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Thursday, March 31, 2022

The Honourable GEORGE J. FUREY,
Speaker

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THE SENATE

Thursday, March 31, 2022

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

Prayers.

SENATORS' STATEMENTS

CULTURAL DIVERSITY

Hon. Patricia Bovey: Honourable senators, “representation,” and “to be representative of” are at the core of arts programming challenges in today’s realities, and especially so with COVID-19’s current status.

Arts organizations are opening. Programming has begun and audiences are returning, though uncertain. At this time of reopening, many organizations are seriously working in new ways to represent and reflect their diverse communities.

Two recent visits in British Columbia were particularly inspirational for me. The University of British Columbia’s Museum of Anthropology’s exhibition *Sankofa: African Routes, Canadian Roots*, and the Art Gallery of Greater Victoria’s Denyse Thomasos solo exhibition. Both exhibitions were stellar and both presented artists we have featured in our installations honouring Canada’s Black artists.

Chantal Gibson had works in *Sankofa*, and the Thomasos exhibition featured paintings from the series now in our foyer.

The Thomasos exhibition was organized by Kleinberg’s McMichael Gallery and curated by Gaëtane Verna, Director of Toronto’s Power Plant Gallery, and she advised us on our current installation. The exhibition introduction noted Thomasos’s power, “to help us see human history in a new light.” She did, with strong work, and so too did that exhibition.

Sankofa included both African and Black Canadian artists with work from the museum’s collection and that borrowed from artists. Three sections in the show were curated by young Black curatorial students under the guidance of senior Museum of Anthropology, or MOA, curators. That exhibition effectively reflected on the past, the present and indeed the future. The introductory statements were stunning, and the facts presented were stark and demand reflection.

Quotes such as “A guiding light forward — permission to exist as a living ancestor” and “A past confronted with our future in mind” were poignant and germane.

Colleagues, the arts do and should reflect society. We, as viewers, are invited into the dialogue and reflections and are richer for those opportunities.

Dance, theatre and orchestras — large and small — across this country are, likewise, working in new directions with composers, musicians, writers, actors, choreographers and dancers to present unknown stories.

The representation of artists of colour is improving, and so too will the presentations reflecting our cultural diversities.

Again, I applaud and thank them all.

Thank you.

AFGHANISTAN CRISIS

Hon. Salma Ataullahjan: Honourable senators, I rise today on behalf of the 24 million Afghans who are currently at risk of famine.

According to the United Nations Development Programme, by the end of the summer about 97% of Afghanistan’s population will plunge into poverty.

Since the Taliban takeover last summer, the Afghans’ desperate situation has intensified. While this was sadly expected, what I find truly upsetting is how quickly Afghanistan has been forgotten amidst other crises.

Currently, over 3.5 million Afghans are internally displaced, sleeping in the streets or public parks. Desperate parents find themselves forced to sell their daughters at an increasingly young age, often to families they do not know, because they cannot afford to feed them.

The desperation is palpable. Aziza, a young mother of three, is trying to sell her kidney to avoid having to sell her one-year-old daughter. Another Afghan woman, after selling her two young daughters, had no other choice than to sell her kidney to feed her family. The situation is so dire that she consented to the surgery, even though she was very sick. She said, “I told them I’m happy with my own death, but I can’t tolerate seeing my children hungry and ill.”

And in a settlement near the town of Herāt, so many residents have sold their kidneys that it has become known as “one-kidney village.” Afghans are being preyed upon by organ traffickers who are responding to their desperation by purchasing kidneys for less money with no regard for the health risks, as these surgeries are not regulated.

Canada has made specific commitments to vulnerable Afghans. In September of 2021, the Liberal government committed to assisting and resettling 40,000 Afghans. To this day, only 9,560 Afghans have been resettled. Most of them had

to get out on their own and through private NGOs. Many of these individuals left behind are those who risked their safety to help our forces in Afghanistan.

On March 4, the International Rescue Committee stated:

As the world's attention shifts to the conflict and displacement crisis in Ukraine, the IRC calls on the world to not neglect Afghanistan. The international community should seize this window of opportunity in Afghanistan to prevent famine, save lives, and put an end to the horrific conditions facing women and girls.

Honourable senators, I cannot stand idly by as the Trudeau government ignores starving and suffering Afghans who have been left behind to fend for themselves. This government can and must do better.

Thank you.

THE LATE HONOURABLE CLAUDETTE BRADSHAW, P.C., O.N.B.

Hon. Kim Pate: Honourable senators, for those of you who knew her, to meet Claudette was to engage with a force of nature. She loved and respected everyone regardless of social rank or economic means.

• (1410)

Many know Claudette Bradshaw as a former MP or minister; an advocate for the homeless; a promoter of literacy, a director for the Boys & Girls Club of Moncton; a co-founder, with her dear Doug, of the Moncton Headstart program; a member of the Premier's Task Force on the Community Non-Profit Sector; a coordinator of the Mental Health Commission of Canada; launcher of Housing First; a mom to many children — besides those she birthed, her beloved Chris and Nick — an advocate for marginalized families and a selfless, kind and tireless community champion.

In 2009, she was inducted into the Order of New Brunswick, and she received the Order of Moncton in 2010 for her work throughout the community. Awarded honorary doctorates from the Université de Moncton and the University of Ottawa, Claudette was also a most deserving recipient of numerous additional awards.

We met in 1994 when we were both appointed to the National Crime Prevention Council where we became fast friends and immediately found a common cause. From there, Claudette went on to run for election where she served as Minister of Labour, Minister responsible for Homelessness, Minister responsible for the Francophonie, Parliamentary Secretary to the Minister for International Cooperation and Secretary of State for Multiculturalism and Status of Women.

Perhaps best known for her boundless generosity, unconditional love and trademarked full-body hugs, Claudette gained infamy in the Commonwealth when in 2002, after the Queen's visit to New Brunswick, she ended the visit with one of her trademark bear hugs. Her son recalls exclaiming, "She's

going to hug that woman and they're going to taser her in front of all of Moncton." Completely unfazed, she did the deed and claimed the monarch was no different from you and me.

