we will be ready to use it. That's my answer, senator.

[English]

The Chair: We will now move on to the next block of 10 minutes, which will be shared between Senators Smith and Martin.

Senator Smith: Welcome to our hearing, minister.

While you've continued to state that historically low debt servicing levels allow you to borrow and spend at these historic levels, repayment of the debt will take place over a longer period of time, perhaps decades.

As per the Bank of Canada, you mentioned earlier that the Government of Canada's total inflation adjusted outstanding loans and securities currently stand at just under \$1.1 trillion. Recent reports showed interest rates on government debt globally spiked on the positive news of new COVID-19 vaccine trial data from Pfizer. For context, the rate on 10-year Government of Canada bonds jumped from 0.64% to 0.75% in one day, adding \$1.0 billion in interest costs on total government debt.

Minister, given that Canada has outpaced every G7 nation in spending as a percentage of GDP during this pandemic, has the Department of Finance Canada modelled the impact of rising interest rates on government debt, and is there a debt management strategy in place?

Ms. Freeland: Thank you very much, senator, for the question.

Absolutely, we think a lot about our debt management strategy. Our focus right now is on pushing out the maturities of our debt to take advantage of the very low interest rates that Canada enjoys today. The share of bond issuance that is longer than 10 years is nearly double this year compared to last year; it has gone from 14% to 26%, and that is the highest ever level of long-term issuance in nominal terms.

We do have a carefully thought-through strategy of locking in the low interest rates that Canada enjoys today. That is intentional and absolutely the right approach, I think.

I will say, senator, that I am glad Canada has provided very considerable support to our businesses and Canadians. We've been talking a lot about the needs of Canadian businesses, and I believe those needs are acute. I also believe that by acting now to support our businesses, we are going to prevent scarring and some of those bankruptcies that we heard the senator from Manitoba speaking about. The more we can do today to prevent scarring, the stronger, faster and more robust our recovery will be.

I believe this support is money very well spent.

Senator Smith: I just wanted to have a concept from you that would include balance. That was really the purpose of me asking the question; I wanted to see whether there is a balancing act between spending and having debt grow, and then how we are going to manage our debt moving forward.

To move forward, this week you assured the Standing Senate Committee on National Finance that you and the Prime Minister do not have differing opinions when it comes to the state of our country's finances. You made it clear that COVID-19-related borrowing and spending measures will be temporary in nature and that good governments "will impose limits on themselves."

Minister, regarding the Fall Economic Statement that your government has promised and that will be made public, will it include some form of fiscal anchor? If not, how will you ensure this spending is temporary?

Ms. Freeland: Thank you very much for the question. The Prime Minister has been clear about that. I have also been clear, as has the Prime Minister, that we understand that the extraordinary spending we are undertaking to fight COVID must be limited and temporary. We will make that further clear in the Fall Economic Statement.

I want to be clear to senators here and to everyone who watches Canadian economic policy closely that our government absolutely understands the very strong reputation Canada has for wise and prudent fiscal management. This is a reputation that has

been built up over decades, and that is a representation I understand is very valuable to our country and which I guard very zealously.

Senator Smith: During the pre-study on Bill C-9 in the Standing Senate Committee on National Finance, stakeholders voiced their concerns about the lack of open, transparent and timely COVID-19-related data from governments when it came to public-health lockdown orders. In many cases, small business owners are increasingly feeling that they are being shut out or shut down in order to send a message to the general public, with no data being made available to them. It was clear from testimony that small businesses were looking to the federal government to take on a more proactive role in working with provincial and local governments to fill these critical data gaps.

Minister, will you and your colleagues at the cabinet table — the Minister of Health and the Minister of Science, Innovation and Economic Development, specifically — commit to working with your provincial and local partners to ensure small businesses receive open and transparent COVID-19-related data and work on innovative ways to keep our small businesses open?

Ms. Freeland: Thank you for the question, senator. Both my cabinet colleagues and I work very closely with our provincial counterparts. In fact, I would say one of the hallmarks of Canada's response to COVID-19 has been the close cooperation of all levels of government. I agree that data on coronavirus is our friend, and the more data we have the better we can respond as a country, as individuals and as businesses.

• (1620)

But let me also say, senator, that I have tremendous respect for public health leaders across the country, and I have tremendous respect for the difficult decisions they are taking across the country, even as we speak, in imposing additional restrictions to fight this deadly second wave of the virus. My job as finance minister is to support them and to support businesses as we do what we need to do to fight the second wave of the virus. That's one reason this additional lockdown top-up measure is so important. It will cover businesses that are subject to a lockdown restriction for up to 90% of their rent. They need that, and I think public health officials need to know that that support will be there for businesses in their community.

I strongly believe, senator, that the best economic policy is a strong health policy. If we can fight and contain the coronavirus as quickly as possible, then we will all be able to fully reopen our economy. I don't believe that there is a trade-off between health and economy. I think doing the right thing on health and acting quickly and effectively is the best economic policy.

Senator Smith: If I have a couple of minutes, I would like to ask you about one other concept. We were told, in the Finance Committee meetings, of course, that the restaurant business and the accommodation business — hotels — are really being hammered.

I had a talk with my son who has a couple of restaurants in Toronto, and he said that the issue here is not in restaurants. The virus is not being spread in restaurants; it is being spread in private parties and private gatherings. What is critical is that

people recognize that restaurants are not the culprits. Tracking the proper data appears to be fundamental in terms of whether there will be a turn around.

If there is anything you could give us in terms of the commitment that you will make — and this is a leadership opportunity, as I see it, for you as the Minister of Finance. I'm not trying to pin anything on you, but we need to have that strong leadership come from the centre and have it spread. We must make sure that data is properly transferred so we are not putting blame on people who are not guilty. The restaurant and accommodation industries are being hammered, and that's why they are asking for specific support from you.

Ms. Freeland: I think we should avoid language like “blame,” and “culprits” and “guilty.” I know you didn't mean to assign blame, but the fact that some economic activities can naturally be done more safely than others is not a question of guilt or blame. It is a question of how the virus is transmitted, and we need to bear that in mind.

When it comes to Toronto specifically, I have tremendous respect for Dr. Eileen de Villa and Mayor John Tory. I'm an MP from that city, and I trust their judgment and decisions very much. Bill C-9 will help businesses do the right thing.

Senator Boehm: Thank you, minister, for joining us, and thank you, Mr. Marsland, for being here as well. I would like to give the balance of my time to my colleague Senator Loffreda.

Minister, as you have been pointing out, many companies have benefited from the Canada Emergency Wage Subsidy, and during your appearance at the National Finance Committee last Thursday, I referred to larger companies — I mentioned the airline companies in particular — that had laid off people, brought them back once the subsidy was in place but then had to lay them off again because of market forces turning the other way, not to their advantage.

At the same time, we are seeing the difficulty of statistical information. Other senators have mentioned the data issue but also the forecasting issue, and we can count on the IMF and the Bank of Canada to a certain degree. I'm sure you've seen the article in last week's *The Economist* entitled “Northern Light” that points out the difficulties we might have looking ahead in terms of forecasting.

My question, then, was about the success rate of the wage subsidy. I'm wondering how we can also look at which companies are actually succeeding in getting the subsidies, which are not and why, and how you would propose looking ahead to see how companies have benefited and how others may not have. Is there a line we could look at, in reference to Senator Smith's point about the hospitality industry, for example, and also transport which will take a long time to come back? Thank you.

Ms. Freeland: Very nice to see you, Senator Boehm, and thank you for that really important question.

I think a theme that is running through our discussion today is the variable impact of the coronavirus, whether it is on human beings or on different sectors of the economy. Indeed, in some detailed analysis the Department of Finance has done, what

we've seen is that this is a multi-speed economy. There are some sectors of the economy that are operating and are even busier — they are doing better than before the virus struck — there are others that were hit and have recovered completely and there are some sectors that are still really struggling.

What we have tried to do with our programs is to create measures that are intrinsically targeted, and the targeting mechanism is the level of revenue loss that your business has had. That is why we've set up these formulas that create a slope of support. The hardest-hit businesses get the most support. If you have lost 70% of your revenue or more, you get the full 65% wage subsidy and 65% rent subsidy.

There was some clever mathematical work done by the Department of Finance officials to create a slope that goes down smoothly so that, as the fortunes of your business improve, you get less and less support. That is exactly as it should be, and the intrinsic design of those programs means they reach the people who need it the most. They also avoid creating unintended incentives. You might wonder why it was important for us to get that smooth slope, and the reason was to avoid cliffs: to avoid creating a situation where businesses had a disincentive to do better because then they would get less rent subsidy or less wage subsidy.

The final targeting measure I would like to emphasize is this new lockdown support measure. As we heard from Senator Smith, and as I have heard from so many different businesses, it is agonizing for them. It is agonizing for public health officials, it is agonizing for premiers and it is agonizing for mayors when they see the coronavirus numbers and know they have to impose additional restrictions. This measure, which I hope we will all support, is going to help in that particular situation. With 90% of rent covered, that is meaningful support for those hardest-hit, lockdown-targeted businesses, and I think it will be a good thing to have in place.

Senator Boehm: Thank you.

Senator Loffreda: Minister Freeland, welcome back. So much has been covered. I support Bill C-9, as I mentioned in our Finance Committee, and I appreciate the changes brought forward to the rent subsidy. I know many businesses feel the same way, so thank you.

I want to go back to an area of our economy that is very important, and I touched upon it at the Finance Committee this week, which is technology companies and the way they will be impacted by Bill C-9. More specifically, we have been talking about the digital economy for years, and the pandemic has accelerated the need for businesses to digitize and modernize.

We must support Canadians and our businesses in their transition to this digital economy. As you know, in the digital economy, technology is the primary source of value creation. Technology is so important.

• (1630)

What is the government doing to sustain our high-tech companies, including the research and development companies and artificial intelligence firms that will drive the productivity and growth that we desperately need on the other side of this pandemic? This sector has high-growth potential. It is also an area of interest to my colleague Senator Colin Deacon from Nova Scotia. He has contributed some information in putting this question together. Thank you to Senator Deacon.

For example, are you looking further into opportunities offered by the scientific research and experimental development tax funding, or tweaking the BDC's Co-Investment programs, which have only approved \$148 million of its \$300 million allotment so far? Thank you.

Ms. Freeland: Thank you very much, senator, for that thoughtful question and for those suggestions embedded in your question.

Let me first of all say that, in answer to Senator Boehm's question, I spoke about the very uneven impact of the crisis. Among those sectors that have businesses doing particularly well right now are the digital economy and the technology sectors. There are some businesses in that space that are able to take advantage of the fact that our lives today are lived much more virtually than they were before the coronavirus struck. We are preferring to do our shopping online, for example, to minimize interactions, and so on. There are some businesses in that space for whom this crisis is turning out to be a real economic opportunity. It's good that Canada has such businesses.

I also agree with your point that supporting Canadian digital businesses and technology businesses is a very important part of the productivity challenge, and will be an essential part of the coronavirus recovery plan. We do need to build back better, and we need to come roaring back. We need to use this crisis as an opportunity to further strengthen Canada's high-tech, research and AI capacity. So yes, there is definitely more work to do. We're very excited about it.

Let me just say, it is thanks to that capacity that we have the COVID Alert app, which is a really good one. I have it on my phone; I hope everyone else does too.

Senator Loffreda: Excellent point.

The Chair: One minute.

Senator Loffreda: Thank you for that; the COVID Alert app is wonderful.

Some reassurance is needed. I did mention fiscal anchors before. I understand the fact that you don't have one. That is fine, I accept that. And you're not going to have one. But to give some reassurance to Canadians, what tools are you using expenses and expenditures going forward? Just reassure us a little bit on that side.

I know that there is a fiscal snapshot coming in the fall. But from here to the fall it's so dynamic, and things are changing every day. I would like a little word from you on that.

Ms. Freeland: I will give you one example, senator. When senators and businesses say to me that the new rent support should be retroactive, I would point out that to use our resources as effectively as possible, we want to focus on the future and not the past.

I think all of us understand that the coronavirus has put us in a position of —

The Chair: The next 10 minutes will be equally shared between Senator Wallin and Senator Downe.

Senator Wallin: Minister, I will try and keep my question very focused.

In my province, small business has been extremely hard hit by both first and second waves. By small businesses, for the purposes of this, I'm not talking about small manufacturing firms. I'm talking about mom-and-pop shops, places with one, two or three employees. They are running on empty in rural areas, very dramatically.

I have three points. First, regarding the public health orders, the businesses themselves may not be subject to a direct public health order, but their customers are, so it seems an unnecessary constraint or hurdle.

Second, why not just offer financial aid to these businesses to be used in ways they see fit, rather than these piecemeal approaches, some of which they can't access if they are a mom-and-pop shop?

Third, are any changes proposed to bankruptcy laws that might help those who can start again, if they can, to have a little more leeway? Thank you.

Ms. Freeland: Thank you for those excellent questions. Let me just thank the Saskatchewan Minister of Finance, conversations with whom were very helpful, in particular with the rent support.

First, to get the lockdown top-up, why do you need to be subject to a particular lockdown order? This makes the program really generous, right? And 90% of rent covered is a lot, so we needed criteria that focused on the businesses that were directly affected by a lockdown order. Also, this measure was created to help public health officers do the right thing, and to help public health officers, mayors and premiers know that if they put in place new lockdown restrictions because of the virus, the support will be there. That's the rationale behind it.

Second, why the specific approach, with some support for rent, some support for wages? I think this gets back to the conversation we were having in this wing of the Senate around the balance we are striking in delivering support to businesses. There needs to be some eligibility criteria. We need to know why businesses need the money and what they are going to use the money for. I think supporting the wages of employees and supporting fixed costs, of which rent is the largest one for most businesses, are really good criteria to base the support on.

On bankruptcy, it is a really good question. It's something that we are monitoring closely. If we get these programs right, we will minimize the bankruptcies that we face in Canada, but it's something we need to look at.

The Chair: Senator Downe, do you have a question?

Senator Downe: Deputy Prime Minister, as I mentioned earlier when your microphone was not working, P.E.I. has a very low level of COVID and transmission. We are very thankful for that. The residents of P.E.I. are also very thankful for all the assistance the federal Liberal government has given. I hear it constantly when I'm out in the community. It has made a tremendous impact. Obviously, we have sectors impacted that this bill will help address and keep that progress going forward.

However, one area that would complement this bill is a change in the national policy. Currently, the Government of Canada has most of their federal employees working from home. In Prince Edward Island, the provincial government has managed to bring a number of employees back to the government offices. This would greatly assist the businesses in downtown Charlottetown and Summerside. We have, as you know, the Department of Veterans Affairs and others. The businesses are really impacted by their absence. They are continuing, obviously, as I emphasized, to work from home. However, a number of those people working in their offices across Prince Edward Island would greatly assist our businesses. Maybe as Deputy Prime Minister that is something you could look at. Thank you.

Ms. Freeland: Excellent point; congratulations P.E.I. and Atlantic Canada for doing such a great job. You are the New Zealand of North America, and we can all learn a lot from you guys. I promise to raise your point with Minister MacAulay, another proud Prince Edward Islander.

The Chair: The next five minutes are for Senator Bovey.

Senator Bovey: Welcome back, and it's lovely to have you here again.

I have another question regarding eligibility requirements for the Canada Emergency Rent Subsidy. In the background that accompanied this legislation, one of the eligible entities mentioned is art schools. That's obviously a broad term covering many aspects of the teaching and training of all the arts: music, visual art and theatre.

• (1640)

Could you please define what the government has in mind and what your definition of "art school" is? Then I have a quick follow-up.

Ms. Freeland: Thank you for that question and for your attention to detail.

As I said in my opening remarks, when we think about this support, we're mostly thinking about businesses, but we have been clear that we want not-for-profits and charities to be covered as well.

[Ms. Freeland]

In terms of the specific definition of "art school," I saw Andrew shuffling his papers, and maybe he will be happy to go into more detail there.

Andrew Marsland, Senior Assistant Deputy Minister, Tax Policy Branch, Finance Canada: Thank you, minister.

As a point of clarity, the criterion is a registered charity or non-profit organization. So if an art school was either of those, it would qualify. There is no definition. I think it was given as an example to explain, as opposed to a definitional issue.

Senator Bovey: That is very helpful. I think I have a minute. Let me ask one quick question about individual artists who are self-employed businesses and their studio rents. Do they get assistance under this rent subsidy?

