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Tuesday, March 30, 2021

The Honourable GEORGE J. FUREY,
Speaker

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THE SENATE

Tuesday, March 30, 2021

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

Prayers.

SENATORS' STATEMENTS

WORLD AUTISM AWARENESS DAY

Hon. Jim Munson: Honourable senators, I'm dedicating this statement today to a young man whose name is Gavin. Gavin is 9 years old, and Gavin is the grandson of Senator Wanda Thomas Bernard.

Honourable senators, April 2 is World Autism Awareness Day. It is law in this country. It is my honour and privilege to speak in celebration of World Autism Awareness Day for the last time in this chamber and nine years after it was passed into law.

Like so many others many years ago, I didn't really have an understanding in 2003 when I first arrived on the Hill as a senator. That changed when I stopped to have a chat with a parent petitioning at the Centennial Flame on his lunch hour. He was desperate for supports to help his son living with autism. Those conversations lit a spark in me, and I knew I had to use my position to help.

What a long way we have come as a society in our acceptance, understanding and action supporting families with autism. But there is always more to do.

Honourable senators, this Senate should be proud of the role it played in that advancement, beginning with my inquiry in this chamber followed by an impactful groundbreaking study completed by our Science, Technology and Social Affairs Committee, then chaired by Senators Keon and Eggleton. The study heard from witnesses living with autism, neurological experts, doctors and social advocates. *Pay now or pay later: autism families in crisis* gave a voice to the autism community, and that title came from a person with Asperger's who appeared before our committee. He said, "Well, senators, you're going to have to pay now or pay later." Later certainly has come, and it's still a catalyst and it's still referenced today in the autism community, which has grown as one voice in what the autism community needs.

By this time, I was well attached to the autism community. I didn't want our work to lose momentum, so I introduced An Act respecting World Autism Awareness Day, for the first of five times, in 2008. It wasn't passed into law until 2012, but I know it was all about the journey.

The long process allowed me to advocate to MPs and senators, gaining allies for the autism community — policy makers who remain allies today and see the importance and need for a national autism strategy in this country, an approach which combines resources and levels the playing field for families

living with autism in Canada. Today, the government is working on a national autism strategy. There will be one, and all parties support it.

In closing, honourable senators, we have an obligation to represent minorities, and in doing so we can make a positive impact on the lives of Canadians. Colleagues, please never give up on these pursuits no matter how long they take. I wish everyone a happy World Autism Awareness Day on April 2. I am grateful to everyone who helped me along this journey. And Gavin, this is for you.

THE LATE THOMAS HENRY BULL SYMONS, C.C., O.Ont. THE LATE DONALD CREIGHTON RAE SOBEY, O.C.

Hon. Diane F. Griffin: Honourable senators, Charlottetown is known as the "Birthplace of Confederation," and the national memorial which honours that historic 1864 meeting is the Confederation Centre of the Arts.

Today I rise on behalf of Senator Duffy and myself to pay tribute to two remarkable Canadians who passed away recently, and who had deep links to the Confederation Centre.

I am referring to Thomas H.B. Symons, who died on New Year's Day, and Donald C. R. Sobey, who passed away on March 24. Both served many years on the Confederation Centre's board.

Donald Sobey was a generous patron of the arts. A gallery at the centre bears his family's name. The Confederation Centre is grateful for the decades of support received from the Sobey family, which included setting up the Sobey Foundation trust fund to assist in the centre's operating budget.

Mr. Sobey's support for the arts went beyond the Atlantic region. He served as a trustee of the National Gallery of Canada for 14 years, including as chair of the board. Senator Bovey was a colleague who worked closely with him.

Tom Symons, a distinguished educator, was the founding president of Trent University and went on to lead Canadian and international organizations.

Professor Symons loved Prince Edward Island, and returned for almost 75 years after his first visit.

In 2004, the Confederation Centre established the Symons Medal, which is awarded annually to an individual who has made an outstanding contribution to Canadian life. Former Senator Sinclair was the recipient in 2019 and delivered the annual lecture.

• (1410)

Tom Symons understood the importance of the Confederation Centre in educating Canadians about our history and the important role the arts play in our lives. We extend sincere sympathy to the family and friends of Donald Sobey and Tom Symons. Canada is a better place as a result of their contributions, and their important legacies will live on at the Confederation Centre of the Arts. Thank you.

CELEBRATING INDIGENOUS WOMEN

Hon. Yvonne Boyer: Honourable senators, I originally hoped to deliver this statement on International Women's Day, but celebrating women is something we should all endeavour to do each and every day, not once a year.

When speaking about gender and equality, it is critical that we look at it through an intersectional lens of race and culture. It is not just through my gender that I experience the world but through the eyes of my ancestors, through culture and race. They cannot be separated. I experience the world as a Michif/Métis woman, and it is with that lens that I approach my work as a senator. To me, a critical part of my role as a senator is celebrating and highlighting other women who are leading the way in their work and/or community, and I would like to do that now.

I would like to acknowledge and celebrate an Indigenous woman who has dedicated her life to advocating for a more just society. Dr. Karen Lawford is a member of the Namegosibiing Trout Lake, Lac Seul First Nation. She is the first registered midwife and Indigenous midwife in Canada to hold a doctoral degree and a university appointment. She is also a founding member of the National Aboriginal Council of Midwives.

Dr. Lawford chose to become a midwife to provide excellent maternity care to First Nation families who live on reserves and often do not have access to these vital services. As an academic and midwife, she teaches and advocates for maternity care that allows community members to give birth in their own communities and on the land, and has explored the resiliency and resistance of women evacuated from their communities for birth.

Representing the highest honour our community bestows upon its own achievers, Dr. Lawford received the Indspire Laureate Award (Health) in conjunction with the United Nations International Decade of the World's Indigenous Peoples, in 2020. Dr. Lawford embodies this award with her advocacy work as she champions human rights, combating racism and strives to improve the recognition of and respect for Indigenous rights within Canadian society.

There are so many incredible Indigenous women like Dr. Lawford who are leaders in their communities. In celebrating Dr. Lawford, I also want to honour and thank all Indigenous women for being the change makers, never losing hope and remaining determined to be the voice of strength and power. *Meegwetch*, thank you.

[Translation]

VIOLENCE AGAINST WOMEN

Hon. Pierre-Hugues Boisvenu: Honourable senators, it is with considerable emotion that I rise today to pay tribute to the seven women who were recently murdered in Quebec and to their 14 children whose dreams of having a mother to love and cherish for years to come have been shattered.

I want to begin by expressing my sincere condolences to the families of these women who were murdered, not only because they were women, but also because they were courageous. This unprecedented wave of homicides is very disturbing. It confirms that our society and our justice system are not doing enough to protect these women and often children, who pay a heavy price for domestic violence. They pay with their lives.

There is no doubt that many of these murdered women paid with their lives because they no longer wanted to be subject to such violence, and these women too often pay with their lives because our justice system strongly encourages them to report their abusers, but it doesn't do enough to protect them when they have the courage to do so. I've said it before, and I'll say it again. That courage has a price: their lives.

For 20 years now, violence against women in this country has been a very personal issue for me. Every day for the past two years, I've worked with women who have experienced or are experiencing intimate partner violence as we look for ways to better protect them. These women share their stories and tell me how scared they are for themselves and their children because they decided one day to escape the violence that had kept them silent and captive for years.

These courageous women decided to speak up and to trust me. They helped me understand their reality and shed any preconceived notions I had about the women who experience this kind of violence every day, every week, for years. They helped me understand their prison, their silence, their powerlessness and, most of all, the courage they had to dig deep to find so they could finally say no to being submissive, dominated and terrified every second of their existence as a partner, a mother and, most of all, a woman.

They all agree that the violent men who shared their lives need help, and that merely suggesting that they go and get it is not good enough. We have a duty to demand that they do so, because the lives of innocent victims depend on it. However, the availability of these services is very limited, and wait times are long when these men do ask for them. I therefore call on all provincial governments and the federal government to invest in these services. Doing so will help address the leading cause of these murders, which are often foreseeable.

In the meantime, what are these women asking for? All they want is to finally be protected once they're ready to get out of this prison, which will otherwise eventually kill them. This afternoon, thanks to these hundreds of courageous women, who are all victims of domestic violence, I will be introducing a bill on their behalf, written for them and by them.

I urge all these women to stay strong. We will succeed.

Hon. Senators: Hear, hear.

[English]

WOMEN WAGE PEACE

Hon. Mobina S. B. Jaffer: Honourable senators, this month the United Nations Commission on the Status of Women on gender equality and women's empowerment held its 65th session. This year, representatives from around the world gathered to discuss women's full and effective participation.

I rise today to share with you what an absolute honour it was for me to speak as a keynote speaker, invited by my dear friend Mazal Renford to a forum organized by Women Wage Peace. Established in 2014 at the end of Operation Protective Edge, Women Wage Peace is a non-secular movement whose members include Jewish and Arab women. These Palestinian and Israeli women have witnessed the toll the ongoing conflict has had on their respective communities and are committed to working together to promote a nonviolent, respectful and mutually accepted solution to the Israeli-Palestinian conflict. In December 2020, Women Wage Peace celebrated a great victory as a bill entitled Political Alternatives First, a law that can prevent the next war, was presented to Israel's legislative body, the Knesset.

Honourable senators, in 2002 and onwards, with the blessing of then-Prime Minister Jean Chrétien and Minister Graham, I travelled to Israel with the goal of engaging Israeli and Palestinian women in a dialogue. The plan was to hold 13 round tables between Israeli and Palestinian women. For security reasons, that was not possible. Instead, we had in-country dialogues. Later, with the help of Ambassador Haim Divon in Haifa, I did have a round table between Israeli and Palestinian women, and a small door of understanding was opened between the two women's groups.

Honourable senators, I have always believed that in order to have lasting peace, women must be included in the peace-making process. This proved to be the case in Ireland where Irish women helped put an end to the conflict in Northern Ireland, and I can tell you that I certainly witnessed that in Sudan.

Honourable senators, I believe that women will bring peace between Israeli and Palestinian people, and we as Canadians must support these efforts to ensure attainable, sustainable peace. Thank you.

THE LATE HONOURABLE BEVERLEY BROWNE

Hon. Dennis Glen Patterson: Honourable senators, for 30 years, from the early 1990s through the first two decades of this century, Judge Beverley Browne — Bev to her friends and to many residents of Baffin and high Arctic communities — personified for a generation of Inuit what a good judge was.

• (1420)

She was appointed an N.W.T. territorial court judge in 1990 based in Iqaluit, later becoming the first Chief Justice of Nunavut and a judge of the Queen's Bench in Edmonton while continuing to serve as a deputy Nunavut judge until her recent retirement. She sat with the Chief Justice of the Nunavut Court of Justice, Justice Neil Sharkey, who described her as the "gold standard" for judicial community involvement.

Her contributions to her home community of Iqaluit and Nunavut were huge and lasting. She was a determined organizer and was amazing for making things happen when they were needed. Active in the local Anglican church, she played the organ on Sundays; helped organize a thrift store that still persists; and was a pillar of the Iqaluit music society and summer music camps, which culminated in their being awarded a \$1 million Arctic Inspiration Prize recently.

She was also the founder of the Akitsiraq Law School, which began training a group of Nunavut lawyers in conjunction with the University of Victoria's Faculty of Law. It now continues with the second new class through the University of Saskatchewan College of Law. She has shaped Nunavut's justice system as it began in 1999, establishing the first and only single-level trial court in Canada, the Nunavut Court of Justice. Her contributions to justice continued later when she helped create Alberta's Gladue and Restorative Justice Committees.

She was a trooper of a circuit judge, enduring hours of uncomfortable plane trips away from her young children, week after week, staying in less than luxurious hotels and often eating food that one might generously describe as "one star." A defence lawyer recalled an evening meal with Bev in the court party. A smiling waitress served up an impressively priced Kraft Dinner. Always courteous, Bev thanked her graciously, with perhaps a hint of a raised eyebrow to her fellow diners.

Courtesy was her hallmark. She put enormous effort into making the often alien-seeming court meaningful to the communities — bravely, because professional lawyers and judges often tended to stiffen at her initiative to incorporate respected community elders in the sentencing of offenders. It was brave because it risked interventions that could result in appeals and harsh criticisms of her court. However, she succeeded because she quite brilliantly kept the process legal while at the same time providing a platform for a community perspective on the events and persons concerned, a depth regular lawyers would often struggle to provide.

Fondly remembered, she left us too early last week. Thank you, Bev Browne. Thank you, honourable senators.

[Translation]

[English]

ROUTINE PROCEEDINGS

AUDITOR GENERAL

CANADA EMERGENCY RESPONSE BENEFIT—REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the report of the Auditor General of Canada to the Parliament of Canada entitled *Canada Emergency Response Benefit*, pursuant to the *Auditor General Act*, R.S. 1985, c. A-17, sbs. 7(5).

CANADA EMERGENCY WAGE SUBSIDY—REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the report of the Auditor General of Canada to the Parliament of Canada entitled *Canada Emergency Wage Subsidy*, pursuant to the *Auditor General Act*, R.S. 1985, c. A-17, sbs. 7(5).

PANDEMIC PREPAREDNESS, SURVEILLANCE, AND BORDER CONTROL MEASURES—REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the report of the Auditor General of Canada to the Parliament of Canada entitled *Pandemic Preparedness, Surveillance, and Border Control Measures*, pursuant to the *Auditor General Act*, R.S. 1985, c. A-17, sbs. 7(5).

INVESTING IN CANADA PLAN – INDEPENDENT AUDITOR'S REPORT 2021—REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the report of the Auditor General of Canada to the Parliament of Canada entitled *Investing in Canada Plan – Independent Auditor's Report 2021*, pursuant to the *Auditor General Act*, R.S. 1985, c. A-17, sbs. 7(5).

COMMITTEE OF SELECTION

SIXTH REPORT OF COMMITTEE PRESENTED

Hon. Terry M. Mercer, Chair of the Committee of Selection, presented the following report:

Tuesday, March 30, 2021

The Committee of Selection has the honour to present its

SIXTH REPORT

On October 29, 2020, the Senate authorized your committee to make recommendations to the Senate on issues related to meetings of either the Senate or committees by videoconference. Your committee now presents an interim report.

Background:

The Senate is normally resourced to support the needs of committees based on a long-standing meeting schedule for in-person committee meetings hosted in Senate committee rooms in Ottawa during sitting weeks. The meeting schedule is prepared in accordance with section 3, chapter 5:03 of the *Senate Administrative Rules* (SARs), which directs the Principal Clerk of Committees to prepare a meeting schedule in consultation with all leaders and facilitators, for all committees and subcommittees that meet regularly. This schedule allowed for twenty-six (26) committee time slots per week, with no more than four (4) simultaneous committee meetings in specific time slots.

However, in April 2020, in order to continue business operations safely during the initial stages of the COVID-19 pandemic, the Senate authorized only four (4) of its committees to meet entirely by videoconference. On November 17, 2020, the Senate adopted a motion authorizing all Senate committees to hold hybrid meetings or meetings entirely by videoconference, subject to certain conditions. This order was subsequently extended on December 17, 2020, to be in effect from February 1 to June 23, 2021. Notably this order suspended the practice of restricting committees to regular time slots along with the requirement under the SARs for a pre-established meeting schedule for committees.

Although senators and witnesses can participate in virtual committee meetings remotely in accordance with the Senate order, support staff operate virtual meetings on-site from existing Senate committee rooms, to provide procedural and technological support and other essential services such as interpretation and multimedia services. Additionally, the more complex technological, procedural and logistical

requirements of virtual Senate committee meetings have made it necessary to assign additional clerks, interpreters, stenographers and technicians to each meeting.

Current Capacity:

Your committee is pleased to report that since February 2021, the Senate has upgraded its technological room capacity and now has four (4) Zoom-capable rooms that can host virtual or hybrid committee meetings. However, even with the availability of four (4) fully equipped committee rooms, the committee was informed that the House of Commons Multimedia Services can support up to one (1) hybrid Senate event at a time (including the hybrid chamber), or two (2) simultaneous virtual meetings with their existing resources.

Additionally, we were advised that the Translation Bureau can support up to a maximum of fourteen (14) Senate events per sitting week (including chamber sittings, committee and caucus meetings and other senator meetings), with their current staffing capacity. Based on current staffing and resources, this means **that the Senate can therefore support one (1) hybrid event at one time (including the hybrid chamber) or two (2) simultaneous virtual committee meetings, up to a maximum of fourteen (14) Senate events per sitting week.**

Your committee heard that the **overall number of committee meetings** cannot be increased to the same numbers as the pre-pandemic schedule with current staffing resources. To increase the overall number of committee meetings, more interpreters are required. However, the Translation Bureau has advised that all available staff and freelancers from across Canada have been called to serve Parliament and there are no additional resources available to hire.

We also heard that to increase the Senate's current capacity to support additional **simultaneous committee meetings**, additional technicians are required. We understand that discussions are underway to increase the number of technicians, however this may take 2 to 3 months to fulfill. Additionally, Debates and Procedural Services may require additional staff and equipment, depending on the schedule and number of committees.

Committee Schedule:

Despite these issues, the committee also heard that it may be possible to increase the Senate's service capacity slightly if the Senate were to establish a fixed schedule of regular, consecutive committee meeting times to allow for better planning, a more efficient use of current resources and to ensure adequate staffing redundancy and backups. Any Senate schedule would also have to consider potential conflicts with the House of Commons schedule as there are many shared resources.

Although a fixed schedule would permit only a slight increase in the overall meeting capacity, your committee feels that it would nevertheless allow for better planning, a more efficient use of current resources and would help

minimize time conflicts. It would also reduce the strain caused by the uncertainty of meeting hours and would allow for scheduled breaks and recovery periods for all senators and employees, many of whom have been working under less than ideal conditions since the beginning of the pandemic. Furthermore, your committee believes that committee meetings should be held in an all-virtual format to allow for more simultaneous meetings, until the public health situation improves.

Recommendations:

Based on the information provided, your committee makes the following recommendations and appends to this report a proposed schedule for virtual Senate committee meetings, which it believes provides a way forward that is fair and equitable for all committees. Furthermore, it will allow committees to meet safely, while allowing for proper planning and scheduled breaks for senators and staff.

Your committee therefore makes the following recommendations:

1. 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 June 23, 2021, Senate committees be authorized to meet at the following times:
 - a) on any day from Monday to Friday, inclusive, except for the periods from April 2 to 16, 2021, and May 17 to 24, 2021, inclusive;
 - b) on days the Senate sits, pursuant to rule 12-18(1); or
 - c) when the meeting is authorized pursuant to rule 12-18(2).
2. That during this period, Senate committees be authorized to meet entirely by videoconference according to a fixed committee schedule with up to fourteen (14) all-virtual committee time slots per week, with no more than two simultaneous virtual meetings provided that:
 - a) fourteen (14) committees be assigned one two-hour timeslot per week; four (4) committees be assigned alternating time slots on Mondays before noon (RPRD/SELE/REGS/BILI); two (2) committees (CONF/AOVS) be assigned an alternating time slot on Tuesdays;
 - b) meetings of standing Senate committees be prioritized for those that are meeting on government business, subject to available capacity; and
 - c) if a committee opts to not use its assigned time slot, the time slot could be used by another committee (except for Tuesdays when the Senate is sitting) or by a subcommittee, subject to approval

by the Government Liaison, the Opposition Whip, and the whips and liaisons of all recognized parties and recognized parliamentary groups.

3. That 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.
4. That for greater certainty, and without limiting the general authority granted by the adoption of this report, when a Senate committee 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.
5. That 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.
6. That when a Senate committee 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; and
7. That the provisions of the orders of November 17, 2020, and December 17, 2020, concerning hybrid and virtual meetings cease to have effect upon the adoption of this report.

Your committee also appends to this report a draft virtual committee schedule, and further recommends that:

- a) the draft schedule be implemented on a trial basis; and that
- b) any subsequent changes to the attached schedule be done in consultation with the Government Liaison, the Opposition Whip, and the whips and liaisons of all recognized parties and recognized parliamentary groups.

Respectfully submitted,

TERRY M. MERCER
Chair

(For appendix to report, see today's Journals of the Senate, p. 434.)

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

Senator Mercer: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(f), I move that the report be placed on the Orders of the Day for consideration later this day.

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

Hon. Senators: Agreed.

(On motion of Senator Mercer, report placed on the Orders of the Day for consideration later this day.)

• (1430)

ADJOURNMENT

NOTICE OF MOTION

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I give notice that, later this day, I will move:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, April 20, 2021, at 2 p.m.

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

Hon. Senators: Agreed.

UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES BILL

NOTICE OF MOTION TO AUTHORIZE ABORIGINAL PEOPLES
COMMITTEE TO STUDY SUBJECT MATTER

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, in accordance with rule 10-11(1), the Standing Senate Committee on Aboriginal Peoples be authorized to examine the subject matter of Bill C-15, An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples, introduced in the House of Commons on December 3, 2020, in advance of the said bill coming before the Senate; and

That, for the purposes of this study, the committee be authorized to meet even though the Senate may then be sitting, with the application of rule 12-18(1) being suspended in relation thereto.

CITIZENSHIP ACT

BILL TO AMEND—FIRST READING

Hon. Yonah Martin (Deputy Leader of the Opposition) introduced Bill S-230, An Act to amend the Citizenship Act (granting citizenship to certain Canadians).

(Bill read first time.)

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

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

[Translation]

CRIMINAL CODE

BILL TO AMEND—FIRST READING

Hon. Pierre-Hugues Boisvenu introduced Bill S-231, An Act to amend the Criminal Code and to make consequential amendments to another Act (interim release and domestic violence recognizance orders).

(Bill read first time.)

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

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

• (1440)

GOVERNOR GENERAL'S ACT

BILL TO AMEND—FIRST READING

Hon. Claude Carignan introduced Bill S-232, An Act to amend the Governor General's Act (retiring annuity and other benefits).

(Bill read first time.)

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

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

[English]

CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

NATIONAL CONFERENCE OF STATE LEGISLATURES BASE CAMP,
SEPTEMBER 15-17, 2020—REPORT TABLED

Hon. Michael L. MacDonald: Honourable senators, I have the honour to table, in both official languages, the report of the Canada-United States Inter-Parliamentary Group concerning the National Conference of State Legislatures Base Camp, held by videoconference from September 15 to 17, 2020.

ANNUAL MEETING OF THE COUNCIL OF STATE GOVERNMENTS—
WESTERN LEGISLATIVE CONFERENCE, JULY 29-30, 2020—
REPORT TABLED

Hon. Michael L. MacDonald: Honourable senators, I have the honour to table, in both official languages, the report of the Canada-United States Inter-Parliamentary Group concerning the Seventy-third Annual Meeting of the Council of State Governments—Western Legislative Conference, held by videoconference from July 29 to 30, 2020.

[Translation]

L'ASSEMBLÉE PARLEMENTAIRE DE LA FRANCOPHONIE

ORDINARY SESSION, JANUARY 19-29, 2021—REPORT TABLED

Hon. Éric Forest: Honourable senators, I have the honour to table, in both official languages, the report of the Assemblée parlementaire de la Francophonie concerning the Forty-sixth Ordinary Session, held by videoconference from January 19 to 29, 2021.

[English]

THE SENATE

NOTICE OF MOTION TO AUTHORIZE EACH STANDING COMMITTEE TO STUDY ISSUES RELATING TO ITS MANDATE

Hon. Yuen Pau Woo: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I give notice that, later this day, I will move:

That each standing committee be authorized to examine and report on issues relating to its respective mandate as set out in the relevant subsection of rule 12-7 and to submit its final report on its study under this order no later than June 23, 2021.

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

Hon. Senators: Agreed.

NOTICE OF MOTION TO DESIGNATE AUGUST 1 OF EVERY YEAR AS “EMANCIPATION DAY”

Hon. Wanda Elaine Thomas Bernard: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I give notice that, later this day, I will move:

That the Senate recognize:

- (a) that the British Parliament abolished slavery in the British Empire as of August 1, 1834;
- (b) that slavery existed in British North America prior to its abolition in 1834;
- (c) that abolitionists and others who struggled against slavery, including those who arrived in Upper and Lower Canada by the Underground Railroad, have historically celebrated August 1 as Emancipation Day;
- (d) that the Government of Canada announced on January 30, 2018, that it would officially recognize the United Nations International Decade for People of African Descent to highlight the important contributions that people of African descent have made to Canadian society, and to provide a platform for confronting anti-Black racism; and
- (e) the heritage of Canada’s people of African descent and the contributions they have made and continue to make to Canada; and

That, in the opinion of the Senate, the government should designate August 1 of every year as “Emancipation Day” in Canada.

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

Hon. Senators: Agreed.

QUESTION PERIOD

HEALTH

COVID-19 VACCINE ROLLOUT

Hon. Donald Neil Plett (Leader of the Opposition): My question today is again for the Leader of the Government in the Senate.

Senator Gold, on Monday the federal guidance on AstraZeneca changed again. First, giving it to people over 65 years of age was not safe, and then it was safe. Now, the National Advisory Committee on Immunization says Canadians under the age of 55 should not receive the AstraZeneca vaccine due to blood clotting concerns. Yet, in the very same news conference yesterday afternoon, Health Canada claimed there wasn’t enough data to change the way that the vaccine is used or make changes to the labelling.