As our colleague Senator Mockler reminded us yesterday, Claudette made our country a better place to live, work and raise children. She was indeed very special and will be sorely missed. May we all take comfort in the knowledge that her work and spirit live on in the community and in countless numbers of people whose lives she touched and raised up. *Meegwetich*. Thank you.

THE LATE PAUL BIRCKEL

Hon. Pat Duncan: Honourable senators, I am grateful to the creator for this day, humbled to be speaking from the traditional territory of the Algonquin Anishinaabe and honoured to be of service to the people of Canada.

The Yukon Regional Chief Kluane Adamek shared with me that during strategy discussions with her team and the Yukon chiefs, they coined the phrase "A Yukon that Leads" to describe our region and the First Nations leadership and advancement.

We lost one of our leaders. Paul Birckel was born on the shores of Kluane Lake in the traditional territory of the Kluane and Champagne and Aishihik First Nations. His father, Paul Eugene Birckel, came from Rombach-le-Franc in the Alsace region of France. His maternal grandfather, Hutshi Allen, was Upper Tanana near Tetlin and Tanacross, Alaska.

Honourable senators, Elijah Smith and a delegation of Yukon chiefs, the authors of the document *Together Today for our Children Tomorrow*, tapped Paul Birckel to be the first Executive Director of the Council of Yukon First Nations, or CYFN, during the amalgamation of three organizations: the Council for Yukon Indians, the Yukon Association of Non-Status Indians, and the Yukon Native Brotherhood. The document *Together Today for our Children Tomorrow*, accepted by Canada in 1973, became the basis for the Umbrella Final Agreement, signed in 1993.

Paul went on from CYFN to serve as chief of the Champagne and Aishihik First Nations. Elected for five terms, he led his nation to be among the first to finalize a land claim agreement under the Umbrella Final Agreement. In 1996, he successfully negotiated an agreement to co-manage the Tatshenshini-Alsek Park, which covers over 6,000 square miles and spans the border of Yukon and British Columbia.

Instrumental in establishing the Yukon Native Language Centre and negotiating a child welfare agreement between his First Nation and the Government of Yukon, Paul was also an astute businessman, leading his First Nation and others to key business purchases and developments. In 1995, the Yukon Chamber of Commerce recognized Paul as Businessman of the Year.

Yukoners and Canadians are indebted to Paul's family and friends for sharing with us his time, energy and dedication to ensuring a better future. Love, tolerance, patience and collaboration were the hallmarks of his own path to reconciliation. His family also said the most enduring legacy that

Paul bestowed were a few simple teachings: give more than you take, treat people and animals kindly and trust that there are no limits to how much you can love.

On July 8, 2021, Paul Birckel travelled to the spirit world followed shortly after by his wife of 61 years, Kathy Birckel.

Honourable senators, Paul Birckel, a Yukoner who helped to blaze a trail in a “Yukon that leads,” has led us, the Yukon and Canadian society to a better place.

Thank you. *Mahsi'cho. Gùnálchîsh.*

[Translation]

ROUTINE PROCEEDINGS

STUDY ON MOTION TO RESOLVE THAT AN AMENDMENT TO THE CONSTITUTION (SASKATCHEWAN ACT) BE AUTHORIZED TO BE MADE BY PROCLAMATION ISSUED BY THE GOVERNOR GENERAL

FOURTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE PRESENTED

Hon. Mobina S. B. Jaffer, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Thursday, March 31, 2022

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

FOURTH REPORT

Your committee, to which was referred motion No. 14 under Government Business, which proposes “that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the annexe schedule” to repeal section 24 of the *Saskatchewan Act*, has, in obedience to the order of reference of Tuesday, March 1, 2022, examined the said motion and herewith presents its report.

Your committee recommends that the Senate adopt the said motion.

Your committee notes that the adoption of this report by the Senate would constitute the Senate’s agreement with the proposed resolution to amend the Constitution.

Your committee notes that this report was adopted on division. Your committee held two meetings over four hours and heard from the following witnesses:

- The Honourable Gordon S. Wyant, MLA, Minister of Justice and Attorney General, *Government of Saskatchewan*
- Michelle Lang, Chief of Staff for the Honourable Gordon S. Wyant, Minister of Justice and Attorney General, *Government of Saskatchewan*
- Louise Baird, Assistant Deputy Minister, Intergovernmental Affairs, *Privy Council Office*
- Daniel Bourgeois, Senior General Counsel, Tax Law, *Department of Justice Canada*
- Warren J. Newman, Senior General Counsel, Public Law, *Department of Justice Canada*
- Nancy Othmer, Assistant Deputy Minister, Public Law and Legislative Services, *Department of Justice Canada*
- Merrilee Rasmussen, Lawyer, *Rasmussen & Co, Barristers and Solicitor*
- Michael Vandergrift, Deputy Minister, Intergovernmental Affairs, *Privy Council Office*
- James Clements, Senior Vice-President, Strategic Planning and Technology Transformation, *Canadian Pacific*
- Dwight Newman, Professor of Law and Canada Research Chair in Indigenous Rights in Constitutional and International Law, University of Saskatchewan
- Benoît Pelletier, Professor, University of Ottawa
- Patrick Taillon, Professor and co-director, Centre for Constitutional and Administrative Law

Respectfully submitted,

MOBINA S. B. JAFFER

Chair

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

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

[English]

THE SENATE

MOTION TO AFFECT TODAY'S SITTING ADOPTED

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 move:

That, for today's sitting, and notwithstanding any provision of the Rules, previous order or usual practice:

1. the Senate not see the clock at 6 p.m.;
2. motion No. 14 under Other Business be called immediately after the Senate has completed consideration of Government Business;
3. when the Senate completes Government Business and proceedings on motion No. 14 under Other Business it adjourn; and
4. if the Senate has not completed Government Business and its consideration of motion No. 14 under Other Business by 9 p.m., the sitting continue until those items have been completed.

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

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

• (1420)

[Translation]

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 5, 2022, at 2 p.m.