Ms. Freeland: I will start and then I'll let Andrew continue. It would depend on how they are registered as a business.

Andrew, would you like to go into more detail?

Mr. Marsland: I think you would have to look at the particular circumstances. Generally speaking, if it has a payroll account — which it probably wouldn't have in the example you gave — or a business number with the CRA, then it would be potentially eligible.

The Chair: You still have two minutes, Senator Bovey.

Senator Bovey: Then I'll ask a business question dealing with the arts. As we know, many commercial art galleries across the country have been forced to close down because of COVID. One of the big issues is that artists have lost opportunities to sell works. I presume that, as they are registered businesses, commercial galleries can seek rent assistance.

Ms. Freeland: Absolutely.

Senator Bovey: I'm honoured to take all this back to my constituents from coast to coast to coast. Thank you very much. I have asked my questions.

[Translation]

Senator Bellemare: Minister, thank you for being with us today. I have a sub-question, and then I will yield the balance of my time to Senator Jaffer.

We know that the economic recovery will take a long time and that Canada will need to make structural changes to its economy. We also know that investing in skills training is indispensable to a sustainable recovery.

The Advisory Council on Economic Growth, which was established by your predecessor, evaluated the annual need for skills training. The council found that annual investment in skills training for employees needs to be increased by \$15 billion.

Mr. Trudeau announced that he would allocate \$1.5 billion for skills development funding, but this funding is mainly for the vulnerable and the unemployed. Minister, why not use the wage subsidy program and Bill C-9 as an opportunity to provide further tax incentives for businesses? They could invest in training for their employees, who are currently underemployed and desperately need to upgrade their essential skills, including computer skills, to be more prepared for the future.

Ms. Freeland: Thank you for your question, senator.

I agree with regard to the training, but I disagree with you regarding Bill C-9.

I absolutely agree that, generally speaking, Canada needs to invest more in training, particularly now. We have started to regain the jobs that were lost during the worst days of the crisis, but we still have a lot of work to do. Obviously, we need to invest in training. That will help us build a better post-crisis economy. I completely agree with you on that. Now is the time to do it.

However, I don't agree that Bill C-9 is the right tool for accomplishing this. I want to stress that our businesses need help immediately. That's why we tried to create very simple, very targeted programs without adding too many things.

This isn't a Christmas tree. It's a very targeted program that was created to help our businesses today, while we are in the midst of the pandemic. That being said, in general, I strongly support the idea of investing more in training.

Senator Bellemare: I conducted a survey with Nanos, and the results were published in January 2020. The number of Canadians in the labour force was estimated to be 11.4 million. Some are working and some are unemployed, but these 11.4 million Canadians are considered to be our active labour force. They would like to take training to improve their computer skills and essential skills.

We are giving businesses a lot of money. You're planning to pay them \$68 billion by December. There is often a correlation between the cost of training and a lack of income. Wouldn't it be worthwhile for your department to work with the Department of Employment to find a way to get the best value for that money? Thank you.

Ms. Freeland: Thank you once again. I'll add that I work closely with my colleague, the Minister of Employment. I completely agree that training is very important and that we need to invest in this sector. As for Bill C-9, I firmly believe that right now, since we're in the middle of a pandemic, we need to implement very simple, very targeted programs. This program is intended to help our businesses survive this crisis.

Senator Bellemare: Thank you very much, Minister. I'm done. I yield the balance of my time to Senator Jaffer.

[English]

Senator Jaffer: Thank you, senator, and thank you, minister. It's a real honour to speak to you, to a woman finance minister.

Minister, I want to thank you for all the steps you have taken at different times to meet the needs of Canadians. There is no doubt that Canadians are facing tremendous challenges. As was referred to by Senator Bernard — and I am continuing with what she was saying — the challenges faced by racial communities are even harsher. In the summer, the parliamentary caucus asked that every legislation have a race-based analysis. I was wondering if you have carried out a race-based analysis on this legislation.

Ms. Freeland: Senator, thank you for the question. I very much agree with the core of your analysis, that the impact of the crisis has been uneven and that racialized Canadians have been particularly hard hit. We are very aware of that in our policies and we really believe that our policies have to meet people where they are, and have to respond to the terrible reality of the coronavirus crisis.

• (1650)

I do think that our government needs to do more work on collecting disaggregated data and being sure we have the information about who is being reached by programs and who needs the support. I would agree there is still work to be done there.

Senator Jaffer: Thank you, minister, for your response. What I wanted to know is: Did you carry out a race-based analysis for this bill?

Ms. Freeland: Senator, I would say we are very aware and looking very hard at the particular impact of the coronavirus and of what we might call the coronavirus recession on racialized Canadians. We are developing particular programs to provide additional support there. But I do believe, senator, that our government needs to do much more in terms of the collection of data that would allow us to do the kind of analysis that I think we need to do.

Senator Jaffer: Minister, I would be the first person to agree that your government is doing a lot of work for racialized communities. From your answers, I am assuming you have not done a race-based analysis on this legislation specifically. In the future, I would respectfully ask that, for all legislation, and especially for any bill that you are working on, you kindly carry out a race-based analysis. Thank you.

Ms. Freeland: All I can say is thank you very much for the question and for highlighting the importance of disaggregated data that helps us to do the kind of analysis that I agree with you is really important. It is important in general, but we already know from the data we have on the coronavirus that it is simply a reality that it is hitting racialized Canadians harder. So our programs need to reflect that.

Senator Batters: Minister Freeland, in August, Prime Minister Trudeau prorogued Parliament stating, as a major rationale, that the government needed the time to develop a small business assistance program.

In October, you implored MPs not to defeat your government on a confidence motion because these small business measures need to pass, but you didn't introduce Bill C-9 until weeks later in early November. Now, despite all that delay, there is a major flaw in your rent subsidy again.

Last week and again today, you said you're going to bring in yet another bill to fix this flawed government bill. Bill C-9 is still before the Senate, and our job is to fix flawed bills. Small business owners need help now.

So, following up on Senator Carignan's line of questioning, why is the Trudeau government wasting time bringing in a whole new bill that will have to pass both the House and the Senate when you could introduce a government amendment to fix the flaw in Bill C-9 during Senate deliberations?

Ms. Freeland: Senator, each one of us will have to answer this question for themselves. My answer is that I talk to a lot of small businesses every day. I think everyone here does. I know they need the support urgently. I think the coronavirus and the second wave is hitting our country harder than many people expected, and in parts of the country where it had not hit so hard. My objective is to get the support to Canadians as quickly as possible.

As I have said to senators, thanks to the very hard work of our officials, I am able to assure you that the moment that this legislation, in its current form, is passed and enters into force, businesses will be able to benefit from it fully, including using rent payable for eligibility.

I think the right thing to do for Canadian businesses is to pass the legislation as quickly as we can. Obviously, senators will have to make their own decisions about that. I know I would struggle to explain to a business why they needed to wait longer.

Senator Batters: Minister, I am simply trying to give you a solution that would save time and get Canadian small businesses help as soon as possible: amend this bill instead of asking us to pass this flawed bill and then asking us to pass an entirely new bill.

Minister, I'll go on to a different line of questioning. The husband of the Prime Minister's chief of staff, Rob Silver, is a senior vice-president with MCAP. This is the company that was awarded the multi-million dollar contract to administer the Trudeau government's first rent subsidy program that CFIB head Dan Kelly called a "disaster" at the Senate Finance Committee last week.

Tell us the dollar amount, please. How much money did Rob Silver's company receive to run the Trudeau government's first rent subsidy program?

Ms. Freeland: As you know, senator, what we are debating is a new rent subsidy program that will provide the support directly to businesses through the CRA. That's something that businesses have asked for, and I think that this is the right approach to be taking. I am very pleased to be putting this particular piece of legislation forward.

Senator Batters: Minister, I think what we would also like to know, and what taxpayers would like to know, is how much money that particular company received to run the first Trudeau government rent subsidy program, which, again, CFIB head Dan Kelly called a "disaster." That is a legitimate question for taxpayers to know the answer to when we debate the second and soon-to-be amended next rent subsidy program.

Ms. Freeland: Senator, I am very glad that we have found a way to deliver rent support for businesses directly to the tenants. I think this will simplify things considerably and make it possible for us to support more businesses. I am also pleased that we have found a way for the very hard-working people at CRA to deliver that support. We have seen with CERB and the wage subsidy that they are able to do it. They are the right people to do this job.

Senator Patterson: Thank you, minister, for being with us here today.

In October, I conducted a survey of businesses in Nunavut about how they were doing during the pandemic, which, as you know, is sadly now hitting Nunavut in an alarming way just recently. Of the 162 respondents, only one received the commercial rental assistance, while two more applied and were denied. This isn't the type of support Nunavummiut indicated they needed. The most-accessed supports were those centred on wage subsidies, but even these were not enough, and 88% of respondents are still worried about the survival of their businesses in this very high-cost environment.

The chief economist for the Canadian Chamber of Commerce has said that the one-size-fits-all approach to support programs is not sustainable through 2022, and it may not be particularly useful at this stage of the pandemic.

My survey confirmed that help is needed for some especially hard-hit sectors, such as the hospitality industry and hotels, which are essential services in our remote communities, and tourism and the arts and entertainment sectors. Could you comment on what measures are being taken by your government to address the specific needs of these industries?

Ms. Freeland: Thank you very much, senator, for the question. I think all of us are very aware of the new challenges that Nunavut is facing. I would like to take this opportunity to say to the people of Nunavut and to the leadership of Nunavut what a terrific job they have done so far in fighting the coronavirus and to support them as they meet this current challenge. I'm glad that you started by mentioning that.

There are lots of points embedded in there. On the rent support, as we have been discussing, this is a new program that does not require landlord participation. It will go directly to tenants. I very much hope that there will be more businesses in Nunavut that are able to benefit from it.

Given the new lockdown measures that have been put in place, I think there will be additional support available now for Nunavut businesses. For the affected businesses, up to 90% of the rent will be covered. That's precisely why this legislation is so important and so urgent. Those businesses need it now and I really hope we will be able to get it to them soon.

• (1700)

Now, senator, on the question of broad-based programs and additional support, let me point out that these programs — the wage subsidy and rent support — do actually provide targeted support. You get more support the greater your loss. So if you have a 70% revenue loss or more, you get 65% of your rent or wages covered, up to 90% if there is a lockdown order. That is a really important and effective form of targeting.

The RDAs have also been very active and have supported more than 34,000 businesses across the country, if there are some really specific instances of a business that needs support but falls through the cracks.

Senator Patterson: I have a very quick question, if I may, Madam Chair, and thank you for that answer. I understand that there will be future legislation to fix certain oversights regarding the commercial rent program. I'm wondering if that legislation would consider supporting what I've seen as a problem from the beginning, and that is non-revenue-generating companies such as the junior mineral exploration and some construction sectors, whose business model is not a revenue-generating model?

Ms. Freeland: Thank you for raising that point, senator, and I am aware of how important that sector is in the North. We can certainly look into what measures might be appropriate for that sector.

I think when it comes to Bill C-9, my goal is to be very targeted and focused, and what I have committed to you and what I have committed to the CRA is that we will introduce a targeted and focused amendment specifically on the rent payable. I think we have to be very strict and disciplined with ourselves to be sure that this really important program gets out there.

[Translation]

The Chair: We'll move on to Senator Forest for the next block of 10 minutes.

Senator Forest: Thank you very much for being with us. You gave an excellent speech about the wage subsidy program. This is a targeted and very specific program, which means that the more a business has lost, the more assistance it will receive. I asked you a question about this when you appeared before the Standing Senate Committee on National Finance. In my opinion, it is downright immoral for a company to receive more than \$63 million in wage subsidies and then to pay out \$46 million in dividends. Some businesses are just trying to survive, so a

program should not allow companies that receive an exceptional level of assistance to also pay such big dividends to their shareholders. In the targeted amendments that you plan to make to fine-tune the bill, would it be possible to look at prohibiting companies that receive the Canada Emergency Wage Subsidy from paying dividends to their shareholders and also prohibiting them from paying massive bonuses to their senior executives? This public money is meant to maintain jobs and help businesses that employ ordinary working people survive. It is not meant to go to shareholders or senior executives.

Ms. Freeland: Thank you for the question. I would like to begin by saying that we want to help as many businesses in Canada as we can with the Canada Emergency Wage Subsidy and the Canada Emergency Rent Subsidy. In order to do that, we need to have a very targeted, very simple program with few conditions. The more conditions there are, the harder it will be to deliver that assistance quickly and efficiently. I understand that many senators have good ideas about how we could use these programs to do a lot of things, such as provide training and meet other objectives, but I think that if we want the program to really help businesses, then it is important to keep it very simple.

However, I can assure you that when we give a higher level of targeted assistance to a company, through the LEEFF program, for instance, we apply the conditions that you suggested, and we also check what these companies are doing to address climate change. I think that when we create targeted assistance programs like these, it is absolutely essential that those conditions be met.

Senator Forest: Minister, we need to reach as many people as possible, but I wasn't talking about doing other activities. I think it's downright immoral for a corporate citizen to even consider paying out dividends under such circumstances. The government just needs to make sure that it's getting public money out the door as efficiently as possible and that the measures we implement reach those who really need them, so that Canada's economy can come out of this historic crisis in the best possible shape.

The Chair: Senator Forest, you're sharing your time with Senator Simons, right?

Senator Forest: Yes.

[English]

Senator Simons: My question relates to the way we are going to let people know these benefits are available to them. I have been quite distressed at the lack of knowledge about the Canada Recovery Sickness Benefit and the Canada Recovery Caregiving Benefit, which people in my province don't seem to have heard enough about. I'm wondering if there are plans in place to make sure that these new benefits are made widely known to people who might be able to benefit from them?

Ms. Freeland: That's a really good question, senator, and the information you've shared is troubling to me too, because I would hope that people across the country are aware that these personal benefits — direct to Canadians — exist and they are able to apply for them, so thank you for letting me know that knowledge is not widely out there.

In terms of these new programs, look, I can assure senators that I will be out there talking about them a lot. I really believe that they are absolutely essential as our country fights this intense second wave. I hope you will all help me in being sure that businesses are aware that this support is there.

I think the senator raises a really important point, because letting Canadians know that these measures are out there — and I would say specifically since we are talking about the business support measures today — I think that can build confidence in the economy. I am really hopeful that this will give businesses the confidence to do the difficult things they will have to do to get through the winter. As we all know, animal spirits matter in an economy and confidence matters in an economy, so it will be important for us to be sure that people know that this support is there for them.

Senator Simons: Thank you very much.

• (1710)

[Translation]

The Chair: Honourable senators, the committee has been sitting for 125 minutes. In conformity with the order of the Senate of earlier this day, I am obliged to interrupt proceedings so that the committee can report to the Senate.

Minister, on behalf of all senators, thank you for joining us today to assist us with our work on the bill. I would also like to thank your official.

Hon. Senators: Hear, hear!

The Chair: Honourable senators, is it agreed that the Committee rise and that I report to the Senate that the witnesses have been heard?

Hon. Senators: Agreed.

[English]

The Hon. the Speaker: Honourable senators, the sitting of the Senate is resumed.

REPORT OF THE COMMITTEE OF THE WHOLE

Hon. Pierrette Ringuette (The Hon. the Acting Speaker): Honourable senators, the Committee of the Whole, authorized by the Senate to examine the subject matter of C-9, An Act to amend the Income Tax Act (Canada Emergency Rent Subsidy and Canada Emergency Wage Subsidy), reports that it has heard from the said witnesses.

[Ms. Freeland]

QUESTION PERIOD

The Hon. the Speaker: Honourable senators, when we broke for Committee of the Whole, there were eight minutes left in Question Period. Senator Gold was about to rise and answer a supplementary question from Senator Carignan.

[Translation]

PUBLIC SERVICES AND PROCUREMENT

UNTENDERED GOVERNMENT CONTRACTS

Hon. Marc Gold (Government Representative in the Senate): If memory serves, the question was about a contract between Public Services and Procurement Canada and FTI Professional Grade. This is not the first time the honourable senator has asked this question in an attempt to find out more about the subcontract with Baylis Medical. I have some details to share. As I have said, the contract was with FTI Professional Grade, and it was that company that signed a subcontract with Baylis. What most people don't realize is that the president and CEO of that company, Rick Jamieson, is a well-known Conservative supporter and donor. So I think it would be best to ask Mr. Jamieson the question, because he is in the best position to explain why he chose that company to supply the equipment we are talking about.