Now, Senator Gold, what did the Minister of Health say about these conflicting messages? We have no idea. She was nowhere to be found yesterday. In fact, no member of the Trudeau government commented yesterday. What a pathetic lack of responsibility, leader.

Leader, does Health Canada support this decision? Why has no clarity been given to Canadians about this vaccine, neither to those who just have taken it nor to those who are about to do so?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question.

The new recommendations to which you refer, I think, demonstrate that Canada has a very strong surveillance system in place for vaccines that continues to operate and to make adjustments as new data arrives, even after a vaccine has been approved by Health Canada.

In that regard, Canadians can have confidence in the process, which is led by top independent experts.

As part of this process, Health Canada asked AstraZeneca for additional information on their vaccine that was precipitated by new data emerging from studies, if my memory serves me correctly, in Europe, and Germany in particular. In light of that request by Health Canada, out of an exercise of prudence for the safety of Canadians, the experts of the National Advisory Committee on Immunization issued new recommendations, to

which you referred, to put on pause the administration of this vaccine for those under 55 to give Health Canada time to do its own independent analysis.

Senator Plett: You say Canadians should have confidence. The only thing that Canadians are absolutely confident about is that this government does not know what they're doing.

Indeed, we should put a pause. We should put a pause on this government. AstraZeneca covers a significant portion of Canada's COVID vaccination plan, especially this week. We are set to receive a loan of 1.5 million doses of AstraZeneca from the United States today, but let's not kid ourselves — Canadians are getting access to these vaccines only because the United States hasn't deemed them safe for its own citizens, leader.

Now only Canadians over 55 years of age can take this vaccine, having been previously told those over 65 shouldn't do so. Somehow, you read into this that we should have confidence.

The provinces have announced that they are putting a pause — they are putting a pause — on the use of AstraZeneca and the federal government has done nothing, leader, to give Canadians confidence about taking it. The chair of NACI said yesterday that this looks like a roller coaster, and she is right, leader.

• (1450)

Leader, what impact do you think your government's confusion on AstraZeneca's safety is going to have on vaccine hesitancy in Canada?

Senator Gold: Thank you for your question and commentary.

As recently as last night on CBC, health experts reassured Canadians that, in their assessment of the balance of risks and benefits, AstraZeneca remains a healthy and safe vaccine for those to whom it was administered, and also provided guidelines for those who have concerns. They explained that the pause they recommend, which has been implemented by the provinces, was a precautionary measure due to recent data that needs to be analyzed here in Canada.

The issue of vaccine hesitancy is a real problem and there is no denying that the AstraZeneca vaccine has had its challenges in its rollout. But Canadians should remember that millions and millions of citizens in other countries, notably in the United Kingdom, have been vaccinated with AstraZeneca. Canadians should remain confident that the plan this government has instituted to have a diversity of sources, including an accelerated delivery — I just read this morning of Pfizer — remains a sound plan to protect the health of Canadians.

Hon. Yonah Martin (Deputy Leader of the Opposition): Leader, I agree that Canadians want to have confidence in the government. The problem is that the information they are getting is confusing and worrying them.

With regard to the question our leader asked about yesterday's announcement by the National Advisory Committee on Immunization to suspend the use of AstraZeneca vaccine for people under the age of 55; I'm 55 and I'm wondering how this applies to those 55 and over, and those just over that mark.

About 300,000 Canadians have already been given AstraZeneca vaccine in recent weeks. I can't imagine how much confusion and concern people must be feeling after yesterday's revised safety advice for this vaccine, yet again.

Leader, what is the guidance for Canadians who have received their first dose of AstraZeneca? Will it be okay for them to receive the second dose? If they can't receive the second dose of AstraZeneca, can they have Pfizer or Moderna as a second dose, even though those vaccines use a different gene therapy technology?

Senator Gold: With regard to the last part of your question, honourable colleague, I have neither the expertise nor the knowledge to answer that. The answers will be provided by those with expertise in the field.

Yesterday, Canadians were reassured and advised by the representative of the committee that if they received their AstraZeneca doses within 20 days or beyond, they have nothing to worry about. The incidents of blood clotting that gave rise to this pause occurred in a population of mostly women — for reasons not yet determined — under 50, and the symptoms emerged in the period up to about 16 days after administration.

Again, as the information arrives and is analyzed, our health institutions are taking prudent steps to make sure that the vaccines administered to Canadians are safe.

Senator Martin: Senator Gold, I'm sorry, but I'm susceptible to blood clots. There are people for whom this can lead to strokes and all sorts of issues.

It is worrisome that there is a revised announcement and that people are losing confidence. Canadians are looking for leadership and clear answers to important questions about their health — this is a matter of life and death as well — and they are getting neither from the Trudeau government. This is shameful.

My province of British Columbia has announced a circuit-breaker lockdown from today until April 19 in response to the rapid growth in cases in the province. Cases of the highly contagious P1 variant, first detected in Brazil, have more than doubled in B.C. in recent days. Our provincial health officer, Dr. Bonnie Henry, has said there is concern about the effectiveness of vaccines against this variant.

Leader, we don't have enough vaccines to stay ahead of the variants. Now that AstraZeneca has been pulled from use for those under age 55, what impact does this have on our ability to fight the third wave of COVID-19, not just in B.C. but right across our country? What does this mean for the possibility of new variants emerging in Canada?

Senator Gold: Thank you for your question. The emergence of new variants and the third wave that is upon us is a matter of great preoccupation. The Government of Canada understands the anxiety and worry of Canadians. What I've been trying to communicate, perhaps inadequately, is that the government continues to make its decisions based upon medical and scientific advice it's getting in this rapidly changing environment. It would be irresponsible for the Government of Canada — or any government or health agency — to privilege consistency over

accuracy. This government remains committed to providing up-to-date and accurate analysis and recommendations to guide the health care communities within the provinces and across this country on the basis of the evidence as it is emerging.

EMPLOYMENT AND SOCIAL DEVELOPMENT

UNIVERSAL CHILD CARE AND EARLY CHILDHOOD EDUCATION

Hon. Rosemary Moodie: Honourable senators, this question is for the Government Representative in the Senate.

Senator Gold, on March 26, Deloitte Canada released a report entitled *Early Learning and Childcare as Key Economic Infrastructure*. In this report, Deloitte details why a national, universal and public child care system is a key part of all economic recovery from the pandemic and all long-term economic success.

This is one of many reports that speak to the huge potential impacts of child care and early childhood education — not just on women participating in the workforce but also decreasing our reliance on special needs education by improving children's behavioural and social skills, and by fostering greater economic equity.

We have seen the positive impacts of child care in Quebec, a province that has been acknowledged as leading the way on this issue. In short, we have so much to gain and very little reason to sit on our hands, as we have been for decades.

My question, Senator Gold, is this: Is this government willing to implement a high-quality, universal child care program linked to an early childhood education system that is an entitlement for all, that is publicly funded and publicly managed?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for raising the important question of the link between early childhood education and support for the well-being, not only of the individuals and their families, but indeed of the country and its social fabric.

The Government of Canada works with the provinces and territories in these areas, which are exclusively within provincial jurisdiction, whether it's child care — you noted the success of my province of Quebec in that area — or education.

The federal government has and will continue to provide financial support and will work in partnership. However, the call for a national system of child care and education ignores the federal nature of this country and is not something that one should privilege over the cooperation between levels of government, which is an ongoing and happy feature of our system of government.

JUSTICE

MANDATORY MINIMUM PENALTIES

Hon. Rosemary Moodie: Senator Gold, turning the page to criminal justice reform, in his speech in the other place, Minister Lametti characterized Bill C-22 as responding to the calls of the Truth and Reconciliation Commission of Canada, the National Inquiry into Missing and Murdered Indigenous Women and Girls, and to the Parliamentary Black Caucus. These bodies called on the government to address all mandatory minimum penalties, notwithstanding that Bill C-22 repeals only a handful of mandatory minimum penalties.

• (1500)

Will the government amend Bill C-22 to ensure that judges have the discretion to not apply a mandatory minimum penalty in appropriate circumstances?

Hon. Marc Gold (Government Representative in the Senate): Thank you for raising this issue, colleague. As you point out, Bill C-22 targets mandatory minimum penalties, including all six under the Controlled Drugs and Substances Act specifically known to contribute to the overrepresentation of Indigenous and Black Canadians in the justice system. In particular, it targets lower risk and first-time offenders. As the Minister of Justice has also stated, it's important to see Bill C-22 in connection with the other efforts across government to root out systemic racism and ensure a more effective justice system for all.

[Translation]

CANADIAN HERITAGE

SUPPORT FOR INDEPENDENT BOOKSTORES

Hon. René Cormier: My question is for the Government Representative in the Senate. Senator Gold, last year many Canadians picked up reading again and chose to purchase their books online. On the surface that seems like good news, but the shift in consumer habits to online shopping has had a devastating effect on the dramatic increase in delivery fees for independent bookstores, fees that are sometimes as high as 50% of the retail value of the book.

There is a solution, and that involves giving Canadian independent bookstores the same preferential rate that Canada Post gives to libraries, which allows books to be delivered for about \$2 a unit.

My question for you is the following. In recognition that our Canadian independent bookstores are part of Canadian culture, that they promote Canadian culture across the country and that they have to compete with giants like Amazon, can your government commit to supporting them so that they can get the same preferential rate at Canada Post that libraries get for book delivery?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. I certainly share your enthusiasm for independent bookstores. It is such a pleasure and a joy to go into a bookstore.

If I'm not mistaken, you're referring to Canada Post's reduced postage rate for library materials on loan, including return postage to the loaning library. Canada Post is able to provide this service because the Canada Post Corporation Act explicitly provides for, and I quote, "a reduced rate of postage for library materials." This is the only reduced rate the act provides for.

I also want to point out to my esteemed colleague that Canada Post operates at arm's length from the government and that it would be better to address these questions to the corporation itself.

COPYRIGHT ACT REFORM

Hon. René Cormier: Thank you for your answer, Senator Gold, but I believe that, if the Government of Canada really cares about Canadian culture, it could take a clear stand in this regard to support the distribution of Canadian books.

My second question for you is the following: The arts and culture industry has been calling for the reform of the Copyright Act for a long time. This year, more than ever, such a reform could have made a real difference for thousands of artists and all those sectors that have been hard hit by the pandemic.

Can you tell us what progress has been made on the review of the Copyright Act and what steps need to be taken before this law, which is vital for the industry, is reformed?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, esteemed colleague, and for the advance notice, which enabled me to make inquiries with the government.

I was told that the government is examining the recommendations made by the industry and heritage committees during the previous Parliament in order to reform the Copyright Act. What is more, as you know, the government has undertaken targeted consultations to complete this work. The government's ultimate goal is to create a legislative framework governing copyright that would be better for Canada, a framework in which creators and copyright owners are fairly compensated for their important contributions to Canadian culture.

[English]

FOREIGN AFFAIRS

CANADA-CHINA RELATIONS

Hon. David Richards: Honourable senators, my question is for the Government Representative in the Senate. Senator Gold, given the fact that, for over two years, Canadians have been subjected to belligerent harangue and arrogant vitriol from representatives of the Government of China, the two innocent Michaels are being unceremoniously held within the bowels of

the Chinese gulag and our officials are being tongue-lashed on a daily basis, might it be time to begin to question our participation in the Beijing 2022 Winter Olympics? I know it is a painful decision, but no more painful than the isolation and deprivation experienced by those two Canadian men.

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. This government, along with its democratic allies, is acting in concert to express, through concrete actions, its strong disapproval of the unacceptable behaviour of China toward the Canadians they continue to hold arbitrarily, as well as to religious minorities in China and pro-democracy activists in Hong Kong and elsewhere.

All aspects of our relationship with China are a matter of serious reconsideration and analysis, and that includes the participation of Canada and Canadian athletes in international events such as the Olympics.

JUSTICE

BILL C-22—IMPACT ON BLACK AND INDIGENOUS CANADIANS

Hon. Wanda Elaine Thomas Bernard: Honourable senators, my question is also for the Government Representative in the Senate. Senator Gold, following the introduction of Bill C-22, it took several weeks and repeated requests before the government was able to share with senators any data in support of its statements that Bill C-22 will reduce mass incarceration of Black and Indigenous peoples. The sparse data available so far does not clarify this. Worse yet, it reveals that no data disaggregated by race and gender or by sentence exists to confirm the government's claim that Bill C-22 will address — much less redress — the disproportionate criminalization and imprisonment of Indigenous peoples as well as those of African descent. The available data does not reveal how many people we can concretely expect this bill to benefit.

Senator Gold, on what basis did the government make its claims with respect to Bill C-22?

Hon. Marc Gold (Government Representative in the Senate): Thank you, senator, for your question and for giving me the opportunity to make inquiries with the government. I have not yet received the specific data and response that you requested, but I can assure this chamber that the government remains committed to obtaining and using more disaggregated data so that its decisions are based upon the evidence available. For example, in 2019, the government launched the new Statistics Canada Centre for Gender, Diversity and Inclusion Statistics. The centre has been working closely with departments such as Women and Gender Equality and Canadian Heritage to support evidence-based research and policy development by ensuring greater availability of race- and gender-based data.

Senator Bernard: Senator Gold, do you have any idea as to when we can expect to receive this data?

Senator Gold: I will certainly make inquiries, colleague, and report back to this chamber when I have an answer.

HEALTH

COVID-19 VACCINE ROLLOUT

Hon. Leo Housakos: Honourable senators, my question is for the government leader. Senator Gold, it has now been a number of months that your government has been announcing the securing of millions and millions of vaccines on behalf of Canadians. Actually, it has been so many millions we've lost track, yet Canada still lags significantly behind all other G7 countries and many other nations. Actually, the list is too long to enumerate.

• (1510)

Given the various delivery dates and changes in timelines, including another one today that the Prime Minister announced, which sounds good in theory but, of course, we've seen this government over a number of months now continue to make announcements with benchmarks and timelines that seem to be used more for political expediency and a public relations show than concrete action, my question is the following: Can you please provide a definitive target — a clear and transparent date — of when Canadians can expect to be fully vaccinated?

It's a very simple question: What date can this government provide to Canadians by which they can expect to be fully vaccinated? It's a simple question; what date?

Hon. Marc Gold (Government Representative in the Senate): Indeed, it is a simple question, honourable colleague, but there is no simple answer. That is largely because Canada has multiple sources of vaccines, relying upon multiple supply chains, and it would be irresponsible, however attractive it might be to pose the question, the fact is the government remains committed to providing accurate and evidence-based information to Canadians about this. The Government of Canada is not yet in a position to give a definitive date.

The Prime Minister has indicated some months ago that all Canadians who want it should be able to get their first vaccine by September of this year. Since that statement it is clear the number of vaccines that have come into Canada are clearly ahead of schedule.

The Government of Canada will continue to work as it is, round the clock, to ensure that Canadians get access to the vaccines they need, and when the government is in a position to revise the target — when it is based upon clear evidence and not political opportunism — it will make that announcement.

Senator Housakos: Government leader, if this is ahead of schedule, boy oh boy, Canadians would love to see what the actual targets are, because every Canadian across the country is asking the very simple question: By what date will we be fully vaccinated?

But I have a two-part supplementary question. First, I find it a bit concerning that in response to one of my colleagues, about the fact that the government leader in the Senate found out about a government announcement today, where the Prime Minister and Pfizer announced that they're changing the date and speeding up the date of expected delivery of vaccines into this country. I find it disturbing that the government leader in the Senate finds out about it in the newspapers.

I believe there is a customary tradition in this place, that a government leader who is a member of Privy Council is providing information on behalf of the government here, and not information they read from a newspaper article. Having said that, government leader, I don't even know if it requires an answer but, as a parliamentarian, it's concerning.

What we also see is that your government's monumental failure has had and will continue to have a devastating impact on the health of Canadians, the mental well-being of Canadians and, of course, our economy.

Why has your government chosen to rely on subsidies and lockdowns rather than to expedite vaccines and give concrete dates of when Canadians can expect to turn the corner?

Senator Gold: I'm sorry to disappoint you, but my answer is going to be very clear, that the Government of Canada has successfully provided and is successfully providing a diversity of vaccines to ensure that Canadians are vaccinated and have access to the vaccine as quickly as possible.

The Government of Canada is not responsible for lockdowns, that's the provinces. Those decisions are being taken in the best interests of the health of their citizens.

I understand the function of Question Period, and I stand always prepared to do my best to answer your questions. The fact is the Government of Canada and all provincial and territorial governments are working seriously in the context of a terribly challenging, dynamic and ever-changing global pandemic to ensure the safety and health of Canadians, and Canadians should have confidence in their governments that they're doing the very best they can do under these very difficult circumstances.

Hon. Linda Frum: My question is for the Leader of the Government in the Senate. Senator Gold, Blacklocks recently revealed that Health Canada has hired social media influencers and minor celebrities to tout the great work it's doing on Canada's response to the pandemic. The notice to contractors from Health Canada specifies that these influencers will be paid to build the department's credibility, and in exchange for such payments, their posts will not tarnish Health Canada nor the Government of Canada's reputation. These government-paid influencers are not required to reveal that they are government-paid influencers because that, of course, would be very embarrassing.

Senator Gold, Canadians can't get clear, consistent answers from the federal government on the safety of the AstraZeneca vaccine and you're spending their tax dollars to spread disinformation about Health Canada's response to the pandemic.

My question is this: Why not provide Canadians with clear guidance they can use on this very important decision regarding their personal health and AstraZeneca? Wouldn't that improve Health Canada's credibility?

Senator Gold: The Government of Canada and the scientific committees that advise it and Health Canada are providing information to Canadians to the best of their ability and in real time.

The Hon. the Speaker: Honourable senators, the time for Question Period is expired.

[Translation]

ORDERS OF THE DAY

APPROPRIATION BILL NO. 6, 2020-21

SECOND READING

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate) moved second reading of Bill C-26, An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2021.

She said: Honourable senators, I rise today to speak to Bill C-26, Appropriation Act No. 6, 2020-21. Let me give you an overview of the Supplementary Estimates (C) for the year ending March 31.

[English]

As this chamber well knows, each year the government tables up to three additional supplementary estimates that outline incremental spending plans to the Main Estimates, which are tabled prior to the start of the fiscal year.

This year the President of the Treasury Board tabled Supplementary Estimates (C) for 2020-21 on February 16. They include a summary of the government's incremental financial requirements, as well as an overview of major funding requests and horizontal initiatives.

Colleagues, I cannot overstate how important the estimates are to government accountability and to our democracy. It is the right of every Canadian and the parliamentarians who represent them to know how public funds are being spent so that the government can be held to account.

In fact, due to the extraordinary circumstances caused by the pandemic, several changes have been made to the presentation of Supplementary Estimates (C) to further enhance transparency. For example, these supplementary estimates include a detailed listing of COVID-19 legislation in Part 1, and additional information on planned expenditures related to the government's COVID-19 response in an online annex.

[Senator Frum]

Honourable senators, I expect you will find the online annex particularly helpful, as it reconciles the \$159.5 billion shown in these estimates with the \$275.2 billion announced as part of the COVID-19 Economic Response Plan. The document also includes a comparison between the projected total expenses for 2020-21 in the Fall Economic Statement 2020 and the planned expenditures for 2020-21 in the estimates.

To provide further transparency and make things simpler, these estimates, along with other data related to government finances, people and results, are also available on GC InfoBase, an online visualization tool that turns complex data into simple, virtual stories.

• (1520)

Through these estimates, honourable colleagues, the government is committed to providing parliamentarians and Canadians with as much information as possible.

Let me now turn to the supplementary estimates in more detail.

Through these estimates, we can see how the government invested in the economy and what role COVID-19 relief played in the economy's recovery.

These estimates present \$13.4 billion in planned spending, which honourable senators will know is exceptionally higher than usual. This is due to the economic and emergency response measures to the COVID-19 pandemic. In fact, \$9.9 billion, or approximately 74% of the proposed spending, is for the government's response to the public health, social and economic impact of the pandemic on Canadians.

The estimates also include, for information purposes only, details regarding an overall decrease in the forecast of statutory expenditures of \$5.4 billion. The total decrease in statutory expenditures reflects increases of \$18.6 billion in various planned statutory expenditures and decreases in statutory expenditures of \$24 billion due to revised forecasts in the Fall Economic Statement 2020 or to the repeal of the Public Health Events of National Concern Payments Act on December 31, 2020.

Overall, funding requirements for the top 10 organizations account for almost 90% of voted spending sought through these estimates.

Of those 10 organizations, 3 are each seeking more than \$1 billion to support their priorities. This includes the Public Health Agency of Canada with \$6.3 billion; the Treasury Board Secretariat with \$1.7 billion; and the Department of Indigenous Services with \$1.6 billion.

[Translation]

We have often said that no relationship is more important to this government than the relationship between Canada and First Nations. We also recognize the impact that COVID-19 has had on Indigenous groups in this country. That's why the Supplementary Estimates (C) include \$1.56 billion in new funding for the Department of Indigenous Services.

Of that amount, close to \$1.2 billion is earmarked for pandemic response. The funds requested in this budget will enable the Department of Indigenous Services to uphold its priorities by providing emergency medical and socio-economic intervention in response to the pandemic in Indigenous communities.

Honourable senators, let me list two of the most significant proposed expenditures. The amount of \$525.7 million will be used to address pressures on existing health services, support community-led public health measures to prevent the spread of COVID-19, and establish temporary isolation, assessment, and accommodation structures. This funding will also be used to ensure that Indigenous communities have an appropriate level of health human resources, transportation, medical supplies and equipment.

In addition, \$383.8 million will be allocated to community-based COVID-19 prevention and response measures, including support for elders and vulnerable community members, measures to address food insecurity, educational and other supports for children, mental health assistance and emergency response services.

Dear colleagues, the pandemic has created mounting economic challenges, and in order to address these challenges, the government has invested \$10.1 billion in the Canada Recovery Benefit, or CRB; \$2.9 billion in the Canada Recovery Caregiving Benefit, or CRCB; and \$780 million in the Canada Recovery Sickness Benefit, or CRSB.

Honourable senators, the 2020-21 Supplementary Estimates (A), (B) and (C) represent a total of \$159.5 billion in spending authorities for the COVID-19 response.

Honourable senators, the government has prioritized the health, safety and well-being of all Canadians. Through the Supplementary Estimates (C), the government is being transparent and accountable about how it plans to use public funds to provide the programs and services that Canadians need.

These new spending plans will continue to provide assistance to those affected by COVID-19, all while supporting the economy and Canadians.

In closing, I want to thank all parliamentarians who worked together, in person or virtually, during this unprecedented period. I also want to acknowledge the tireless efforts of the Standing Senate Committee on National Finance in its in-depth study of the Supplementary Estimates (C) for the fiscal year ending March 31, 2021.

Thank you. *Meegwetch.*

[English]

Hon. Larry W. Smith: Honourable senators, I rise today to speak to Bill C-26, An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2021.

This bill authorizes an additional \$13.365 billion to be paid out of the Consolidated Revenue Fund as part of the Supplementary Estimates (C) 2020-21, the last of the estimates for this fiscal year. While tracking and scrutinizing government spending during normal years was hard enough, the COVID-19 pandemic provided additional challenges for all parliamentarians.

[Translation]

First of all, the wave of spending programs related to COVID-19 that were rushed through both Houses of Parliament gave federal departments powers under various laws for varying periods of time. Although these spending measures were necessary in the fight against COVID-19, they introduced an element of complexity in identifying the source of a specific authority. This was due in part to the fact that departments did not require parliamentary approval for expenditures as part of the detailed budget process.

For example, the Public Health Events of National Concern Payments Act, enacted under Bill C-13, which gave the Minister of Finance and the Minister of Health spending authority without parliamentary approval, was repealed before the end of 2020.

This expiration of legislative authority required the departments to revise their statutory spending program estimates and then include them in their Supplementary Estimates (C) documents.

When the Standing Senate Committee on National Finance studied these supplementary estimates, it was noted that the addition of a reconciliation document prepared by the Treasury Board Secretariat, which aligned the spending measures of the 2020 Fall Economic Statement with those of the supplementary estimates, was a notable improvement over previous years.

• (1530)

[English]

The problem that remains, however, is the frequency with which financial information is updated and reported on. The majority of COVID-19-related programs do not provide high-quality and timely data on the performance as well as the actual costs. Not only does this impede Parliament's ability to scrutinize spending, but it also prevents parliamentarians from suggesting adjustments to programs that may not be as effective as hoped.

Since the start of the pandemic, the Department of Finance had been providing bi-weekly updates on the actual spending on COVID-19-related programs. This proved valuable in our efforts to monitor the success of each program. These important reports were halted as a direct result of the government's decision to prorogue Parliament over the summer. Unfortunately, the statutes under which these reports were mandated expired in September with no commitment from the department to return to that practice.

The second concern I would like to draw to the chamber's attention pertains generally to the extraordinary growth in the level of spending lapses over the last five years. According to the Parliamentary Budget Officer's report on Supplementary

Estimates (C) 2020-21, total lapsing funds have grown year over year, reaching almost into the tens of billions of dollars in 2019-20.

Generally speaking, reviewing how much money a department spends or does not spend in isolation as an indicator of success is simply not the best metric. This, according to Mr. Giroux of the PBO, could lead departments to:

. . . undertake “March Madness” because what is worse than lapsing is spending for the sake of spending at the end of the year to ensure that you don’t have a lapse.