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

Hon. Senators: Agreed.

[English]

BILL RESPECTING REGULATORY MODERNIZATION

FIRST READING

Hon. Marc Gold (Government Representative in the Senate) introduced Bill S-6, An Act respecting regulatory modernization.

(Bill read first time.)

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

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

[Translation]

CUSTOMS ACT PRECLEARANCE ACT, 2016

BILL TO AMEND—FIRST READING

Hon. Marc Gold (Government Representative in the Senate) introduced Bill S-7, An Act to amend the Customs Act and the Preclearance Act, 2016.

(Bill read first time.)

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

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

[English]

QUESTION PERIOD

FOREIGN AFFAIRS

MANDATE OF MINISTER

Hon. Leo Housakos (Acting Leader of the Opposition): Honourable senators, my question is to the Government Representative in the Senate. It's in reference to Minister Joly, who, before a committee in the other place, was responding to questions in regard to the government's work in fighting back misinformation and propaganda. I quote what the minister said before that committee:

We've banned *Russia Today* and Sputnik on the broadcasting side. We've pushed digital platforms to also ban them, but we need to do more. . . .

Our mandate, and my mandate as foreign minister, is really to counter propaganda online. . . . They need to make sure that they recognize that states have jurisdiction over them, that they are not technological platforms but they're content producers. It is our way, collectively, to make sure that we can really be able to have strong democracies in the future.

Government leader, in the letter to Minister Joly from Prime Minister Trudeau, where does it give her the mandate to push back on online propaganda in this country?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. As senators and colleagues would rightly understand, the internet is a space that knows few borders, notwithstanding our sovereign right to regulate as best we can. Therefore it's an all-of-government issue to make sure that Canada remains protected against all forms of threats emanating from cyberspace, whether it's information online or information coming from foreign sources. In that regard, we have agencies like the Communications Security Establishment, CSIS, the RCMP and others working with government and partners to ensure that we remain safe, both from cyberattacks and from the other equally pernicious forms of misinformation that come our way through the cyberspace.

Senator Housakos: Government leader, there is absolutely no direct reference in Minister Joly's letter from the Prime Minister that her mandate is to counter propaganda online. As I said in my speech on Bill S-237 the other day, the first job of the Minister of Foreign Affairs in Canada is to defend the national interest and values we hold as Canadians, which include free speech. The answer to combatting foreign interference isn't to censor our own citizens — not at all.

Leader, seeing as how Minister Joly thinks her mandate is to counter propaganda online, could you tell us this: How exactly does the minister in your government define propaganda? Does anyone in the NDP-Liberal government even know how Minister Joly defines it herself? How will we have assurances that there won't be a line crossed here?

Senator Gold: Thank you for the question. This government — as all governments in Canada, I assume — is devoted to the principles of free speech as enshrined in our constitutional traditions and in our Charter. Any limitations on Canadians' rights need to be prescribed by law, satisfy rigorous standards as applied by the courts and be subject to the scrutiny of Parliament as well when such laws come before us. If and when such laws come before us, I'm sure we will do our constitutional duty to make sure they respect our constitutional rights.

FISHERIES AND OCEANS

CLOSURE OF FISHERIES

Hon. Rose-May Poirier: Honourable senators, my question is for the Government Representative in the Senate. Senator Gold, yesterday the government announced the closure of Atlantic mackerel and commercial bait fisheries without any consultation with the fishermen.

Weeks before the fishing season is about to begin, the government blindsided fishermen. As the Maritime Fishermen's Union said, this announcement illustrates a lack of respect for the expertise of the inshore fishermen and a lack of interest in the economy of rural Atlantic communities. Senator Gold, why did the government not consult with the fishermen before making a major decision that will affect their livelihood?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for underlining the importance to the Atlantic fishery and the impact of this decision.

The conservation and protection of our fish stocks are a priority for this government, as it was for previous governments. I'm assured that all decisions taken by the Department of Fisheries and Oceans are underpinned by sound science and the conclusions that can be drawn therefrom.

This was not an easy decision. The government recognizes the impact it will have on fish harvesters. As colleagues may know — and certainly, Senator Poirier, I'm sure you and your colleagues from the region do know — the mackerel and the Southern Gulf spring herring have been in a critical zone for more than a decade. This has implications for many species, such as tuna, salmon and cod, that depend on foraged fish as their food source.

Today's decision aims to protect and regenerate these stocks to ensure a strong and healthy seafood sector for the generations to come.

Senator Poirier: Senator Gold, according to Martin Mallet, Director of the Maritime Fishermen's Union, additional costs for fishermen could be as high as \$10 million. Minister Joyce Murray also said there were no current plans for financial compensation — no consultation and no financial compensation weeks before they were set to hit the water. Senator Gold, why is the government not even considering financial compensation for potential loss to fishermen due to the government's decision?

Senator Gold: Thank you for your question. I'm not in a position to confirm that the government is not considering it. It certainly has not made a decision, and if any such decision were made, it would be announced.

• (1430)

It is important to remind this chamber that this is a temporary moratorium. It was made because the situation was deemed urgent. Despite the impact in the short term, it was necessary to take this decision to protect the long-term viability of the fish stocks upon which the fishery depends.

[Translation]

HEALTH

CANADIAN BLOOD SERVICES

Hon. René Cormier: My question is for the Government Representative in the Senate.

Senator Gold, currently in Canada, male blood donors who report having had sex with one or more other men in the past three months cannot donate blood.

This practice, which contributes to the stigma attached to HIV, is outdated, since it is clear that sexual behaviour, not a person's sexual orientation, is what determines the level of risk of HIV transmission.

With that in mind, on December 15, 2021, Canadian Blood Services made a submission to Health Canada recommending a new approach to screen all donors for high-risk sexual behaviour that would replace the current practice of a three-month donor deferral period for all sexually active men who have sex with men.

The department's target for the review of this submission was 90 days, so in theory, around March 15. However, we still have not received Health Canada's decision.

Senator Gold, when can we expect Health Canada to announce its decision regarding this submission from Canadian Blood Services?