[English]

ELECTIONS CANADA

CANADIAN MUSLIM VOTING GUIDE

Hon. Linda Frum: My question is for the Leader of the Government in the Senate. Senator Gold, the Trudeau government has proven time and again to have a difficult time with ethics. One of the more recent failures, which did not receive much attention as it was crowded out by a number of others, involves the Canada Muslim Voting Guide created for use in the 2019 election by Wilfrid Laurier University, which was funded by the federal government. This \$25,000 government-funded guide urged readers to vote for the government while giving a failing grade to opposition politicians whom it accused of Islamophobia. Once again, an independent officer of Parliament, this time the Elections Commissioner, found that by funding the election guide, the Liberals once again breached federal law. What is curious is that no penalty was levelled.

Senator Gold, my question is this: In waiving a penalty, an Elections Commissioner investigator concluded that the public interest would be best served “by addressing the matter using informal means.”

Senator Gold, could you find out on behalf of this chamber exactly what these informal means are? Also, what measures have been put in place to ensure the government does not flagrantly violate election law in this way again?

Hon. Marc Gold (Government Representative in the Senate): Thank you, senator, for the question. I will certainly look into the matter and report back in a timely fashion.

FOREIGN AFFAIRS

UNITED NATIONS TREATY ON THE PROHIBITION OF NUCLEAR WEAPONS

Hon. Mary Coyle: My question is for the Government Representative in the Senate. Senator Gold, in 2017, the United Nations negotiated the Treaty on the Prohibition of Nuclear Weapons. The vote on the final draft took place on July 7, 2017. Canada did not participate in that vote. On October 24, 2020, Honduras became the fiftieth state to ratify the treaty, triggering the treaty's entry into force 90 days later, which will be on January 22, 2021.

Senator Gold, could you tell us why Canada has not signed the Treaty on the Prohibition of Nuclear Weapons, and could you tell us if Canada has any plans to do so? Thank you.

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question, senator. I will have to look into the matter and report back to the chamber.

[Translation]

BANK OF CANADA

FIVE DOLLAR BANKNOTE

Hon. Jean-Guy Dagenais: Honourable senators, the Bank of Canada is planning to take Sir Wilfrid Laurier off the Canadian five-dollar bill. I must tell you that, as a francophone and a Quebecer, I am personally outraged by this decision to replace the country's first francophone prime minister, a great prime minister and a great Canadian who changed the history of Canada. In his place, the Minister of Finance will be choosing from eight important figures, including four Indigenous people, a humanitarian worker born in Prague, the first known Chinese Canadian born in Canada, Terry Fox, and a francophone journalist and writer. Without taking anything away from these eminent figures, there is no way they come anywhere close to Sir Wilfrid Laurier in terms of importance to the history of our country. This is one step away from saying that the government is about to squeeze out a francophone for reasons that are unclear. Leader, how have these figures done more than Wilfrid Laurier to earn a place on the five-dollar bill?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question and thank you for raising the important role that Prime Minister Wilfrid Laurier played in Canada's history. I am rather proud of him myself. By the way, I should mention that our former colleague André Pratte published a very interesting book about this important prime minister who did a lot for Canada. As far the change to our banknotes is concerned, if I understand correctly, Prime Minister Wilfrid

Laurier will be appearing on a different bill. It's good to diversify Canadian representation on all our banknotes to recognize the evolution of our country.

• (1720)

Senator Dagenais: Leader, I wasn't aware until you told me that Sir Wilfrid Laurier will be appearing on another bill. I hope it will be the 20-dollar bill or even the 100-dollar bill to show how much our first francophone prime minister means to us.

[English]

The Hon. the Speaker: The time for Question Period has expired.

ORDERS OF THE DAY

INCOME TAX ACT

BILL TO AMEND—SECOND READING

Hon. Pat Duncan moved second reading of Bill C-9, An Act to amend the Income Tax Act (Canada Emergency Rent Subsidy and Canada Emergency Wage Subsidy).

She said: Honourable senators, it is a pleasure to rise today to present Bill C-9, An Act to amend the Income Tax Act (Canada Emergency Rent Subsidy and Canada Emergency Wage Subsidy).

This bill is, in the view of some, an additional request for the Senate to quickly agree to measures adopted by the other place to respond to the COVID-19 pandemic. Honourable senators, in this chamber of sober second thought, learned members have spoken eloquently that we are not here to simply acquiesce.

Something that was shared with me in my early days as provincial commissioner for the Girl Guides was the adage, "Remember: Your signature is your most valued possession." In these days of tap and swipe with plastic cards, perhaps the next generations are not as aware of this. Every senator, I'm sure, will recall signing that first cheque and perhaps receiving that first paycheque and signing it before depositing it. How important that moment is. It's why we are here. We know the importance of our signature, the value of the scrutiny we are entrusted to offer. We do not do it lightly, and we will not simply offer our signature as soon as we are asked. We will do so after exercising sober second thought and, I might add, thorough and complete thought.

When I began my service in the Senate not so long ago and became a member of the National Finance Committee, our former colleague Senator Day spoke of the seven hours' scrutiny given by the Senate's National Finance Committee to billions of taxpayers' dollars spent in a budget that the other place debated in 20 minutes.

On this bill, your National Finance Committee spent several days during what some might term a “break week” reviewing the measures contained within this bill. I have every confidence — and, senators, I believe you join me — in the high regard we have for our colleagues, members of the Senate National Finance Committee, their skills, their intuition, and their concern for Canadians and their tax dollars.

Honourable senators, let me delve into what Bill C-9 does and why it’s so essential for us to adopt. I do appreciate that we have had the minister here and she has provided additional information. Also, an important point has been made that we will be speaking with Canadians about this bill. Canadians will be listening, I hope, to our debate over the next few days. It’s important to review the measures in the bill.

First, the bill proposes direct and easy-to-access rent and mortgage interest supports to tenants and property owners until June 2021 for qualifying organizations affected by COVID through the new Canada Emergency Rent Subsidy. Second, it proposes to provide an additional 25% Lockdown Support through the new Canada Emergency Rent Subsidy for qualifying organizations significantly restricted by a mandatory public health order issued by a qualifying public health authority. Third, this bill would extend the Canada Emergency Wage Subsidy until June 2021 to help employers keep employees on the payroll and rehire their workers who may have been laid off as a result of the pandemic.

I would like to start with the Canada Emergency Rent Subsidy. In the early months of the pandemic, the government introduced the Canada Emergency Commercial Rent Assistance — CECRA, for those of you who like the shortened versions — for small business. CECRA provided forgivable loans to eligible commercial property owners who, in turn, gave a rent reduction of at least 75% to their small-business tenants. As of November 5, this program provided over \$2 billion in support to over 139,000 small businesses across Canada, employing over 1.25 million people.

Speaking frankly, as if it were a performance evaluation, CECRA did not meet expectations. This new program outlined in Bill C-9 is effective as of September 27, 2020. It provides access to rent and mortgage support until June 2021 for businesses and other organizations that have lost revenue in this crisis. Most importantly, the proposed new rent subsidy will be directly available to tenants, while also providing support to property owners.

As the minister advised earlier, the new rent subsidy would cover up to 65% of rent or mortgage interest payments for the hardest-hit businesses with a revenue fall of 70% or more until December 19, 2020. For businesses that have experienced a decline in revenue of less than 70%, there will be a gradually decreasing subsidy in line with the decline in revenues, delivering more targeted and accessible rent support. Eligible expenses under the new rent subsidy program will include commercial rent for tenants and interest on commercial mortgages for qualifying property owners. Those eligible will include individuals, taxable corporations and trusts, non-profit organizations and registered charities.

Honourable senators, I want to add a point that was not discussed earlier today. It is vitally important that we recognize that Indigenous government-owned corporations that are carrying on a business, as well as a partnership where each member is an eligible employer or an Indigenous government, are also eligible for the new rent subsidy.

Other qualifying institutions include partnerships that are up to 50% owned by non-eligible members, registered Canadian amateur athletic associations, registered journalism organizations and non-public colleges and schools, including institutions that offer specialized services such as arts, driving, language or flight schools. Furthermore, the revenue decline is to be calculated in the same manner as under the wage subsidy program.

Honourable senators, the minister addressed the issue of the rent subsidy and its flexibility for businesses to submit rents payable as an eligible expense. The government has an interim administrative solution which will ensure that rent payable is an eligible expense from day one. It is the government’s clear and stated intention on this.

I would remind honourable senators that I drew upon my experience with the Foundation of Administrative Justice, which instructs public servants that publicly stated intentions of the government, including in situations such as the House of Commons and provincial legislatures, can be acted upon by public servants. I’m very confident that the Canada Revenue Agency and the public servants who have so ably assisted Canadians throughout the pandemic to date will be able to deliver this much-needed subsidy.

• (1730)

Honourable senators, as we have seen over the last two weeks, Canada is well and truly in the midst of a second wave of the pandemic. In that context, I would like to briefly highlight the new Lockdown Support.

As we all know, lockdowns in different parts of the country have been imposed to curb the spread of the second wave of COVID-19 infections. It’s the right thing to do to protect Canadians. It also imposes a great cost to many businesses. The new Lockdown Support will provide an additional rent subsidy at the rate of 25% for organizations that have had to temporarily close their doors or significantly restrict their activities due to a public health order issued by a public health authority.

Combined with the rent subsidy, that would mean that the hardest-hit businesses subject to lockdown could receive rent support of up to 90%. That’s an important point that bears repeating.

Honourable senators, those are the new programs that Bill C-9 creates if adopted. I would like to briefly speak to the Canada Emergency Wage Subsidy extension, which is also included in Bill C-9. Specifically, Bill C-9 maintains the current subsidy rate of up to 65% of eligible wages until December 19, 2020, to ensure businesses, charities and non-profits have the support they need to keep their workers paid through the next wave of the pandemic. Provisions in the bill also make the wage subsidy more responsive to sudden changes in revenue.

The wage subsidy, honourable senators, has proved to be a lifeline for many businesses in various sectors during this pandemic. Everyone in this chamber virtually and physically will have a story of a business that has been assisted in their region by the Canada Emergency Wage Subsidy. I look forward to your remarks on this program.

Currently, a top-up wage subsidy of up to 25% is available to employers that were the most adversely impacted by the pandemic. An eligible employer's top-up wage subsidy is generally determined based on the revenue drop experienced when comparing revenues in the preceding three months to the same months in the prior year. There is also an alternative approach to the calculation of baseline revenues where an eligible employer's top-up wage subsidy is determined based on the revenue drop experienced when comparing average monthly revenue in the preceding three months to the average monthly revenue in January and February 2020.

To make the top-up wage subsidy more responsive to a sudden change in revenue, this legislation harmonizes the revenue decline test for the base subsidy and the top-up wage subsidy from September 27, 2020, onward. This means that instead of using the current three-month revenue decline test for the top-up wage subsidy, both the base and top-up would be determined by the change in an eligible employer's monthly revenues year-over-year for either the current or previous calendar month.

For employers using the alternative revenue decline test available under the program, both the base subsidy and the top-up wage subsidy will be determined by the change in an eligible employer's monthly revenues, relative to the average of its January 2020 and February 2020 revenues.

To ensure that the change in the revenue decline test does not lead to a less generous wage subsidy, the wage subsidy program includes a safe harbour rule, applicable from September 27 to December 19, 2020. This rule entitles an eligible employer to a top-up wage subsidy rate that is no less than it would have received under the three-month revenue decline test.

These proposed changes ensure that the program provides continued support to employers and meets the needs of the health and economic situation as it evolves. An employer with a 70% or greater revenue loss in the period is eligible for a 65% wage subsidy.

Since its launch, the wage subsidy giving support to businesses, non-profits and charities so they can keep and rehire workers has helped over 3.8 million Canadians with over \$46 billion paid out through the program so far.

Honourable senators, our colleagues in the other place have provided their support across party lines for the bill's quick passage. As I noted earlier, the Senate of Canada has provided thorough robust review through the National Finance Committee, where we also questioned the Minister of Finance.

Most importantly, the committee heard directly from Canadians, offering their scrutiny of the bill through their member organizations. Specifically, some of their concerns have been immediately addressed, such as the methodology for the subsidy eligibility.

Toronto's mayor, John Tory, issued an impassioned plea for a quick passage to some leaders in the Senate of Canada. Yesterday, Manitoba's premier, the Honourable Brian Pallister, announced the Manitoba Bridge Grant being online and open for applications to support the province's businesses.

Some of these concerns have simply read as an appeal to senators to please do your job and do it quickly. I think we found a balance.

Honourable senators, I have shared with you today that I believe our colleagues on the Senate's National Finance Committee, and individual senators offering their questions today and at the Finance Committee, have done their job. In the response for quick deliberation, the Finance Committee has been publicly assured by the Canada Revenue Agency public servants, who have responded so ably and so well during this pandemic. We have been assured that upon Royal Assent, measures outlined in this bill will be implemented, applications can be received and cheques should be in the hands of Canadians by early December. In fact, the officials from the CRA, on the public record, said that the application process can be opened 72 hours after Bill C-9 has received Royal Assent.

The advice and support of Canadians, and the recommendation that has been given with one voice by all these Canadians, is support for the passage of this bill without delay.

Colleagues, as the Yukon's former finance minister, now serving as a senator for the Yukon, a member of the National Finance Committee and the sponsor of Bill C-9, I recommend this bill for your immediate consideration and adoption at second reading. *Günálch'ish* and *mahsi'cho*, thank you.

Hon. Yonah Martin (Deputy Leader of the Opposition): I have a question for Senator Duncan. Senator, I was scheduled to ask this question to the minister, but I ceded my time to our critic, Senator Smith. I want to, first of all, commend you and the members of the National Finance Committee for the good work that you continue to do, as well as on this bill. I know that as a chamber we do our part to ensure we do our thorough review because we have often found errors or omissions, so we're able to communicate to the other house. I want to say on the record, in terms of what Mayor Tory was urging and saying to us, hopefully, he too sees the important role of the Senate and this chamber doing our part to ensure that what we eventually legislate is in the best interests of Canadians. I know the good work that has been done.

The question I was going to ask the minister that I wish to ask you is as follows: Did the minister, in her appearance at the committee, look at or answer any questions regarding the CEBA expansion, which she announced on October 9, the same day as the rent program changes and the wage subsidy extension, which are both in Bill C-9, but CEBA is not? The Canada Emergency Business Account — which took a long time for some businesses to even be able to access; some were never eligible — is a very important measure. She discussed earlier that there is a new \$20,000 CEBA loan that will be available, but did anyone ask her the question? Did she talk about when this will be happening? I know it's outside of the bill, but I was curious to put on record as to when this will be available.

Senator Duncan: I would like, first of all, to thank my honourable colleague for the question. I share her respect for the Senate and our work being done here to improve legislation.

• (1740)

I do recall the discussion of CEBA and a mention of it. Truthfully, I cannot recall the exact context and would want to go back and look at the transcripts of the meeting and our discussion with the minister.

I'm not sure if it's appropriate form or not, Your Honour, but do I provide a written response to my colleague? No, she is shaking her head. I will look for her advice on that.

Senator Martin: I should have asked the minister. I was just curious.

It's outside of this bill, so I just wanted to say that we gave leave to do second reading today. We're ready for the question. I thank you, senator, for the work that you have done to date.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

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

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

GIRL GUIDES OF CANADA BILL

PRIVATE BILL—THIRD READING

Hon. Mobina S. B. Jaffer moved third reading of Bill S-1001, An Act respecting Girl Guides of Canada.

She said: Honourable senators, as you have all heard from me many times, this bill has been in front of us for a long time, and I have gone through all the reasons why it is still in front of us. The objective of the bill is to reflect on our approach to a modern charity of the Girl Guides of Canada and is seeking administrative amendments to its act.

I will not go through the changes, as I have done this many times. At this time, I only want to thank Senator Duncan for her support, Senator Frum for her support as the critic of the bill and Senator Dalphond for suggesting the amendments he did.

Most of all, I want to thank all of you because, in a very short time, you have proceeded to have this bill go to third reading. I know why you have done this; it is not just because you are supporting me — and I appreciate that — but you are thinking of the girls, a Girl Guide movement where it says it is a better world run by girls, and the motto of Girl Guides is to empower girls. I ask that you support this bill today. Thank you very much.

Hon. Marty Deacon: Honourable senators, today I rise in support of Bill S-1001, An Act respecting Girl Guides of Canada. This is fairly straightforward legislation, and I don't intend to use too much time here, but it's worth reinforcing what a phenomenal and important program Girl Guides of Canada is and will continue to be.