I fear, however, the rise in spending lapses could be a symptom of a broader and more systemic problem within the federal government — that is the lack of effective planning that is built into program spending.

To highlight this point, I point to the government’s Investing in Canada Plan. This program, as most of us who have been here know, began in 2016 with the goal of spending \$188 billion over 12 years on public transit, green infrastructure, trade and transportation infrastructure, social infrastructure and, finally, in rural and northern communities. The plan is broken into smaller projects which are administered by 21 federal organizations, including numerous departments, agencies and Crown corporations, with Infrastructure Canada being the central organization responsible for planning, implementing and reporting on the various projects.

The Auditor General’s audit on the plan, which was tabled to Parliament this month, revealed the following problems: First, in the first three years, \$9 billion, or 20% of the planned spending, went unspent and was moved to subsequent years with no monitoring protocols in place.

The report stated:

No one was tracking the effect of the reallocation of unspent funds to later years on the plan as a whole. However, delaying and reallocating unspent funds each year mean that Infrastructure Canada and its federal partner organizations risk not meeting the plan’s objectives by the 2027-28 fiscal year. In turn, this may hinder the overall objectives of improving economic, environmental, and social outcomes for all Canadians over the course of the plan.

Second, the Auditor General’s report found that inconsistent and poor-quality data from the different departments and agencies did not provide sufficient evidence as to why spending was delayed. This included a lack of complete data on project approvals, start and completion dates, as well as information concerning payments.

In conclusion, the Auditor General found that Infrastructure Canada, as well as its federal partner organizations — and don’t forget, there are 21 organizations tied to this plan — could not demonstrate the plan’s progress or if it would meet its intended targets.

This, I believe, is a clear indication and one of the many examples of poor planning which has plagued federal programs for years.

Colleagues, in closing, I would encourage the government to continue refining the process for disclosing COVID-19- and non-COVID-19-related spending information. One suggestion offered up by the Parliamentary Budget Officer — a suggestion that I hope we’re all in favour of — is one central document, updated in real time, tracking the progress of spending decisions announced by the government.

When asked if this was a viable option, the PBO told our committee, and I quote:

. . . we can provide you and Canadians in general with information that is relatively comprehensive on government expenditures related to COVID with two analysts They cannot provide regular updates on a weekly basis The government, with hundreds of thousands of public servants, could certainly do that.

I would also urge federal organizations to implement more robust planning tools in relation to the important programs they are tasked with carrying out. Under-planning leads to unspent funds and subsequent program delivery delays which could have adverse consequences for intended beneficiaries. Setting reasonable targets, planning accordingly and implementing vigorous reporting protocols will, in my view, be the best value for money but will also promote a climate of transparency and accountability from top to bottom.

It’s great to say that a lot has been done, which we all agree with, during this terrible situation with the pandemic, but there is no excuse for lack of execution or lack of planning during the most critical time we are faced with possibly ever.

Thank you very much.

Some Hon. Senators: Hear, hear.

Hon. Rosa Galvez: I rise to speak to Bill C-26, the appropriation act granting money for the federal public administration and the Supplementary Estimates (C) for the fiscal year ending March 31, 2021, on which the Standing Senate Committee on National Finance reported last week.

These estimates provide the necessary funds for the proper functioning of several necessary federal programs. The Supplementary Estimates (C) request a total of \$8 billion in incremental budgetary spending, which reflects \$13.4 billion to be voted, partially offset by a \$5.4 billion decrease in the forecast in statutory expenditures. Approximately \$9.9 billion, or three-quarters of the voted requirements, are related to the government’s response to the COVID-19 pandemic.

The committee held four meetings and questioned 39 officials of 12 organizations that are requesting total voted appropriations of approximately \$11 billion in the supplementary estimates, which represents 83% of the total voted amount requested.

The committee also heard from the Parliamentary Budget Officer.

In this speech, colleagues, I aim to highlight three main areas of my concern: transparency issues with the Large Employer Emergency Financing Facility; issues with vaccine acquisition and vaccination; and new subsidies that we are handing to the oil and gas sector.

First, the Senate, the National Finance Committee and Canadians are lacking information regarding the Large Employer Emergency Financing Facility, the LEEFF program, which has approved just over \$1 billion in loans to four corporations.

The program is the first and only of its kind in Canada to require loan applicants to disclose climate risks, how they can contribute to Canada's net zero by 2050 at the latest target, but also to prohibit them from paying out dividends and limiting CEO bonuses. These are important and necessary conditions that should in fact be placed on all government financial support.

The National Finance Committee could not perform adequate oversight over the LEEFF program because the Department of Finance is not willing to disclose the detailed terms and covenants of the loan agreements. The program requires loan recipients to, as I mentioned, publish "an annual climate-related financial disclosure report." However, without knowing the terms under which these conditions must be met, Canadians do not have sufficient accountability for over \$1 billion in loans that has been approved under this program.

• (1540)

In their follow-up, the Department of Finance stated:

The detailed terms and covenants of the loan agreements are commercially confidential and, therefore, are not publicly available.

Colleagues, I find this to be unacceptable and continue to push the Department of Finance to provide the specific covenants, with any commercially confidential information redacted as appropriate.

It seems to me that the covenants in question, which should be the same for each loan recipient, are not a matter of commercial confidentiality. I would like to see a legal opinion stating such and, if that is the case, to make arrangements to hear the covenants in camera. This program risks public funds and, therefore, the program and department must be subject to extraordinary transparency and accountability requirements.

Second, I am concerned about vaccine procurement and domestic production capacity. You will be reading more on this specific issue in a *Hill Times* op-ed to be published tomorrow.

There is an urgent need to develop and manufacture vaccines and PPE domestically, made apparent by our unpreparedness to address this pandemic. Over the past few decades, as a result of

Harper-era withdrawal of R&D funding, Canada has lost its capacity for vaccine development. This poor and negligent foresight has left us scrambling to rebuild at the last minute.

In August 2020, the government announced a \$126 million investment over two years to build a new biomanufacturing facility at the Human Health Therapeutics Research Centre in Montreal, continuing to provide \$20 million per year for operating costs. We must learn from this grave mistake by prioritizing basic R&D funding for pharmaceutical research in our public institutions so that they can be empowered to partner with industry and NGOs and react quickly when called upon.

Turning to procurement, Canada has administered just over 14 doses per 100 people. We are the sixth in the G7, just ahead of Japan, an island nation that has managed the pandemic much better than we have. Being so far behind is partially a result of companies prioritizing the country wherein they operate. The U.S., the U.K. and Germany all have vaccine production facilities within their borders and have priority access as a result of this.

Meanwhile, the Public Health Agency of Canada has now requested a total of \$9.2 billion for research, development and purchases of vaccines and treatments. The terms of these contracts, however, have not been disclosed, forcing us — my office — to dig through Statistics Canada import data to discover that Canada paid \$38 per dose in December and an average of \$35 per dose in January. Perhaps the contract terms indicate why we are paying 50% more than the EU.

Disclosure of vaccine contracts, including costs and conditions, are necessary to provide compulsory parliamentary oversight, and we need domestic vaccine development and production capacity that is well resourced in order to avoid overpayment and to prevent needless infections and deaths.

My third and final concern is that I have lingering questions and reservations about the transparency and accountability of the \$320 million subsidy to the offshore fossil fuel industry. Unfortunately, despite my request to hear testimony from representatives of the Department of Natural Resources, they were not called to justify their requests.

In September 2020, the government issued this one-time transfer payment to Newfoundland and Labrador to support offshore fossil fuel extraction without restrictions on how these funds are going to be used. These funds are a direct subsidy to the industry.

Charlene Johnson, CEO of the Newfoundland and Labrador Oil & Gas Industries Association, known as Noia, said:

... we're pleased to see hundreds of millions of dollars come with virtually no strings attached, that is good news.

You can imagine my surprise hearing about a \$320 million gift to an industry that the government committed to phasing out subsidies for. We received Noia during the study of Bill S-3, looking into safer rules for oil rig operations. Ms. Johnson said at this meeting that her industry had no financial concerns to cover the costs of new safety regulations.

According to the Auditor General:

Environment and Climate Change Canada is responsible for coordinating the identification and analysis of federal non-tax measures provided to the fossil fuel sector that could be inefficient subsidies in the context of Canada's G20 commitment.

In June 2018, Canada agreed to produce an inventory of inefficient fossil fuel subsidies and submit it to Argentina for a joint peer review. Considering most countries were able to accomplish similar studies in less than two years, we are very late, colleagues, and it is starting to look questionable.

If the industry needs a loan, it can apply for the LEEFF Program that I just described and be held accountable for its climate risks and CEO bonuses, like other industries in Canada. The same companies that caused and then spread misinformation about the climate crisis do not deserve special treatment and backroom deals while other Canadians and sectors of the economy are struggling.

In closing, I would like to reiterate my repeated calls for the Department of Finance to restart their biweekly reporting on COVID-19 expenditures and remind you all of the importance of focusing support and stimulus on people rather than corporations. We can ensure our public funds are properly used by placing strict conditions around them. They must contribute to social and environmental well-being rather than proliferating high-polluting activities or further enriching the wealthiest among us.

As Senator Mockler, Chair of the National Finance Committee, always says: "Transparency, accountability, predictability and reliability" of government programs, including COVID-19 financial support, should be our top priority.

I couldn't agree more.

Some Hon. Senators: Hear, hear.

Hon. Elizabeth Marshall: Thank you, Senator Smith, Senator Gagné and Senator Galvez for your comments on Bill C-26. My comments will be on a number of individual measures outlined in the Supplementary Estimates (C) document that supports Bill C-26.

My first comment relates to the write-off of student loans. Similar to previous years, Employment and Social Development Canada is requesting a write-off of student loans. The write-off requested this year is \$188 million. However, unlike previous years, officials from the department were not invited to appear before our Finance Committee to discuss the write-off, but some questions were posed to officials of the Treasury Board Secretariat.

The student loan portfolio was \$22 billion at the end of March last year. In addition to the write-offs of student loans each year, which is usually studied by the Senate Finance Committee, other amounts are written off or forgiven under the authority of legislation other than an appropriation bill.

For example, last year, \$26 million was also written off under the authority of the Financial Administration Act. Another \$371 million was forgiven under the authority of the Canada Student Financial Assistance Act, while another \$2 million was forgiven under the authority of the Canada Student Loans Act.

Since our Finance Committee has historically only studied amounts written off under the authority of appropriation bills like Bill C-26, Employment and Social Development Canada has been requested to provide additional information on loans forgiven and loans written off to ensure the Finance Committee has a complete picture of the student loan portfolio.

As a matter of interest, both the Parliamentary Budget Officer and the Auditor General of Canada have issued reports on Canada student loans. The most recent report issued by the Auditor General of Canada was issued less than a year ago, in July 2020.

• (1550)

Supplementary Estimates (C) also indicates that \$200 million in statutory funding has been provided to the Department of Finance for the purchase of shares of the Canada Enterprise Emergency Funding Corporation, a Crown corporation established in May 2020. Senator Galvez spoke about this corporation in her speech. It is a subsidiary of the Canada Development Investment Corporation, another Crown corporation.

The newly created Canada Enterprise Emergency Funding Corporation has been mandated to assist in the delivery of the COVID-19 Economic Response Plan, specifically to provide emergency funding support for large Canadian enterprises facing challenges during the pandemic.

As of February 26 of this year, four loans have been approved in the amount of \$1 billion, and \$274 million of the \$1 billion has been drawn down.

Finance officials responded to a number of questions in writing, and their response appears on the website of the National Finance Committee.

Officials provided information on standardized terms and conditions of loans issued to borrowers, but indicated that detailed terms and covenants of the loan agreements are commercially confidential and therefore not publicly available. This was also an issue raised by Senator Galvez in her speech.

Given that significant activities of government, including COVID-19 initiatives, are carried out by Crown corporations, it is important for parliamentarians to provide oversight in this area.

The Supplementary Estimates (C) document is generally easy to read. However, the document does not include all government spending. For example, spending related to the Canada Emergency Wage Subsidy program, EI benefits and the Canada child benefit are not included.

Treasury Board has, in Supplementary Estimates (C), provided a reconciliation of the amounts in the supplementary estimates to the fall economic statement. However, the problem remains. As stated by the Parliamentary Budget Officer, supplementary budget estimates do not include all planned spending, and therefore do not provide a complete picture of how much the government will spend.

I have raised this issue a number of times regarding inadequate disclosure of spending information, and I will continue to raise it in the future in this chamber.

The Treasury Board Secretariat's funding request indicates a transfer of funds from six organizations, totalling \$7 million, for the Financial and Material Management solution project. Officials indicated that this project began in 2015, impacts 14 departments, has cost \$91 million to date and estimates it will cost another \$29 million to complete in the next fiscal year.

It is important to track these projects because they are multi-year projects that cut across a number of organizations. If we look at the funding in any individual year, it does not convey the magnitude of the project.

The Auditor General of Canada conducted an audit of the acquisition of complex information technology projects within government and issued a report last month. At the time of her audit, government had 21 large IT procurements under way, valued at over \$6 billion. These projects span several departments and organizations over several years.

The Chief Information Officer of the Treasury Board Secretariat provides strategic direction and leadership in information technology and supports, guides and oversees digital projects and programs.

Costs relating to the problematic Phoenix pay system are still being incurred by government, so it is important to exercise oversight of these large, multi-year projects that affect a number of organizations.

The Regional Air Transportation Initiative is outlined in the government's fall fiscal update. Bill C-26 is proposing \$44 million for the department of industry and its regional development authorities for the Regional Air Transportation Initiative. In its fall economic statement, government indicated that it would commit \$206 million over two years for this initiative.

Officials appeared before our Finance Committee on March 8 — 23 days before the fiscal year end of March 31. Officials were unable to provide us with details of this program. They indicated that the program has yet to be launched and the process for determining funding has not yet been confirmed.

This raises concerns that \$44 million of a \$206 million program, which has to be delivered within 23 days, has yet to be designed.

This issue has been raised in previous years, and will be further pursued by members of our Finance Committee in the future.

Honourable senators, this concludes my comments on Bill C-26. I extend my appreciation to officials for their support during our committee meetings. I also thank the members of our Finance Committee for their excellent questions during our meetings on Supplementary Estimates (C).

Some Hon. Senators: Hear, hear.

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

Hon. Senators: Question.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

(Motion agreed to and bill read second time, on division.)

THIRD READING

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

[Translation]

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(b), I move that the bill be read the third time now.

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

Hon. Senators: Agreed.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

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

APPROPRIATION BILL NO. 1, 2021-22

SECOND READING

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate) moved second reading of Bill C-27, An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2022.

She said: Honourable senators, I rise for a second time today to introduce Bill C-27, Appropriation Bill No. 1, 2021-22. As a reminder, an appropriation bill is a mechanism for withdrawing the necessary funds from the Consolidated Revenue Fund to cover expenditures related to government programs and services. This is the first appropriation bill for the fiscal year beginning April 1, 2021.

[English]

As you know, an interim supply bill is a regular part of the normal supply cycle. Every winter in the Main Estimates, the government sets out the amounts it needs to fund its operations for the fiscal year ahead.

Soon afterwards, it tables the interim supply bill to authorize funding for the first three months of the fiscal year until parliamentarians can adequately study and approve the Main Estimates.

Last year, the government's supply bills followed a different path. As you'll recall, on April 20, 2020, in response to the extraordinary circumstances resulting from the onset of the coronavirus pandemic, Parliament passed a motion to temporarily modify Standing Order 81.

This resulted, among other things, in extending the study of the Main Estimates for 2020-21 until December — seven months later than in previous years.

This was the first time such an exceptional approach was taken for the business of supply. Typically, departments receive full supply for Main Estimates in June. However, it was necessary due to the extraordinary circumstances brought about by the spread of COVID-19. In addition, under the temporarily modified Standing Order 81, a second interim supply bill was also introduced in June for parliamentarians to consider. This was needed to support the programs and operations of federal organizations between July and December. This approach recognized the real cash pressures some departments and agencies were facing as they delivered core programs and services to Canadians and also responded to extraordinary pressures and the impact of the pandemic. It also respected Parliament's right to a meaningful opportunity to study the government's Main Estimates. This year, we're back in a typical supply cycle.

• (1600)

The interim supply bill for fiscal year 2021-22 covers a portion of the government expenditures set out in the Main Estimates, which were tabled in the House of Commons on February 25. It requests a sum not exceeding \$59.3 billion. This is spending that

has already been included in the Main Estimates and does not represent new spending. As with typical interim supply bills, the amounts requested are based on twelfths of the amounts in the Main Estimates, notionally corresponding to monthly cash requirements. As for the Main Estimates, they provide information on \$342.2 billion in proposed spending for 123 organizations, including \$141.9 billion in voted expenditures and \$200.3 billion in statutory expenditures.

Funding in the Main Estimates and in this interim supply bill will allow the government to continue to make investments Canadians need to address the effects of COVID-19 and help establish conditions for an economic recovery. It reflects the government's response to the COVID-19 pandemic, from economic support to individual Canadians and businesses, to vaccine funding, expanded support for mental health tools and virtual care, among other investments. Of the \$342.2 billion in proposed spending outlined in the Main Estimates, \$22.7 billion is related to COVID-19 pandemic response.

In its response, the government launched programs like the Canada Emergency Response Benefit, the Canada Emergency Student Benefit and the Canada Emergency Wage Subsidy, and targeted support for regions, economic sectors and not-for-profit organizations helping Canadians. Doing so puts real pressure on many government departments as they continue to deliver not only the core programs and services, but also provide emergency measures.

[Translation]

Honourable senators, the government's job is to ensure that all federal organizations can continue to deliver their core programs and services, but it is also to bring in emergency measures to provide the programs and services Canadians rely on every day to meet their needs when it comes to COVID-19.

These federal organizations simply must have the necessary financial capacity to do that. The interim funding proposed in the bill will provide them with the necessary funds until the Main Estimates are reviewed and debated and full supply is passed later this fall.

Honourable colleagues, I would also like to say a few words about the estimates process, interim supply being a part of that, and about transparency in government spending. The estimates are an essential component of our parliamentary system and help ensure accountability and transparency with respect to the government's use of public funds.

Canadians and parliamentarians have the right to know, scrutinize and question how all public funds are spent. To that end, I would invite my honourable colleagues to consult all the additional information on the government's spending plans in the recent estimates.

For each of the documents related to the Main Estimates, the government has published a detailed listing of the expenditure authorities approved by Parliament through other legislation, including a complete breakdown of planned expenditures by standard object, such as personnel, professional services, transfer payments and more. This information can also be found in GC InfoBase, a user-friendly online tool.

Honourable senators, the design of this type of digital tool and the publication of data sets on expenditures give us the opportunity to review and examine the government's commitment to providing parliamentarians and Canadians with more information so that they know where public funds are going and how they are being spent. In order to continue fulfilling its duty to be accountable and open, the government also presents the actual expenditures from the public accounts at the end of each fiscal year.

Honourable senators, I note that the Government of Canada has committed to be open and transparent with Canadians and their representatives during the COVID-19 crisis. The government has implemented special measures to help individuals, businesses and communities across Canada during this difficult time. Parliament adopted many of these measures through emergency bills and they continue to help Canadians during this crisis.

Honourable colleagues, this bill is vitally important to the ongoing health and well-being of Canadians. I want to thank all of you for once again helping to protect Canadians at this difficult time. I also want to once again recognize the hard work of the members of the Standing Senate Committee on National Finance, which conducted an in-depth study of this bill. Their efforts were greatly appreciated.

Thank you. *Meegwetch.*

Hon. Senators: Hear, hear!

[*English*]

Hon. Elizabeth Marshall: Honourable senators, Bill C-27 is the first supply bill for the new fiscal year, 2021-22. It's referred to as the interim supply bill and it effectively provides an advance of funding laid out in the Main Estimates to allow the government to operate until the main supply bill is passed, which usually occurs in June.

I'm going to start by speaking about the supply bills from last year because the supply cycle, as we know it, flows from year to year, so it is important to look at the supply bills from the previous year. Initiatives from the previous years continue into the next year, so each year cannot be looked at in isolation. Last year was a different year because of the pandemic, so some pandemic — or COVID-19 — initiatives from last year will continue into the new year, and that is where I will begin my comments.

Last year was a challenging year for parliamentarians and others who were trying to track the government's COVID-19 spending initiatives. The government started off with the disclosure of a biweekly COVID-19 report and provided this report to parliamentarians until early August. When Parliament

was prorogued in early August, the government ceased providing the report and never resumed its disclosure. As a result, it became almost impossible to track COVID-19 spending. I raised this issue a number of times last year — on three occasions with Senator Gold in this chamber, with Finance Minister Freeland and with Treasury Board President Duclos.

The Parliamentary Budget Officer also indicated in a number of his recent reports that the information on COVID-19 spending is lacking. He said there's no public document published by the government that provides a complete list of all COVID-19 measures announced to date or updated cost estimates. As a result, we can't track this spending.

The Parliamentary Budget Officer also makes another interesting observation. He says that while not all COVID-19 spending is made public by the government, federal departments and agencies are required to report this information and update the government's central financial management and reporting system with actual spending data on a monthly basis. In other words, the data is available. The government just won't provide it to parliamentarians. The Standing Senate Committee on National Finance has also recommended in recent reports that the government resume disclosure of this COVID-19 spending information.

• (1610)

On March 10, the House of Commons' Standing Committee on Government Operations and Estimates passed a motion regarding COVID-19 spending data. Apparently, they're looking for the same data I'm looking for. Specifically, the motion read as follows:

... the committee send for, from the Treasury Board Secretariat, all monthly COVID-19 expenditures reports and COVID-19 spending data as disclosed by the chief financial officers of all respective departments and that these documents be provided to the committee no later than Wednesday, March 17, 2021, and then update this committee on a monthly basis by the 15th of the month.

So there are parliamentarians on the other side also looking for financial information on the government's COVID-19 spending. I await with interest the response of the government on this matter.

To conclude, the government is refusing to disclose information on its COVID-19 spending to parliamentarians, thus making it difficult for us to provide the required oversight. While the government representatives do indicate that the government is transparent and accountable, I can assure my honourable colleagues that's not the case. I work with these data on a daily basis, and while data are available at a very high level, detail is not sufficient in order to provide the oversight.

When you factor in other issues, such as the lack of a budget for two years; a proposed increase in the government's borrowing authority, which is included in Bill C-14, currently in the House of Commons; and the refusal to provide basic financial information requested by parliamentarians, we should be concerned.

Honourable senators, interim estimate supply bills are generally not studied by the Standing Senate Committee on National Finance. Rather, interim supply bills are passed by the Senate, and issues relating to Interim Estimates are raised during our study of Main Estimates on the main supply bill. However, a review of Bill C-27 and its schedules, along with the cursory review of Main Estimates, does provide some information and raises some interesting questions.

First, neither the Main Estimates nor these Interim Estimates for next year identify COVID-19 initiatives. Once the pandemic was declared, the government identified its COVID-19 spending initiatives in all its estimates documents, including Supplementary Estimates (A) last year, Supplementary Estimates (B) and Supplementary Estimates (C).

However, the government is no longer providing this information. Honourable senators may recall that I asked Senator Gold two weeks ago why government is no longer providing this information. Without this information, it will be much more difficult for parliamentarians to track COVID-19 spending.

Last year, the Senate approved Interim Estimates of \$44 billion. This year, approval is being requested for \$59 billion, an increase of \$15 billion. As I indicated previously, the Interim Estimates provide funding for the government to operate until main supply is approved, usually in June. Therefore, I would expect Interim Estimates to request funding for about a third of the year. Last year, the government requested 35% of its Main Estimates funding, while this year it is requesting 41% of its Main Estimates funding.

While I appreciate that all or most of the funding for some initiatives, such as grants, may be requested in Interim Estimates, explanations for other amounts cannot be determined until we review the Main Estimates. For example, the Public Health Agency of Canada is requesting eleven-twelfths of some of its funding. This may be related to COVID-19 initiatives, but since the government no longer identifies COVID-19 initiatives, it is not possible to reach any conclusion.

Compare this to the funding requested in the Interim Estimates for the Leaders' Debate Commission. Government is requesting eleven-twelfths of the Main Estimates funding in this bill. Since we are expecting an election this year, providing most of the funding upfront is plausible.

I would be remiss if I concluded my comments with no references to the financing of the government's spending plans, including the Interim Estimates as outlined in Bill C-27.

Bill C-14, which is now before the other place, proposes to raise the government's debt ceiling to \$1.8 trillion from \$1.1 trillion, which was established by Parliament in 2017. Given the concerns expressed by many individuals and organizations over the significant proposed increase in the government's debt ceiling, I expect Bill C-14 will be referred to the Standing Senate Committee on National Finance for study, and I will reserve any other comments on the proposed borrowing until we study that bill.

Honourable senators, in closing, I thank my colleagues on the National Finance Committee for their excellent work. I also thank the clerk of our committee, Maxime Fortin, and her team for their support over the past year.

Honourable senators, this concludes my comments on Bill C-27.

Hon. Kim Pate: Honourable senators, today I want to speak to Bill C-27.

The 2021-22 Main Estimates have been shaped by a pandemic. Now more than a year old, that pandemic has disproportionately ravaged the health, economic situation, safety and well-being of Canadians who are most marginalized. This devastating impact is not, however, only due to a virus and it will not be cured by a vaccine. Too often, policy choices in documents like these, made in places of privilege like this and the other place, result in actions that, however inadvertent, can seriously harm people.