I understand that the actual review time may vary, depending on the completeness of the data provided and discussions with the organization, but please explain why the review of this submission is taking longer than the planned 90-day time frame.

Hon. Marc Gold (Government Representative in the Senate): I thank the honourable senator for the question.

The government is committed to supporting blood and plasma donation policies in Canada that are non-discriminatory, safe, and based on scientific evidence. Although the government is encouraged by the reduction in the donor deferral period to three months for men who have sex with men, the government knows full well that there is still a lot of work to do.

I am told that Health Canada has carefully examined Canadian Blood Services' submission concerning the screening of blood and plasma donors in order to make the rules more inclusive for men who have sex with men.

Time frames for a review can vary, as you mentioned, according to the scope of the material provided and the discussions with stakeholders. I am told that Health Canada's decision will not be communicated until after an independent, rigorous, evidence-based review has been done.

FOREIGN AFFAIRS

HEALTH SUPPORT FOR UKRAINE

Hon. René Cormier: Senator Gold, last week Reuters News Agency reported that bombing in Ukraine has led to the closure of many clinics specializing in the treatment of HIV/AIDS and that the distribution of antiretroviral drugs is at risk.

My question for you is the following. What kind of assistance for health care is the Government of Canada providing to the Ukrainian people at this time, and how is it helping to ensure that Ukrainians with HIV/AIDS can continue their treatment?

Hon. Marc Gold (Government Representative in the Senate): I thank the senator for his question.

The government is extremely concerned about the current humanitarian situation in Ukraine and neighbouring countries. I have been told that Canada is providing financial assistance to organizations such as the Red Cross, which is sending key equipment and trained staff to deliver aid, in particular to people with illnesses, as quickly and efficiently as possible.

The government is a strong supporter of AIDS programs around the world. I will point out that it provided \$930.4 million from 2020 to 2022 to support the Global Fund to Fight AIDS, Tuberculosis and Malaria and \$20 billion in base funding to UNAIDS from 2017 to 2022.

[English]

AGRICULTURE AND AGRI-FOOD

GENE-EDITING TECHNOLOGY

Hon. Marty Klyne: Senator Gold, my question is about gene-edited seeds — an important and controversial topic in the realm of crop farming.

For those who are not familiar with the concept, gene editing refers to a set of genetic engineering techniques that can be used to add, remove or alter genetic sequences at precise locations in an organism's genetic code. In other words, gene editing can be used to alter the DNA of seeds used in crop production.

It's a bit different from genetically modified organisms, typically the result of adding foreign DNA into an organism's genome.

There are benefits associated with gene editing. For example, using gene-editing tools can allow plant developers to improve the existing qualities of a seed and shorten the growth cycle of a given plant or crop.

However, Health Canada and the Canadian Food Inspection Agency have faced questions regarding a proposal to adjust how the use of gene-edited seeds is monitored and regulated. Many farmers and other organizations in the agricultural sector are concerned that the regulations should regard forward research and, in the absence of that research, may not go far enough to protect farmers or the natural environment.

For my part, I can certainly understand apprehension about unintended consequences and risk management where forward research may be warranted.

Senator Gold, this is a very complicated issue. Can you update this chamber on the status of the Canadian Food Inspection Agency's plan to monitor the use of gene-edited seeds and if changes to these regulations to enhance transparency and accountability are forthcoming?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for underlining the complexity of the issue, as you very well expressed.

The government is committed to science-based decision making and keeping food, feed and our environment in Canada safe, while at the same time supporting an innovative and sustainable agricultural sector. In that regard, all seeds, foods and feeds, whether developed using conventional methods or by technology, are regulated in Canada and must comply with all relevant standards and regulatory requirements for both safety and quality.

I'm advised that when it comes to gene editing, the Canadian Food Inspection Agency, CFIA, is proposing guidance updates to help explain which plants require authorization from the CFIA before being grown or planted in Canada. I further understand that CFIA has launched consultations last fall to bring changes to the regulations relating to genetically engineered seeds.

The government is notably consulting with stakeholders to keep pace with technology to improve transparency and is carefully considering relevant scientific information about the use of gene-editing technologies in agriculture.

Colleagues, updated guidance will make regulatory decisions clearer, while allowing Canadians and the agricultural sector to benefit from the advances offered by new technology.

STRATEGY ON RESEARCH AND INNOVATION

Hon. Robert Black: Honourable senators, I have a second agricultural question for the Government Representative in the Senate.

Senator Gold, as you may know, the Agri-Food Innovation Council, otherwise known as AIC, with the support of the agricultural sector, called for the creation of a national strategy on research and innovation in the agri-food sector in September 2021.

In fact, there have already been 32 key supporters, including the Canadian Cattlemen's Association; CropLife Canada; the Deans Council – Agriculture, Food & Veterinary Medicine; Olds College; TELUS Agriculture; and the Rural Development Network, among many others.

Agri-food in Canada has strong innovative potential and is the key driver of economic growth. It is one of Canada's best-performing sectors. But, in order for Canada's agri-food sector to continue to meet the world's markets' growing demand, innovation must be supported through science-based policy work and needs-specific funding.

Honourable colleagues, I recently met with representatives of AIC, who indicated that they are ready and willing to co-chair the group developing the strategy in hopes that the government will provide the other co-chair. However, AIC is not pushing what should be included in the strategy. They are simply pushing for the creation of a strategy and the inclusion of industry through an equal-led process between government and industry.

Senator Gold, can you advise us on the status of the creation of the national strategy on research and innovation in the agri-food sector?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. I'm advised that Agriculture and Agri-Food Canada has in fact nine sector science strategies, including one specific to agri-food, to set priorities for our science activities.

The agri-food specific strategy aims to focus research and innovation investments, bring value to Canadian producers, including the agri-food sector, by outlining the research, development and technology transfer needs related to the agri-food sector. This will include food, beverage and food ingredients, processing, packaging, distribution and consumption.