In my early days as a senator, while sitting at the far end of the chamber in Centre Block, I recall Senator Jaffer rising to speak to a prior iteration of this bill as the sponsor. Frankly, I was shocked to hear a bill about Girl Guides being introduced in the Senate. I did not know that we needed a special act and why it could not be part of the Canada Not-for-profit Corporations Act. I was very curious but listened closely to the words — and the passion behind the words — of Senator Jaffer.

As I listened, my memories of Brownies, Guides and Pathfinders flooded in from my past. I know that the Girl Guides of Canada has touched many here in the Senate and, in fact, is part of the narrative of many leaders in the Senate today.

As a very young girl, I used to watch with envy on Lady Baden-Powell Day, a day when Brownies and Guides wore their beautiful uniforms to school for the whole day. As a family, we did not have much money for a new uniform, so my mother said, "If you can find a used uniform, you can go to Brownies." Well, I got my hands on one, and I held her to that promise and was thrilled to become a Brownie and a Girl Guide when the opportunity came.

Our family life was challenging, but for a few hours each week, I knew I could join other girls, make new friends, learn new skills and earn those infamous badges that I would sew on my uniform with such great joy and pride. I will never forget as a 10-year-old — those of you in Toronto can appreciate this — getting on a train and a subway for a few hours on my own to go to the Girl Guides head office and store on Merton Street, just off Yonge Street, in downtown Toronto. I had saved enough money to buy a new Girl Guides whistle and money pouch. I thought I had won the Girl Guides lottery.

Like so many, the experience of Guiding began our path of leadership. Working together, listening, planning, finding common ground, taking risks, speaking in public and setting goals were all part of this path. To see today that the Guiding movement celebrates equity and inclusion on a global scale makes this movement so relevant in 2020.

Today I would like to share how COVID-19 has impacted the Girl Guides of Canada. As you know, Girl Guide cookies are an annual reminder of the 110-year history of this organization. Cookie sales are the opportunity to generate funds to continue activities and programming and empower young girls to discover who they are and what they want to be. By the way, I was the vanilla cookie girl.

This past March, carton after carton of Girl Guide cookies were delivered to home garages all over Canada. I remember that on March 18 I saw a friend with her garage full of cookie cartons, floor to ceiling. The pandemic lockdown was under way, and the loss of millions of dollars in cookies was a real risk.

Thankfully, moving and storage company AMJ Campbell, a Canadian company established in 1934, under the leadership of Doug Jasper and Charlotte Truter, shifted their business and were generous beyond all means. AMJ picked up all those cartons of cookies and delivered them to grocery stores to be sold over the spring and summer months.

Yesterday, I saw a box in Loblaws a block from here. They are still there, ladies and gentlemen.

This made the difference for the Girl Guides of Canada. This move to respond has allowed the Girl Guides of Canada to meet the programming needs of girls and their families from coast to coast. The Girl Guides of Canada CEO Jill Zelmanovits and Chair of the Board Robyn McDonald have said that AMJ Campbell's kindness has allowed the Girl Guides of Canada to virtually deliver activities while social distancing remains in place.

Our Sparks, our Brownies and our Girl Guides returned to programming in September. As they said, across the country there is a 5-year-old Spark making her first recipe, a 10-year-old Girl Guide who will once again camp under the stars and a 15-year-old Ranger who will continue to design improvements for her community.

We know that a strong future for our country and our community depends on the girls continuing to grow confidently, dream big and strive for a better world. Thank you, AMJ Campbell, for keeping these dreams alive.

Today, honourable senators, quickly, let's do our part and respond to the request of the Girl Guides of Canada to get this bill passed to ensure its roles and procedures as a modern organization are accurately reflected in their governing charter. Thank you. *Meegwetch.*

The Hon. the Speaker: Are 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 and bill read third time and passed.)

• (1750)

PROTECTING YOUNG PERSONS FROM EXPOSURE TO PORNOGRAPHY BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Miville-Dechéne, seconded by the Honourable Senator Harder, P.C., for the second reading of Bill S-203, An Act to restrict young persons' online access to sexually explicit material.

Hon. Linda Frum: Honourable senators, I rise to speak at second reading on Bill S-203, An Act to restrict young persons' online access to sexually explicit material.

Let me begin by congratulating Senator Miville-Dechéne for introducing this important bill and for the thoughtful effort she put into crafting it. I also want to thank her for her detailed speech at second reading. It was a thorough and well-researched exposition on the complete and utter failure of government and society at large to mount any effort to protect our children from the corrosive effects of early exposure to vicious pornography; pornography that if consumed at a young and immature age has the potential to do irreparable harm to the mental and spiritual health of the viewer.

I am the critic for the bill on this side, but I am certain I speak for all honourable members when I say that no reasonable person could possibly object to its aim, which is to shield the developing psyches of our most vulnerable members — our children — from depictions of violent and demeaning sexual acts. Bill S-203 would protect children from viewing harmful porn by enshrining into law that purveyors of online pornography must use online age-verification technology or risk fine or imprisonment.

Further, Bill S-203 would protect the mental health of young persons by restricting their access to sexually explicit material, protect Canadians, in particular young persons and women, from the harmful effects of the exposure of young persons to sexually explicit material, including demeaning material and material depicting sexual violence, and deter anyone who makes sexually explicit material available on the internet for commercial purposes from allowing young persons to access that material.

Our job here at second reading is to debate the principle of the bill, to decide if it has merit and if it is worthy of further study at committee. To that, I give an unequivocal "yes," and I'll be voting for it to be sent to committee.

Let me further state in no uncertain terms, I do not believe children should be viewing pornography of any kind, much less porn that is violent, abusive, demeaning or extreme in nature, which unfortunately describes most of the porn that is available on the internet today.

I agree with the preamble of Bill S-203, which states:

... the consumption of sexually explicit material by young persons is associated with a range of serious harms, including the development of pornography addiction, the reinforcement of gender stereotypes and the development of attitudes favourable to harassment and violence — including sexual harassment and sexual violence — particularly against women . . .

However, I also agree with Senator Cormier when he observed, after the second-reading speech of Senator Miville-Dechéne, that porn-inspired sexual violence is not limited to heterosexual encounters. The committee studying the bill may wish to amend the language in the bill to recognize that sadistic sexual violence, the mainstay of modern pornography, applies to all sexual orientations, and its power to do harm is unlimited and unrestricted.

The challenge of keeping malignant porn away from the eyes of children, as well as away from the eyes of the rest of us who do not wish to be sullied by it, is an incredibly difficult task given its ubiquity. With the portability of smart phones, porn is easily accessed no matter how vigilant or watchful a parent may be. Furthermore, our socio-cultural environment is saturated with it. To borrow a statistic from Senator Miville-Dechéne:

Over the past 10 years people have watched the equivalent of 1.2 million years of pornographic videos, and 95% of this occurs on free commercial sites where there is no age verification.

Porn is everywhere. Just today, on Twitter, quite randomly, the feminist blogger Louise Perry drew my attention to a tweet that had already received more than 300,000 likes and shares. The tweet in question described, in a tone that I would describe as a mix of self-righteousness and self-satisfaction, the “correct way” to choke a woman during sex. Apparently, the trick is to cut off blood flow without cutting off airflow. In the disgusted words of Louise Perry, “Our sexual culture is broken,” and she is totally right.

And so, too, is Senator Miville-Dechéne right to try to address that broken culture by at least shielding and protecting our children from it until they are mature enough to attempt to understand it. The potential of porn to inflict lasting damage on developing minds is well documented, and yet most children will be exposed to porn by the age of 11, whether by accident or intention, because very little effort has been made to try to curb and control its accessibility.

Meanwhile, we know that underage consumers of porn are likely to experience depression and poor academic outcomes. If they are boys, they are likely to view women and girls with aggression, hostility and often contempt. As they grow older, they are likely to experience sexual dysfunction, sexual difficulties, divorce and isolation.

While I do not feel qualified to offer an opinion on the technical merits of the digital age-verification process that Senator Miville-Dechéne’s bill depends upon to be effective, I welcome the opportunity to learn more about these technological capabilities at the committee’s study. Further, I remain interested

to understand why Senator Miville-Dechéne chose to have this bill fall under the domain of the public safety minister and not the Minister of Canadian Heritage, who is responsible for safeguarding against the exploitation of children, or the Minister of Innovation, Science and Industry, who oversees the Broadcasting Act and the Telecommunications Act.

What I do feel qualified to say is that Senator Miville-Dechéne’s bill is an important step towards rectifying a grotesque abnegation of responsibility on the part of society towards our children. We know the extent of the mental, sexual and spiritual damage Canada’s children have endured because of the endless flow of malignant sexual material that bombards them each day. And yet, as a society, we have done virtually nothing to stop it.

I am glad Senator Miville-Dechéne is proposing a solution to this moral crisis. While this bill may be only one part of the answer, I look forward to studying it and the subject itself in greater detail at committee. Thank you.

(On motion of Senator Martin, debate adjourned.)

The Hon. the Speaker: Senator Bovey, I wish to inform you before you begin your speech that, unfortunately, I have to interrupt you in a couple of minutes.

PARLIAMENT OF CANADA ACT

BILL TO AMEND—SECOND READING— DEBATE

Hon. Patricia Bovey moved second reading of Bill S-205, An Act to amend the Parliament of Canada Act (Parliamentary Visual Artist Laureate).

She said: Honourable senators, I rise once again as sponsor and in support of Bill S-205, An Act to amend the Parliament of Canada Act (Parliamentary Visual Artist Laureate). This is the third time it has been introduced in this chamber. It has been to committee and had had unanimous support from the Senate, which sent it to the other place, where it died when Parliament rose for the election. I brought it back to our last session and now do so again post-prorogation.

First brought forward by our former colleague, Senator Moore, Bill S-205 creates a visual artist laureate on Parliament Hill in the same spirit and with the same reasoning as our poet laureate. The visual arts are an international language, giving non-verbal expression to the soul and substance of who we are as Canadians. Art has kept us together during these difficult times.

The need for the arts has been particularly apparent during the pandemic, the horrific murders in Nova Scotia and through the Black Lives Matter issues and protests. Indeed, we see the power nationally and internationally, even in the small space dedicated to honouring Canada’s Black artists in the Senate foyer. Art will bring us back together again in our real lives when the pandemic subsides.

[Translation]

It goes without saying that society has changed since this bill was introduced for the first time and the Senate supported it.

• (1800)

[English]

The Hon. the Speaker: I'm sorry, Senator Bovey, but I must interrupt.

Honourable senators, I have to read to this very carefully, as we have gone to great lengths to try to eliminate a triple negative. It is now six o'clock, honourable senators, and pursuant to rule 3-3(1) and the order adopted on October 27, 2020, I'm obliged to leave the chair until seven o'clock, unless there is leave that the sitting continue.

If you oppose giving leave, please say "nay."

An Hon. Senator: Nay.

The Hon. the Speaker: I hear a "nay." The sitting is suspended until 7 p.m.

(The sitting of the Senate was suspended.)

(The sitting of the Senate was resumed.)

• (1900)

PARLIAMENT OF CANADA ACT

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

On the Order:

Resuming debate on the motion of the Honourable Senator Bovey, seconded by the Honourable Senator Munson, for the second reading of Bill S-205, An Act to amend the Parliament of Canada Act (Parliamentary Visual Artist Laureate).

Hon. Patricia Bovey: Honourable colleagues, just to remind us, the visual arts are an international language and they do give nonverbal expression to the soul and substance to who we are as Canadians. I think that is critically important in the work we do in Parliament.

I will reiterate that art has kept us together these last few months. I truly believe that as we come out of the pandemic, art is once again going to bring us back together in our real lives when we can interface with family and friends once the pandemic subsides.

[Translation]

It goes without saying that society has changed since this bill was introduced for the first time and the Senate supported it. Times are tough, as the news would suggest. Protests on various

issues are on the rise, and great support is being shown for people who are in need, who are angry, or who have experienced defamation and discrimination.

[English]

Canadians are looking for good news, and for positives, honesty and empowerment in their daily lives. This bill does that. A visual artist laureate on the hill will bring Canadians the substance of the endeavours of Parliament. It will underline the importance of our democracy today, and present the issues and work parliamentarians do on behalf of all Canadians. It will communicate the values, perspectives, principles and realities to lifelong and new Canadians, as well as to immigrants and refugees, regardless of their mother tongue.

A parliamentary artist laureate will certainly show Canada's diversity, no matter the visual medium used — painting, printing, sculpture, drawing, video, film, installation, photography, or any other visual medium. Any artist appointed to the position of visual artist laureate would consider it an honour to serve as an arts ambassador and creator of work related to Parliament Hill. Indeed, the word "laureate" itself denotes the honour of distinction in a particular field.

The Parliament of Canada has never had a visual artist laureate, but there are precedents of visual artist laureates in various Canadian jurisdictions, including the Province of Ontario, and cities like Victoria and Toronto. Indigenous artist Christi Belcourt received the Ontario Arts Council Aboriginal Arts Award laureate in 2014. The City of Toronto's photography laureate for 2019-2022 is Michèle Pearson Clark, who, in her words, "is using her role to inspire change in the city and encourage social justice."

Many states, including New York, South Dakota, Texas and New Hampshire, have visual artist laureates. Australia and the U.K. have children's laureates who have simultaneously been visual artists. So too does Culver City in California.

Honourable senators, as you know, Bill S-205 — the Parliamentary Visual Artist Laureate Bill — amends the Parliament of Canada Act in order to create the position of parliamentary artist laureate. It is based on exactly the same principle. The artist laureate, like the Poet Laureate, would be an officer of the Library of Parliament, as are the Parliamentary Budget Officer and other officers of Parliament. This ensures their independence.

As drafted, the speakers of the Senate and the House of Commons shall select the artist laureate from a list of three names provided by a committee chaired by the Parliamentary Librarian. The committee would include the Librarian and Archivist of Canada, Canada's Commissioner of Official Languages, the CEO of the Canada Council for the Arts, the director of the National Gallery of Canada, and the chair of the Royal Canadian Academy of Arts, or their designates.

[Translation]

The artist laureate would serve the speakers of the two chambers for a term of no more than two years and, as I already mentioned, his or her mandate would be to promote the arts in

Canada through Parliament by producing or causing to be produced artistic creations. At the request of either Speaker, he or she could produce creations for use in Parliament or on occasions of state. The artist laureate could also sponsor artistic events and give advice to the Parliamentary Librarian regarding the collection of the Library of Parliament and acquisitions to enrich the library's cultural holdings. Either Speaker could also ask the artist laureate to perform other related duties.

What would the benefits be to Canadians? The portrayal and communication to Canadians of the work of Parliament and our national issues through the artist laureate's works. As Calgary's poet laureate, Derek Beaulieu, has said, to be "a lever for cultural change."

It has been stated many times that "the arts are the most powerful tool we have for social change." In dealing with issues of poverty, race discrimination, crime prevention, health and more, we need these tools more than ever before.

[English]

Simon Brault, Canada Council for the Arts Director and CEO, wrote in his book *No Culture, No Future*:

Arts and Culture cannot save the world, but can help change it. . . . Art's power to transform and enchant is gaining ground. . . . Culture is the future.

The 1999 all-party parliamentary report, *A Sense of Place — A Sense of Being* stated:

The role of artists is not only to mirror the values of the society in which they live, but also to reflect on the issues that society must address if it is to know itself better.

The visual artist laureate would do exactly that: mirror and interpret the work of Parliament and the issues on which we deliberate, and reflect on what is seen, heard and perceived consciously and unconsciously. Their work would help address the gap in the knowledge of civics, the role of democracy and the workings of Parliament, and, I would hope, help increase the rates of youthful voters.

I believe the work of our visual artist laureate would be inspiring to all, opening new doors for youth, connecting new Canadians and all citizens in every region, and bring us to each other, with a new understanding of civics, government issues and processes. The visual arts also is a language children and youth understand and use all the time.

• (1910)

[Translation]

You have heard me talk about the compelling economic statistics from Canada's cultural industries. Statistics Canada publishes the Canadian Culture Satellite Account, which provides, and I quote:

measures of the economic importance of culture (inclusive of the arts and heritage) and sport across Canada in terms of output, gross domestic product and employment. . . .