Current economic policies normalize poverty and condone inequality, fail to ensure access to basic necessities and human rights, and leave people to fall through the cracks into need and into danger, into the streets and into institutions, not just during national emergencies but every day.

The ongoing COVID-19 response measures referenced in the Main Estimates include the Canada Emergency Wage Subsidy, Canada Emergency Rent Subsidy for businesses, and the Canada Recovery Benefit and Canada Recovery Caregiving Benefit for individuals who have lost jobs and income. These measures have mostly preserved the economic status quo by aiming to prevent those above the poverty line from dropping below it, instead of ensuring that no one is left behind in poverty.

People with the least are suffering and dying more during this pandemic.

Haunting the margins of these policies are the realities that 1 in 10 of us living in Canada — disproportionately women, newcomers, those who are racialized, those living with disabilities — are fighting through this pandemic without adequate supports to rebound out of poverty: women with disabilities who weren't working or who lost work but couldn't access CERB because they were on social assistance, relying on food banks and unable to afford masks or disinfectant; women trapped in isolation with an abuser without the economic means to leave, and with shelters full or presenting risk of COVID; women on the street facing fines for violating curfews or stay-at-home orders because they do not have a safe place to stay; women holding precarious part-time jobs that have been recognized as essential during this pandemic and which put them at risk of COVID-19, but which do not pay enough to meet even basic needs.

Bill C-27 arrives in this place under the looming shadow of a budget — anticipated in the coming weeks — that will make clear whether the government intends to return Canada to the status quo or if it will insist on meaningful recovery that moves all of us definitively forward, not only from this pandemic but from the circumstances of poverty and inequality that exacerbate its worst effects.

This chamber's National Finance Committee and its counterpart in the other place have both been clear on the need to address individual Canadians' economic insecurity and marginalization as part of recovery. They have both called unanimously for urgent consideration of a national guaranteed livable basic income. The majority of senators in this place have urged the same. Will the government heed this advice? Will it recall its commitment to implementing the calls for justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls, including the call for a guaranteed livable income that would help to redress sexism and racism, and help women to be safer?

The government has repeatedly recognized the harmful human social and economic costs of poverty and has committed to eliminating poverty.

Canada's experience with the Guaranteed Income Supplement for seniors and the Canada child benefit has shown that guaranteed income programs can meaningfully lift people out of poverty in ways that contribute to jobs, economic growth and GDP. Pilot programs in Manitoba and Ontario have demonstrated that the security provided by guaranteed livable income makes people more likely to seek out work, start businesses, pursue education and artistic endeavours, and participate positively in their communities.

• (1620)

The CERB and its successor programs have proved that Canada has the ingenuity and the capacity to deliver a program on the scale of a national guaranteed liveable income. So why hasn't guaranteed livable income happened yet?

I have to imagine that part of the reticence is cost — sticker shock, if you will — because guaranteed livable income at first glance, at least, appears to involve significant and recurring outlays. The Parliamentary Budget Officer suggests that a starting annual cost might be \$79 billion.

This amount does not, however, account for tens of billions of dollars in savings each year from rolling some existing federal income supports, such as the GST tax credit, into a guaranteed livable income program. Nor does it account for the tens of billions of dollars more in savings as a result of replacing provincial and territorial social assistance programs in a way that provides a more effective springboard for transitioning out of poverty.

More fundamentally, however, Canada routinely absorbs without question into its budgets and estimates the costs of not addressing poverty, costs that, if pulled together as a line item, would amount to at least \$72 to \$84 billion per year. The cost of poverty includes extra spending on emergency health care costs and on police and prisons. It also includes increased costs of

programs that treat the worst symptoms of poverty but still, at the end of the day, keep people on the brink of economic crisis — programs like food banks and homeless shelters.

Another part of the conversation about how to pay for guaranteed livable income includes taxes. Think for a minute about how provincial and territorial social assistance programs, the very programs that guaranteed livable income measures aim to replace, are scrupulously designed based on an apparent fear that poor people will be selfish or greedy or be seen as doing well while they are receiving income supports. People are prevented from being able to keep assets like cars or accumulate savings that would help give them gain income security and ways of getting out of situations of crisis.

If people are able to find a job, any earnings in excess of a couple hundred dollars are clawed back at 100% and can even put them at risk of losing health care benefits. Who else in Canada is ever expected to work under these conditions?

Contrast this with how we treat and what behaviour we appear to accept as a reality for Canadians who have the most earnings. As colleagues like Senator Downe have emphasized, Canada loses billions of dollars each year through tax avoidance and tax evasion measures that allow those in Canada who are earning the most to pay significantly less than their fair share of tax. In 2019, Canada lost at least \$8 billion of tax revenue to tax havens. Remedying these types of practices alone could net Canada an estimated minimum of \$10 billion to \$15 billion per year.

The problem doesn't stop here, however. Between 1980 and the present day, the rate of income tax on Canada's highest earners has dropped from 43% to 33%. Their corporate tax has dropped from 36% to 15%. At the same time, 90% of the benefits of capital gains tax breaks, stock option tax breaks and the dividend tax credit go to the richest 1%.

These too are costs that Canada has chosen to bear in its budgeting process. For example, a mere 1% tax on those with wealth over \$20 million would generate \$10 billion per year. A body like the Law Commission of Canada could play a vital role in guiding us through a systemic, evidence-based consideration of tax reform.

The current system means that the 40% of Canadians with the least financial resources hold only 1.2% of this country's wealth, and last year during a pandemic and economic crisis, the wealth of Canada's 44 richest people increased by at least \$53 billion.

As we anticipate a budget that is promising to deliver economic recovery for all, all eyes will be on a Finance Minister whose career has included tracing the surging income inequality that has resulted as the economy transforms through technological advances and globalization.

Just this afternoon, many of us received a message from Deputy Prime Minister Freeland advising that:

No matter what it takes, I know that our entire team won't stop working to have your back. We will keep building a better, stronger and more resilient Canada. . . . [W]e are . . . preparing to meet the tests of the future.

A growing number of Canadians believe that guaranteed livable income needs to be part of that future, and P.E.I. is ready to pilot implementation.

Measures like a national childcare initiative are part of the solution as well, but they are not on their own an adequate response for women working two or three precarious minimum-wage jobs who are not paid enough to afford housing or food for their children. As basic income advocates remind us, the reality is that poor people need money. They need the reassurance of economic stability; the confidence to be able to forgo an inadequate wage to re-skill, return to school or launch a business; and the freedom to plan for a future. A future is something that many of us take for granted. A future should not be a luxury reserved for only the most privileged.

Bill C-27 represents business as usual. Like many Canadians, we look forward to this government delivering on its promise to build back better for all with a budget that provides recovery, has the backs of — and provides futures for — all. *Meegwetch*, thank you.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

(Motion agreed to and bill read second time, on division.)

THIRD READING

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

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(b), I move that the bill be read the third time now.

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?

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

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

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Gagné, seconded by the Honourable Senator Pettitclerc:

That the following Address be presented to Her Excellency the Governor General of Canada:

To Her Excellency the Right Honourable Julie Payette, Chancellor and Principal Companion of the Order of Canada, Chancellor and Commander of the Order of Military Merit, Chancellor and Commander of the Order of Merit of the Police Forces, Governor General and Commander-in-Chief of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

Hon. Colin Deacon: Honourable senators, I rise in response to the Speech from the Throne where the government acknowledged the fact that: "For too many Canadians, systemic racism is a lived reality." This government pledged to address systemic racism and committed to do so in a manner informed by the lived experiences of racialized communities and Indigenous peoples.

Today I want to focus on yet another reason why we must relentlessly tackle the inhumanity and injustice of the historically entrenched issue of systemic racism in Canada.

The evidence is clear that when we only offer words or symbolic responses to racism, we choose to be a less prosperous nation. This is because racism does not just economically and socially disempower a quarter of our population who are visible minorities and Indigenous peoples, but it creates a barrier to our collective prosperity.

So in my response to the Speech from the Throne, I will focus on three points: that systemic racism is an undeniable historical and current reality in Canada that can only be addressed through direct and explicit action; that, as our institutions become systemically diverse and inclusive, powerful social and economic opportunities will be unlocked for all Canadians, not just a quarter of our population that is racialized and Indigenous; and that the Senate of Canada has a constitutional responsibility to

fight racism and to demonstrate leadership by becoming systematically diverse and inclusive as we work to unlock the powerful source of opportunity for future generations.

I come at this issue as a White man in his early 60s. For 90% of my life, I had virtually no appreciation of the extent of my White privilege. I never appreciated just how consistently my being White and male placed a very helpful and ever-present finger on the scale of opportunity throughout my life. I've always been highly supportive of the opportunities that diversity unlocked, but I am embarrassed to admit that I never understood that just not being racist was never good enough. I had a responsibility to be actively anti-racist.

• (1630)

My journey began only far too recently. One memorable moment was on November 8, 2018. I know I'm not alone in recalling the deeply moving story of a Second World War soldier's quiet heroism, as told by our colleague Senator Dan Christmas. He was speaking of his father, retired Pte. Augustus Christmas.

The tragic irony in this powerful story was that the thousands of Black and Indigenous Canadians who bravely volunteered to fight for our collective freedoms in the First and Second World Wars did not benefit from the fundamental right to vote and many other freedoms available to the White soldiers with whom they served, including my father and my uncles.

Just last week, Senator Oh spoke powerfully of the shocking spike in anti-Asian racism over the past year. This frighteningly rapid increase in abuse, violence and hate crimes tragically illustrates the extent to which racism lurks just below the surface of Canadian society as we speak.

As a White man, I have the luxury of being able to speak and think about racism when I want. Sadly, in Canada, in 2021, this luxury remains inaccessible to Indigenous, Black and other racialized Canadians.

Throughout our history, property ownership has been tied to privilege and power, whether in terms of its investment value, in the context of land claims and the constitutional treaty rights of Indigenous Canadians, accessing the right to vote, or as a basic qualification to become a senator.

In this context, it's unacceptable that many African-Nova Scotians still do not legally own their homes in 2021, despite, in many cases, it having been in their family for centuries. Some cases can be traced back to the Crown offering freedom and land to Black Loyalists in exchange for their military service during the American Revolutionary War, 250 years ago. When the war ended, Black Loyalists were given "access" to plots of land, but too often not provided legal title to that land.

For far too many families, this problem continues to this very day.

In *Downey v Nova Scotia*, Christopher Downey was fighting for legal ownership of land his grandfather acquired in 1913, in North Preston, Nova Scotia — Canada's oldest Black settlement. For 50 years, Mr. Downey and his wife lived on this land and

battled to gain title to their home. The question of ownership was settled only this last July, when the Nova Scotia Supreme Court ruled in Mr. Downey's favour, suggesting that systemic racism had played a key part in keeping the title to the land out of his hands.

When you have to fight government all the way to the Supreme Court just to secure legal title to a home that has been in your family for more than a century, it is no wonder many racialized Canadians feel that our legal system does not reliably deliver justice. Again, our Indigenous peoples know this issue all too well.

We also know that race continues to be a basis for suspicion of guilt in Canada. Earlier this year, on January 28, someone attacked and disarmed a Montreal police officer during a routine traffic stop. Mamadi Camara, an engineer and PhD student with no criminal record, phoned 911 to report the incident. The police then arrested Mr. Camara, a Black man, and detained him for six nights in jail. They initially defended their actions as justified based on "evidence investigators had at the time." The police apologized when he was eventually released — again, after six nights in jail — and just this past week they stated that they hoped the recent arrest of a new suspect would help Mr. Camara put the issue behind him.

Beyond the human costs of systemic racism, there is a massive economic cost. This economic cost is not only disproportionately borne by racialized Canadians; the loss of opportunity for all Canadians is even greater because diversity is a powerful economic driver.

The *Harvard Business Review* published an article two years ago that examined profitability in the U.S. venture capital industry, and whether the diversity of the leadership teams had an effect. The authors found that investments made by partners from homogenous ethnic backgrounds were 26% to 32% less profitable than those made by partners who were from diverse ethnic backgrounds.

A 2017 McKinsey study of 1,000 companies in 12 countries found that those with the most ethnically diverse executive teams were 33% more likely to outperform their peers in profitability.

Diversity and inclusion create a path to increased prosperity for all. The evidence demonstrating this fact exists because of courageous and determined leaders who created opportunity and success despite powerful systemic barriers.

Colleagues, we have a responsibility to honour that courage and determination by helping to remove the systemic barriers that prevent economic opportunity being scaled across our entire economy. But we've got a lot of work to do. Only 12% of SMEs are owned by a visible minority and 1% by an Indigenous Canadian. These are a fraction of the rates of ownership that we would expect relative to their share of the population. Given that diversity is central to innovation and economic success, we have to do a much better job harnessing the entrepreneurial capacity of every Canadian.

One of our structural challenges is that the strategic decision makers who lead our financial system still lack diversity.

In June 2020, Bloomberg reported that, of the 188 top executive and board positions at Canada's eight largest financial institutions — six banks and two insurance companies — minorities make up only 10% of top executives and 8% of board seats. Ironically, these massive Toronto-based businesses are situated in a city where more than half of the population is foreign-born and identifies as a visible minority.

I worry that these organizations may never challenge the comfort of the status quo. I worry that they might see change as an obligation versus an opportunity. I worry that they represent the foundation of our financial system, and their inaction puts us all at a competitive disadvantage relative to the diversity we're seeing globally, when the evidence clearly demonstrates that diversity increases profitability.

So far, I've argued that systemic racism is an undeniable historic and current reality in Canada that can only be addressed through direct and explicit action, and if our institutions become systematically diverse and inclusive, powerful social and economic opportunities will begin to be unlocked for all Canadians.

I would like to finish by considering our role and responsibilities here in the Senate.

The Senate of Canada's website reflects the 2014 Supreme Court of Canada ruling when it describes the Senate's role as having "... evolved from defending regional interests to giving voice to underrepresented groups like Indigenous peoples, visible minorities and women."

As senators, our job is to ensure that Canada's under-represented voices are clearly heard and thoughtfully considered. It's our job.

Each time I have reflected on the government's pledge to "address systemic racism," I have come to the conclusion that this issue is far too important to be the sole responsibility of any one government, party or organization. Rooting out systemic racism will require the collective and ongoing commitment and efforts of countless leaders and organizations. We must all actively, inclusively and measurably do better.

Given our constitutional responsibility in the Senate, I don't believe we can take a "Do as I say, not as I do" approach to this issue. We need to show leadership. Canadians deserve decisive leadership and action that go well beyond platitudes. Many powerful speeches in this chamber have called for action on systemic racism in Canada — most recently by Senators Oh, Jaffer, Mégie, Bernard, Moodie and Ravalia — and last summer by many other honourable colleagues, during the chamber's emergency debate on racism.

I'd particularly like to highlight a gentle but powerful challenge from Senator Ravalia, who said:

We must continue to interrogate our own biases and prejudices, and we must face up to the culturally entrenched prejudices that may exist within our own cities and provinces. Opening up this dialogue is critical to creating a more just and inclusive Canada, and ultimately a stronger and more resilient Canada.

I could not help but connect Senator Ravalia's challenge to the constitutional role of the Senate. We senators have a constitutional responsibility that requires us to interrogate our own biases and prejudices, face the culturally entrenched prejudices that may exist in ourselves and our institution, and by doing so help to create a more just, inclusive and ultimately stronger and more resilient Canada.

During our emergency debate on racism, I was inspired by Senator Anderson's strong call to action when she said:

... across the country, Canadians are taking stock. They are looking outwards, demanding change of our institutions. They are looking inwards at the personal work that is required to be anti-racist. ...

• (1640)

It is no longer good enough to just "not be racist." If Canada is to access the economic and social opportunity that is unlocked by becoming systemically diverse and inclusive, we must become overtly anti-racist.

We have seen some action in the Senate, such as Senate appointments being increasingly representative of the diversity of Canada, and we held the first ever emergency debate on racism in Canada. I believe these modest steps are not nearly enough, though, because, like so many of us who lead or work in the Senate of Canada, I have no idea what it is like to be subjected to racism or racist acts.

As an institution, we have a 153-year history and, for the most part, our rules have been written and our customs established by privileged White men who, like me, were also not subjected to racism. As a result, I think it's fair to conclude that many of our rules and customs are likely to include biases and prejudices that the privileged White men who crafted them had.

Across my career, I have found that change requires sustained effort, supplemented by a breadth of perspectives and backgrounds, and insightful measurement. Only then can you create a culture that readily identifies areas for improvement, monitors and critically evaluates the implementation of solutions and course corrects as needed.

I will conclude with my hope that here, in the Senate of Canada, we will demonstrate leadership through our actions: First, by systematically working to become one of the country's most diverse and inclusive employers; second, by demonstrating leadership by committing to identify and address any unconscious or systemic racism, prejudices and biases in the

Senate; and third, by implementing management systems that will help us to reliably unlock the opportunity that diversity and inclusivity have proven they can deliver.

Canada's economic engine is not firing on all cylinders. Our society is providing unequal access to justice. The solution rests in leaders like us having the courage to root out systemic racism in our lives and institutions. It is our job. When we do better, so will all Canadians. Thank you.

Some Hon. Senators: Hear, hear.

(On motion of Senator Gagné, debate adjourned.)

[Translation]

ADJOURNMENT

MOTION ADOPTED

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of earlier this day, moved:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, April 20, 2021, at 2 p.m.

She said: Honourable senators, I move the motion standing in my name.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[English]

COMMITTEE OF SELECTION

SIXTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the sixth report (interim) of the Committee of Selection, entitled *Committee Meeting Schedule*, presented in the Senate on March 30, 2021.

Hon. Terry M. Mercer moved the adoption of the report.

He said: Honourable senators, I move the adoption of the report.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

THE SENATE

EACH STANDING COMMITTEE AUTHORIZED TO STUDY ISSUES RELATING TO ITS MANDATE

Hon. Yuen Pau Woo, pursuant to notice of earlier this day, moved:

That each standing committee be authorized to examine and report on issues relating to its respective mandate as set out in the relevant subsection of rule 12-7 and to submit its final report on its study under this order no later than June 23, 2021.

He said: Honourable senators, with leave of the Senate, I move the motion standing in my name, seconded by Honourable Senators Gold, Plett, Cordy and Tannas.

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

Hon. Senators: Agreed.

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[Translation]

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

MOTION TO REPEAL THE 2009 *SENATE POLICY ON THE PREVENTION AND RESOLUTION OF HARASSMENT IN THE WORKPLACE* ADOPTED

Leave having been given to proceed to Motions, Order No. 78:

Hon. Raymonde Saint-Germain, pursuant to notice of March 15, 2021, moved:

That the *Senate Policy on the Prevention and Resolution of Harassment in the Workplace* adopted by the Senate in June 2009, and the 2019 interim process for the handling of harassment complaints currently in effect, be repealed upon the appointment of the designated recipient provided for in the new *Senate Harassment and Violence Prevention Policy*, provided that if that person is appointed before the adoption of this order, the 2009 policy be repealed upon the adoption of this order.

She said: Honourable senators, I rise today to speak to this motion to repeal the *Senate Policy on the Prevention and Resolution of Harassment in the Workplace* that was adopted in 2009. This moment is the culmination of almost three years of work at the CIBA Subcommittee on Human Resources.

The subcommittee took on the issue of harassment in 2018 in response to a highly publicized case, but first and foremost it was motivated by the duty to act to protect employees and senators by preventing harassment and violence in the workplace. Since then, 23 meetings of the Subcommittee on Human Resources and 15 meetings of CIBA have been held on this matter. A total of 19 witnesses were called, including the representatives of all Senate employees and of senators' offices, union representatives and labour relations and harassment management experts. Four members of this chamber also took part in the consultations.

In response to this broad consultation, the Internal Economy Committee published its thirty-seventh report in March 2019, entitled *Modernizing the Senate's Anti-Harassment Policy: Together let's protect our healthy worklife*. This report contained 28 recommendations and laid the foundation for the new *Senate Harassment and Violence Prevention Policy*.

This new policy was also developed in accordance with the requirements of the Canada Labour Code regulations published in June 2020, following the passage of Bill C-65, with a focus on preventing harassment and engaging with employees.

The Senate has been subject to these regulations since January 1, 2021. The prompt implementation of this policy is vitally important to our credibility.

We wouldn't have been able to unanimously adopt this policy were it not for the remarkable cooperation of all senators, representing all of the groups and caucuses in the Senate that had worked on this issue over the years. I want to commend Senator Scott Tannas, who co-chaired the Subcommittee on Human Resources during the consultation period, and Senator Judith Seidman, who has been in this position since the beginning of this Parliament. Thanks are also in order for Senators Larry Campbell, Dennis Dawson, Tony Dean and Lucie Moncion.

[English]

This new policy innovates and will place the Senate as an example for other Canadian institutions to follow. It proposes a drastic change to the current policy that will be repealed by this motion. Colleagues, allow me to outline some of those key elements that make up this new, robust policy.

First and foremost, the policy is based on the principles of independence and external oversight. This will be ensured by the role of the designated recipient — in other words, the independent third party. Notices of occurrences will be submitted directly to this independent third party at the very beginning of the process in order to inspire the needed transparency and credibility to all parties. The role of the independent third party will go beyond responding to complaints; it will also act as an information source for all questions related to this policy and to its process.

• (1650)

The policy will also focus on timeliness and ensure greater respect for delays. All matters will be addressed promptly. The resolution process will have to be completed in a strict six-month time frame. This requirement goes further than the obligations to the Canada Labour Code. Timeliness is truly a guiding principle

of this policy and was put in place to avoid the repetition of a situation like the case whose management seriously damaged the Senate's reputation.

Additionally, a new updated, modern definition of what constitutes harassment and violence will be, henceforth, the reference. This benchmark definition is in conformity with the Canada Labour Code.

In comparison to the current 2009 policy, the new policy also provides a wider scope of application. The measures will not be limited to Senate buildings and will now adequately represent the realities of working for this institution. This policy will apply, without ambiguity, to any work-related place and any work-related event, including on social media. At any place and at any time, employees and senators will be protected.

The policy will focus on prevention from harassment and violence. This will include mandatory training for everyone. This training will have to be completed within three months of employment. It will be specific, adapted to the Senate workplace environment and wide-ranging, and aimed at recognizing, minimizing and preventing harassment and violence in our workplace.

Members of the subcommittee insisted on the importance of having this policy implement an ongoing collaboration with Senate employees. Both the policy committee and the workplace committee, composed of a mixed representation of Senate employees, will have important roles to play going forward. These responsibilities will include conducting, jointly with the HR subcommittee, the review process and the workplace assessment.

Now that I have highlighted some of the assets of this policy, I also have the responsibility to set the record straight and to correct misinformation related to the media. I do so in the name of the right of senators, Senate employees and the public to fair information. It is also, for me, a matter of respect for the media who have been misinformed, in this case, to the point that CIBA had to issue two formal substantial corrections. It is essential to recall the facts for the sake of transparency, truthfulness and out of respect for the Senate of Canada.

First, let me address the issue of confidentiality and the alleged use of non-disclosure agreements, more commonly known as NDAs. Let me make one thing very clear: under this new policy, it is out of the question for complainants or respondents to sign non-disclosure agreements. The only time NDAs are mentioned in the policy is in the case of a representative accompanying a person involved in the resolution process, and even then it is not a norm but merely an option.

The distinction between the non-disclosure agreement for representatives and the confidentiality obligations under the policy is subtle but important. In many cases, representatives will not be subject to the policy because they will not be senators, Senate employees or contractors. Because the Senate must ensure respect for the privacy of the parties to the resolution process, representatives must have an obligation placed upon them in some way. The only way the Senate can bind third parties, if required in the circumstances, is through an agreement.

Of course, it will have to be done on a case-by-case basis. As an example, who would seriously and in good faith imagine that such an agreement would be required of an Indigenous elder because of the recognition of their role and their essential and fundamental credibility in conflict resolution?

It is true, however, that strong confidentiality measures have been included in this policy for the people to whom this policy applies. These measures were chosen because they align with what expert witnesses have told us, with what staff and employees insisted on, with what is suggested as good practices by numerous countries and international organizations and, last but not least, because it is in conformity with the requirements of the Canada Labour Code and its regulations. These choices were not made due to a lack of consultation or research by the subcommittee.

It was also reported that the conclusions of the process described in this policy would not be made public and that even senators would not be made aware of them.

This information is also misleading. It is important to point out that a person will be free to speak publicly before and/or after taking part in the process described in this policy.

Furthermore, some of the measures, notably in the case of disciplinary ones involving senators, will have to be imposed by the Senate further to the recommendations of the Conflict of Interest for Senators Committee. As such, they will be made public by nature, because the debates of this chamber are public. Let's not forget, colleagues, that other recourse is available outside of this policy under applicable terms and conditions. They are listed under article 1.9.3 of the policy, and I want to remind you that we are currently working within the purview of the Canada Labour Code and its regulations.

If a situation occurs in the Senate that would require a referral to the Criminal Code, please call the police.

Another outstanding issue debated in the media is the sensitive topic of parliamentary privilege. What this policy established is a clear and precise definition of what constitutes parliamentary proceedings in which parliamentary privilege applies. Everything outside of this definition is covered by the policy. This even includes actions that take place inside the Senate Chamber or in a committee room. I believe that this is a big step forward from the 2009 policy and even the policy of the House of Commons.