One key aspect of this strategy is the contribution toward food innovation and food safety. Agriculture and Agri-Food Canada provides expertise, leadership and infrastructure research, development and technology transfer in the areas of food innovation and food safety in many ways. For example, developing greener, alternative agri-food processing and preservation techniques, including approaches to improve resource management, reduce waste and reduce losses due to spoilage during production, processing and distribution. The government is committed to continuing to support the agri-food sector through its sector science strategies.

• (1440)

[Translation]

JUSTICE

TRANSPARENCY OF TRIALS

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

Leader, I'm sure you know that there are some basic tenets of a free and democratic society that we call pillars, and one such pillar is a fundamental justice system in which trials are public.

It appears that RCMP investigators and federal prosecutors participated in a trial, but we do not know where or when it was held, nor do we know which judge, accused or lawyers were involved. Also, there is no transcript.

What is the justice minister's role in this North Korea-esque phantom trial?

Hon. Marc Gold (Government Representative in the Senate): I thank the honourable senator for his question.

Transparency in our courts is a fundamental principle of our justice system, as you rightly pointed out.

I'm told that the minister is aware of the media reports on this trial, which was held in Quebec, and that he finds it deeply troubling. Court orders prevent me from commenting further. I was, however, informed that the minister has spoken with the Director of Public Prosecutions to shed some light on what has been reported.

Senator Carignan: Will the Minister of Justice commit to releasing all the essential facts used to justify this phantom trial? Will he commit to disclosing, at the very least, the name of the presiding judge?

Senator Gold: I will have to ask the government and get back to you with an answer.

FOREIGN AFFAIRS

NORTH ATLANTIC TREATY ORGANIZATION

Hon. Pierre-Hugues Boisvenu: Honourable senators, my question is for Senator Gold.

Canada contributes barely 1.2% of its budget to NATO, but the target is 2%.

Recently, Minister Joly travelled to Europe to meet with her NATO member nation counterparts and negotiate the Government of Canada's contribution to NATO.

Can you confirm for everyone here that, instead of upping our contribution to 2%, the minister's offer to NATO was for Canada to accept 10% of the Ukrainian refugees, or 400,000 refugees?

Was that deal the result of a Liberal-NDP agreement to avoid contributing to Canada's military effort?

Hon. Marc Gold (Government Representative in the Senate): I thank the honourable senator for the question.

As I have mentioned several times, the Government of Canada continues to invest significant sums in improving defence capacity and resources, and it will continue to do so.

I have also mentioned several times that the agreement or deal — take your pick — between the Liberal Party and the NDP has nothing to do with the government's commitment, which is clearly described in its 2017 document, to improving our military capacity in order to protect ourselves at home and defend our interests abroad.

As for the question, I do not have any information to suggest a link with military spending. We are awaiting the tabling of the budget to spell out exactly what the government has decided to do and clarify the issue of welcoming Ukrainian refugees.

Senator Boisvenu: We know that the NDP has already stated that it is against purchasing the F-35s. It opposes any increase in Canada's military spending, and that includes NATO.

Has the minister negotiated with her NATO partners to have Canada welcome 400,000 Ukrainian refugees instead of contributing the 2%? Have the provinces been informed of that? Has Quebec, who has an immigration ceiling, been informed that it may have to welcome more immigrants than the 50,000 it set as a target for 2022?

Senator Gold: I thank the honourable senator for his supplementary question.

At the risk of repeating myself, for supplementary questions, I will try to find the answer and get back to you as soon as possible.

[English]

FINANCE

TAX RATES

Hon. Leo Housakos (Acting Leader of the Opposition): Honourable senators, my question is for the government leader in the Senate. Tomorrow, April 1, Canadians across several provinces will pay more for the Prime Minister of Canada's carbon tax. Canadians will also pay more through the alcohol escalator tax. As I have mentioned many times in this place, this is on top of taxes that were already raised on the first of January, including the Canada Pension Plan payroll tax. The Employment Insurance maximum insurable earnings also increased on January 1, meaning workers and employers pay more right across this country.

The NDP-Liberal government has been given opportunities lately to make life easier for Canadians, but they choose not to. For example, the opposition in the other place asked to suspend the GST on fuel or to suspend the carbon tax. Government leader, it's becoming excessively harder for middle class and poor Canadians to pay for groceries, shelter, fuel for their cars to drive their kids to and from school and pay for medication.

The question is very simple: How much more do you think the Canadian public can pay for the NDP-Liberal coalition, and how much more will they be asked to pay in next week's budget because of that coalition?

Hon. Marc Gold (Government Representative in the Senate): Again, I will simply say that we will have to await the budget to know exactly what measures the government is taking going forward, including the measures to continue to assist Canadians through this difficult economic time.

The Prime Minister has made it clear — the government has made it clear — that the carbon tax will remain in place. Those provinces who, in their own wisdom, have decided not to have measures in place that are equivalent and therefore are subject to the carbon tax — as you know, in our home province and many others, the change tomorrow will have no effect because of the decisions that the Quebec government and others have taken to do their part to reduce the impact of carbon emissions on our climate. In that regard, the Government of Canada remains committed to its strategy to address climate change through the most effective, efficient and market-sensitive mechanisms.

CANADA'S INFLATION RATE

Hon. Leo Housakos (Acting Leader of the Opposition): Honourable senators, the NDP-Liberal government is committed to more taxes, more inflation and higher cost of living. That's what this government is committed to.

Government leader, according to the Canadian Real Estate Association, just in the Montreal area alone, home prices have gone up over 20% in the last year and by almost 60% since 2019. Housing inflation is even worse in other parts of the country, yet I don't get the sense that your government truly understands the housing affordability crisis that Canada is facing. After all, the NDP-Liberal government plans to make energy audits mandatory before Canadians can sell their homes. Last month, the Ontario Real Estate Association said:

. . . quite frankly, a crazy thing to do in the middle of a historic housing-affordability crisis. . . . We have historic lows in inventory listings on the market currently. Another piece of red tape on a home seller will depress listings even more, making it even more costly to go find a home.

Will Canadians looking for a home see more actions like this from the NDP-Liberal government next week in their budget? Is this going to be the strategy of fighting inflation and making middle class and poor Canadians poorer?