[English]

Showing leadership by increasing the awareness of the role of the arts would increase that economic impact. The CSA report, for instance, found that the GDP of cultural industries in 2017 was \$58.9 billion, or \$1,611 per capita, equalling 2.8% of national GDP. According to StatCan and Hill Strategies:

Between 2010 and 2017, the GDP of culture products increased by 16% . . .

That figure is not adjusted for inflation.

The number of jobs related to culture products increased by 7% . . .

In 2017, there were 715,400 jobs directly related to culture industries, or 3.8% of all jobs in the country.

We in the Senate and Parliament unquestionably have a strong societal responsibility. So, too, do artists. Let us bring those responsibilities together in a concrete and meaningful way, with a visual artist laureate.

I want to read, as I have in this chamber before, the special poem and statement written several years ago, at my request, by our seventh Poet Laureate George Elliott Clarke, regarding the visions for a visual artist laureate. First, his preamble:

Any public official permitted the mandate to promote Canadian arts and letters, music and dance, theatre and film, is a de facto inspirer of dream, which is the origin of law, the wellspring of prosperity, and the guardian of liberty. The more we value literacy in arts and culture, the more we invest in greater comfort and convenience, opportunity and enlightenment, and a society that has no throwaway persons, but only a citizenry considered priceless and invaluable, for all are capable of dream. . . .

And now our laureate's poem "On the Proposal for a Visual Artist Laureate".

The blank page — the blank canvas is —
Undeniably delicious —
Like fog, which obscures, then reveals —
What Hope imminently congeals —
A fantastic architecture —
Imagination born secure:
What Vision — the I of the eye —
Had dreamt, is What answering Why. . . .
Rainbows erupt from paint or ink —
And film sculptures light — in a blink;
A needle, weaving, is lyric,
And whatever is shaped is epic.
Art's each I articulate,
Whose vision ordains a laureate.

Colleagues, I feel this position is one of inspiration that will draw us together. Through the visual arts, we can engage and encourage debate on and off the Hill, and link the work of parliamentarians with ordinary Canadians across the country.

As we look back on the history of our nation, we are reminded of the many great artists who have portrayed Canada in multiple visual media and the rich tapestry of the many peoples and cultures who call this place home. Our story is, and has been, told through many visual artists who see this land through myriad views and lenses. Each contributes to the vision of Canada. So, too, will our visual artist laureate.

I believe that creating a parliamentary visual artist laureate will shine the proper light on Canada's Parliament and our artists and their works, in the spirit of explaining the Canadian experience at home and abroad. As George Clarke said to me in his note, "All are capable of dreams." Or as he, this inspirer of dream, wrote of that delicious blank canvas, "Art's each I articulate, whose vision ordains a laureate."

Senators, I have heard from many artists how important this position is. Indeed, the shock waves across the country when it did not get to third reading in the House of Commons before the election were strong and visceral. My phone lines were burning, my email was full and the messages from individuals and in the press and art publications were clear and unanimous: This bill is needed and wanted.

More recently, through the pandemic, artists have been telling me that passing this bill — even though there will be only one visual artist laureate every two years — would be an important, welcome vote of moral support for our artists in these dark times. Artists working in other disciplines — musicians, writers, actors — have also echoed those sentiments in my meetings and conversations with them. I can assure you that parliamentary support for this will be extremely well received. I hope that once again you will support this bill. Thank you.

Hon. Senators: Hear, hear.

(On motion of Senator Martin, debate adjourned.)

CRIMINAL CODE

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Pate, seconded by the Honourable Senator Boehm, for the second reading of Bill S-207, An Act to amend the Criminal Code (independence of the judiciary).

Hon. Tony Dean: Honourable senators, I rise to speak to Bill S-207, an act to amend the Criminal Code, dealing with the independence of the judiciary.

I support the bill and I commend my colleague Senator Pate for tabling it and for sharing her extensive knowledge and practical experience in the justice system, as well as in the complex world of mandatory minimum sentencing.

I want to also commend Senators Boyer and Simons, who, in their statements on this bill, described some of the bleak human realities associated with mandatory sentences.

I would also like to thank my colleague Senator Moodie for adjusting the schedule to allow me to make this statement this evening.

When the first Criminal Code was enacted in 1892, only six offences carried a minimum term of imprisonment. These offences included engaging in a prizefight, three months; fraud upon the government, one month; stealing post letter bags, three years; stealing post letters, three years; stopping the mail with intent to rob, five years; and corruption in municipal affairs, one month. The bulk of these early mandatory minimum penalties were directed at enforcing the legitimacy of public institutions. Since then, 72 minimum penalty provisions have evolved, which focus primarily on offences against the person.

In a broader sense, mandatory sentencing is an obvious answer to those who worry about societies being "soft on crime" and it has been, perhaps mistakenly, associated with making the sentence fit the crime. I can see why this became attractive to some lawmakers and those who see punishment purely in retributive terms. This is particularly the case for victims and their families.

A mandatory 25-year sentence is designed to be both a deterrent and a hard and consistently applied punishment for those convicted of certain crimes.

And a life sentence really is a life sentence. If there is parole eligibility after 25 years, it does not guarantee release at 25 years. It is intentionally harsh. Everyone is supposed to understand the rules of the game. One size fits all. Lock the door and throw away the key, as the saying goes.

However, colleagues, the reason we are considering this bill today is that, on the other side of the equation, the antecedents and nature of crimes associated with mandatory minimums are a great deal more complex, and in some cases simple mechanistic approaches make no sense — for example, where an accused has been a long-suffering victim of abuse and violence.

We all know, colleagues, that crimes occur in the context of a complex social and economic fabric — a fabric that is sometimes torn, battered and bloodied, just like the many victims with a long history of abuse who are worn down and fearful for their lives, and perhaps more so the lives of their kids, who eventually, often fearful for their lives, strike back.

• (1920)

We heard graphic examples of this in the recent statements of Senator Boyer and Senator Simons. And these cases, with all their brutality and messiness, force us to ask ourselves whether a mandatory punishment really does fit the crime, whether "one-size-fits-all" really makes sense.

A number of judges have considered this too. In more than 130 cases, Canadian courts have ruled that various mandatory minimum penalties infringe the constitutional rights of Canadians.

On top of this, we know that criminalization causes significant social harms to individuals and their families, particularly to those already victimized within their social context. In Canada, 44% of women in federal prisons are now Indigenous and more than half are racialized.

As Senator Pate reminded us recently, the harshest mandatory minimum penalty in the Criminal Code is life in prison. She also told us that in the past decade, 45% of women sentenced to life in prison were Indigenous. That is set in a context in which 86% of women in federal prisons have histories of physical and/or sexual abuse.

This is something that bears repeating. In the past decade, 45% of women sentenced to life in prison were Indigenous, in a context in which 86% of women in federal prisons have histories of physical and/or sexual abuse.

Little wonder that, in 2015, the government's election platform included a promise to implement the Calls to Action of the Truth and Reconciliation Commission, including Call to Action No. 30, to eliminate the overrepresentation of Indigenous peoples in prisons by 2025, and Call to Action No. 32 to eliminate mandatory minimum penalties.

The Law Reform Commission of Canada has pointed out that longer sentences with harsher penalties are not an effective means of preventing crimes. In fact, the evidence suggests that individuals serving custodial sentences that include time in prison are more likely to be repeat offenders than those serving non-custodial sentences that mandate community-based programs and options.

In Ontario alone, the rate of recidivism within two years of completing a prison sentence of six months or more was 35% between 2015 and 2016. That is a rate that has been dropping. But it remains the case that community-based sentences with a focus on intervention and rehabilitation showed a recidivism rate of only 22.6% in the same year.

As you know, colleagues, mandatory minimum penalties limit judges in their ability to be more lenient with sentencing in appropriate cases. They do not allow for community-based sentencing. If an individual is convicted, a mandatory minimum means time in prison, which not only increases the societal and mental risk of harms to the inmate but is more costly than alternative sentencing that focuses on rehabilitation.

Colleagues, Bill S-207 would restore judicial discretion in sentencing all crimes that have mandatory minimum penalties attached to them, of which there are now around 72. So, colleagues, the bill would not eliminate minimum penalties. They would continue to stay in effect. Judges will still be able to impose a mandatory minimum penalty or even a harsher sentence if they find it appropriate.

Giving judges the discretion to impose a different sentence would ensure that justice is being done and that an appropriate sentence is more closely aligned with the nature and context of the crime.

Senator Pate also reminds us that individuals with significant mental health issues are among those disproportionately affected by mandatory minimums. The recidivism rates I spoke about earlier suggest that a public health approach to the issue should be considered in some cases, including the use of alternative sentencing focusing on rehabilitation rather than punishment.

In conclusion, colleagues, we are talking about an issue that has attracted significant study, raised a lot of concerns and attracted judicial consideration. The Supreme Court of Canada has stated that "Empirical evidence suggests that mandatory minimum sentences do not, in fact, deter crimes"

In *R. v. Lloyd*, the majority decision of the Supreme Court noted that:

. . . mandatory minimum sentence provisions that apply to offences that can be committed in various ways, under a broad array of circumstances and by a wide range of people are constitutionally vulnerable.

Some penalties have already been struck down for incompatibility with the Charter, such as in *R. v. Nur*. In this case, the Supreme Court noted that mandatory minimum sentences function as a "blunt instrument" that complicate proportionality in sentencing.

Our courts, including the Supreme Court of Canada, have struck down about 25 of Canada's 72 mandatory minimum penalties, meaning that they are no longer in effect in at least one province or territory.

Colleagues, it is time to address the issues and move forward. Let us move to a system in which one of the original purposes of mandatory minimums is realized — that punishment should bear some relationship to the nature of crimes, but in the context of this bill, including their social and biographical context.

I hope you will join me in supporting Bill S-207. I look forward to continued debate on this enormously important matter. Thank you for your attention and consideration.

Hon. Rosemary Moodie: Honourable senators, I rise to speak to Bill S-207, An Act to amend the Criminal Code (independence of the judiciary), a bill that amends the Criminal Code to give judges more discretion not to impose minimum sentences when they consider it just and reasonable.

First, I would like to begin by thanking my honourable colleague Senator Kim Pate for reintroducing this bill. This is one of the many ways she continues to fight for a Canada that is more just. We all owe her a debt of gratitude.

As I said before, this bill addresses the need to restore judicial discretion to our legal system after years of regressive reform. I support it because it addresses the human and social cost of imposing mandatory minimum sentences.

Colleagues, we have the results of decades of research available to us and the evidence is clear: Mandatory minimum sentences do not deter crime, they do not reduce recidivism rates and they do not make our communities any safer.

Colleagues, let us discuss and consider the evidence before us. We can recall that the Supreme Court of Canada, along with numerous judicial bodies, commissions, parliamentary committees and organizations, have all conducted and concluded that they do not deter crime.

As a Parliament, we studied this issue and reached the same conclusion. In my previous intervention, I mentioned the hours of documented evidence presented at parliamentary hearings that support this conclusion, along with earlier documentation by our Library of Parliament in 2007, all that identified the potential constitutional difficulties, lack of utility and negative impacts of these statements.

Our Department of Justice also has data that tells us that mandatory minimum sentences are ineffective. In 2016, the department commissioned a study on the impacts of minimum sentences. You will recall the review concluded that harsh penalties like mandatory minimum sentences are ineffective in deterring crime and noted that experienced practitioners and social science researchers all agree that mandatory penalties are a bad idea for many practical and policy reasons.

Honourable senators, Bill S-207 addresses a major concern in our judicial system. As currently set up, a judge has no ability to develop a fair sentence based on the individual's specific circumstances. In our current system, judges are forced to impose minimum sentences. Our current system is blind to the implications of such a decision. Simply put, our judicial system is blind to the human, social and financial costs of imposing mandatory minimum sentences.

• (1930)

Let me once again focus on these costs. I begin by borrowing the words of the researcher Jessica Hardy. She notes:

Families can face numerous challenges that effect the family as a whole and each family member individually. Arguably, one of the most difficult challenges a family may face is when one family member is removed from the family either temporarily or permanently.

For a moment, let's focus on children. The impact of incarcerated parents on dependent children is both profound and complex.

We already know that it is very difficult to find the exact numbers, as Canada has not been very good at collecting this data in the past, but a 2007 study by the Correctional Service Canada estimates that at least 4.6% of Canadian children, a number that approximates 350,000 children, are impacted by the incarceration of their parents.

What do these children undergo, you may ask?

Well, colleagues, you have heard me say before in this chamber that children of incarcerated parents face significant problems. They face psychological stress, economic hardship, exposure to criminal activity, anti-social behaviour and difficulties at school. Incarceration of a parent poses a threat to a child's emotional, physical, educational and financial well-being.

Some of the well-recognized potential risks for children, especially those with a mother who has been incarcerated, include child criminal behaviour, cycles of intergenerational criminal behaviour and mental health issues such as depression, anxiety, post-traumatic stress disorder and childhood aggression.

There is a well-established body of evidence demonstrating that children exposed to multiple adverse childhood experiences through their early development have an increased risk of severe depression that leads into adulthood. In fact, the most common side effect seen when a parent is incarcerated is that of anti-social behaviour, including criminal activity and persistent dishonesty.

Some also believe that the exposure to incarceration of a parent can reduce a child's resiliency and ability to cope with negative experiences later in life. We see increased drug use, low educational achievement, increased risk of school suspension and often expulsion.

Then, of course, there are restricted financial resources. The child is often exposed to precarious housing, including an increased risk of homelessness and food insecurity.

All segments of society do not share the burden of parental incarceration equally. The negative effects of parental incarceration on children are felt almost entirely by children from the most disadvantaged families: communities of colour, racialized communities being at increased risk and Indigenous communities also being at increased risk. These communities are overrepresented in our prison systems because of the impact of mandatory minimum sentences. For them, the risk is always increasing and the odds are always worsening.

If we consider the intersectionality of the effects of parental incarceration on families with other disadvantages, such as living in poverty, being a racial or ethnic minority or experiencing mental illness, we see an even greater impact of the overall risks and negative effects on family members.

There is another significant issue, an issue that has come sharply into focus in the past few months. I am referring to the systemic racism that is pervasive in our institutions. The bill before us, Bill S-207, would help address the systemic racism in our justice system.

Honourable senators may recall that the Parliamentary Black Caucus released a statement in the summer. One of the things the statement called for was the elimination of mandatory minimum sentences. This is because the practice perpetuates systemic racism. We need look no further than the data provided by Justice Canada. To begin with, Black and Indigenous offenders are overrepresented in admissions to federal custody.

According to data provided by Justice Canada, in 2017, 2.9% of the total Canadian population identified as Black, 4.3% as Indigenous and 16.2% as other visible minorities. Over a 10-year

study period between the fiscal years 2007-08 to 2016-17, Indigenous offenders comprised 23% of the federal offender population at admission, while Blacks and other visible minorities comprised about 9% each.

Honourable senators, let us dig deeper into the statistics. Over the 10-year study period that Justice Canada considered, the department found that Black and other visible minority offenders are more likely to be admitted to federal custody for an offence punishable by a mandatory minimum penalty. Almost 39% of Black offenders were admitted with a conviction for an offence punishable by a mandatory minimum penalty. For other visible minorities, the rate was almost 48%. Not only are visible minorities overrepresented in federal custody, they are also more likely to be there under a mandatory minimum penalty.

I shudder to think of the effect this has on their families, and particularly on the children of these families. These numbers tell a story; a story that should deeply trouble us as a society. We have known about this for a long time, and should have acted upon it a long time ago.

With the information we have about the effects of mandatory minimum penalties, especially on children and on racial and ethnic minorities, can we conclude that justice is being done? Not at all, colleagues. Our justice system needs reform, and we need to give our judiciary the ability to exercise discretion in mandatory sentencing to address some of the challenges that the system faces.

Judicial discretion would allow for the consideration of the impact of incarceration on dependent children and other sectors of our society. Judicial discretion would allow for consideration to reduce or delay sentencing where appropriate and in situations when significant harm to others, such as dependent children, could result.

In my opinion, senators, this bill addresses a flaw in our current system that unjustly punishes children for their parents' actions. This is a flaw that disproportionately affects racialized Canadians. This is a flaw, honourable senators, that continues to perpetuate systemic racism.

In conclusion, I would like to thank Senator Pate for her leadership and tireless work in this area. I would also encourage you, senators, to give serious consideration to the disproportionate impact of mandatory minimum sentences on children and youth in your communities as you consider how to vote on Bill S-207.

(On motion of Senator Duncan, debate adjourned.)