Clearly, neither parliamentary privilege nor this policy gives senators the right to harass or to conduct themselves badly. Other recourses may be used by senators during parliamentary proceedings to ensure respect, order and decorum. These measures are described at length in the *Rules of the Senate* as well as in this new policy.

We have to recognize the importance of parliamentary privilege for parliamentarians and that it is not within this policy's mandate — or within CIBA's mandate — to rule on the application of parliamentary privilege. It is, however, the mandate of the Rules Committee, and I would refer my colleagues to their eleventh report entitled *Parliamentary*

Privilege: Then and Now, a report that refers to the issue of parliamentary privilege and was published as recently as June 2019.

In conclusion, colleagues, I would like to state that what we have here is a robust, modern and overall exemplary policy that will more than adequately protect employees and senators and give credibility to the Senate as a healthy workplace environment. We should all be very proud of it.

Let me also remind all of us that the content of this policy is never final and can always be subject to improvements and suggestions. Lessons will be learned in order to make our process better, if so needed. The policy is subjected to a continuous review process that must be completed every three years or sooner — once again, if so needed. This review will be done in consultation between the human resources subcommittee and the policy committee ensuring that both senators and employees have their say in improving it.

But colleagues, in order to have all of this, we must begin by repealing the old, 2009 policy. This is what this motion is about. The 2009 policy is obsolete and does not have the confidence of the employees. Every passing day under this current policy poses a risk for the safety of employees and senators and a victory for harassers. We have a responsibility to offer better, and we have the obligation to do it now.

• (1700)

Colleagues, let's protect our working environment together and vote in favour of Motion No. 78. Thank you.

[Translation]

The Hon. the Speaker: Senator Saint-Germain, there are a couple of senators who would like to ask questions. Would you take them?

Senator Saint-Germain: Absolutely.

The Hon. the Speaker: Your time has expired, however. Would you like to request five more minutes?

Senator Saint-Germain: If my colleagues would agree.

Some Hon. Senators: No.

[English]

Hon. Rosa Galvez: Colleagues, I rise to speak to Motion No. 78, not to encourage anyone to vote against it but hoping that you will agree that something as important as repealing or adopting a harassment policy should be a matter of energetic debate in this chamber.

To attain a workplace free of harassment, we need both a dramatic change in culture and the implementation of policies and codes that are grounded in strong ethics. If we succeed, we will honour our promise to contribute to a real modernization of the Senate.

Those who have read the new policy with attention will remark that, for the first time, a Senate policy explicitly states that the process provided to deal with harassment will not apply during parliamentary proceedings where parliamentary privilege applies. The other chamber, in answering the same request imposed by Bill C-65 to amend the Canada Labour Code, did differently.

Former Senator Dyck had initiated an important inquiry into the question of senator-to-senator harassment after her complaint against the chair of a committee was rejected by the Senate Administration. We then learned that other complainants had complaints rejected. In launching her inquiry, then Senator Dyck stated — and I agree with her:

While the parliamentary privilege of the harasser is taken into account to protect them, that of the victim is overlooked. The victim too should have their privilege taken into account so that they can carry out their parliamentary activities free from any undue interference or obstruction caused by harassment.

This new policy does not resolve this problem but only further specifies that staffers without parliamentary privilege have fewer remedies for harassment occurring during parliamentary proceedings.

How did we end up with a blanket exclusion of parliamentary proceedings from the application of this policy? This exclusion is of benefit to whom? This question has not been answered but, for external eyes, and we worry about the public impression, it is clear that senators appear to be shielded.

In a recent information session given by the Law Clerk, he has stated that parliamentary debates were excluded from the policy application, but it is common that committee chairs invite analysts and clerks to committee debates for clarification, to remind us of rules, to state consensus or even contradiction. Are they protected by parliamentary privilege? Of course not. Yet on page 2, line 5 of the policy we read:

Individuals taking part in parliamentary proceedings are covered by parliamentary privilege in order to enable the Senate and senators to fulfill their constitutional role without undue interference, obstruction or fear of external retribution.

This sentence seems to be there to protect individuals participating in parliamentary proceedings. Are the clerk and analysts not individuals?

The Law Clerk's office gave seven categories of privilege that includes a set of freedoms and rights, the main one being — and it appeared in both — exclusive control over parliamentary proceedings, including freedom of speech.

Section 1.4 of the new policy is called "Definitions." It would have been extremely helpful to include the Law Clerk's definition in the policy for clarity and transparency. Indeed, it appeared contradictory that the policy does not, in fact, adopt a pre-existing definition of parliamentary proceedings but made its own broad definition within its introduction.

Conduct that forms part of the proceedings is broadly defined as words spoken on the record during a Senate sitting or a committee meeting, action taken pursuant to an order of the Senate or a committee and certain actions in furtherance of Senate or committee work.

Conversely, it will be entirely possible for the Senate as a whole to adopt an anti-harassment policy that would apply to parliamentary proceedings following in the footsteps of the U.K. House of Lords. This would require a change to the Rules.

The revised policy proposed by CIBA for adoption by the Senate in February 2020 did not mention parliamentary proceedings or parliamentary privilege. CIBA's third report of the last parliamentary session, which introduced the revised policy, also proposed to have the Rules Committee examine amendments to the *Rules of the Senate* and the Ethics Committee examine amendments to the ethics code, both by April 30, 2020, but it never happened.

Then the pandemic upended our work and made the dysfunction of our institution even more acute. The revised policy and its adoption process died on the Order Paper. Maybe limited sittings and the Order Paper plagued with delaying tactics made the former process seem unlikely to unfold in a timely fashion, and a simplified process of adoption by CIBA without changes to the Rules was favoured.

The downside is that it had to be tailored to the jurisdiction of CIBA, which cannot regulate the proceedings of other committees. Had the policy been adopted by the Senate as a whole, we could have decided to make the policy applicable during parliamentary proceedings and protect everyone from harassment at all times.

Colleagues, I fear that the price to pay for the timely adoption of this new policy was a very limited application of it. This is problematic, given the ordinary *Rules of the Senate* are ill-fitted to effectively deal with harassing or violent behaviour.

The rules of conduct only prohibit unparliamentary language or conduct that reflects adversely on the position of a senator or the Senate. The tools available — points of order and questions of privilege — have not stopped bullying in the Senate so far and have caused further delays to our important parliamentary work.

The new policy fails to recognize that bullying behaviour must be stopped when it's used as a deliberate and effective partisan tactic to delay business on the Senate's Order Paper. It has become very obvious that creating delays is the ultimate power tool. Taking time away from debate on bills can indeed kill bills. What we have observed is that those who oppose progressive

initiatives — from laws to recognize the rights of Indigenous people, laws to protect the environment or debates to deal with the harassment problems of the institution itself — will use bullying as part of their tactics to delay and defeat. Requiring victims of bullying to raise points of order or questions of privilege further adds to the Order Paper — which we rarely get through — and to delays, keeping the institution in an almost dysfunctional state and ensuring the victory of bullies.

• (1710)

What happened to Lillian Dyck is a prime example of this. Senator Dyck could not turn to the chair as proposed by the policy; she was the chair, and her protests could not end the problematic behaviour. Had she raised a point of privilege in the chamber, she would have only added to the delays which were plaguing the end of the Forty-second Parliament with many bills waiting in line for adoption, ensuring the victory of her harassers.

The UNDRIP bill died on the Order Paper due to dilatory tactics as Senator Dyck's harassment complaint was rejected by the administration due to parliamentary privilege, as it was reported by the media, like *The Hill Times*.

Leaving questions of privilege and points of order as the only recourse is unfair, unworkable and actually quite cruel in that it forces the victim to narrate and to relive, in public, extremely private, difficult and demeaning experiences. The policy ignores the traumatizing effect of bullying which can interfere with the ability to think clearly.

How can a victim argue one's case effectively before the cameras immediately after a trauma, as is required by the Senate's *Rules*, only to have it debated between senators and likely denied by the would-be harasser?

If the victim of abuse during parliamentary proceedings happened to be an employee, they have no recourse except to ask a senator to speak on their behalf. Would the victim want such a personally invasive and upsetting matter to be broadcast across the nation on SenVu? Obviously not.

Without meaningful change in culture, bullies will win on all counts, whether they successfully bully their victims into silence or apathy or whether a victim chooses to stand up for herself.

The way parliamentary privilege is invoked in the new policy protects only one aspect of parliamentary privilege — freedom of speech — but very poorly protects our privilege to be free from intimidation. Yet, in 2015, a report from the Rules Committee, under Senator White's chairing, entitled *A Matter of Privilege: A Discussion Paper on Canadian Parliamentary Privilege in the 21st Century* recognizes harassment can be a form of obstruction and concluded that:

... Parliament should proactively re-evaluate and reconsider parliamentary privilege in the Canadian context ...

And that:

... the need for such a review in Canada is accentuated by the constitutional entrenchment of the *Charter*, a unique feature among fellow Commonwealth countries.

Why did we not follow these recommendations where 11 male senators participated in this study? I agree with their conclusions.

I think a number of us, if some didn't fear the consequences, would rise to say that bullying in this chamber has hampered our ability to debate issues fearlessly. How can we solve the harassment problem if we don't know the extent of harassment in the Senate?

Colleagues, finally, in conclusion, March was Women's History Month. It is worth remembering that, according to a recent Inter-Parliamentary Union report, 82% of women parliamentarians experience psychological violence. This is the time that we should rise and be brave, to give the right example to our daughters and our sons so that they don't fear speaking out and defending their rights and freedoms. Thank you.

Hon. Marilou McPhedran: Honourable senators, as an independent senator from Manitoba, I acknowledge that I come from Treaty 1 territory and the homeland of the Métis Nation and that the Parliament of Canada is situated on the unsundered territory of the Algonquin and Anishinabek First Nations.

At the end of my statement, I will propose a simple amendment to this motion, an amendment that does not in any way change the content of the new CIBA harassment policy but would return us to the previous practice of CIBA bringing it back to this chamber if and when CIBA decides that major changes to its harassment prevention policy are recommended.

Allow me to remind you of our past practice. In June 2009, the current Senate harassment policy was tabled in the Senate by the then chair of CIBA, the Honourable George Furey, and placed on the Order Paper as also had happened when the previous policy was introduced to the Senate. In 2009, all senators present on the day of the vote had the opportunity to ask questions and contribute to debate and to vote to adopt the new policy.

Senators voted to adopt the new policy and they signalled to the people of Canada: We have paid attention. We know what is in this policy, and we are showing our trust in the process by accepting the new CIBA policy.

The message from us today will be different given the procedure used by CIBA to present its 2021 policy as a fait accompli unless this amendment receives your support.

Let me be clear. This new CIBA policy has undoubtedly been crafted by good intentions in good faith, and I thank the creators of the new CIBA harassment prevention policy for those good

intentions and their hard work that resulted in some definite improvements. These creators are not the only senators who speak their truth. What we have here is differences in analysis. There is no need to attack those who hold a different opinion.

Overshadowing the improvements is the increased capacity for imposing stricter and punitive — to complainants, primarily — secrecy requirements in the resolution process that move the Senate of Canada in the opposite direction from thoughtful complainant-centric laws — some enacted, some in development — in a number of jurisdictions in other countries.

Colleagues, this is not an easy statement to make, nor will it likely be easy to hear because, by proposing this amendment, I'm essentially asking you to try not to be influenced by whether you like the senators expressing concerns about the procedure more or less than the senators who are primarily the stewards and promoters of the new CIBA policy of harassment.

Quite simply, those sentiments have no place when considering our parliamentary duties to practise due diligence when such a major policy is introduced, and, to a large extent, individual senators are not at the heart of the issue. I am encouraging each senator, in considering this modest amendment to a motion from the Senate's most powerful body next to the Senate itself, to get beyond trepidation — which may perhaps be unconscious — that they may feel about CIBA's massive power and what can happen when a senator is targeted by way of the CIBA machinery for punishment.

This is not a misplaced fear given the clear evidence of devastating consequences forced upon certain senators by the exercise of unfettered discretion with few to none of the safeguards to which all other self-regulating professions, courts and quasi-judicial bodies in this country must adhere.

I acknowledge there are times when such obedience is needed for protection from power, but surely such compliance is not necessary for an amendment advising CIBA to bring back to this chamber its recommendations for a new harassment prevention policy. Certainly the new CIBA harassment policy will affect senators, Senate officials, and the credibility of the institution of the Senate itself, but it will also reach way beyond into the lives of Senate employees and volunteers and their circles for a very long time.

• (1720)

The new CIBA policy does not have an external, independent review mechanism, so it is likely to be self-perpetuating far into the future, perhaps with some tinkering along the way, never required to be returned to this chamber, according to the motion before us. Adopting the motion without this amendment will

mean that the majority of senators will just not know, and in all likelihood, those senators on CIBA who will know will be silenced because the policy will have been dealt with in camera for the most part.

Senators, I'm not asking this chamber to engage in a thoughtful inquiry into the content and implications of what is actually in the new CIBA harassment policy, but I am proposing this amendment as to procedure, in the name of due diligence on the part of every senator, and out of respect for the values of transparency and accountability in our deliberations as a publicly funded institution.

This amendment comes to each of you as an invitation. Actually, it's a plea for every senator not to delegate their agency to CIBA, not to give up the opportunity to at least be able to discuss when CIBA decides to change the policy. The procedure used this time by CIBA does not allow for an open debate and vote in the Senate on its new policy, and I am informed that this is the will of all the leaders, of all the parliamentary groups in this institution at present.

It is disheartening to see that the procedure used by CIBA will also not allow for prior consideration of its new policy by any Senate committees, as had been proposed when a previous iteration of the new policy was tabled in February 2020 by CIBA with a motion that did allow for debate. On that occasion, I and some other senators expressed concerns about lack of transparency and accountability in that draft policy, and I'm pleased to say that some of these concerns were addressed. And it was proposed that the policy be reviewed by the Senate Human Rights Committee, as well as by the Senate Rules and Ethics Committees, as had been proposed by CIBA at that time. CIBA has decided that no such reviews are going to happen now.

Senators, before you rush to adopt the motion before you, to repeal the 2009 policy and thereby usher in the new CIBA policy, please give the following points about keeping some of your agency as senators by amending the CIBA motion: although the percentages differ somewhat across various poll results, public trust in public institutions is eroding; on January 13, the 2021 Edelman Trust Barometer results, based on an online survey sample of more than 33,000 respondents, which include 1,150 general population respondents across 28 countries, revealed people don't know where or who to turn to for reliable information. A majority of respondents believe that 57% of government leaders, 56% of business leaders, and 59% of journalists are purposely trying to mislead people.

In Mark Carney's new book, *Values*, he notes repeatedly the need to develop and embed comprehensive and transparent approaches in our leaders and our institutions. This amendment in no way impedes the will of CIBA to activate its new policy. Supporting this amendment is an indication that senators who are not CIBA members are choosing to demonstrate their due diligence, in at least being given the opportunity to be informed and ask questions when CIBA uses its unique and extensive authority to bring in a new policy that has such profound potential impact on the lives of Senate staff, volunteers, officials and senators.

To support this amendment is not to be soft on harassment prevention. This amendment in no way changes the content or the implementation of the new CIBA policy except, to be clear, that senators show their commitment to harassment prevention by demonstrating that it is important to this publicly funded institution as a whole, and so when changed it is to be brought back to the Senate in a transparent and accountable manner.

While I am not loading onto this modest procedural amendment the details of my extensive reservations on the content of the new CIBA policy, I do wish to draw to your attention that the more closed and secretive nature of the 2021 CIBA policy is not required by Bill C-65. There are measures in this new policy that go beyond the privacy protections of Bill C-65.

For this reason, this amendment urges all senators not to give up their agency and authority, held by each and every senator, to receive fulsome reports from CIBA on this crucial aspect of Senate culture and accountability, and to be able to ask questions on the public record as part of fulfilling our parliamentary duty to ensure that public funding of such Senate processes is being used fairly and effectively.

Honourable colleagues, some of you have explained that you will give up your agency in this regard at this time because you choose to “trust in the process.” To you I say, “We are the process,” and in the end, if and when deficits in the 2021 CIBA harassment prevention policy are exposed to the public, eyes will turn to every senator to see how each of us fulfills our parliamentary duty — a duty of accountability funded by public dollars.

This is why I briefly bring to your attention, as you consider how you are going to vote on this simple procedural amendment, the significant differences in approach to demonstrating transparency and accountability in governmental responses to what as one senator’s staffer — who survived harassment by a senator — has named as the weaponization of confidentiality. This new CIBA policy, undoubtedly crafted by good intentions, moves in the opposite direction from thoughtful complainant-centric laws — some enacted, some in development — in a number of jurisdictions in other countries such as the United Kingdom, Australia, New York State in the United States, just to mention some.

Time only allows for one comparison and that is with CIBA’s new policy 1.6.1, which states:

All matters under this Policy (e.g., notice of an occurrence, conciliation, investigation etc.) are to be treated confidentially. Information in relation to matters under this Policy may only be disclosed in accordance with this Policy or as required by law. Unauthorized disclosure of information may be subject to disciplinary action.

Disclosure of any information that is likely to reveal the identity of a person involved in an alleged occurrence (principal party, responding party, or witness) outside of the resolution process and without that person’s written consent is prohibited unless required by law. . . .

As a lawyer who has listened to, represented and supported complainants in a wide range of harassment cases in many different venues for almost four decades, as someone who has contributed significantly to drafting new laws and policies designed to reduce harassment and exploitation, I can tell you unequivocally, secrecy more often protects perpetrators.

Time does not allow me to cite from all the jurisdictions, but let me end with a quote before introducing the amendment, which is from the sponsor of the new law in New Mexico that is entitled “An act relating to employment law; providing that nondisclosure agreements in sexual harassment, discrimination or retaliation cases are unenforceable.” And before quoting, let me just note that there is different terminology used here. It might be nondisclosure, it might be privacy, it might be confidentiality, but it comes down to the same thing and that is mandated required enforced secrecy.

At the sole request of the employee, a settlement agreement subject to this section may contain a confidentiality provision that prevents the disclosure of factual information related to the underlying sexual harassment, discrimination or retaliation claim. The provisions of this subsection shall not be construed to prevent disclosure of information that is the subject —

The Hon. the Speaker: Senator McPhedran, I apologize for interrupting you, but your time has expired. Are you asking for more time?

Senator McPhedran: Your Honour, I have my timer on and I’m at less than 14 minutes. Could someone please check the timer?

The Hon. the Speaker: Yes, I will do that immediately.

The table has checked the timer. You are past your time, senator.

Senator McPhedran: I’m past 15 minutes?

The Hon. the Speaker: Yes, senator, according to the table you are past 15 minutes.

• (1730)

Senator McPhedran: May I ask to propose my motion?

The Hon. the Speaker: You would need the leave of the Senate to continue.

Senator McPhedran is asking for leave to propose her amendment. Is leave granted?

An Hon. Senator: No.

The Hon. the Speaker: I hear a “no,” senator.

Are honourable senators ready for the question?

Hon. Senators: Question.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

(Motion agreed to, on division.)

INTERNATIONAL MOTHER LANGUAGE DAY BILL

SECOND READING—DEBATE ADJOURNED

Hon. Mobina S. B. Jaffer moved second reading of Bill S-211, An Act to establish International Mother Language Day.

She said: Honourable senators, I rise today to speak to second reading of my Bill S-211, An Act to establish International Mother Language Day.

The day would be February 21.

This bill is in recognition of International Mother Language Day. For greater certainty, International Mother Language Day is not a legal holiday or a non-judicial day. This is yet another time I have tabled this bill, honourable senators. The last time it was referred to the social committee.

Honourable senators, I want to begin by saying that this bill is important to many of us.

Mother language identifies us. It gives us grounding. I want to share with you that my grandchildren, unfortunately, do not speak our mother language as well as we would like. However, often at the dinner table our seven-year-old, when she is emotionally trying to express something, will use our mother language. It really touches us all that the best way she can express how she feels about many things is in her mother language.

This bill will formally recognize International Mother Language Day, and it will wholeheartedly align with Canada's strongest values of inclusion, openness, equity and respect for all people.

One young person whose story helps to remind us all of the great privilege and responsibility of being a Canadian senator who supports language diversity is that of Heeba. Heeba is now in her late twenties. She immigrated to Canada from Bangladesh in 1992. When asked about what Bill S-211 meant to her, Heeba shared her perspective on multilingualism as her own cultural identity.

She said:

It is incredibly important for me to communicate in my Bengali mother tongue with my family. During my time at university, I always had German and French roommates, and would seize the opportunity to practise with them.

I have noticed people highly appreciate it when I make the effort to talk to them in their first language. My friends light up when I speak to them in Bengali, Nepali, Hindi and Spanish. I also speak perfect English and French.

Learning new languages runs in the family, as my father speaks Italian and Mandarin and my mother is also fluent in German. I'm incredibly proud to speak Bengali, my mother language.

I took Bengali classes at university to learn how to read more academic pieces of writing like poetry. Bangladesh has given me so much in terms of culture, and I would absolutely want my own children to speak my mother tongue of Bengali, on top of many other languages.

It is very difficult for me to attach myself only to one language. I am more than one language, and so are a lot of Canadians.

This is what it means to be a Canadian.

International Mother Language Day, February 21, is one day dedicated to celebrating mother languages while also remarking on the value and importance of being able to freely, openly and proudly communicate in the mother language of one's free choosing.

International Mother Language Day was first established in November 1999 by a unanimous vote at the 30th General Conference of the United Nations Educational, Scientific and Cultural Organization. The declaration was seen to be part of a broader international strategy "to promote the preservation and protection of all languages used by peoples of the world."

This United Nations resolution 56/262 was finalized in 2002 and internationally established International Mother Language Day on February 15.

The resolution is also a symbol of commemoration and promotion of linguistic and cultural diversity, as well as multiculturalism and all mother languages.

Ever since, global celebrations have occurred on February 21 of each year. At its heart, this bill is one way to honour and recognize the Canadians from coast to coast who proudly speak their mother tongues, which amount to over 200 languages, from Spanish to Gujarati to Punjabi to Tagalog and many others.

In Vancouver alone, over half of all school-aged children are learning another language besides French and English. Similarly, 25% of Vancouverites report that their first language is neither French nor English.

Additionally, my home province of British Columbia is home to more than half of Canada's Indigenous languages. Sadly, only one in 20 Indigenous peoples in the province are fluent in their language and almost all of them are elders.

As we all know, far too many Indigenous languages have disappeared. Every time a language disappears, a part of our nation's identity disappears.

• (1740)

Despite the commendable efforts of the government to address this issue through Bill C-91, An Act respecting Indigenous languages, of the 60 registered Indigenous languages, only 4 are currently considered safe from extinction. Honourable senators, I know you will agree with me when I say that this is unacceptable.

To quote the Honourable Senator René Cormier, Chair of the Standing Senate Committee on Official Languages:

... this bill also requires us to think about the major issues surrounding the disappearance, preservation and reappropriation of Indigenous languages. Colonialism and the expansion of the Canadian state had devastating effects on Indigenous peoples. As the victims of residential schools, First Nations, Métis and Inuit communities witnessed the decimation of their mother tongues and cultures by successive Canadian governments.

In the 2011 census, over 60 Indigenous languages were reported, but only 14.5% of First Nations members still had Indigenous language as their mother tongue. In 2016, the number of Indigenous languages reported was more than 70. Over 33 of those languages were spoken by at least 500 individuals, while some were spoken by as few as 6 people.

Honourable senators, in no way does Bill S-211 aim to dispute that French and English are Canada's official languages, as guaranteed by the Canadian Charter of Rights and Freedoms. I know that recognition of the value of bilingualism forms the foundation of our great country of Canada and Canadian identity, past, present and future. Bill S-211 supports bilingualism and our rich and diverse multilingualism. This feels long overdue.

Many Canadians speak a multitude of languages that enrich Canada's culture and the country on the whole. That is why international mother language day, February 21, is a day to celebrate speaking your mother tongue with pride. It aims to amplify the rights of all Canadians to celebrate and showcase their own mother tongue.

Regardless of our different backgrounds, all Canadian senators have a vested interest in being strong advocates of Canadian bilingualism as well as Canadian multilingualism. Bill S-211 supports bilingualism and establishes more formal recognition of multilingualism. In fact, along with French and English, all Canadians' mother tongue languages are worthy of honour and celebration.

As a young girl, I was raised to be proud and still feel empowered when I speak my mother tongue. It gives me grounding, and my language identifies who I am. As a mother

and a grandmother, I carry forward this fight for recognition of all mother tongue languages to ensure that all young people, including my own grandchildren, know their mother language as part of their identity.

Honourable senators, Bill S-211 contains no clear recognition of that. Due to the ongoing global pandemic posed by COVID-19, Canadians' need for connection with and understanding of one another should be deemed more important than ever.

Perhaps most importantly, by officially recognizing international mother language day, we are expanding awareness and the way Canada and all members of our country think. Without question, languages are a strategy of national unity. They allow all people to build unique relationships with foundations of trust, understanding and a history behind them. It is our grounding. It is our identity.

Honourable senators, I reach out to each and every one of you and say: Support me on this bill for an international mother language day. It is part of our Canadian values.

Some Hon. Senators: Hear, hear.

Hon. Salma Ataullahjan: Honourable senators, I rise today to speak to Bill S-211, An Act to establish International Mother Language Day.