[Senator Housakos]

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. Again, the budget will speak for itself and we will see what measures are there to help Canadians, to help our economy and otherwise to move our country forward.

• (1450)

It is simply not the case that this government, and indeed no government, colleagues, if we are to be fair, ignores the impact of the economy, whether it be inflation or the cost of living, on the well-being of Canadians.

Our governments, regardless of the partisan stripes and orientations to the left, centre or right, are better than that. We can disagree about the policy tools that governments deploy. We can disagree about the priorities that governments choose to bring forward, whether it's climate change, the economy, reconciliation or the like. Canadians will judge and have judged, and this government will continue to act in the best interests of Canadians.

[Translation]

JUSTICE

TRANSPARENCY OF TRIALS

Hon. Claude Carignan: Does the Minister of Justice, in his capacity as the Attorney General of Canada, intend to make an application to the Court of Appeal, just like his Quebec counterpart, to obtain as much information as possible about the controversial phantom trial?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. I have no information about his intentions. I will inquire with the government and return with an answer shortly.

Senator Carignan: Is it also possible to know who in the ranks of the office of the Attorney General of Canada would be able to authorize a phantom trial in Canada?

Senator Gold: Once again, I will ask the question and we shall see the reply. However, in order not to confuse senators and those watching, I will quote something that appeared in *La Presse* recently. Chief Federal Prosecutor André Albert Morin, of the Public Prosecution Service of Canada, Quebec Regional Office, confirmed as follows whether the trial was authorized, and I quote, "The answer is no." He did not authorize a secret trial.

[English]

FOREIGN AFFAIRS

HUMAN RIGHTS

Hon. Marilou McPhedran: Honourable senators, in introducing my question about Rohingya people, I want to thank Senator Ataullahjan for her question and statement today on desperate Afghans.

Senator Gold, following the theme of Canada stepping up and leading on human rights, when will Canada follow the United States in its declaration last week that the murder, rapes, torture and destruction of entire Rohingya communities amount to genocide and crimes against humanity?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, honourable senator, and for reminding this chamber of the tragedy and horror being perpetrated against the Rohingya people.

I do not know what the status is of the government's deliberations on this matter. I will make inquiries and report back.

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

ORDERS OF THE DAY

MEDICAL ASSISTANCE IN DYING

APPOINTMENT OF SPECIAL JOINT COMMITTEE —MESSAGE FROM COMMONS

The Hon. the Speaker: Honourable senators, I have the honour to inform the Senate that a message has been received from the House of Commons which reads as follows:

Wednesday, March 30, 2022

EXTRACT, —

That,

- (a) pursuant to subsection 5(1) of An Act to amend the Criminal Code (medical assistance in dying), a special joint committee of the Senate and the House of Commons be appointed to review the provisions of the Criminal Code relating to medical assistance in dying and their application, including but not limited to issues relating to mature minors, advance requests, mental illness, the state of palliative care in Canada and the protection of Canadians with disabilities;

- (b) pursuant to subsection 5(2) of the act, five members of the Senate and 10 members of the House of Commons be members of the committee, including five members of the House of Commons from the governing party, three members of the House of Commons from the official opposition, and two members of the House of Commons from the opposition who are not members of the official opposition, with two Chairs of which the House Co-Chair shall be from the governing party and the Senate Co-Chair shall be determined by the Senate;
- (c) in addition to the Co-Chairs, the committee shall elect three vice-chairs from the House, of whom the first vice-chair shall be from the Conservative Party of Canada, the second vice-chair shall be from the Bloc Québécois and the third vice-chair shall be from the New Democratic Party;
- (d) pursuant to subsection 5(3) of the act, the quorum of the committee be eight members whenever a vote, resolution or other decision is taken, so long as both Houses and one member of the governing party in the House, one from the opposition in the House and one member of the Senate are represented, and that the Joint Chairs be authorized to hold meetings, to receive evidence and authorize the printing thereof, whenever six members are present, so long as both Houses and one member of the governing party in the House, one member from the opposition in the House and one member of the Senate are represented;
- (e) the House of Commons members be named by their respective whip by depositing with the Clerk of the House the list of their members to serve on the committee no later than five sitting days after the adoption of this motion;
- (f) changes to the membership of the committee, on the part of the House of Commons, be effective immediately after notification by the relevant whip has been filed with the Clerk of the House;
- (g) membership substitutions, on the part of the House of Commons, be permitted, if required, in the manner provided for in Standing Order 114(2) and that they may be filed with the clerk of the committee by email;
- (h) until Thursday, June 23, 2022, where applicable to a special joint committee, the provisions contained in paragraph (r) of the order adopted by the House on Thursday, November 25, 2021, shall also apply to the committee;
- (i) the committee have the power to:
 - (i) sit during sittings and adjournments of the House,
 - (ii) report from time to time, to send for persons, papers and records, and to print such papers and evidence as may be ordered by the committee,

- (iii) retain the services of expert, professional, technical and clerical staff, including legal counsel,
- (iv) appoint, from among its members such subcommittees as may be deemed appropriate and to delegate to such subcommittees, all or any of its powers, except the power to report to the Senate and House of Commons,
- (v) authorize video and audio broadcasting of any or all of its proceedings and that public proceedings be made available to the public via the Parliament of Canada's websites;
- (j) pursuant to subsection 5(5) of the act, the committee submit a final report of its review, including a statement of any recommended changes, to Parliament no later than Thursday, June 23, 2022; and
- (k) pursuant to subsection 5(6) of the act, following the tabling of the final report in both Houses, the committee shall expire; and

that a message be sent to the Senate requesting that House to unite with this House for the above purpose and to select, if the Senate deems advisable, members to act on the proposed special joint committee.

ATTEST

Charles Robert

The Clerk of the House of Commons

Honourable senators, when shall this message be taken into consideration?

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, with leave of the Senate, I move that the message be considered later this day.

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

Hon. Senators: Agreed.