[Senator Moodie]

• (1940)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE IMPLEMENTATION AND SUCCESS OF A FEDERAL FRAMEWORK ON POST-TRAUMATIC STRESS DISORDER—DEBATE CONTINUED

On the Order:

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

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on the implementation and success of a federal framework on post-traumatic stress disorder (PTSD) by the Government of Canada as it relates to the four identified priority areas with a focus on data collection, that is, improved tracking of the rate of PTSD amongst first responders and its associated economic and social costs, when and if the committee is formed; and

That the committee submit its final report no later than February 28, 2021.

Hon. Leo Housakos: Honourable senators, before I delve into the substance of this motion, I want to take this opportunity to thank each and every Canadian who is on the front line every single day, especially right now as we deal with a worldwide pandemic. Our first responders and front-line health-care workers are putting themselves at great risk, not only of contracting COVID-19 itself but also all the added stresses that come with the endless hours and the tragedy of what they see every day.

[Translation]

We know that because of this pandemic and the measures being taken to deal with it, mental health calls are on the rise, as are incidents of spousal and child abuse. Our first responders are the first to answer the call.

To those who are currently suffering from post-traumatic stress disorder, I want to say that we see you, we thank you, and we want to assure you that you'll be taken care of as well.

[English]

And for the fallen heroes who have succumbed to this pernicious mental health disease, we remember and thank all of you for your selfless service to your country and your fellow man. My thoughts are also with their grieving families — families like our friends Mary and Stephen Rix, who were with us every step of the way a couple of years ago as we passed Bill C-211. I want to say to Mary and Stephen, and all of those who have lost loved ones to post-traumatic stress disorder, your sons, daughters, parents, sisters and brothers were heroes, and they will be remembered as such.

On June 21, 2018, Bill C-211, An Act respecting a federal framework on post-traumatic stress disorder, received Royal Assent. Colleagues, as you may remember, this was a private member's bill authored by member of Parliament Todd Doherty. I became the sponsor of the bill here in the Senate after hearing MP Doherty speak so passionately about it at national caucus and then again when we met in my office. I could see how heavily this was weighing on him, as we sat one evening and spoke about the toll PTSD was taking on our first responders and their loved ones. I could see this was deeply personal for him.

MP Doherty drafted this bill after the passing of one of his dear friends, Darren Anderson. Mr. Anderson was a 17-year veteran firefighter struggling with PTSD and, unfortunately, lost his battle. On September 15, 2018, Darren took his own life, leaving behind his wife and three children. He was considered by many in his community to be a hero, but even a hero can struggle at times; sadly, when they don't have the help they need, they can fall.

This story is tragic, but it is far from the only one. All across this great country our first responders are in dire need of help, and that help isn't always consistent.

Bill C-211 had one goal: to establish a framework for post-traumatic stress disorder, or what is commonly called PTSD, to ensure that each and every first responder has access to the same resources to deal with their mental health, no matter their location. Someone in Winnipeg, Saguenay or Toronto needs to have access to adequate treatment, and that includes their loved ones, too.

[Translation]

These men and women put themselves in harm's way to help their fellow citizens in their most vulnerable moments. The least we can do for them is to provide them with adequate treatment when they themselves need it.

It is unconscionable for the people we rightly call heroes to be left to fend for themselves. Every morning, these individuals put on their uniforms knowing that this may be the last time they see their loved ones. They are prepared to risk everything because they feel it is their duty to serve and help others. Their actions are the epitome of altruism, and they deserve to be treated with dignity. It is therefore our responsibility to ensure that they have all the support they may need.

[English]

They are witnessing events so terrible that just reading about them is horrifying. They are the first people who arrive on these frightful scenes, and they must do all they can to save what is salvageable in those too-often unsalvageable and traumatic scenes.

Just to give you a sense of the distress first responders often feel, I want to share part Natalie Harris's testimony, a former advanced-care paramedic in Ontario, when she appeared at committee on May 16, 2017:

It's not normal to have a person ask you to just take their leg and arm off because they were experiencing so much pain from being trapped in a car with multiple open fractures all over their body. It's not normal to learn that the patient who hanged himself the night before had a second noose waiting for his wife, had his son not called 911 at the right time. It's not normal to witness a young woman, seven months pregnant, rub her belly with the only limb that could move as she had a stroke that would leave her disabled. It's not normal to see the cellphone on the road beside the obviously dead driver, crushed between the pavement and the car, who was texting and driving

Natalie went on to say in her testimony:

It's not normal to experience and see the look of true evil when you learn how two innocent women were murdered. . . . It's not normal to see someone die before your eyes more times than you can actually count.

Knowing what they are witnessing on a daily basis, it's not surprising at all that many of these heroes are suffering gravely from PTSD. According to a study by Stuart Wilson, Harminder Guliani and Georgi Boichev from the University of Regina and published in the *Journal of Community Safety & Well-Being*, it is estimated that PTSD prevalence rate for police officers could be as high as 32%; paramedics in Canada, 26%; and firefighters, 17%. In comparison, this rate is about 9% for our general population.

Given the situations they face daily, these high rates are not surprising at all. They suffer tremendously and, if we don't do our duty, they will continue to suffer in silence.

It has now been more than two years since this bill became law. The government has released a report on what they intend to do to make sure our heroes have the resources they need to deal with PTSD.

Unfortunately, it has almost been a year now, and not much has changed since that report. The inequalities in resources available to help first responders across our country persist. We would think the well-being of the very people who dedicate their lives to keep us safe would be our top priority, especially now during a pandemic when we are calling upon them to face even more stress on a daily basis.

CBC News has reported that Winnipeg firefighters and paramedics only get an annual maximum of \$350 for psychological appointments under their employee benefits. This amount would not even cover two full sessions with a psychologist, since the recommended rate in 2020 in Canada for psychologists is \$195 for a 50-minute session. Needless to say,

this kind of compensation is simply not enough. In comparison, the Saskatchewan Health Authority says that their paramedics can receive up to \$2,000 per year for the same kind of appointments. In Toronto, that amount can go up to \$3,500 annually.

The same problem is seen for firefighters. A firefighter in Regina will qualify for \$500 annually. If the same firefighter were to live in Calgary, that amount would be \$1,000. If he or she were in Halifax, it would be \$1,500. Again, if that person were in Toronto, it would be \$3,500.

This is an unacceptable situation, colleagues. People deserve the same treatment no matter their location in Canada. They are all doing similar jobs and witnessing similar traumatic events. They should all receive matching support.

• (1950)

This lack of resources is leading to an epidemic of suicides in our first responders ranks. Josh Klassen, a second generation firefighter who left his job in 2020 after serving his community in Winnipeg, realized something very disturbing. He said that during his time as a firefighter:

... there had been more people I knew die by suicide than die in active-fire ground operations.

[Translation]

These deaths could have been prevented. These people should have had access to the same resources that are available in Toronto, Halifax and Calgary. The fact that they were serving in Winnipeg did not make their lives any less valuable. Our heroes have suffered enough. They gave everything they could to keep us safe. The best thing we can do is to take care of them and make sure that every single one of them is treated with respect.

Honourable colleagues, the government needs to be accountable for making sure that this situation does not continue. That was the whole point of this bill, which was passed in both chambers with the unanimous support of all political parties. The government is bound by law to address these deficiencies and inequalities.

[English]

As mentioned, it has been more than two years since the legislation received Royal Assent. It has been almost a year since the report has been published, and yet, colleagues, the situation clearly remains unsatisfactory. So has the government satisfied its obligations under the law? If so, why isn't it working? Does it require more time for the system to catch up or is there more that we can be doing and should be doing to help people who are supposed to be there to help us? These are questions that we have the power and resources and, quite frankly, colleagues, the obligation to answer.

That is why I ask that the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on the implementation and success of the federal framework on post-traumatic stress disorder by the Government of Canada as it relates to the four identified priorities with a

focus on data collection — that is to improve tracking of the rate of PTSD amongst first responders and its associated economic and social costs.

Colleagues, just as you supported the initial legislation — unanimously, I might add — dealing with this very important and very urgent matter, I hope you will support this motion. I believe we owe it to the men and women from whom we ask so much; the men and women who ask for so little in return. Honourable colleagues, in a show of solidarity in both houses a couple of years ago, we passed this motion. It's incumbent upon us as parliamentarians to do the follow-up right now to find out where the bottleneck is. At the end of the day, in the middle of a pandemic as we're facing right now, there is no greater need for our first responders than the needs they currently have.

I urge honourable colleagues to support this motion, to get to work as quickly as possible and get to the bottom of some of the discrepancies we're facing with PTSD and that many of our first responders are suffering from. Thank you.

Some Hon. Senators: Hear, hear!

Hon. Marty Deacon: Will the senator take a question? Thank you very much.

The one thing I don't know from the conversation or sharing you have done today is if there was a committed review process in the last cycle, something that was promised, something that was tied into this in the first round?

Senator Housakos: What the bill was calling upon the government to do was to have a national conference. They had a national conference. They reported back approximately a year ago, but since then some of the targets on creating a national framework clearly haven't been met. That's why I'm coming back a year later and asking what the holdup was. We had the conference. All stakeholders were invited to it. The ministry obviously spearheaded it. So at the end of the day, especially given the pandemic right now, you would have thought that they would have been on this as quickly as possible.

Hon. Patti LaBoucane-Benson: I'm so glad you talked about firefighters. This is such a vitally important topic. My dad was a volunteer firefighter. Not only was he not paid to be a firefighter, but there were no benefits at all for him. I think most of Canada is served by rural volunteer firefighters who have no benefits at all. What you're proposing is vitally important.

I wonder what you think about including the mental health of health care workers and doctors in our COVID oversight study on lessons learned, the kinds of benefits they have and whether they are adequate. Twitter is flooded right now with nurses talking about being scared to death to go to work, saying "I don't want to die because I'm going to work." I think this is so important. I wonder what your thoughts are on that.

Senator Housakos: We had that debate when the bill was on the floor of the Senate the first go around. At the time, the government was very adamant that they were not willing to accept amendments to include social workers, nurses and others.

We didn't make the amendment to the bill, but we added all the additional possibilities as broadly as we could in the preamble to the bill.

Again, my understanding is that at the conference they had, they had invited people outside of the realm of first responders, which were police, paramedics, firefighters and so on and so forth. So my understanding is that the conference itself was in all-encompassing, as much as possible. We added as many professions as we could in the preamble. I think our committee can easily, in the review process, expand it as broadly or as narrowly as our Social Committee would like it to be.

(On motion of Senator Duncan, debate adjourned.)

[Translation]

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE CUMULATIVE IMPACTS OF RESOURCE EXTRACTION AND DEVELOPMENT—DEBATE CONTINUED

On the Order:

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

That the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to examine and report on the cumulative impacts of resource extraction and development, and their effects on environmental, economic and social considerations, when and if the committee is formed; and

That the committee submit its final report no later than December 31, 2021.

Hon. Rosa Galvez: Honourable senators, I rise to speak in support of Motion No. 17, which was moved by the Honourable Senator McCallum.

[English]

This motion requests that the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to examine the report on the cumulative impacts of resource extraction and development and their effects on environmental, economic and social considerations.

As Senator McCallum highlighted in her speech on October 27, we heard a great deal from representatives of the resource extraction industry when we studied Bill C-69 in the last Parliament, but very little from populations affected by the projects.

We heard about the positive contributions to Canada's GDP from the resource extraction industry, but very little about the downsides. We heard big claims that projects benefit Canadians

because of tax revenues and jobs without taking a more critical look at what kinds of jobs, who gets the jobs and what jobs are displaced.

Looking at cumulative impacts of resource extraction across the multiple environmental, economic and social consideration requires looking into their distribution geographically, socially, economically and across generations. Who benefits? Who suffers? With the exception of gender-based analysis, which made its way into impact assessment law through Bill C-69 — not without controversy — these distributional issues need real attention in Canada.

I would like to highlight some of these gaps in knowledge when it comes to distribution of benefits and losses for eventual committee work, but also as we reflect broadly on the efficiency and fairness of resource extraction in this country and our work as senators.

I simply cannot forget the courageous and moving testimony of Connie Greeyes, a member of Alberta Bigstone Cree First Nation and former medic who worked on drilling rigs for a number of years in and around northern eastern B.C. She herself is a survivor of sexual abuse, only to have her case dismissed by the police. She and other First Nations witnesses shared extremely serious accounts of violence and abuse associated with energy development projects. Their testimony echoed two disturbing reports from Amnesty International, which detailed how transient work pays well, but these high wages raise the costs of living in local communities, put pressure on local health services, and cause disequilibrium in the social fabric, negatively affecting First Nations women and children. The National Inquiry into Missing and Murdered Indigenous Women and Girls similarly highlighted the link between resource extraction and spikes in violence against Indigenous women, girls and two-spirit people.

• (2000)

My office tried to find out whether there is a broader correlation between resource extraction sites and geographic places where violence against Indigenous women across the country occurs. So far, the answer eludes us since police services throughout the country tend to avoid filling out the forms reporting on the race or ethnicity of victims of crime or accused persons for "operational reasons," therefore precluding Statistics Canada from collecting and publishing accurate data on the identity of victims when they don't outright dismiss their claims.

As explained in a previous speech, environmental racism is the burden imposed on racialized communities by disproportionately locating hazardous and toxic industries, such as hazardous waste sites, landfills and incinerators, in their neighbourhoods. The concept of environmental justice emerged in the United States in the 1980s when predominantly Black neighbourhoods started voicing concerns around toxic infrastructure projects surrounding their communities. Their efforts led to an environmental justice movement created within the U.S. Environmental Protection Agency.

Unlike many other countries, Canada does not have a legislated environment justice lens, and, therefore, the issue remains mostly invisible and unaddressed beyond the pioneering

work of researchers like Ingrid Waldron of Dalhousie University on the devastating impacts of pollution on Indigenous and Black communities in Nova Scotia. We have regional evidence in Sarnia, Grassy Narrows and others but no global picture for our country.

If we try to look locally at the distribution of benefits and detriments, we have one rare case study that is well documented and highlights the need to focus on distributive justice. I'm talking about the controversial Site C project. We have First Nations treaty issues. We have a project that is economically unviable. We have impacts on agricultural land and environmental pollution. The project also presents geotechnical risks at a serious scale.

The Site C dam is the largest publicly funded infrastructure project in British Columbia's history, slated to flood 128 km of the Peace River and its tributaries, destroying Indigenous burial sites, traditional hunting and fishing grounds and dozens of cultural and spiritual sites. The Joint Review Panel's report found the project will have more significant adverse environmental effects than any other project ever assessed during the 25-year history of environmental assessment in this whole country. Yet, the project was approved.

Four of the eight affected nations have signed Impact and Benefit Agreements with BC Hydro, but the terms of those agreements are kept confidential at the proponents request. One such offer to the West Moberly First Nations, which was refused, was made public in the context of their court case for treaty rights infringement. They were offered \$3.5 million up front with annual payments of \$350,000 for 70 years, indexed for inflation, for a grand total of \$28 million before inflation.

According to *The Narwhal*, these are similar rates proposed to nations around the Coastal GasLink project. Little money seems to be the rate for extinguishing Indigenous rights in the context of multi-billion-dollar megaprojects.

Again, it is impossible to get a full picture because Impact and Benefit Agreements are not made public, but most importantly First Nations are negotiating blind and competing against each other while the government and proponents see all the options, creating a deeply iniquitous situation that goes beyond financial consideration.

According to CBC News, another leaked agreement included

... a condition that the band will "take all reasonable actions" to dissuade its members from doing anything that could "impede, hinder, frustrate, delay, stop or interfere with the project, the project's contractors, any authorizations or any approval process."

That includes dissuading band members from taking part "in any media or social media campaign."

Colleagues, this is a severe curtailment of civil rights.

An independent report shows that the alternative project options had much smaller ecological and social impacts and created more jobs. In comparison, Site C provided the "least jobs per dollar spent." And that was before the project incurred another \$3 billion in construction cost overrun. Site C is considered a big mess.

This brings me to my last point about distributional effects and our role as senators — the temporal or intergenerational dimension. It is likely future generations who will be left with massive environmental liabilities, orphaned wells, landscapes devastated by climate-induced droughts, pests, extreme weather events and all the long-term detriments of our short-sighted extractive actions. There are currently 3,400 orphaned wells and another 94,000 inactive wells in the province of Alberta alone, totalling an estimated liability cost of \$30.1 billion, and countered with only \$227 million security. This impacts the health of farmers and the people living around the wells.