Bill S-211 is a legislative proposal to designate February 21 as international mother language day, noting that English and French are the two official languages of Canada, as guaranteed by the Canadian Charter of Rights and Freedoms.

I would like to thank Senator Jaffer for reintroducing this bill in the Senate and giving me the opportunity to speak again on the importance of proliferating mother languages. As a country with multilingualism at its core, we need to recognize and understand the importance of preserving all mother languages. Professor Wade Davis put it more eloquently than I could when he said in *Canadian Geographic*:

A language, of course, is not just a set of grammatical rules or a vocabulary; it's a flash of the human spirit, the vehicle by which the soul of a particular culture comes into the material world. Every language is an old-growth forest of the mind, a watershed of thought, an ecosystem of social, spiritual and psychological possibilities. Each is a window into a universe, a monument to the specific culture that gave it birth and whose spirit it expresses.

I know first-hand the correlation between my mother tongue and my identity. Speaking Pukhto is more than a means to communicate. Listening to and conversing in the Pukhto language brings me joy and comfort and reminds me of my childhood. But more than that, it connects me to my ancestors. It allows me to understand the literature, the art and the poetry of my homeland.

For these reasons, I made it a priority to teach my mother language to my two daughters, Anushka and Shaanzeh. By doing so, I was able to share a part of my identity, history and culture with them. We have developed a stronger family bond through our mother language.

Additionally, through an academic and employment perspective, multilingualism has significantly improved their professional opportunities in Canada and internationally. My eldest daughter Anushka's fluency in Pukhto, the same language spoken by villagers in a remote area of Pakistan, enabled her to gain valuable knowledge and stories to complete her PhD research.

As a lawyer, my youngest daughter Shaanzeh has been able to bridge gaps with her clients by communicating with them in Pukhto. These are unique experiences provided only to those who were able to gain trust through the power of language.

Even as a senator, I often find myself using my mother language while working. When I'm speaking at community events, it's not unusual for me to switch back and forth from English to Pukhto to Urdu. Through my international work, speaking multiple languages has also allowed me to increase Canada's ties with many countries. Being multilingual is an asset, both in Canada and abroad.

My daughters' and my lives have been positively impacted in numerous ways because of our ability to communicate in our mother tongue, and that is worth celebrating every year on February 21. This is also something we need to encourage, as mother languages are often lost by the third generation. In fact, according to the United Nations, every two weeks a language disappears.

Of course, we cannot speak about the importance of preserving mother languages in Canada without considering our Indigenous population, many of whom were forcibly stripped of their mother tongues. In 2016, only 16% of the Indigenous population reported being able to conduct a conversation in an Indigenous language, having dropped from roughly 21% in 2006. Of the more than 60 Indigenous languages in Canada, only 3 — Cree, Inuktitut and Ojibwa — are considered stable.

Yet there is hope. Just yesterday, UBC announced the creation of the first Indigenous language bachelor's degree in Canada. Language revitalization is always possible and must be our goal.

• (1750)

Honourable senators, the importance of mother tongues cannot be undervalued because we know that once a language dies, the knowledge and heritage it contains dies with it, forever diminishing our society as a whole. As parliamentarians, we must encourage Canadians to celebrate and preserve our linguistic diversity. Bill S-211 fulfills these aspirations by raising awareness and promoting education of mother languages.

In closing, I would ask honourable senators that we consider the questions posed by Professor Wade Davis:

But what of the poetry, songs and knowledge encoded in the other voices, those cultures that are the guardians and custodians of 98.8 per cent of the world's linguistic diversity? Is the wisdom of an elder any less important simply because he or she communicates to an audience of one?

Senator Jaffer, thank you for your tireless work on this bill or as we say in my mother tongue, *manana*.

Thank you, honourable senators.

Hon. Senators: Hear, hear.

Hon. Ratna Omidvar: Honourable senators, I will speak on Senator Jaffer's proposed Bill S-211 to establish an International Mother Language Day on February 21 of each and every year.

I will add to the remarks made by Senator Jaffer and Senator Ataullahjan by noting that language, after all, is the soul of a culture and people. Our Canadian soul is in a multilingual overdrive. Many of us speak more than one language. In the Senate Chamber, we frequently switch between Canada's two official languages, English and French. But English and French, as we know from our other speakers, are not the only two languages spoken in Canada. There are more than 70 Indigenous languages. Sadly, many of these languages run the risk of being forgotten.

In addition, close to a quarter of Canadians have a mother tongue other than English or French. After English and French, the six languages spoken most widely are Mandarin, Cantonese, Punjabi, Spanish, Tagalog and Arabic. An incredible 215 different languages were reported by Canadians as their mother tongue. This diversity of language speaks to the overwhelming diversity of Canadians, because Canada is a nation of many cultures who have made their way here from every corner of the globe.

As an immigrant myself, I can speak to the important role that different languages have played throughout my life. I was born in multilingual India, so I acquired Punjabi, English, Hindi and a smattering of Urdu naturally. Others I acquired through a disciplined course, like German. Some I learned on the go, picking up bits here and there in order to survive in a new country, like Farsi in Iran. By the time I arrived in Canada, it was natural for me to speak in one language and think in yet another.

I have come to understand that the language you speak releases a different aspect of your personality. When I speak Urdu, it is automatic for me to become more elegant, more deferential and more courteous because that is the nature of the language. When I speak German — less and less fluently, I must admit — I have to struggle to be precise. And when I speak Farsi, I am reminded that some languages have an innate hospitality ingrained in them because a cup of tea will soon follow. Sadly, very sadly, I speak no French, but I know that if I did, I would find an inner elegance of style, as I see it spoken by Senator Gagné, Senator Cormier and my other colleagues in the Senate. But it is when I speak

Hindi at home with my mother that I become her child again, and find my centre as she gently corrects the many mistakes that I am likely to make.

As more and more of us speak a language other than our mother tongue, a day that is set aside to reflect and think of our identity, roots and culture through our mother language is a beautiful idea. Whether we landed in Canada last year or our ancestors have lived here since time immemorial, recognizing our mother tongue is central to who we are.

The fact that so many of us speak more than one language is indeed something to be celebrated. Thank you, Senator Jaffer, for your tireless advocacy in support of language diversity in Canada. I urge all honourable senators to vote to send this bill to committee as soon as possible. Thank you.

Some Hon. Senators: Hear, hear.

(On motion of Senator Martin, debate adjourned.)

MODERN SLAVERY BILL

BILL TO AMEND—SECOND READING—DEBATE

On the Order:

Resuming debate on the motion of the Honourable Senator Miville-Dechéne, seconded by the Honourable Senator Pate, for the second reading of Bill S-216, An Act to enact the Modern Slavery Act and to amend the Customs Tariff.

Hon. Salma Ataullahjan: Honourable Senators, I rise today to speak to Bill S-216, an Act to enact the Modern Slavery Act and to amend the Customs Tariff.

I would like to thank Senator Miville-Dechéne for reintroducing the modern slavery bill in the Senate. I would also like to acknowledge the hard work of the members of the All-Party Parliamentary Group to End Modern Slavery and Human Trafficking.

The Modern Slavery Act lifts the veil on the prevalence of modern slavery around the globe, impacting approximately 40 million people, 71% of whom are women and girls. These numbers are considered conservative, since women and girls are less likely to report victimization for fear of reprisals or mistrust of authorities.

Before I proceed, it is important to clarify exactly what modern slavery entails. Modern slavery is the severe exploitation of other people for personal or commercial gain, which encompasses many forms of exploitation, such as human trafficking, descent-based slavery, forced and early marriage, as well as forced and child labour. The latter is particularly troubling and is defined as

work that is mentally, physically, socially or morally harmful to children, and it interferes with their ability to receive an education. Yet, one in four victims of modern slavery is a child.

Child labour often transitions into adult modern slavery, which is why we need to address the root causes of child labour. Studies show that child labour can be curtailed by tackling poverty, social norms and displacement. However, the major factor is poverty, as children work for their survival and that of their family. This is part of a vicious cycle where education is seen as secondary to earning an income, which in turn prevents child workers from escaping poverty once they reach adulthood.

Of course, this bill cannot solve these root issues alone, but it can force big companies to take steps to prevent the exploitation of the vulnerable. One of the key steps outlined in this bill to curtail modern slavery is the requirement by large entities to submit an annual report. The report sets out the steps taken to prevent and reduce forced or child labour, and any measures taken to remediate modern slavery, and additionally, any training provided to employees on the prevention of modern slavery in any step of the production of goods.

Education is a vital step because many of us are too far removed from the goods we purchase and consume. Personally, I had the unique opportunity to visit the site of the 2013 Rana Plaza collapse in Bangladesh. I arrived only three months after the eight-storey building collapsed, killing over 1,100 people and injuring countless individuals. I witnessed firsthand the cost of cheap, fast fashion. These poorly paid workers had been forced to keep producing clothes even after police had ordered the evacuation of the building due to deep visible cracks in the walls.

• (1800)

The Hon. the Speaker: Senator Ataullahjan, my apologies for interrupting you, but it's now six o'clock. You will be given the balance of your time when we resume.

Honourable senators, it now being six o'clock, 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.

(The sitting of the Senate was suspended.)

(The sitting of the Senate was resumed.)

• (1900)

[*Translation*]

ROYAL ASSENT

The Hon. the Speaker informed the Senate that the following communication had been received:

RIDEAU HALL

March 30, 2021

Mr. Speaker,

I have the honour to inform you that the Right Honourable Richard Wagner, Administrator of the Government of Canada, signified royal assent by written declaration to the bills listed in the Schedule to this letter on the 30th day of March, 2021, at 6:02 p.m.

Yours sincerely,

Ian McCowan
Secretary to the Governor General

The Honourable
The Speaker of the Senate
Ottawa

Bills Assented to Tuesday, March 30, 2021:

An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2021 (*Bill C-26, Chapter 4, 2021*)

An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2022 (*Bill C-27, Chapter 5, 2021*)

[*English*]

MODERN SLAVERY BILL

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Miville-Dechéne, seconded by the Honourable Senator Pate, for the second reading of Bill S-216, An Act to enact the Modern Slavery Act and to amend the Customs Tariff.

Hon. Salma Ataullahjan: Honourable senators, I was speaking about my visit in Bangladesh to the Rana Plaza.

As soon as I got out of the car, a crowd rushed me, holding photographs of young adults. I was horrified to learn that these were parents waiting for their children to be found. They came every morning but left every night empty-handed. As I looked at the collapsed building, it was clear there was nothing there but

rumble after the monsoon rain. As a mother, I felt their pain deeply, and the absence of any sliver of hope was almost unbearable.

They sat there clutching pictures of their lost children, pleading for us to find them. Not only had they lost their children, but they could not truly grieve or complete their religious burial ceremonies.

Survivors, for their part, often live with debilitating conditions with no compensation or possibility of future employment, leaving some to resort to taking their own lives.

As previously mentioned, women are significantly overrepresented in modern slavery. They are traditionally restricted to low-paid positions because they are perceived as having very few skills and qualifications. Besides being subjected to the usual verbal and physical abuse, women report sexual violence as a normalized practice.

In addition to harassment, it is difficult for women of all ages to find job security. Older women or those having developed disabilities due to their work are targeted and inched out of the workplace through bullying, unachievable targets and wage deductions. Those of childbearing age are monitored and it is commonplace to be asked to undertake a pregnancy test on recruitment or randomly during employment. The expectation for workers to live on-site also forces many families to live separately, making unbearable living conditions even harsher, mentally.

The need to address the plethora of human rights violations to which vulnerable groups, especially women, are subjected during the production process of our goods is overdue. Bill S-216 focuses on the supply chain and enforces transparency with concrete penalties for companies that fail to comply. This means that corporations doing business in Canada will need to report on measures taken to prevent or reduce the use of forced labour or child labour at any step in the production of their goods, thus restricting worker exploitation by subcontractors.

This transparency is necessary in light of a recent investigation revealing that Canadian companies continue to import goods from Chinese factories accused of serious human rights abuses, especially toward Uighur workers. This includes, but is not limited to, The Brick, Danby, Costco, Best Buy and Home Depot. The latter has since cut ties with their supplier, but more must be done.

By targeting large businesses, this bill avoids burdening small- and medium-sized enterprises and smaller local shops. In addition, this bill would reinforce the amended customs tariff by prohibiting the entry of goods manufactured through forced labour and child labour.

According to the 2019 Canadian Consumer Insights Survey, a third of Canadian respondents are willing to pay a premium for non-food items that are either sustainably or ethically produced, and there is a growing demand for businesses to demonstrate product traceability and transparency. This is especially true with regard to Gen Z, who show a great interest in taking action on social and environmental issues through their purchases.

Similarly, 86% of Canadian companies surveyed acknowledged that modern slavery in supply chains is a moderately or highly relevant issue.

Businesses who fail to comply with the obligations to publicly report or who knowingly make a false or misleading statement could be found guilty of a summary offence and a fine of up to \$250,000. In addition, company directors or officers involved would be considered parties to the offence; hence, this bill holds people at the top accountable for their decisions.

Bill S-216 also includes some aspects that will require further review in committee: for example, the expansive authority provided to the Minister of Public Safety and Emergency Preparedness, the broad search and seizure powers available to designated persons and the automatic liability of applicable persons. Consideration also needs to be given to the cost required to implement and enforce the modern slavery act, noting any legal repercussions associated with enforcing this act onto large corporations that might not welcome its passing.

Nevertheless, we must push forward in our united goal to eradicate modern slavery in Canada and abroad.

Some might find it difficult to believe that modern slavery occurs in our own backyard, one of the freest countries in the world. The stereotype that modern slavery only occurs in impoverished or unjust, corrupt countries is simply not true. According to the 2016 Global Slavery Index, approximately 17,000 people are living in conditions of modern slavery within our own country. Those numbers cannot be ignored.

The modern slavery bill will ensure that Canadian companies prioritize ethical manufacturers in Canada and abroad rather than aim to cut costs by relying on forced and child labour.

In 2019, 43 victims of modern slavery were freed by the Ontario Provincial Police. They had been brought to Canada for a fee, with the promise of work visas and permanent residency status. Instead, they lived in squalid conditions with less than \$50 a month while being transported daily to work at hotels and vacation properties in Ontario. One of the victims told an officer that “last night, I went to bed a slave. This morning, I woke up a free man.”

• (1910)

Unfortunately, these are not isolated cases, as the agriculture sector, construction, hospitality and domestic services are particularly high-risk areas for enslavement. For example, tens of thousands of migrant farm workers from the Caribbean, Mexico, Guatemala, the Philippines and Thailand work in Canadian fields without the possibility of applying for permanent residency, health care or basic labour rights. These farm workers must share cramped apartments with their colleagues and work seven days a

week. It is preposterous that we protect ourselves during a worldwide pandemic while endangering vulnerable migrant workers.

The pandemic continues to shed light on many issues such as the provenance of essential products. Face masks have become a necessary accessory for Canadians, while global demand for personal protective equipment, or PPE, has surged. An investigation has shown that some of the life-saving equipment Canadian health-care workers are using appears to have been made in Malaysian factories where workers are grossly exploited. In 2020, Malaysian glove makers produced close to 220 billion gloves, representing about 70% of the world's supply. In addition to working in unsafe conditions and living in unsanitary quarters, the company does not enforce its COVID-19 protocols.

COVID-19 does not discriminate, and nor should we.

This bill will ensure that Canada has the most effective and proactive legislation in the Commonwealth. The United Kingdom passed its own law on modern slavery in 2015, which lacks concrete penalties. The U.K. law allows companies to simply state that no efforts were made to combat forced labour in their yearly report and does not require companies to address the identified risks. Australia adopted a transparency law in 2018 that imposes obligations on corporations, the federal government and its agencies. In this case, a list of companies that failed to submit a report is published. This “name and shame” concept is a good start, but it does not enable an authoritative power to enforce compliance.

Increased transparency alone is unlikely to improve working conditions or address modern slavery. Empirical evidence suggests that the U.K.'s transparency regulation is too weak to bring the changes necessary to eradicate labour abuse in global supply chains and does more to serve large corporate interests than it does to protect vulnerable workers. For that reason, we need to take this legislation a step further.

As I conclude, I would like to remind you that this bill is about basic human rights and our obligation as parliamentarians to enforce them.

As Senator Miville-Dechéne has so aptly pointed out in the past, this bill transcends party lines and it is about our humanity. I support Bill S-216 because Canadians trust us to ensure important products are not sourced through the means of forced or child labour, and this bill will bring us closer to achieving that goal. I look forward to passing this bill to the appropriate committee for their detailed review. Thank you.

Hon. Mobina S. B. Jaffer: Honourable senators, I rise today to speak to Bill S-216, An Act to enact the Modern Slavery Act and to amend the Customs Tariff.

I would like to thank the Honourable Senator Julie Miville-Dechéne for sponsoring this important bill and remind you all that as Senator Miville-Dechéne mentioned several times, this bill is only a first step.

Honourable senators, in my speech I'm first going to talk about the conditions of child factory labourers, particularly in Bangladesh and around the world, as well as remind us all of the conditions at home — namely, the squalid lived realities which continue to be endured by temporary foreign workers.

In 2013, I arrived in Bangladesh when the Rana Plaza building had just collapsed: 1,400 people had been killed, and 2,500 people were injured. I will never forget the scene outside the Rana Plaza. Injured people were sitting all over, parents were looking for their children, and there were no answers. No one was reaching out to help them.

That is when I met Bithi, a 15-year-old girl who, with all that was happening, was forced to go to work in a building that I was sure would collapse any day as well.

I went into that building and I saw that the exit doors were locked — they actually had big locks that couldn't be opened from inside. I was flabbergasted that, after just seeing a building next door collapse, the exit doors to this building were also locked.

When thinking about the importance of this bill, my mind went back to Bithi's heartbreaking story.

Bithi worked with thousands of Bangladeshi children piecing together designer jeans destined for stores in Canada and other high-income countries. She told me she remembered her first day at work at a garment factory three years ago when she was just 12, "The first day I felt bad. I thought it wasn't good. That first day I cried," she remembered.

Bithi once had a dream of going to school and becoming a doctor, and she admits:

When I see other girls in their blue and white checkered school uniforms, my heart breaks. But now I just dream of standing on my own feet and not getting injured.

Bithi worked in terrible circumstances so we here in Canada could continue to buy clothing at a cheaper price. We benefit at the cost of Bithi's and so many others' basic human rights.

In 2014, more than 406 companies imported textile and apparel goods, similar to the product Bithi works on, into Canada. Desperate girls like Bithi are pushed to work agonizingly long hours, day in and day out, for very low wages. Many workers are brought into these industries under false promises of earning decent wages, meals, training and schooling. Instead, factory owners in many places fire pregnant workers or deny maternity leave, retaliate against workers who join or form unions, force workers to do overtime work or risk losing their job, and turn a blind eye when male managers or workers sexually harass them.

The International Labour Organization estimates that there are over 150 million child labourers globally and 25 million victims of forced labour worldwide. Women and girls make up 71% of victims. A study released by World Vision stated that 1,200 companies in Canada imported goods at risk of being produced by child labour and forced labour.

In 2018, the Subcommittee on International Human Rights of the House of Commons Standing Committee on Foreign Affairs and International Development undertook a study on child labour in supply chains, and it stated:

Virtually no progress was made globally between 2012 and 2016 to end child labour Furthermore, there has been no change in the number of children subject to forms of modern slavery.

These children are not only missing out on education, reaching their potential and enjoying their childhood, they are being enslaved and mistreated, and many are working in hazardous and unhealthy conditions so they can provide necessities such as food for their families.

Honourable senators, I urge us all to challenge our own buying practices and the products we use, the products we wear and the products we consume every day. We should ask ourselves how many of these products were produced by child labour.

The proposed modern slavery bill tackles the issues of child labour and forced labour with the aim of ending such practices. It requires large Canadian companies to ensure their supply chains are transparent and don't rely on child labour or any other form of exploitation. It also imposes an obligation on companies to report on measures taken to prevent child and forced labour. I am very glad that it also proposes amendments to the Customs Tariff to ban goods manufactured or produced by child labour or forced labour.

• (1920)

I strongly believe that this bill is an important first step in realizing much-needed improvement in workers' and children's rights. However, senators, you don't have to go far from my house to see what is happening here in our own country. I was amazed that suddenly we all started to value temporary foreign workers when the pandemic hit us, because the worry was about who would pick up our fruit or tend to our farms. All along, for the past 20 years I have spent working with these workers, I have seen nothing but neglect of them.

In 2017, we endorsed the U.K.'s Call to Action to End Forced Labour, Modern Slavery and Human Trafficking. In 2018, we endorsed the G20 strategy to eradicate child labour, forced labour, human trafficking and modern slavery in the world of work. Further, as part of Canada's G7 Presidency, we made similar commitments.

Many countries have advanced legislation like that of the U.K., including the Netherlands and France, among others. It's high time for Canada to follow suit.

In 2015, when I was chair of the Standing Senate Committee on Human Rights, which investigated the garment industry and corporate social responsibility in Bangladesh, we heard from witnesses and experts over several meetings. What they said then is still true today. The testimony of witnesses from both the Canadian government and civil society organizations led us to the conclusion that, while the Canadian government and Canadian companies have taken a number of measures to address the rights of garment workers, we still have a long way to go.

Child and forced labour are ongoing and it is our duty to take measures to stop them, especially when a growing number of Canadians are raising their voices in condemnation of such practices.

Honourable senators, when speaking on Bill S-216, we cannot only point our lenses of critique outward; rather, it is imperative that we look at the vicious and inhumane practices of exploitation in our own backyard. Canada often receives praise for its human rights record and treatment of people. It is easy to forget that not all have access to this aspirational ideal. I know this bill is about the rights of child workers, but we cannot forget about the rights of workers in our own backyard.

Honourable senators, in 2017, Canada had an estimated 550,000 temporary foreign workers. It is inconceivable that Canada can justify upholding a system that devalues human lives in the interest of Canadians having fresh food on their tables.

Honourable senators, for countless years, temporary foreign workers have sustained our country's farms. These workers are brought to Canada to help us cultivate our food. Indeed, much of the fresh food on the tables of Canadians from coast to coast is cultivated by the hard labour of temporary foreign workers, mainly from Mexico and Thailand.

When we consider whether to pass Bill S-216, it is important for us to think of the rights removed from 12-year-old Bithi and the abhorrent conditions endured by the people in Canada whose work directly and profoundly benefits our lives and the lives of our families.

Honourable senators, let me describe to you the plight of temporary foreign workers. They come to our country mainly for harvesting season, and at its end most of them have to return home. While in Canada, workers are forced to live in substandard living environments and lack access to proper sanitation and hygiene necessities. Their rooms are overcrowded, forcing workers to be double-bunked. In the midst of these inadequacies, workers are forced to be alone, far away from their families and loved ones. Their families are not allowed to join them.

Due to this inadequate access to basic health and housing services, when they do inevitably become ill and require medical assistance, far too often temporary foreign workers are once again left alone to suffer in silence amidst a shameful national apathy for their suffering. At the termination of the year's harvesting season, workers are forced to return to their homes. However, due to the ongoing pandemic, many workers have been unable to leave or return to their homes. This year, when workers did eventually return to their homes, many Canadians realized —

some for the first time — that because of their hard labour in the midst of living in such terrible conditions, we are blessed with fresh food on our table.

Honourable senators, you will hear again from me about the plight of temporary foreign workers, but today I want to say to you that while we criticize other countries for the plight of their workers, especially the mistreatment of child workers, we too bring workers from other countries to our country and do not treat them well. Clearly, as Canadians, we need to make it known to our government that these practices are unacceptable.

Passing Bill S-216 is the first step in trying to correct these unacceptable conditions of existence endured by millions of people both abroad and in our own backyard. We can demonstrate our commitment to do so by supporting the bill's main initiative of protecting the rights of workers of all ages, including children, and ending forced labour around the world.

Moving forward, we know that there is still much work to be done. Honourable senators, I ask you to support this bill. As Senator Miville-Dechéne has said many times in her speech, this is the first step. Senators, let us now take the first step. Thank you very much.

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

An Hon. Senator: Question.

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.)

[Translation]

REFERRED TO COMMITTEE

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

(On motion of Senator Miville-Dechéne, bill referred to the Standing Senate Committee on Banking, Trade and Commerce.)

• (1930)

[English]

NATIONAL RIBBON SKIRT DAY BILL

SECOND READING—DEBATE ADJOURNED

Hon. Mary Jane McCallum moved second reading of Bill S-227, An Act respecting a National Ribbon Skirt Day.

She said: Honourable senators, I rise today to speak to second reading of Bill S-227, which would establish January 4 of each and every year as National Ribbon Skirt Day.

Through this bill, Canadians would have the opportunity to further their understanding and education of Indigenous culture and heritage, specifically the ribbon skirt, which is a symbolic piece of clothing used in Indigenous tradition.

I want to thank Chief George Cote of the Cote First Nation in Saskatchewan, as well as Isabella Kulak and her family for their strength and determination to be strong in who they are and their ways of being and knowing.

Colleagues, this bill represents an initiative that is very meaningful to many Indigenous people and communities across the country. Chief Cote of Cote First Nation, the home of Isabella Kulak, shared this statement with my office:

On behalf of Cote First Nation, we are honored to have January 4th as National Ribbon Skirt Day across our great Nation. Bella Kulak has demonstrated the importance of sharing our culture to other nations. Our First Nations, Metis, Inuit women are a symbol of life givers and their resilience in looking after the home fires is our strength to move forward. We thank Senator McCallum for bringing forward such a recognition and encourage all Parliamentarians to offer their support for this bill in the year of Truth and Reconciliation. Meegwetch from the Saulteaux First Nations of Treaty 4 Territory.