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

• (1500)

[Translation]

BUSINESS OF THE SENATE

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate): Honourable senators, pursuant to rule 4-13(3), I would like to inform the Senate that as we proceed with Government Business, the Senate will address the items in the following order: third reading of Bills C-15 and C-16, followed by Motion No. 28, followed by

second reading of Bill S-4, followed by consideration of the message from the House of Commons, followed by all remaining items in the order that they appear on the Order Paper.

[English]

APPROPRIATION BILL NO. 5, 2021-22

THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Gagné, seconded by the Honourable Senator Gold, P.C., for the third reading of Bill C-15, An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2022.

Hon. Larry W. Smith: Honourable senators, I rise in my capacity as critic to speak to Bill C-15, 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-15 puts into legislation \$13.2 billion for the federal public administration as sought out through the Supplementary Estimates (C) 2021-22. This funding is requested by federal departments and agencies due, in part, to changes in budgetary needs not covered in any other supply bills.

I would first like to commend the work of our colleagues on the Standing Senate Committee on National Finance, who had the near-impossible task of reviewing the estimates documents, sifting through a 200-page document — line item after line item — and questioning departments and agencies concerning the additional authorities being requested. It is, indeed, nearly an impossible task, as the committee held just two meetings and heard from 26 witnesses as part of their revision process for the Supplementary Estimates (C) 2021-22.

Colleagues, while this sort of exercise seems to have become a common occurrence in this place over the last few years, it is nonetheless extremely concerning. We, as parliamentarians, are not being given enough time to provide effective oversight of government spending on behalf of Canadians. We are being asked, in a very narrow window of time, to approve over \$13 billion in funding for federal departments, many of which continue to fail to meet their departmental planned targets. Other departments simply fail to report results with respect to various performance indicators.

All estimates documents include a section on the Departmental Plans, DPs, and the Departmental Results Reports, DRRs. The DPs lay out plans for the year for each department and agency, while the DRRs report on the performance of the plans. On paper, this is both useful for us parliamentarians in our oversight work but also for Canadians who are funding the administration of the federal public service.

The problem, however, is that Parliament does not set mandatory deadlines for the tabling of these plans and reports. That means parliamentarians could be asked to approve new

funding before reviewing the DRRs, the results for the previous year. This is exactly the case for the fiscal year ending March 31, 2021. The DRRs for the 2020-21 fiscal year were submitted in February 2022, a full 10 months after March 31, 2021. This meant that all new government spending, beginning with the Main Estimates 2021-22, had to be considered without any information regarding the performance of each organization in the previous fiscal year.

To reiterate the importance of having the DRRs, here is the scenario before us right now: Later today, we will be asked to approve \$75 billion in appropriations for the federal public administration as part of Bill C-16 for the 2022-23 fiscal year. However, we have absolutely no information on how departments performed in 2021-22 since the DRRs for the 2021-22 fiscal year are not yet submitted and likely will not be until well after the additional appropriations have been approved by Parliament.

If that doesn't confuse you, what will?

In addition to this critical misalignment of priorities, federal departments are failing to meet their targets or are not reporting on them altogether. According to data published by the federal government, departments failed to meet 31% of the government's performance indicators, while 16% did not report results for the most recent fiscal year.

The Department of National Defence and the Canadian Armed Forces, for example, failed to meet 46 targets, accounting for just over 37% of overall performance indicators, in the 2020-21 fiscal year. Moreover, the department did not provide results on 16 targets. Some of the performance indicators where the department failed to execute include the percentage of aerospace fleets that are serviceable to meet training and readiness requirements and the percentage of projects that meet the approved project development and approval timelines — low-risk, low-complexity projects. Other performance indicators where the department failed to report results included joint force effectiveness in providing near real-time support to operations and senior decision makers.

While we are entering into an important era of global insecurity, one where countries are re-evaluating their defence policies and bolstering their military capabilities, it is imperative we have up-to-date, complete and relevant information from departments like National Defence so we, as parliamentarians, can effectively carry out our roles in reviewing spending decisions.

Honourable senators, furthermore, I would like to highlight an issue of poor planning within the federal administration, a recent trend we need to monitor more closely. As reported by the Parliamentary Budget Officer, spending lapses — that is, money approved by Parliament but is unspent and for which legal authority expires at the end of a fiscal year — reached record levels in 2021. The PBO suggests that spending lapses as a share of voted budgetary authorities were close to 7%, or roughly \$13 billion, in 2020-21, increasing over time since 2017-18.

The bulk of the increased spending lapses over the last few years has been attributed to the extraordinary federal response to the COVID-19 pandemic. The argument is that Parliament was

asked to approve unprecedented amounts of funding at record speeds to respond to a quickly changing environment. Even the government acknowledged at the start of the pandemic that the priority was to get money to households and businesses as quickly as possible.

Speaking of the Canada Emergency Wage Subsidy, former Minister of Finance Bill Morneau told senators in April 2020:

... we're trying to get money to people as fast as we can and in the most practical ways we can. We think we have found the best way.

It is important to emphasize the difficult task the government faced at the start of the pandemic, which was having to ensure the health and safety of Canadians while providing financial supports for those impacted, and doing it in a manner that was quickest.

However, three years into the pandemic, when jurisdictions are cautiously beginning to loosen restrictions and reopen their economies on the advice of public health officials, we continue to see mismanagement of federal spending. To highlight this, Bill C-15 would grant Health Canada and the Public Health Agency of Canada \$4 billion to procure rapid tests. Yet, this funding request has been duplicated in two other bills already before Parliament, Bill C-8 and Bill C-10.

• (1510)

The federal government has claimed the reason for this duplication is to ensure speedy procurement of rapid tests using the first authority available to them, whereby remaining requests would simply lapse. Colleagues, this is simply an unacceptable way of managing public finances. This type of exercise should not be allowed to become the norm. Federal departments should undertake serious diligence to ensure the best use of public resources the first time.

I share this sentiment of the Senate Finance Committee, which found this approach to be unclear and unacceptable. In my view, this illustrates poor planning on the part of the government and, once more, impedes our ability to carry out our directives as senators.