I believe it is one of our core duties as senators to look into this from its very origin. The Senate has had the constitutional mandate to protect the interests of regions and minorities. The Supreme Court has said our Constitution is "a living tree" — an appropriate ecological metaphor — and that is it meant to evolve contextually. Over time, the scope of minorities deserving representation and protection in this chamber has consistently expanded.

The obvious elements who do not get to vote for the decision taken by parliaments and governments, even when it is a question of life or death for these stakeholders, are nature and future generations. Our children and their children can't vote today for their future. By the time they get to vote, their votes may have become meaningless if our actions and willful blindness to the impacts of our decisions on the air, land and waters have already laid waste to our life-sustaining systems.

Colleagues, taking our role of protecting minorities seriously means trying to become custodians for future generations and furthering ecological and intergenerational justice. Indigenous peoples, nature and future generations, all deserve better choices than a rock and a hard place.

As for Mrs. Greyeyes, she now volunteers with the Fort St. John Women's Resource Society, she started the Women Warriors support group for families of missing and murdered Indigenous women and girls and she is one of the founders of the Fort St. John Sisters in Spirit vigil. She embodies an important lesson for all of us that we can heal from these terrible situations and become active agents for collective well-being if we can muster the courage to face them head on.

• (2010)

We can and must do better. For all these reasons, I support the motion of Senator McCallum. I hope our institution will address these fundamental issues for the betterment of our country and society.

Thank you. *Meegwetich*.

(On motion of Senator Pate, debate adjourned.)

THE SENATE

MOTION PERTAINING TO MI'KMAW FISHERS AND COMMUNITIES—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Francis, seconded by the Honourable Senator Pate:

That the Senate affirm and honour the 1999 Supreme Court of Canada *Marshall* decision, and call upon the Government of Canada to do likewise, upholding Mi'kmaq treaty rights to a moderate livelihood fishery, as established by Peace and Friendship Treaties signed in 1760 and 1761, and as enshrined in section 35 of the *Constitution Act, 1982*; and

That the Senate condemn the violent and criminal acts interfering with the exercise of these treaty rights and requests immediate respect for and enforcement of the criminal laws of Canada, including protection for Mi'kmaq fishers and communities.

Hon. Stan Kutcher: Honourable senators, I support the motion put forward by our colleague Senator Brian Francis. The long-standing treaty, constitutional and legal factors that underline the conflict we have witnessed in relation to the inshore lobster fishery of southwest Nova Scotia should have been fully and equitably addressed in nation-to-nation discussions of long ago. However, they have not been. It is imperative that they now are reconciled.

While this necessary nation-to-nation reconciliation advances, it must do so without any violence or threat of violence against person or property. It must advance in an environment in which those who are charged with upholding the right do a better job at their job. Negotiations cannot move ahead if there exists a climate of threat or fear. Violence is not absent if open conflict is replaced by gossip, innuendo and online bullying. All of these kinds of attacks must end.

I wholeheartedly acknowledge and thank Senators Francis and Christmas for the long hours and hard work they have put in trying to ease this conflict and find a just way forward. This is along with the years of work that they have put in before the current situation. They have both sought to find just resolutions of the many issues related to Mi'kmaq Nation rights through nation-to-nation negotiations that have occurred in the Atlantic region and beyond. This work is not over and, as the process that is now unfolding moves ahead, I am hopeful that the wisdom and advice of Senators Francis and Christmas will be used to inform and help guide what is under way.

The legal and regulatory aspects that underlie and flame this conflict are not new. Indeed, some of them date back to the treaties of early 1760s. In those, as in subsequent documents, including the *Constitution Act of 1982* and the Supreme Court's

Marshall decision of 1999, the framework for reconciliation was defined. Sadly, adherence to that framework and the development and enactment of a collaborative, equitable and just enjoyment of shared resources has not been achieved. Yet, resolution is needed as nation-to-nation negotiations are the foundation upon which success, now and in the future, will be built.

A different and more acceptable path forward must be found. It may be that this path forward is not dependent on a one-size-fits-all framework. Due consideration needs to be made for a number of approaches that may appear somewhat different from another but lead us all to positive outcomes.

The southwest Nova Scotia situation also includes further complexities that must be considered. There have been decades, if not centuries, of inshore fisheries conducted by non-Indigenous fishers. There is currently a large and successful commercial fishery in which both Indigenous and non-Indigenous fishers participate. These fishers have provided for their families and have kept their communities vibrant and alive because of that economic base. As nation-to-nation discussions continue, it is important that all voices be heard. If all those who are engaged in this conflict do not become part of the solution, the problems may well continue.

It is not just commerce, legal responsibilities and rights that need to be considered. An environment is needed where all parties begin from a place of respect and a willingness to get to know each other, where they strive to listen and to understand that there is a realization that genuine reconciliation cannot be achieved simply by legislation or litigation. In my opinion, we require a reconceptualization—

Hon. Pierrette Ringuette (The Hon. the Acting Speaker): Honourable senators, we are having technical difficulty, so if you agree, the next debater on my list is Senator Pate. We will hear Senator Pate and hopefully then we can go back to Senator Kutcher after that.

Hon. Kim Pate: Honourable senators, we owe our colleagues Senator Christmas and Senator Francis a huge debt of gratitude. We thank them for doing all they are able to keep and sow peace in the face of rising tides of anti-Indigenous racism and lawlessness as Mi'kmaq fishers exercising their rights were targeted in violent and terrorizing acts that destroyed property and endangered lives.

As Senator Keating summarized so well in her comments, Mi'kmaq fishing rights were recognized 21 years ago by the Supreme Court of Canada in the *Marshall* decision. These rights are safeguarded by the Peace and Friendship Treaties of 1760 and 1761 and by section 35 of Canada's *Constitution Act*.

Yet, as in so many other instances, we recognize in the events of late that rights without recourse to remedies can amount to no rights at all. Neither the laws of Canada nor the state forces tasked with upholding those rights have protected the Mi'kmaq. Those who are most disadvantaged and who are required to fight to have their rights upheld are too rarely assisted by those with the privilege, power and resources to exploit them.

I will not repeat but want to be clearly understood as concurring and standing with Senators Christmas, Francis and Keating. In addition, I ask you to reflect for a minute on the 1999 *Marshall* decision. Donald Marshall, Jr. — “Junior” as he was known to family and friends — spent a lifetime experiencing racism. Wrongfully accused and convicted of murder, he served 11 long years in prison before his conviction and life sentence were overturned. Many of us who worked and walked with Junior remember the years of fighting the corrosively racist, criminal, legal and correctional systems in which a presumption of guilt, not innocence, thwarts too many to this day.

The royal commission established following Junior’s eventual acquittal and release from prison details a litany of discriminatory failures of both systems — failures that persist today, failures that, despite his exoneration, contributed to the subsequent impediments that dogged his efforts and those of so many others released from prison.

The stigma of criminal convictions and prison sentences, no matter whether they were wrongful, multiplied by racist and other discriminatory attitudes, too often interfere with the efforts of those impacted to be able to support themselves, their families and their communities.

The fight for justice for Junior took its toll on him, as well as his entire family and community. His father, then the Grand Chief of the Mi’kmaq Nation and a successful business owner, suffered serious economic marginalization. Junior endured lifelong struggles with depression and alcoholism. His case is considered a judicial trailblazer for other Canadians wrongfully convicted of murder.

• (2020)

Junior was particularly focused on assisting Indigenous youth. We shared a concern about the increased criminalization and imprisonment of poor, racialized young people. At around the same time as he was catching and selling eels and beginning what would be a six-year legal battle over First Nation treaty rights, he invited me to join him at a gathering near here at Kitigan Zibi.

Every August, world renowned Algonquin Elder William Commanda — grandfather of our dear friend Claudette Commanda — organized an annual Circle of All Nations gathering as part of an international peace movement. We joined hundreds of visitors from around the world who came to hear Elder Commanda’s teachings about the importance of the development and adoption of what we now know as the UN Declaration on the Rights of Indigenous Peoples — and the need to combat racism and discrimination by promoting good relations between nations and the protection of Mother Earth.

When he went to court to assert Mi’kmaq fishing rights, Junior Marshall knew he was doing so in a legal system that perpetuates systemic racism and would likely not treat him fairly. Indeed, to obtain recognition from a Canadian court of the right that Mi’kmaq fishers are exercising today, Junior was charged and then convicted by two courts before his rights were eventually upheld.

As you know, Junior’s case went all the way to the Supreme Court of Canada not just once, but twice, and in 1999 resulted in the landmark ruling that upheld Mi’kmaq fishing and hunting rights, subject only to a very restrictive process for justifying conservation requirements and other important public objectives. With characteristic compassion and humility, Junior reminded us all that, “I wasn’t there for myself. I was there for my people.”

Following the *Marshall* decision, Canada did not take adequate steps to negotiate with the Mi’kmaq the implementation of fishing rights or to prevent harassment and violence against those who attempted to exercise them. Worse yet, Department of Fisheries and Oceans officials joined in the harassment of the Mi’kmaq. This took the form of issuing fines, arrests and charges against those exercising their rights as well as violent tactics like those employed in Burnt Church and other places.

These actions sent the message that what the Mi’kmaq were doing was somehow wrong and illegal, which in turn emboldened the kinds of violent actions led by some commercial fishers recently.

Canada issued some commercial licences to communities while informing them that those were not intended to be the implementation of their fishing rights. These licences permitted some Indigenous communities to develop processing plants and expand related businesses.

In 2013, Canada promised to restart negotiations in response to a lawsuit filed by 12 Mi’kmaq communities but has made no progress in the seven years since. Legal experts emphasize that such access to the fishery falls well short of the moderate livelihood right protected by the Friendship Treaties and Canada’s Constitution, particularly in the context of centuries of assimilation policies and unjust taking of Indigenous land and resources that have too often pushed Indigenous people to the social and economic margins.

Today, more than two decades after the *Marshall* decision, Canada’s response to Mi’kmaq fishing rights remains unconstitutional. Mi’kmaq have developed and are developing management plans for fisheries based on the concept and long-standing principle of *Netukulimk*, which emphasizes taking only what is needed from the land and resources for the well-being of the community. It is vital to understand that all activities undertaken by the Mi’kmaq are governed by *Netukulimk*, a way of life or a code of conduct that teaches respect for the land and its resources and encourages using only what is needed to achieve adequate standards of community nutrition and economic well-being without jeopardizing the integrity, diversity or productivity of our environment. It thereby promotes sustainable and responsible harvesting of the resources for generations to come.

In recent years, as they worked to exercise these rights, disturbing racist violence has resurfaced. Mi’kmaq water protectors have faced risks of arrest, criminalization and imprisonment for asserting rights under Mi’kmaq law to protect traditional and unceded Mi’kmaq territory from environmental degradation. The National Inquiry into Missing and Murdered Indigenous Women has documented how violence and legal prosecution are too often used against Indigenous people seeking to protect rights and communities.

While references to the rule of law are nearly omnipresent as a tool for criminalizing Indigenous land and water keepers, the notion of rule of law is too often seemingly invisible when it comes to their protection.

With respect to the situation of Mi'kmaq fishers, Indigenous leaders have repeatedly questioned the failure of police and the federal government to intervene to uphold the rights and ensure the safety of Indigenous people.

From the Assembly of First Nations to the Native Women's Association of Canada, the government's failure to respond has been flagged as an indication that the violent actions against Indigenous people are condoned. While some have pointed to the need to conserve lobster stocks as an excuse for racist acts, as Senator Keating reminded us, Mi'kmaq fishers are equivalent to less than 1% of the usual commercial fleet, and previous overfishing by commercial fishers in traditional and unceded Mi'kmaq territory has passed without comment from many of those now zealously advocating conservation.

By contrast, the activity of Mi'kmaq fishers reflects community and environmental well-being and upholds such international standards as the UN Sustainable Development Goals. In Mi'kma'ki, we are witnessing what has too often been a pattern in Canada: breaches of the rule of law, state failure to protect Indigenous peoples from ongoing systemic racism and inequality, individual and collective violent racist attacks, and lack of action to ensure reconciliation and self-governance.

We need urgent proactive steps to end and remedy these wrongs. We must not continue to allow them to be replayed and repeated. It is time for the federal government to show a true commitment to negotiate in good faith with the Mi'kmaq, honouring Canada's treaty obligations to find a lasting resolution.

All of us must stand up to racist ideas, attitudes and actions, and commit to doing all that we can to strive for reconciliation. Gratitude and appreciation to our Indigenous colleagues for yet again leading the way.

Wela'liog, Meegwetch, thank you.

Hon. Mary Coyle: Honourable senators, I am honoured to speak to you today from Mi'kma'ki, the unceded territories of the Mi'kmaq people.

Colleagues, yesterday in preparation for speaking in support of Senator Francis's Motion No. 40 on Mi'kmaq fishers, I visited the location where Donald Marshall Junior fished for eels in 1993. It is in Antigonish County, not far from where I live, in the Welnek Reserve area of the Paqt'nkek Mi'kmaw Nation, just behind St. Anne's Church, in Church Cove on Pomquet Harbour.

Also in preparation, I was reading through *The Inconvenient Indian*, Thomas King's best seller. The book starts off with a simple poem by a well-known Mi'kmaq poet, the late Rita Joe, which goes like this:

I am the Indian
And the burden
Lies yet with me.

Colleagues, with Motion No. 40, we are being asked to acknowledge that the burden, the load, the weight that Mi'kmaq fishermen and fisherwomen, their community leaders, our Mi'kmaq parliamentary colleagues and the whole Mi'kmaq Nation is carrying right now, in this time of crisis in Nova Scotia, is not theirs alone to bear.

That burden is all of ours. Canadians are by virtue of citizenship, treaty people, and with that we have the benefit of many rights as well as considerable responsibilities, including the responsibility to learn and know about the treaties, the responsibility to learn about and understand the situation and aspirations of our treaty partners. There is a responsibility to abide by our commitments under the treaties and a responsibility to follow the lead of our Indigenous neighbours as they articulate what is best for them.

• (2030)

As senators, we have responsibilities in legislating, investigating issues of national importance and representing our regions, provinces and territories. In particular, we must represent the rights and interests of those who may be overlooked or at a disadvantage, such as seniors, children, youth, prisoners, veterans, people living in poverty, people with disabilities, immigrants, rural populations and, very importantly, First Nations, Métis and Inuit peoples.

Senators from Nova Scotia have a responsibility to represent the interests of the 1 million people who call our province home. This includes the fast-growing Mi'kmaq population living in the 13 Mi'kmaq communities, as well as those living in other parts of our province. For this reason, I feel compelled and I'm also honoured to stand beside Senator Francis and Senator Christmas in supporting Motion 40.

On October 16, Nova Scotia Senators Bernard, Cordy, Deacon, Kutcher, Mercer and I issued a public statement condemning the violence targeting Mi'kmaq fishers in St. Mary's Bay. Many of our Senate colleagues across the country share our concerns, as is evidenced by their participation in this debate. In that statement, we said:

As senators representing the Province of Nova Scotia, we, in the strongest terms possible, condemn and decry the escalating violence that is currently being directed at Mi'kmaq fishers. Regardless of whatever concerns individuals or groups may have, there can be no justification for the vigilantism and blatant racism that is now being witnessed.

We therefore call upon the Royal Canadian Mounted Police to rapidly and effectively uphold their responsibility to restore peace and order. . . . ensuring that the shameful,

violent actions that were allowed to take their course over the past weeks will not be tolerated and perpetrators will be held accountable

We hereby request the Government of Canada to move rapidly, respectfully and appropriately to properly address the very legitimate concerns of the Mi'kmaq Nations that underlie this conflict.

In order to understand those legitimate concerns regarding Mi'kmaq rights that underlie this conflict, I have looked into the pertinent treaties, constitutional protections and Supreme Court rulings, as well as relevant international agreements our country has signed onto.

The Peace and Friendship Treaty signed by the British with the Mi'kmaq, Maliseet and Passamaquoddy peoples brought an end to a three-year-long war between New England and the Indigenous communities in the Atlantic region. The British wanted to harmonize relationships with the Indigenous people and also wanted to have them switch alliances with the French.

The Indigenous groups were concerned that the New England colonies were going to expand northward, and they also wanted to prevent the further aggressive push from New England fishermen into the coastal waters off of Nova Scotia. Yes, these fisheries disputes have a long and complicated history.