Honourable senators, I would now like to read a statement that was sent to my office by Isabella Kulak herself, the 10-year-old girl whose bravery and resolve turned an unfortunate incident into a platform for change through understanding and education. Ms. Kulak said:

Dear Senator McCallum —

— and by extension to all the senators —

My name is Isabella Susanne Kulak and I would like to start off by telling you what the ribbon skirt means to me. The ribbon skirt represents strength, resiliency, cultural identity and womanhood. When I wear my ribbon skirt I feel confident and proud to be a young indigenous girl.

When I was 8 years old I was gifted my very own ribbon skirt from my auntie Farrah Sanderson. I wore it with pride and honor to my traditional ceremonies and pow wow's. On December 18th 2020 it was formal day at Kamsack

Comprehensive Institute where I attend school, so I chose to wear my ribbon skirt just like my older sister Gerri. When I got to school a teacher assistant commented on it and said it didn't even match my skirt and maybe next formal day I should wear something else like another girl was wearing and pointed at her. Those words made me feel pressured to be someone I am not. I eventually took off my skirt as I felt shamed.

Today I no longer feel shamed and I feel proud and powerful enough to move mountains because I know that people from around the world are standing with me. I am very grateful to be Canadian, to be Indian and to represent my people by wearing my ribbon skirt proudly! Thank you to Senator McCallum and to all the people who supported me from around the world, from Canada and from all the First Nations across the nations of the earth.

Sincerely Isabella.

I want to thank Isabella for taking the time to provide such a profound statement so that her voice can be incorporated as part of the public record. I wanted Isabella to know that I wore my ribbon skirt today in honour of her.

I would also like to thank Chief John Dorion from Kaministikominahiko-skak Cree Nation — KCN — in Saskatchewan who wrote to our office to support the request to establish National Ribbon Skirt Day on January 4.

Colleagues, Bill S-227, while another step down the path to reconciliation, comes in response to an incident that occurred last December. As Chief John Dorion stated:

Just before Christmas in 2020, a school in Kamsack, Saskatchewan was protested because a 10-year-old student [Isabella Kulak] was shamed because she wore her ribbon skirt to school. After the shaming and due to hurt feelings, she went home, she took off her skirt and acted withdrawn. As a result of breaking news on the issue, the 10-year old has received support far and wide receiving skirts arriving from around the world. The young girl went back to school with members of her family wearing ribbon skirts and was drummed into the school. The division's education director admitted that the incident was a major error and accepted full responsibility for what happened. Since then, the Good Spirit School Division has apologized for what was believed to be racially motivated.

Chief Dorion goes on to say:

Research shows that the ribbon skirt is a symbol of womanhood and it's reflective of our identity and other Turtle Island Nations. The skirt is also sacred, spiritual and political. It gives strength to our young people and it reminds us that we are not alone and we are connected to our communities and generations of ancestors who are with us at all times.

Colleagues, in the article, "The Ribbon Skirt: Symbol of surviving cultural genocide" by Kelly Anne Smith, she interviews Tala Tootoosis, a Nakota Sioux, Plains Cree and

Mohawk woman about her healing journey. Ms. Tootoosis is a social worker, addictions counsellor, motivational speaker, partner, daughter and mother. She states:

We are not submissive. We are not quiet. We are not waiting for our Indian Warrior to come and save us. Or our prince to come and save us. We are waking up. We're getting up. We are taking care of our kids. We are getting degrees. We're getting sober. We're learning to sew, bead, quilt, paint, sing, dance, everything again.

We're learning to heal. We're lawyers. We're doctors. We're judges. And at the same time, we are women. We are capable of carrying life, creating life, with or without a man. But at the same time remembering the balance. The man has a purpose and we create a balance together.

She continues:

Ribbon skirt teachings are not about a woman learning not to get raped. It's teaching them to be empowered and that they already are resilient. Women already have power. A woman is protection because she is a woman. And when you have that understanding you learn boundaries.

Tootoosis states that the ribbon skirt is almost a declaration of being a survivor of attempted genocide. She says:

They tried to murder my grandmother. They cut her hair. They tried to beat and rape the language out of her. But she still taught me that it's okay to wear a skirt. She told me she was so proud of me. She was able to say that from her own lips. That's resilience. That's power.

She continues by saying that the power is in the ribbon skirt. She said:

You could be on your first day sober and put on the ribbon skirt and remember you are not what happened to you.

• (1940)

Honourable senators, this bill aims to provide social justice for Bella and other young Indigenous youth who must struggle against racism, colonialism and gender violence in their day-to-day lives. By keeping this request for a national day of recognition situated within a framework generated from and led by the Cote reserve, it ensures that the family's and community's tradition and intergenerational knowledge is secure while they're navigating modern Indigenous struggles. This bill would help to resist colonial images of Indigenous women, girls and transgender peoples.

The acts of resistance by women, including mothers, aunts, grandmothers, sisters and friends against ongoing violence and colonialism, is very important, as their resistive acts are models for young Indigenous girls. They are acts against cultural genocide. Both her mother and Isabella are no longer willing to leave their spirits at the door, and are ready to take that challenge to a different level; that is by bringing ceremony to everyday living, not only in their home, but taking it to the outside world.

In her paper, *Red Intersectionality and Violence-Informed Witnessing Praxis with Indigenous Girls*, Natalie Clark quotes Madeline Dion Stout in her powerful memoir of residential school. Within this, she describes how her parents' resilience is working through her now, and how even her triggers give her life. She said:

Their resilience became mine. It had come from their mothers and fathers and now must spill over to my grandchildren and their grandchildren.

This knowledge transfer of resistance and activism to youth is vital and it's ongoing.

According to Natalie Clark in her paper, she states:

Zitkala-Sa and other Indigenous feminists remind us again that again in their writing that violence has always been gendered, aged and linked to access to land.

Honourable senators, acts of resistance inform the Indigenous struggle for self-determination. Although Bella might have been unaware of her activism, she was already committed to actions that were anti-colonial and focused on the goals of transformation and liberation, free to express her cultural heritage and make people worldwide aware that she was helping to transform the colonial picture of Indigenous youth.

In the words of Indigenous scholar Linda Tuhwai Smith:

Storytelling, oral histories, the perspectives of Elders and of women have become an integral part of all Indigenous research. Each individual story is powerful. But the point about the stories is not that they simply tell a story, or tell a story simply. These new stories contribute to a collective story in which every Indigenous person has a place.

By doing what she did, Bella's story is providing space in which girls can be seen in the circle, and allows the world to better understand her experience of violence. Her act of resistance and education is medicine for her and other youth, and allows them to practise from a safe space.

Natalie Clark goes on to say:

. . . my mother-in-law [and I] . . . were discussing Indigenous girls who are strong, resilient young women in spite of the violence, abuse and ongoing colonial legacy that surrounds them. Together we questioned what made the difference in the girls who managed to navigate the "colonialscape" of adolescence and those who struggled. We both identified that in the health of the girls we knew the key role was played by their connection to culture and language, as well as by their strong female role models, including Elders.

Colleagues, Bella is to be commended for fostering a healthy resistance strategy and activism through wearing her ribbon skirt. I would also like to commend her parents, Chris and Lana Kulak, who have fostered these admirable values, in not only Bella, but

in all of their daughters. Chris and Lana Kulak also provided a statement to my office regarding the ordeal that their daughter Bella endured. I would now like to read that statement:

Dear Senator McCallum, it is with great humility and honour that my family makes comment on the events regarding the shaming of my daughter Isabella Susanne Kulak of Cote First Nations Saskatchewan.

It has been a long road for the First Nations people of Canada since the landing of European peoples on our great shores. Much has happened since that has been of great insult and injury to many people in this country of Indigenous descent, and much of it to do with race and interpretation of what it means to be Canadian and Indigenous.

Through the events that led to my daughter receiving national and international attention in regard to her wearing of her sacred traditional attire, her ribbon skirt, to school and her subsequent shaming by her teacher's aide, we have to come to a great crossroads that all of us as Canadians must recognize and come to terms with together as the great nation we are. We must face down and defeat the mighty enemy we call racism and intolerance. There is no time like the present to evoke change that will ultimately change the course of the history of Canada's relationship with the people who are the original landlords, the First Nations people across this country.

Our hope in all of this is that all Canadians see the relevance of what has occurred, and that this forever define what is truly unacceptable in our public institutions and our society as a whole. We as a family feel a strong sense of responsibility to all Canadians, both Indigenous and non-Indigenous, to create a safe space and a dialogue that will continue on in a mutual respect between nations that lasts for generations. The creation and discussion around Bill S-227 has brought hope that these discussions lead to a greater sense of pride for all our country's Indigenous peoples, and foremost a greater sense of urgency as it pertains to the reconciliation process and the decolonization of Canada.

In the words of the great artist Alex Janvier of my home province of Alberta, a true beacon of hope and perseverance and testament to the resiliency of Indigenous peoples of Canada, "The original landlords have returned to take back control of these lands. The Earth is us and we are the Earth."

As a residential school survivor and a true warrior in the battle for equality, Alex has shown us through his art what is possible when you never give up even when told that certain things are not possible. He and Bella have shown that anything is in fact possible.

For all the people in this country who have lived through racial intolerance and fought to preserve the inherent rights of Indigenous people, we thank you as a family and as a First Nation. I am proud that my Bella is so supported by so many in this country and around the world, and it is our

hope that all of this will evoke the change that is necessary to achieve true respect between nations and between peoples that reside here as Canadians.

'Bella the Brave' is how I refer to my daughter, and this has instilled a fiery resolve in all my daughters and my beautiful wife Lana who I love and respect very much. My family has taught me so much about what it means to be a daddy and a husband, and the ribbon skirt with its sacred cultural teachings and spirituality has galvanized us to be true change makers in our community and our country. I thank all of the native and Métis people as well as our Inuit family who fought so hard for so long to preserve and maintain our cultural traditions and identity. Without the sacrifice of our ancestors the Ribbon Skirt may have been lost long ago, and this National Ribbon Skirt Day is not only a testament to "Bella The Brave" but to all the brave warriors who came before her that never cease to amaze us when we read about them and the many obstacles that they faced every day of their lives because they were Indian. Let us always remember this National Ribbon Skirt Day as a true showing of the cultural and spiritual identity that is intertwined in the seams of the garment and the sacred hands that make them!

Kici Meegwetch — A great big thank you,

Christopher & Lana Kulak.

Cote First Nations – Kamsack Saskatchewan Canada.

• (1950)

Honourable senators, sacred stories move us deeply. They change us and they bring us closer together. Two essential elements of sacred stories; that these powerful vehicles tell us about ourselves and in that way transform us, while simultaneously connecting us to other fellow human beings. We are aware that some profound lesson has been imparted. As we continue to search for ways to heal ourselves, each other and Mother Earth, stories and storytelling will continue to flourish.

Colleagues, as listeners and receivers of the sacred story of Isabella Kulak, we in the Senate are essential partners in her resistance against the colonial presentation of Indigenous girls.

This bill, colleagues, is very short and very straightforward. Although being recognized federally, national ribbon skirt day would not be a legal holiday or a non-judicial holiday. To me, this bill is not only a helpful and important initiative of reconciliation, it is also a non-confrontational in its nature, scope and goal. It is my hope that debate on this can be swift and that, ideally, when the time comes, we can reach an agreement to have second and third reading votes occur back to back in the near future, without jeopardizing this bill by sending it to committee where it may face a prohibitive wait time. I will look forward to having the necessary conversations on this possibility in the days ahead.

Honourable senators, I urge all parliamentarians to join me in supporting this bill, as it shows that we collectively support youth through the healthy transitions into adulthood.

... we need ... to offer them support to resist stereotypes and to replace these with strong and affirming messages and images of themselves. This includes naming and challenging negative cultural messages and abuse of power in society.

Thank you.

Some Hon. Senators: Hear, hear.

(On motion of Senator Forest-Niesing, debate adjourned.)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE FUTURE OF WORKERS—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Deacon (*Ontario*), for the Honourable Senator Lankin, P.C., seconded by the Honourable Senator Pate:

That the Standing Senate Committee on Social Affairs, Science and Technology, when and if it is formed, be authorized to examine and report on the future of workers in order to evaluate:

- (a) how data and information on the gig economy in Canada is being collected and potential gaps in knowledge;
- (b) the effectiveness of current labour protections for people who work through digital platforms and temporary foreign workers programs;
- (c) the negative impacts of precarious work and the gig economy on benefits, pensions and other government services relating to employment; and
- (d) the accessibility of retraining and skills development programs for workers;

That, in conducting this evaluation, the committee pay particular attention to the negative effects of precarious employment being disproportionately felt by workers of colour, new immigrant and Indigenous workers; and

That the committee submit its final report on this study to the Senate no later than September 30, 2022.

Hon. Donna Dasko: Honourable senators, I rise today to speak in support of Senator Lankin's motion for the Standing Senate Committee on Social Affairs, Science and Technology to study the gig economy.

Her motion calls on the committee to examine the future of workers in order to evaluate a number of topics: How data and information on the gig economy in Canada are collected and the potential gaps in knowledge; the effectiveness of current labour protections for those who work through digital platforms and temporary foreign workers programs; the impacts of precarious work and the gig economy on benefits, pensions and other government services relating to employment; and the accessibility of retraining and skills development programs for workers.

The motion asks that the committee pay particular attention to the negative effects of precarious employment being disproportionately felt by workers of colour, new immigrants and Indigenous workers.

As a member of the Social Affairs Committee, I welcome this study and I am pleased to share my views about why I think the Senate should use some of our time and resources to better understand this sector of the economy.

As we heard from other honourable senators who have spoken before me, Statistics Canada defines the gig economy as:

... unincorporated self-employed workers who enter into various contracts with firms or individuals to complete a specific task or to work for a specific period of time.

When we speak of the gig economy and gig workers, we are referring to freelance work, temporary work and day labour. We are talking about people who many of us rely on every day, like on-demand online workers, Uber drivers and delivery people. We are also talking about personal care providers, musicians, people in the arts and so many others across many professions.

Gig work is nothing new. Recently, Senator Simons informed us that the word "gig" once referred to a fun activity, in fact, something that is done on the side. I would guess that many of us in this chamber have done such work at some point in our lives, whether or not that work was fun. For example, doing freelance writing, delivering newspapers, delivering groceries. My most memorable gig was a summer job I had so many years ago when my cousin Verna and I decided we would go out to work on a potato farm in East Selkirk, Manitoba. We reminisced about this gig for many years after that.

But what is new about gig work is the sheer number of Canadians who are turning to these precarious positions in an attempt to make ends meet.

We know that Canada's gig economy is growing faster now than ever before. Experts attribute this growth to an increase in easily accessible work delivered via online apps and on-demand services that allow anyone with access to a smartphone and the internet to take up precarious employment.

Between 2005 and 2016, employment in the gig economy grew by 70%, that's 700,000 more Canadians who participated in precarious labour over the period, for a total of 1.7 million Canadians.

What we do know about gig work suggests that the jobs coming online are not what we might call "good jobs." The research to date suggests that these jobs are characterized by insecurity, low wages, a lack of opportunity for job growth and limited social benefits. For example, the median net income from gig work in 2016 was about \$4,300. About half of gig workers relied solely on gig work while the other half supplemented other income with gig work. However, even with that additional income, nearly 50% of male gig workers and 45% of female gig workers found themselves in the lowest two quintiles of income distribution.

• (2000)

In terms of what gig work actually is, it is a feature of many industries and professions. Take the fields of arts, culture, recreation and sport where 25% of men and 26.6% of women working in these fields are gig workers. These professions represent the highest proportion of gig workers of any occupational field in Canada according to Statistics Canada, but precarious work shows up in some surprising places as well.

A study conducted by the Canadian Centre for Policy Alternatives provided a fascinating picture of professional occupations — those characterized by work requiring specialized degrees or credentials, a high level of skill and judgment, or work that is more intellectual in nature. And they found that 22% of all professionals have what they define as precarious employment. Of these workers, 60% were women, and their incomes were lower — no surprise — than those with stable jobs. Another important feature of these particular professional jobs was that the highest proportion of people were in the 55-to-64 age group, suggesting that precarious work is not just a feature of younger workers.

These and many other studies I have looked at give us a picture of some pieces of the gig economy, but I have to say that reading these studies has left me rather unsatisfied, not because of the quality of the data, which appears quite good, but because of the many questions left unanswered by these studies. Some of the dots do not entirely connect.

Take, for example, all of the terminology that is used to describe these jobs: gig work, precarious work, contract work, temporary work, part-time work, freelance work and so on. When I hear these terms, I envision endless Venn diagrams with overlapping circles and gig work somewhere in the middle of this diagram. How do these jobs, these characteristics, fit together? That's one question.

And then there is the bigger picture: Where do these jobs fit into the larger economy? Is our economy actually moving full speed into this type of job structure, or are we still creating large numbers of traditional full-time, full-year jobs? Are gig jobs a parallel development, or are they a substitute development?

The House of Commons Standing Committee on Human Resources took steps to understand these emerging concerns in their 2019 study into precarious employment. However, their study led to more questions than answers. They ended up, in their final report, calling for greater clarity and better data to understand and address precarious employment, including compensation, job security, working conditions and opportunities for career development.

Our committee can examine several developments. We can unpack the concepts and job characteristics in the gig world and understand how they are connected to each other. We can look at the demographics of gig workers more closely to see how women and men, different age groups and racialized groups are represented and intersect. We must examine the working conditions, job opportunities or lack thereof, job security, job benefits and pay of gig workers. We can explore how larger supports and public policies, such as employment insurance, transfer payments, guaranteed income, minimum wage and job retraining might play a role. And we can look at the macro picture of the economy and how gig work fits in. What proportion of all new jobs are gig jobs?

Last but not least, we must look at how the COVID-19 pandemic has impacted gig work. Statistics Canada has recently noted that income losses from COVID are likely to be more severe for young gig workers who more often rely on this income as their sole source.

The Senate can add to this discussion. We have the tools to do a deep dive into this topic, to look at micro-developments and macro-developments, to hear from individuals and to learn more about the big picture.

I will propose that, as part of this work, we at the committee undertake a focus-group study so that we can learn first-hand about the challenges of gig work and, yes, even the opportunities of such work. Such a focus-group study would include workers in different occupations and industry sectors, such as artists, professional people, those who access their work through digital platforms, day labourers and others. This exercise will be, I think, a vital learning opportunity for the committee and for the Senate.

Senators, in conclusion, although many of us have held a gig job at one point or another, gig work is not our life's work. But, increasingly, if trends continue, it may be the life's work for many Canadians.

I'm excited by the prospects of this study, and I encourage all senators to support this motion. I think we can accomplish a lot. Let's move forward with this study now. Thank you, Senator Lankin, and thank you, colleagues.

(On motion of Senator Martin, debate adjourned.)

THE SENATE

MOTION TO CALL ON THE GOVERNMENT TO ADOPT ANTI-RACISM AS THE SIXTH PILLAR OF THE CANADA HEALTH ACT— DEBATE CONTINUED

On the Order:

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

That the Senate of Canada call on the federal government to adopt anti-racism as the sixth pillar of the Canada Health Act, prohibiting discrimination based on race and affording everyone the equal right to the protection and benefit of the law.

Hon. Marilou McPhedran: Honourable senators, I am now continuing to speak in support of Senator McCallum's motion that the Senate of Canada call on the federal government to adopt anti-racism as the sixth pillar of the Canada Health Act, prohibiting discrimination based on race and affording everyone the equal right to the protection and benefit of this law.

The facts available to us currently indicate a disproportionate burden of racism in health care imposed on patients of Indigenous origin. In just the last few months, more than 9,000 people took part in the B.C. investigation of racism directed at Indigenous people in B.C. health care systems, and more than 600 cases were reviewed.

Professor Mary Ellen Turpel-Lafond, the chair of this provincial inquiry, says the findings were disturbing. For example, 85% of Indigenous people said they had experienced racism and discrimination at the point of care. One third of non-Indigenous health care workers provided information about a racist incident they personally witnessed. Of Indigenous health care staff, 52% said they experienced direct racism from their colleagues.

The current five principles of the Canada Health Care Act are public administration, comprehensiveness, universality, portability and accessibility. While significant and essential, they seem abstract and inadequate when certain Canadians, based on prejudice against their identity, may be ignored to death, as Brian Sinclair was in Manitoba.

• (2010)

Allow me to quote from the open letter senators received about the death of Brian Sinclair:

There are two central yet contradictory stories about Canadian health care that dominate our nation's history: the first is the rise of guaranteed access to health care for all Canadians, and the second is the decline in health and persistent gap in healthcare services between Indigenous and non-indigenous people in Canada.

This gap is well documented. Studies of the experience of Indigenous peoples from various regions in Canada have indicated that well over 40% have experienced unfair treatment

as a result of racism. In one study, the treatment was so severe that Indigenous patients reported planning how to manage the racism they would experience before seeking emergency medical care.

On March 17 this year, Senator Yvonne Boyer rose to bring the voices of racialized women who have been sterilized without consent into this chamber. Senator Boyer reminded us that this horrific practice has affected many generations of Indigenous women and girls and, tragically, it continues to happen, with cases being reported publicly as recently as 2018. She also reminded us that there are reports from Black women, women living with disabilities and intersexed individuals who have been sterilized without consent.

Infant mortality rates, a key indicator of population health, are twice as high for Indigenous groups compared to the non-Indigenous population.

These are troubling statistics that are a composite of many factors, but we must not ignore the intersectionality. We must factor in the continuation of historical, systemic violence against Indigenous and other racialized peoples in Canada that can be seen and experienced in our health care systems today.

The 2016 report of the United Nations Expert Mechanism on the Rights of Indigenous Peoples, with a focus on children and youth, acknowledges that the right to health is an indispensable element of Indigenous peoples' very existence and the central component of their right to self-determination.

Colleagues, it is our duty to ensure that Indigenous patients have equitable access to proficient and compassionate health care services and not continue to subject them to colonial racism still embedded in our health care systems, conscious and unconscious, when they are most vulnerable as patients.

Beyond the provision of health care, we must reflect on the social determinants of health that are more insidious in their intersectional impacts on health, including the history of colonization, cultural oppression and socio-economic disparity. Given the trust so many have in the Canada Health Act, it is assumed by many that anti-racism is woven inextricably into how health care providers understand and act upon every one of the existing five pillars of this law.

However, while it is logical that the principles of comprehensiveness and universality should automatically exclude discriminatory treatment and conduct, I am truly sad to have to state that the facts counter these comfortable assumptions. The proof is in the statistics, which tell us that what is currently in the Canada Health Act is just not enough, given that this law is at the heart of our national health care system.

Formalizing anti-racism as a pillar in the act would be explicit recognition that systemic racism exists in our health care system and would be an invitation for the development of policies and practices to reduce the prevalence and impact of racism in health care and to provide a platform for impactful regulations that strengthen equitable access to health services for all.

One element of that response could be the mandating of cultural competence and safety training, such as will be provided by the Provincial Health Services Authority in British Columbia. This includes programs that provide education on terminology, diversity, aspects of colonial history and the examination of stereotyping and cultivation of tools for communicating and building relationships with Indigenous patients as a means to make health care services more relevant, respectful and effective.

Honourable colleagues, it should not be the case that an individual seeking help at a medical facility, surrounded by medical staff, can suffer from the negligence and abuse that Joyce Echaquan documented as she lay dying in a Quebec hospital. Nor should it be possible that any wellness check results in the fatality of the person needing help. Yet in recent months, we have seen exactly that dangerous, even lethal, conduct. We can only address the systemic inequalities if we first acknowledge they exist and face how they impact on Indigenous and other racialized people, their families and communities.

Canadians regularly choose our national health care coverage as a top priority, essential to keeping Canada a strong democracy. The Canada Health Act is the federal legislative embodiment of these Canadian values and our aspirations for a stronger, healthier Canada. By supporting this motion, senators would clearly signal leadership in anti-racism action by recommending the articulation of a sixth pillar in the Canada Health Act that would result in prohibiting discrimination based on race and affording everybody the equal right to the protection and benefit of the law.

Let us welcome this opportunity to lead, by demonstrating that we go beyond words and to the action of recommending the addition of a sixth pillar to the Canada Health Act that identifies and creates a foundation for eliminating racism from our national health care systems. After all, sometimes we get to be the place of sober and innovative first thought.

Meegwetch to you, Senator McCallum, for your leadership in introducing this motion and thereby encouraging us to look more closely beyond naming a problem to envisioning a means of making crucial changes in response. Thank you. *Meegwetch*.

(On motion of Senator Pate, debate adjourned.)

LONG-TERM CARE SYSTEM

INQUIRY—DEBATE CONTINUED

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. Peter M. Boehm: Honourable senators, I rise this evening to add my voice to Senator Seidman's inquiry on Canada's long-term health care system. I thank Senator Seidman for her leadership in sparking a much-needed conversation about the state of Canada's long-term care homes.

This is an issue very close to my heart. My own parents, who were lucky to be able to remain in their home, have recently moved into an assisted living long-term care residential home. As the father of a son with autism who lives in a group home, I also understand the fear that comes with entrusting the care of a loved one, whether it be a senior citizen or someone with a disability, to the long-term care system. I think of this particularly because many long-term care residents, particularly elderly people, have cognitive disabilities.