Unlike treaties signed in some other parts of Canada, the Peace and Friendship Treaties did not involve First Nations surrendering rights to the lands and resources they had traditionally used and occupied. The actual Peace and Friendship Treaty of 1752 reads:

It is agreed that the said Tribe of Indians shall not be hindered from, but have free liberty of Hunting & Fishing as usual: and that if they shall think a Truckhouse needful at the River Chibenaccadie or any other place of their resort, they shall have the same built and proper Merchandize lodged therein, to be Exchanged for what the Indians shall have to dispose of, and that in the mean time the said Indians shall have free liberty to bring for Sale to Halifax or any other Settlement within this Province, Skins, feathers, fowl, fish or any other thing they shall have to sell, where they shall have liberty to dispose thereof to the best Advantage.

So that was the promise of the British to the Indigenous peoples, and that was the treaty that was upheld by the Supreme Court of Canada in its *Marshall* decision in 1999.

The Peace and Friendship Treaty of 1760 set out the promises of the Atlantic region Indigenous groups to the British. That document reads, in part:

And I do promise for myself and my tribe that I nor they shall not molest any of His Majesty's subjects or their dependents, in their settlements already made or to be hereafter made or in carrying on their Commerce or in any thing whatever within the Province of His said Majesty or elsewhere. . . .

The Constitution Act of 1867 assigned to Parliament legislative jurisdiction over Indians and lands reserved for Indians. In the redrafted and repatriated Constitution of 1982, section 35 states:

35. (1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.

This powerful rights-affirming section of the Canadian Constitution is complemented by Canada's participation in the United Nations Declaration on the Rights of Indigenous Peoples. According to Article 32 of UNDRIP:

Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.

And Article 37 of UNDRIP states that:

Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements and other constructive arrangements.

In September 2015, Canada and 192 United Nations member states adopted the 2030 Agenda for Sustainable Development. Agenda 2030, with its 17 Sustainable Development Goals, is a global call to action to end poverty, protect the planet and ensure all people everywhere, including in Canada, enjoy peace and prosperity by 2030.

Colleagues, Senator Francis' Motion 40 is about exactly that: Our responsibility as a nation to do everything within our power to ensure Mi'kmaq people and their neighbours have their rights to livelihood, opportunities and protections of person and property respected in order to ensure that they and their communities will ultimately enjoy peace and prosperity.

Honourable colleagues, with the stated pursuit of equality for everyone in Agenda 2030 and its "furthest behind first" credo, the ultimate litmus test for the success of Agenda 2030 will be the outcomes for Indigenous peoples.

So with that background, let's have a brief look at Nova Scotia's lobster conflicts. Suffice it to say there have been conflicts in our region over this highly valued commodity for centuries, and many have had absolutely nothing to do with the Mi'kmaq fishers. These conflicts have flared and smouldered off and on, including since the 1999 *Marshall* decision.

Because Motion 40 is about upholding the rights to a livelihood through the fishery and the protection of First Nation fishers' safety, let's just have a quick look at the situation

through the lens of three generations of the Marshall family, as was portrayed in the October 2 *Maclean's* magazine article by Stephen Maher. I quote from that article:

When Michael Sack, chief of Nova Scotia's Sipekne'katik First Nation, handed out Mi'kmaq lobster licences to fishers on Sept. 17, the first tags went to Randy Sack.

Sack's dad was Donald Marshall Jr. . . .

Sack is now engaged in the same cause that his father took up — a fight for the right to fish . . .

After he got his tags, Sack and his fellow Mi'kmaq fishers went out on St. Marys Bay, where they were greeted by non-Indigenous fishers who were determined to stop them. . . .

The fishery was launched on the twenty-first anniversary of the day that Sack's father won the landmark fishing rights case at the Supreme Court of Canada.

In 1993, Donald Marshall Jr. was fishing for eels in Pomquet Harbour with his then spouse, my friend and former colleague Dr. Jane McMillan, when they were confronted by Department of Fisheries officers. It took six years to prove that Junior was right in his assertion that he didn't need a licence because he had the 1752 treaty right to fish.

Young Randy's participation in the lobster fishery is exemplary of a multi-generational struggle for treaty rights. In 1986, Randy's grandfather — Junior's father — Donald Marshall Sr., then Grand Chief of the Mi'kmaq, proclaimed October 1 as Treaty Day, which commemorates the key role of the treaties in the relationship between Nova Scotia Mi'kmaq and the Crown.

• (2040)

Nova Scotia's lobster fishery was worth \$771 million in 2018. Having a meaningful slice of the lucrative fisheries pie is an understandable ambition of the Mi'kmaq, whether it be through the moderate livelihood fishery; the communal, commercial fishery, which was significantly expanded after the *Marshall* decision; or through participation in the offshore fishery through the recently announced purchase of Clearwater Seafoods by a coalition of seven Mi'kmaq communities in partnership with Premium Brands.

This current Mi'kmaq right-to-fish-and-sell situation is very much related to the bigger picture of Indigenous sovereignty, self-determination and self-reliance. In Nova Scotia, we have seen visionary Mi'kmaq leadership and phenomenal advances in the areas of education, culture, water, energy, child and family services as well as economic development.

Now, as I move towards my concluding words of support for Motion No. 40, and as each of us examines our duty to find ways to transition from this crisis in a peaceful and fair way, I believe

that we have an opportunity now both to be and do better as treaty people. The Truth and Reconciliation Commission's Call to Action No. 45 subsection iii calls on us to:

Renew or establish Treaty relationships based on principles of mutual recognition, mutual respect, and shared responsibility for maintaining those relationships into the future.

This is critical for reconciliation, and this is absolutely critical for the future of our nations.

Colleagues, as we join our voices to those of our Mi'kmaq colleagues, we are acknowledging that the burden that poet Rita Joe spoke of is not and should not lie solely with them. The burden — and at the same time the opportunity — to create a better future where all could live in peace, friendship and prosperity is our shared work.

Honourable colleagues, let's pass Motion No. 40, and let's get on with our urgent work. *Wela'liog*, thank you.

Some Hon. Senators: Hear, hear.

The Hon. the Speaker: Honourable senators, I understand the technical difficulties have been resolved for Senator Kutcher, so we will return to Senator Kutcher for the balance of his time.

Senator Kutcher: I'm going to pick up where Senator Coyle left off and focus on the importance of developing relationships based on a deep understanding and a fulsome respect nation to nation, person to person.

Without a new common understanding of who we are, it will be very difficult for us to get to where we need to be. I for one am pleased to see some movement in this direction with discussions now occurring amongst various parties involved in this conflict aimed not just at solving the conflict, but at developing better understanding of the cultural, treaty, constitutional and legal factors involved; discussions with the goal of creating a climate for negotiation that extends beyond the disagreements over the inshore fishery to an educated and respectful consideration of rights.

In my opinion, this hopefully could lead to a better human connection, person to person, community to community and nation to nation, the kind of human connection that must become the foundation of the solution to this crisis but also one on which the more promising steps for reconciliation can be built.

Common ground must be found and recognized. To move forward, all parties need to agree that this renewable inshore fisheries resource must be equitably shared in respecting and upholding the Mi'kmaq Nation's rights. At the same time, it's essential that the inshore fisheries resource is sustainably managed by all those involved. Finally, the health of our oceans must be protected and improved. This need is fundamental to any and all sustainable fisheries.

Honourable senators, the issues that this crisis has identified are many and challenging. Their complexities should not, however, become deterrents to everyone working hard to address them. Indeed, there exists no other time than now for the

difficult, and at times painful, yet respectful discussions that are necessary for resolution of this conflict to be realized and the wider goals of reconciliation to be advanced.

There is an opportunity in this crisis to chart a course that will result in the development of a different way of being together, an opportunity to bring truth and understanding to addressing existing differences, and by so doing, further the evolution of a society that is enriched by differences and not torn apart by them; a society that can exchange the fractures that divide with a glue that binds together; a society in which all recognize that it is only when we create fertile soil based on our commonalities that we produce the best that can be grown.

Honourable senators, I urge us to unanimously support the motion before us. This is a moment that our chamber can seize to demonstrate to all Canadians that we recognize the need to exchange our fractured selves for a wholesome self, that we realize that ties that bind us are more important than those that would cast us asunder. And we, honourable colleagues, can be a model for that by showing that we all stand together.

To support this motion would signal to all Canadians that genuine reconciliation is necessary and will be possible and will be an expression of the better angels of our nature. Thank you.

Some Hon. Senators: Hear, hear.

(On motion of Senator Duncan, debate adjourned.)

LONG-TERM CARE SYSTEM

INQUIRY—DEBATE

On the Order:

Resuming debate on the inquiry of the Honourable Senator Seidman, calling the attention of the Senate to weaknesses within Canada's long-term care system, which have been exposed by the COVID-19 pandemic.

Hon. Kim Pate: Thank you, Senator Seidman, for launching this inquiry.

Honourable senators, for nearly 40 years, I had the privilege and responsibility of walking in and, most importantly, being able to walk out of prisons for children, men and women. I am sometimes asked by those preparing to visit prisons about what to expect, how to act, what to say.

What I suggest is what I was taught: Treat people the way you want your child, your parents, those you love to be treated because each person you meet in isolating and dehumanizing institutional settings is someone's loved one, someone's child, someone's mom, dad, partner, brother or sister.

During the COVID-19 pandemic, my mom died the day before the first anniversary of her entry into an institution of another kind, one of many residential care homes in Canada. We lost mom following a nearly nine-year odyssey with dementia. Many of you, honourable colleagues, have now spent time together in prisons across this country — in meeting rooms, in segregation cells and speaking through meal slots in cell doors — hearing about appalling realities of voices being ignored and human rights violated, seemingly with impunity.

Too often as I went to visit mom, I found myself horrified by the parallels with the total social isolation that exists in our so-called care homes. A little less than two weeks before mom left us, my daughter and I were visiting her, and as we were on our way out, a woman I'll call "V," who was wheelchair-bound, propelled herself into our path. She pleaded with us to take her with us so that the man charged with her care and with my mom's couldn't hit her again. It was heartbreaking. We reported the situation and appropriate action was eventually taken, but we were left to wonder how long it had been going on. Other staff said mom and other residents seemed afraid of him, but because most had dementia, their reactions were ignored or considered not credible.

• (2050)

Madison and I could not shake the horror and pain of leaving V or my mom, her Nana, and all of the hundreds of other vulnerable residents.

I am sometimes overcome with anger, other times despair, as I mourn my mom. My heart breaks for my dad, as it did every day for the year he watched mom's health deteriorate in the home. Pre-pandemic and once she was declared palliative, his vigils were daily. Most days he would feed her lunch and stay until dark, even when my sister or I arrived to get mom dinner, then undressed, bathed and ready for bed.

Many times toward the end of her days, a good day would be when mom woke up and opened her eyes. Still, for dad, that would be enough to put a smile on his face. He sat by the side of her bed, holding mom's hand and recounting stories of their 62 years together.

I mourn the 81% of Canadians who died of COVID-19 in care homes. I mourn the many more who, like my mom, may not have contracted COVID-19 but died or experienced suffering because they were separated from their loved ones, and because of the deficiencies of care homes struggling to respond to the pandemic.

COVID-19 continues to tear through long-term care homes, exposing conditions that many medical professionals have rightly qualified as a humanitarian crisis.

I mourn and rage for those who remain trapped away in the privatized for-profit institutions that we call care homes. Despite the efforts of some incredibly dedicated and under-compensated staff, usually racialized women, too many are living and dying alone, without their families, without adequate care, without clean clothes or bedding, without food or water, isolated, undoubtedly terrified, most certainly afraid. Too many families and friends are left without contact and information, wondering what has become of them.

COVID-19 has laid bare decades of horrific profit-motivated short-sightedness bound up in long-standing sexist, racist and classist devaluing of care work. When it comes to the treatment that our aged and disabled loved ones receive in times of greatest need and vulnerability, this is not just a case of a global crisis catching a sector off guard. It is the culmination of years of abandoning people to neglect and indignity, to being discarded and to disappearing in a sector that too often appears to be trying to reduce human beings to numbers to crunch, to costs to minimize, and to files to manage.

As the Royal Society of Canada reminds us, poverty, racism and systemic inequality continue to dictate quality of life and quality of long-term care. Particularly as we begin debates about expanding access to medical assistance in dying, we must ensure that people are not placed in situations where they are considering medically assisted death due to a lack of resources or supports within the community or within long-term care.

Eight-five per cent of seniors want to age in place in their homes for as long as they can. Medical professionals see these types of models as beneficial and preferable, but too many cannot afford to pay for all the treatments they need, and for too many, home care is both unaffordable and inaccessible, or unattainable because of a lack of preferring those professions.

For those who cannot be cared for in their homes, Canada could look at the Netherlands and other countries where dementia villages and green care farms ensure that individuals can walk, explore, interact with others, carry out small household tasks, garden, care for animals, and access businesses and services run by those trained in dementia care. The first Canadian dementia village was recently established in Langley, British Columbia. At present, however, it is a private, consumer-funded resource, completely inaccessible to all but the most economically privileged.

Canada's profit-motivated long-term care system relies on exploitive labour and devaluing of the workers who provide care. Cost-reduction efforts mean that personal support workers now provide 90% of direct care to residents of long-term homes, including work that was previously done by nurses or physical and mental health therapists.

Many care workers receive little formal training, the lowest wages in the health care sector, often minimum wage, and rarely any benefits. Work is usually casual, part-time or otherwise precarious. They face chronic short-staffing and heavy workloads, with 65% of personal support workers reporting that they are allowed too little time to properly complete care tasks. Too many have to work two or three jobs to make ends meet, a

physical and health impossibility during this pandemic. Women, in particular racialized women and newcomers to Canada, make up 90% of Canada's personal support workers.

As the Royal Society of Canada says, "we must solve the workforce crisis" with the federal implementation of national standards and transfer funding to ensure full-time work, better pay, benefits, sick leave, training and mental health supports.

Privatized and profit-driven care harms both workers and those who need support. It shifts the focus away from human interaction that prioritizes quality of life to standardized lists and tick-box monitoring that emphasizes mechanistic and expeditious movement from one person or task to the next.

Such inhumanity breeds the horror stories with which we are now all too familiar, from widespread neglect, to the misuse of anti-psychotic medication to manage those with dementia, to institutional risk management policies that needlessly confine and disable otherwise ambulatory people to wheelchairs versus other means of preventing falls.

Canada has also failed to address the personal, emotional and economic burdens for family and friends who, whether by choice or necessity, step in to provide unpaid care. Nor have we reckoned with the systemic inequality associated with the fact that this work continues to be undertaken mostly by women.

In a recent essay in *The Guardian*, a woman who cared for her terminally ill mom noted how the pandemic had renewed interest in guaranteed livable income as a measure that could create essential flexibility for those providing care. She said:

Covid-19 has opened our eyes to what's possible — to the many ways in which we could reimagine our society and economy to put care at the centre.

Honourable colleagues, now that our eyes are open, let's not allow them to again be averted or otherwise blindered.

Despite some excellent individual care providers, for many of those with dementia, like my mom, it is too often a cruel pretense to call the institutions where they are housed "care homes."

Twenty-five per cent of those in federal prisons are classified as seniors. Of this group, 99% are living with a chronic condition such as arthritis, cancer, multiple sclerosis, dementia, Lou Gehrig's disease or the effects of a stroke, for which they are not receiving medical treatment that they need. Worse still, their conditions are intensified by the additional trauma they experience on a daily basis.

How can we in good conscious allow people with these conditions to sit in cells indefinitely? I urge you, honourable colleagues, to imagine how a prisoner with dementia would experience strip searches, pepper spray, physical restraints, and solitary confinement — or structured intervention units, if you prefer.

When a person is told to remove all of their clothes in front of an armed person in uniform, or pepper sprayed for refusing that direct order, or one to lock up, how do we know if they even understood what is going on? We know all too well the stories of so many who, if they attempt to question or delay responding, face forcible interventions, injections, and the cutting or ripping

of clothes off their bodies. Imagine how this is perceived by someone with dementia and how detrimental it is to the mental, physical and emotional well-being of all who are institutionalized.

The Hon. the Speaker: Senator Pate, I am sorry to have to interrupt you. It is now nine o'clock, and you still have time left for your speech. We will have to adjourn, and when the matter is called again, you will be given the balance of your time.

(At 9 p.m., pursuant to the order adopted by the Senate on October 27, 2020, the Senate adjourned until 2 p.m., tomorrow.)

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