Colleagues, the conversation prompted by this inquiry is long overdue. The pandemic and its results only serve to underscore the urgency.

The year 1984, as we just heard from Senator McPhedran, was a turning point in the history of Canadian health care. The Canada Health Act not only became the legislative instrument for our publicly funded health care insurance but also became a source of national pride. It enshrined in law the central purpose of Canada's health care policy, to "protect, promote and restore the physical and mental well-being of residents of Canada." Long-term residential care is part of this act.

• (2020)

Indeed, back in 1984, Canada committed to provide its senior population with a safe environment in which they could be cared for. However, for too many seniors, this commitment has not been fulfilled. For a long time now, the conditions in long-term care homes have not been entirely aligned with the principle guiding our national health care policy. As we all know, colleagues, there are indeed positive examples, and we have heard them in this chamber, but for many the reality has been quite different.

Since the onset of the COVID-19 pandemic, we have not ensured the safety of seniors in long-term care homes. I will let the numbers speak for themselves. Seniors living in nursing and retirement homes have been 77 times more likely to die from the virus than those living in their own homes. In fact, a report from the National Institute on Aging showed that 80% of COVID-19 fatalities in Canada were residents of long-term care homes, and 28% of long-term care facilities across Canada experienced outbreaks.

The situation in long-term care homes has not been the same across provinces and territories. It is particularly troubling in my home province. In Ontario, 43% of long-term care and retirement homes reported outbreaks. When the Canadian Armed Forces were called in to help in April of last year, many residents were in dire straits. Some were malnourished, dehydrated and left in soiled undergarments, while others had untreated pressure wounds and infections. Many died of complications from COVID-19 alone and in despair, without the dignity all human beings deserve. Yet issues in the long-term care system are nothing new.

As Senator Seidman and other colleagues rightly pointed out, the pandemic only brought to light the existing vulnerabilities within our long-term care system. Before COVID-19, long-term care homes in Ontario experienced seven times the rate of outbreaks of infectious diseases compared to hospitals. Colleagues, Canadians have been losing confidence in the long-

term care system for many years. Indeed, over three quarters of Ontarians would rather not receive care in long-term care homes. This pandemic simply shows the damaging impact that failing to address a long-standing issue can have on the well-being of our society.

Reform in the long-term care system is long overdue. There is not enough time for me to address all the issues within our long-term care system, however I will outline a few.

Personal support workers account for the largest proportion of employees in the Ontario long-term care sector. From eating to dressing, bathing to toileting, they care for our loved ones with compassion, empathy and patience. PSWs also provide services in personal homes, as was the case for my 92-year-old parents. However, inadequate working conditions make it difficult for the province to keep PSWs. While the services provided are excellent, there is often bureaucratic dysfunction and confusion in the administration of these services.

My parents experienced this first-hand in their in-home services: too great a rotation of PSWs, uneven coordination of service times and an evident lack of training. Indeed, one quarter of PSWs leave the long-term care sector annually, while almost all of Ontario's long-term care homes have difficulty filling shifts and recruiting staff.

Colleagues, minimum wage and no paid sick leave do not do much for employee retention. Chronic under staffing means PSWs work under stressful conditions. Many are newcomers to Canada and understandably may have challenges adapting. While they are dedicated to providing the dignified, respectful care that seniors deserve, the work overload can sometimes prevent them from doing so. This is particularly worrisome given Ontario's 2010 Aging At Home Strategy, which introduced stricter admission criteria.

Since then, long-term care homes only admit seniors who meet a very high care-need threshold. This means that residents in long-term care homes need more medical and personal care. It is a sad fact that many PSWs will also experience violence as well as verbal abuse from those they are helping. Colleagues, these are the people who, in these times of self-isolation, are often the only company our seniors have.

Understaffing is worse in for-profit long-term care homes. In Ontario, for-profit nursing homes employ 17% fewer staff than non-profit ones. The impacts are undeniable. During the pandemic, Ontario's worst hit long-term care homes were all for-profit. A study by the *Canadian Medical Association Journal* found that for-profit status is an important risk factor in terms of the size of a COVID-19 outbreak in a long-term care home. Indeed, when for-profit long-term care homes were experiencing an outbreak there were "twice as many residents infected . . . and 78% more resident deaths . . . compared to non-profit homes."

More worrisome is the lack of enforcement from the Ontario Ministry of Health and Long-term Care, which left many long-term care home operators facing few consequences for their inadequate measures to protect the health and safety of residents.

Between March and October of last year, as few as 11 of the 626 long-term care homes in Ontario received proactive inspections — and this during a pandemic when residents of long-term care homes have been hardest hit.

Colleagues, it seems that the well-being and safety of seniors have been compromised for increased profit margins. The sad reality is that we are not investing enough in these homes to meet the ever-growing demand of our aging population.

In Ontario, only 7% of overall health care spending goes toward long-term care. In fact, according to the Financial Accountability Office of Ontario, between 2011 and 2018 the Province of Ontario maintained a steady number of long-term care beds with only 0.8% growth, while during the same period Ontario's elderly population grew by 20%. As a result, in 2018-19, there were nearly 35,000 seniors waiting for long-term care beds in Ontario, while the Office of the Premier reported that this number reached 38,000 in July of last year.

Underfunding of long-term care homes has a ripple effect on the overall health care system. Hallway medicine in hospitals is particularly troubling. One quarter of long-term care residents are placed directly from hospitals, where they spend, on average, 54 days occupying a hospital bed after no longer requiring hospital care. They are simply waiting to be transferred to a long-term care home.

The problem was so big that the Ontario government created the Premier's Council on Improving Health Care and Ending Hallway Medicine. In their January 2019 letter to the Premier of Ontario and the Minister of Health and Long-Term Care, the council decried the wait time of 146 days to access a long-term care bed. It has since become 161 days.

Compared with other OECD countries, Canada spends almost one third less on publicly funded long-term care. In Ontario, of a \$63.5-billion annual health care budget, a little over \$3 billion is spent on home care, of which some \$2 billion is for direct services and \$1 billion for administration.

Indeed, there is much for Canada to learn from our friends in Europe, where governments have performed much better regarding the well-being of their seniors during the pandemic. *The Globe and Mail* health reporter André Picard's excellent new book *Neglect No More* offers examples from other jurisdictions that could serve as lessons for Canada. The overwhelming trend in the Nordic countries, as well as in the Netherlands, Germany and France is to offer more services in the home for those requiring them for as long as possible. Why should our seniors pay up to \$10,000 or more of their savings monthly when they could receive services in the comfort of their own homes?

Since the onset of the pandemic, the consequences of failing to provide higher standards of care in the long-term care home system have shocked Canadians. Yet for years reports were made, calls for action were sent out and warnings were given. All were focused on the same thing: the critical need to reform the conditions of long-term care homes.

Colleagues, as parliamentarians, the decisions we take or do not take impact the lives of Canadians. It is part of our role as senators to bring forward issues in need of attention. This pandemic has shone a harsh and brutal light on the plight of seniors in Canada.

Governments across our country should learn from this experience and develop policies and standards that do not simply sit on the shelf but are acted upon. We need an active task force, not just another study. This will require both budget and leadership. We must heed the call of the Canadian Association for Long Term Care to ensure that long-term care homes have the resources they need to provide the level and type of care our seniors deserve. Establishing national standards should be part of this.

I wish to thank Senator Seidman again for her leadership on this issue in the Senate. I also wish to thank all our colleagues who have spoken. It is an incredibly difficult subject. Action is critically needed in the long-term care sector. Elder care is one of the most urgent social policy challenges we face in our society, regardless of where we live in our great and vast country. It requires order, common sense and funding. As the past months have shown, the lives of seniors in our communities — and looking ahead, our very own lives — depend on it. Thank you.

(On motion of Senator Omidvar, debate adjourned.)

• (2030)

LINK BETWEEN PROSPERITY AND IMMIGRATION

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Omidvar, calling the attention of the Senate to the link between Canada's past, present and future prosperity and its deep connection to immigration.

Hon. Tony Loffreda: Honourable senators, today I deliver a speech on inquiry No. 10, a subject near and dear to my heart: Canada's deep connection to immigration and our country's prosperity. This was originally intended to be my maiden speech in the chamber. I thank Senator Omidvar for reintroducing her inquiry and our Senate working group on immigration for their commitment to this issue.

I will never forget the pride I felt when I, the son of immigrant parents, took the oath of allegiance in Canada's upper chamber. To have my family sitting in the gallery that day was a moment I will never forget. A lot has happened since my swearing in ceremony over a year ago. We have been plunged into a global health crisis that has had devastating economic and social

impacts at home and abroad. I would be remiss if I didn't offer my heartfelt thoughts and prayers to all those who have been affected by this pandemic, and particularly to those who have lost loved ones.

My time in the Senate so far has been unconventional in many ways, but it has been, and continues to be, the greatest honour of my career to serve Canadians in this chamber. I will not take this privilege for granted.

[Translation]

I am fully committed to representing the province of Quebec to the best of my ability. I'm proud to be the son of immigrants who chose to make Montreal their home. I want to thank my parents for making that choice.

[English]

As senators, we are here to serve and work for all Canadians but also to represent, defend and advocate for minorities. *Grazie per il vostro sostegno. E a tutti gli italo-canadesi, la mia porta è sempre aperta.*

My family's history is like the story of thousands of other families who saw Canada as a land of hope and opportunity. My parents left Italy and landed by ship at Ellis Island in New York City in the spring of 1962. They came and crossed over to Canada immediately. My mom was well into her pregnancy with me. I was born in Canada. I am very proud to be Canadian and grateful for this dual heritage.

My parents worked in factories all their lives. My mother was a top seamstress. I still have vivid memories of her with a needle and thread, making us clothes. My dad, on the other hand, worked at a mattress factory, receiving 27 cents for every mattress he completed. Sunday nights were stressful in our household. I would sit with my dad and count every labour ticket, calculating how much he had made that week. Some Sundays, I could see the fear in his eyes as we counted; would it be enough for the week ahead? My dad usually worked overtime until 9 p.m., and for many years my mother also worked night shifts starting at 5 p.m. Life wasn't easy. I remember babysitting my brother Nick right after school, until my parents came home at night. I was 10 years old, and he was my one-year-old baby brother. Three years later, my sister Vera joined us in 1975 and the Loffreda bunch was complete.

It wasn't uncommon for immigrant families like ours to have challenges making ends meet. If there's one thing I've learned, it is that resilience is a trait shared by many immigrant families. As much as our life experiences can be difficult, they can also be rewarding, and with that comes important life lessons. Lessons of grit and perseverance. Immigrants often succeed personally and professionally in part because of their principles and values.

In my own life, as a first-generation Canadian of Italian origin, I have found the following fundamental principles to be paramount. Integrity is non-negotiable. This principle guided me throughout my 35-year career in the financial industry and will guide me forever. Collaboration and service; working together and supporting one another for the greater good of our communities and our families. Selflessness — a value shared by

my parents and many religions and cultures — has been essential in my life. Responsibility and accountability, because in caring for our siblings and our family, we all had our part to play.

When it came to the strength of our community, and later on to my own thoughts on good leadership, it was clear that passion and ambition were also key. A lesson I now pass on to my children is that we will not only be remembered by what we say but also by what we do and how we do it.

Although there is common ground between many immigrants and their stories, I also recognize that the immigrant experience is vast. One common thread throughout our history is the fact that immigrants have largely been successful in integrating and contributing to our economy and our country. I know they will continue to do so, whether from the seashores of Portugal, the plains of Syria or from a small town in Italy called Dragone, where my father was born.

[Translation]

Immigration has been integral to Canada's success since its early days. More importantly, it will be essential to our continued growth. Even so, Canadians remain divided on this issue. In the past year alone, surveys have shown a range of opinions on Canada's immigration targets.

A few weeks before the pandemic hit, Abacus Data conducted an opinion poll on the subject of immigration. Fifty-five per cent of the respondents believed that the best way to grow the economy is to reduce immigration. However, 72% agreed that our history shows that greater economic growth goes hand in hand with higher immigration rates.

A recent survey by Leger Opinion and the Association for Canadian Studies showed that 52% of Canadians are opposed to increasing immigration rates because of the pandemic and want current low levels to remain in place for at least a year.

Fortunately, a Focus Canada study conducted in mid-September offers encouraging results. According to this study, two thirds of Canadians now reject the idea that immigration levels are too high, and more than 8 in 10 agree that immigration has a positive impact on the Canadian economy. About the same proportion of people reject the view that immigrants take jobs away from other Canadians.

On the contrary, esteemed colleagues, immigrants continue to contribute to our economy in impressive numbers. Immigrants do not steal jobs, they create them.

The pandemic restricted immigration in 2020, but I sincerely believe that we need to continue to encourage high immigration rates once we emerge from this crisis.

As a former banker, I won't surprise anyone by taking a moment to point out how much immigrants contribute to our economy and, of course, to the prosperity of our country.

The Business Council of Canada had this to say a few months ago, and I quote:

There is widespread agreement across party lines that immigration is essential to long-term economic growth. Newcomers bring energy, skills, new ideas and entrepreneurial spirit. They start companies, fill skill shortages . . . and pay taxes.

[English]

Honourable senators, consider these findings: In a recent speech, Canada's Minister of Immigration, Refugees and Citizenship Marco Mendicino pointed out that one in three businesses are owned by immigrants, creating numerous jobs, and immigrants make up about half of our hospitality sector workers, one third of our health care workers and one third of our transportation service workers. In other words, three important sectors of our economy are being carried in great part by our immigrant population.

Most recently, Anil Arora, Canada's Chief Statistician, spoke to our working group on immigration and shared with us some revealing data. For example, he pointed out that immigrant-run businesses are more likely to export and enter new markets, and they are also more likely to expand operations in 2021. You can't dispute the facts — immigrants are key to our current and future prosperity.

In March 2016, Statistics Canada also released a report that showed "that rates of private business ownership and unincorporated self-employment were higher among immigrants than among the Canadian-born population." This reiterates the fact that immigrants are job makers, wealth creators and taxpayers.

• (2040)

As Bruce Anderson from Abacus wrote:

When immigration is up, our GDP is higher; when levels are lower, the opposite happens.

What does this mean? Immigration is probably the single best — and most crucial — economic and fiscal choice Canada could make. It's not a nice "to do," it's a need "to do."

Furthermore, Canada's demographics are shifting. The fertility rate is dropping. Yes, I'm still waiting for grandkids. Baby Boomers are retiring at warp speed, and life expectancy is up. As Mr. Anderson further writes:

We're on a fast track to having more old people who need support, and fewer workers to help carry the load.

Minister Mendicino addressed this very issue recently, stating that our workforce has gone from having seven workers for every retiree in 1971 to only four today. And we anticipate it will be two workers per retiree by 2035. Think about that one. What does this actually mean for Canada? In clear terms, it means we need immigrants. We need more people active in the workforce, contributing to our economy and paying taxes to help support our social programs and our aging population.

The contributions of immigrants to our society extends way beyond the job market. I'm hopeful other senators participating in this inquiry will help further the discussion and explore other angles such as: our overall cultural diversity; our multicultural post-secondary institutions; our global reputation and foreign trade; and our intellectual capital.

There's no doubt that our immigration system and integration policies are imperfect, but they have served us well for decades. When analyzing the data, we soon realize that immigrants have been quite successful in joining the labour force. For example, in 2019, when our unemployment rate was 5.7%, the unemployment rate for landed immigrants was only slightly higher at 6%. If we look at immigrants who have been here for five years or less, that unemployment rate is 9.5%. It's worth noting, however, that the unemployment rate for immigrants who have been here for 10 years or more is only 5%, which is lower than the national average for the entire population, which was 5.7% in 2019.

Therefore, over time, immigrants integrate very well into our labour force. And so the question is: What can be done to speed up integration and reduce the labour force gap between newer and older immigrants?

I know the government is committed to finding solutions and ameliorating the overall system as it continues to welcome new Canadians in a safe and orderly fashion, even under difficult circumstances. I also think the Senate is the perfect venue to study this issue — perhaps in one of our standing committees — and provide the government with a road map on how to improve our immigration policies and integration strategies.

In 2019, the OECD published a report in which it praised Canada for having “the most carefully designed and longest-standing skilled migration system in the OECD,” saying our system is “widely perceived as a benchmark for other countries, and its success is evidenced by good integration outcomes.”

Colleagues, we have an opportunity before us to ensure that Canada remains a beacon to attract the best and brightest from around the world while continuing to focus on family reunification and refugee resettlement. We must capitalize on our global reputation and accelerate immigration once this crisis is over.

Thankfully, the government agrees. The government recently announced its immigration plan for the next three years, setting out a path for responsible increases to immigration targets to help the Canadian economy recover from COVID-19, drive future growth and create jobs.

The government is committed to making up for the time lost due to the pandemic. Between 2021 and 2023 it hopes to welcome 1.2 million immigrants.

To foreign nationals who will one day make Canada their home, I say, “Welcome home.” But more importantly, I say, “Thank you. Thank you for choosing us.”

[*Translation*]

Honourable senators, there's no doubt that Canada is the best place in the world to live, and I truly believe that the generosity and openness of Canadians is why so many people outside our borders want to join our great Canadian family. Senator Omidvar's initiative is a perfect opportunity for us to celebrate immigration in all its glory and to advocate for better policies and support programs.

[*English*]

As I conclude, I want to say thank you. Thank you to Canada for being a beacon of hope and dreams for so many immigrants. I thank Canadians for embracing my family and all immigrants, for allowing them to succeed and above all for allowing them to feel at home in this Nordic, yet warm country.

We have such a rich history of successful immigration policies, and I am confident our reputation as a great host country will continue well into the future.

Colleagues, thank you for your attention. It is an honour to be working in this chamber with you. And I look forward to continuing to fight hard, together, in service of a brighter tomorrow. Thank you. *Meegwetch*.

(On motion of Senator Woo, debate adjourned.)

THE HONOURABLE LILLIAN EVA DYCK

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cordy, calling the attention of the Senate to the career of former senator the Honourable Lillian Eva Dyck.

Hon. Rosa Galvez: Honourable senators, I rise today to pay tribute to an exceptional senator who graced the senate with her passion, poise and rigour— a great woman who showed intelligence and courage in her parliamentary work.

As many have said before me, Lillian Dyck was a trailblazer in the Senate. As an accomplished academic and neuroscientist, she brought science and evidence-based policy to Parliament. She also set the tone for a more inclusive and respectful Senate. She constantly brought to light Indigenous issues, especially concerning women, and she fought adamantly for the rights of Indigenous people.

Right up until she left the Red Chamber, Senator Dyck worked tirelessly to make it a respectful, harassment-free and truly honourable space, notably through her last inquiry. She launched this inquiry after her harassment complaint against a senator was rejected by the Human Resources Directorate under the advisement of the Law Clerk and Parliamentary Counsel of the Senate because parliamentary privilege trumped the anti-harassment policy from 2009, even though the policy was silent on the matter.

Colleagues, this is quite relevant, as the new policy proposed by CIBA goes even further in this direction of providing no specific recourse for harassment, even for staff who are not senators, where harassment occurs during parliamentary proceedings, which is “broadly defined.”

In February of this year, Senator Dyck explained that there is no adequate way for a senator to bring up a complaint of harassment by another senator during Senate proceedings, and that the application of parliamentary privilege in the context of the current harassment policy, which was repealed before, was heavily biased. Allow me to quote the following:

... the application of privilege in the Senate harassment policy is one-sided. While the parliamentary privilege of the harasser is taken into account to protect them, that of the victim is overlooked. The victim too should have their privilege taken into account, so that they can carry out their parliamentary activities free from any undue interference or obstruction caused by harassment.

• (2050)

The unacceptable harassment Senator Dyck had to endure during parliamentary proceedings and the handling of her complaint both raise serious ethical, procedural, administrative, legal and, most importantly, parliamentary issues that this chamber must address.

[Translation]

Colleagues, harassment problems and violence against women, especially in politics, are nothing new. Women have historically been victims of harassment in every aspect of their lives, including their career. For many years now, movements such as the #metoo movement have been exposing the harassment experienced by women. Just recently, serious allegations and concerns of harassment by a senator made the headlines across Canada. The Senate is not immune to harassment, not even by its own peers.

It was confirmed in this chamber a few months ago that the Human Resources Directorate blocked more than one harassment complaint in 2019, each one concluded by the recourse to the infamous parliamentary privilege, which seems to excuse senators of any behaviour that would be unacceptable anywhere else.

The United Kingdom, New Zealand and Australian parliaments have managed to modernize their definition of parliamentary privilege to bring it in line with a more contemporary vision.

Are we content to remain complacent about the harassment our Senate colleagues are facing? Is it acceptable that in this upper chamber, a place where senators review legislation and consider matters of national importance, we tolerate a professional environment of inequality and verbal and mental abuse?

In 2019, the Inter-Parliamentary Union, of which Canada is a member, presented its Guidelines for the Elimination of Sexism, Harassment and Violence against Women in Parliament. According to this publication, 82% of female MPs who took part in a study said that they had experienced psychological violence during their time in office. What is worse, only 21% of the participating parliaments had a policy on sexual harassment against MPs, although the Senate of Canada is proof positive that the existence of such a policy does not ensure the protection of employees or senators.

[English]

During its comprehensive study on the matter, the National Inquiry into Missing and Murdered Indigenous Women and Girls has demonstrated the following:

First Nations, Inuit, and Métis women, girls . . . live with an almost constant threat to their physical, emotional, economic, social, and cultural security.

Not only does this need to be eradicated across the country, but it has no place in one of its highest institutions. Lillian Dyck will be honoured if the Senate tackles boldly and stops all kinds of violence against women. I believe that the vast majority of you, colleagues, want to improve respect, collaboration, trust and decorum in this chamber. I know this is a priority for the ISG, as revealed by a recent vote.

For a period of time this year, the Senate again reached gender parity, a first in a major national institution in Canada. This comes as we celebrate the fiftieth anniversary of the report on gender equality by the Royal Commission on the Status of Women in Canada.

We are equipped more than ever to understand the issues of harassment and to address them with adequate and efficient tools that include both a changing culture and a solid anti-harassment policy.

The February 2019 report on modernizing the Senate anti-harassment policy from the CIBA Subcommittee on Human Resources recognizes this necessity to modify to account for

parliamentary privilege in four different places in the report, but it does not provide the details of how to do so. The sources provided also do not provide details on how to do so. I note with concern that, unlike our previous anti-harassment policies in the Senate and the brand new harassment and violence prevention policy approved today, we're silent on the matter of parliamentary privilege. Yet, it is our choice as a whole to waive parliamentary privilege in the case of harassment. It's our choice as a whole to embed harassment with our code of ethics, as harassment is an ethical issue.

The new policy explicitly proposed to exclude all parliamentary proceedings from the process because of parliamentary privilege. Colleagues, as Lillian Dyck will say, if we are taken out of the decision, then our parliamentary privilege has been breached.

How can we explain this to the public? Both houses of Parliament have to implement Bill C-65. One did so with a policy that does not explicitly exclude parliamentary proceedings from its application, while ours explicitly leaves victims during parliamentary proceedings without recourse except calling out harassers on the chamber floor if they are lucky to be senators.

Forging ahead without change would not bring justice to our former colleague. To truly honour Senator Dyck's trailblazing legacy, we must act on this important issue that she had the courage to bring to our attention.

Colleagues, Senator Dyck has been a pioneer, teacher, mentor and friend who deserves all the praise for her exceptional contribution to Canada. I already greatly miss her insight, intellect and her professionalism. Thank you for all that you have done, Lillian. Now that you have passed the baton to us, may you enjoy your well-deserved retirement from the Senate. Thank you. *Meegwetich.*

(On motion of Senator Duncan, debate adjourned.)

[Translation]

OFFICIAL LANGUAGES

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE APPLICATION OF OFFICIAL LANGUAGES ACT AND RELEVANT REGULATIONS AND DIRECTIVES AND REFER PAPERS AND EVIDENCE SINCE BEGINNING OF FIRST SESSION OF FORTY-SECOND PARLIAMENT—DEBATE

Hon. René Cormier, pursuant to notice of November 19, 2020, moved:

That the Standing Senate Committee on Official Languages be authorized to study and to report on the application of the *Official Languages Act* and of the regulations and directives made under it, within those institutions subject to the Act;

That the committee also be authorized to study the reports and documents published by the Minister of Canadian Heritage, the Minister of Economic Development and Official Languages, the President of the Treasury Board and the Commissioner of Official Languages, and any other subject concerning official languages;

That the documents received, evidence heard and business accomplished on this subject by the committee since the beginning of the First Session of the Forty-second Parliament be referred to the committee; and

That the committee submit its final report no later than December 17, 2021, and that the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

He said: Honourable senators, considering the motion that we just adopted to authorize committees to meet, I don't know whether I need to have this motion adopted, but I will move it anyway just to be sure.

• (2100)

The Hon. the Speaker pro tempore: Senator Cormier, it is now nine o'clock and I must therefore adjourn the sitting. You'll be able to continue the debate on your motion at the next sitting.

(At 9 p.m., pursuant to the orders adopted by the Senate on October 27, 2020 and December 17, 2020, the Senate adjourned until Tuesday, April 20, 2021, at 2 p.m.)

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