While spending lapses are expected in any budget, as authorities sought out by the departments are the estimations of their expenditure needs, the steady increase in spending lapses over the last several years could become problematic. We, as parliamentarians, should continue to monitor closely.

I welcome and echo the remarks of the Standing Senate Committee on National Finance in their review of the Supplementary Estimates (C), 2021-22, urging the government to end the practice of duplicating funding requests, as well as demanding clear explanations from the Treasury Board Secretariat in this regard.

Honourable senators, to conclude, I would urge the government to set mandatory dates for the tabling of departmental plans and departmental results reports. In doing so, this exercise would better align funding requests with past performance records. Moreover, the continued increases in

spending lapses and frozen allotments suggest the government has made little progress in its spending plans and reporting guidelines. Therefore, I would urge the government to better prioritize funding requests to ensure effective and efficient uses of resources. Thank you so much.

Hon. Kim Pate: Honourable senators, a substantial amount of the spending in Bill C-15 and the Supplementary Estimates (C) concerns Canada's ongoing response to the COVID-19 pandemic. Yet again, we must reckon with the significantly worse health outcomes faced by low-income Canadians both prior to and during the pandemic.

Data from the Public Health Agency of Canada underscores that those with the least have been twice as likely as those most well off to die of COVID-19. The Public Health Agency links this horrific disparity to social and economic inequalities faced by people below the poverty line — from greater risk of underlying and disabling health conditions and lack of safe housing, to unsafe working conditions and not being able to afford to stay home from front-line gig work or minimum wage jobs.

In human, social and health terms, these unequal health outcomes are unconscionable. They also carry significant financial consequences. As the Parliamentary Budget Officer reminded the National Finance Committee during his testimony on the Supplementary Estimates (C), the financial burden includes:

. . . first, the costs on the individuals themselves by being prevented from working due to poorer health outcomes. . . . it reduces income and employment gains, and it also reduces attachment to the workforce. . . . individuals with poorer health outcomes tend to have weaker social networks, which can lead to further isolation . . . They often have to incur additional expenses: medication, drugs, supports, at-home supports and others.

There are also costs that have to be borne by society. . . . If people with poorer health outcomes have to withdraw from the labour force, that imposes costs on each and every one of us when jobs go unfilled.

There are also the costs of treating people. Those costs would be lower if they had better health outcomes in the first place. It is much more expensive to treat diseases and illnesses than it is to prevent them, generally speaking.

The most significant spending measure in Bill C-15 arises from the need to treat the results of health inequalities that we have neglectfully failed to prevent. Thirty per cent of the spending proposed by the bill — \$4 billion — earmarked for procurement and distribution of additional COVID-19 rapid tests is linked specifically to trying to address COVID-19 risk among so-called vulnerable groups.

At the National Finance Committee, the Public Health Agency of Canada identified these populations as including groups such as Indigenous peoples, those of African descent, other racialized populations, those with disabilities, front-line service providers and essential workers. The committee had the opportunity to ask government officials whether these latest proposed measures are projected to close the gap in COVID-19 mortality for Canadians who have the least. Particularly, we asked how they would compare to income support measures that might have addressed underlying inequalities and allowed people to afford measures, from PPE to physical distancing, necessary to better protect themselves, their families and communities during the pandemic.

We also asked about the portion of pandemic spending, from the cost of PPE to vaccinations to mental health supports and so many other measures, related to the need to respond to emergency health situations created by social and economic inequalities that predated and were exacerbated by COVID-19.

In response, the Public Health Agency acknowledged its own previous research revealed “robust associations between income and health in Canada” and that “the direct economic burden of health inequities on health care costs is substantial.”

In 2016 alone, socio-economic inequalities cost at least \$6.2 billion annually, or over 14% of total expenditures on acute care in-patient hospitalizations, prescription medication and physician consultations.

The Public Health Agency also indicated, however, that it had not conducted health policy modelling studies to determine the effects on pandemic spending and health outcomes if measures such as robust income supports had been in place to try and redress pre-existing inequalities for those most at risk of COVID.

We could find no department that has conducted such analyses. The failure of the government to provide this type of assessment results in a massive gap and wholly inadequate ability to plan, much less prepare for, future challenges. It thus significantly erodes confidence in the foundation upon which the Canadian health, social and economic policy decisions are being made. When policy is debated in Canada, whether here in Parliament, around kitchen tables, in the metaverse or on the streets, many are acutely aware of the consequences of the continued reaction to emergencies.

Too often, though, the real cost of failing to take proactive, preventative action is not in the balance when we weigh the challenges of decades of inaction. Instead, focus is zeroed in on the initial costs of bold measures to address poverty and inequality — from guaranteed livable basic income to housing strategies, disability benefits, universal mental health care, pharmacare, dental care, child care and education.

Too rarely do we consider the costs of failing to act, the costs we are repeatedly being asked to approve in order to patch some but not all of the wounds and not for everyone.

Poverty and related inequalities cost Canadian taxpayers tens of billions of dollars every year, particularly in emergency health care measures, the criminal legal system and responses like shelters or food banks that dangle the hope of survival while reminding people that they are constantly on the brink of crisis.

These are the hidden costs of policies characterized as pursuing fiscal prudence but which do not reach everyone in need or fail to provide enough support and further stretch social and health systems that already leave too many people behind. Much worse than financial cost, as we have seen during the pandemic, failure to redress these inequalities also costs lives.

I want to urge therefore that we recognize many of the measures in this bill as not only vital to COVID-19 responses but also the costs that Canadians continue to pay as a result of our country's failure to shore up health and social safety nets, to redress social, health and economic inequality and, particularly, to work to support people in finding pathways out of poverty.

The costs of our inaction need to factor into how we analyze and evaluate government spending. They must also push us to consider how resources can be invested differently to bring about healthier, more just and equal communities for all of us. *Meegweetch*, thank you.

• (1520)

Hon. Elizabeth Marshall: Honourable senators, I rise today to speak to Bill C-15, Appropriation Act No. 5 for this fiscal year. It is the final appropriation act for this year and is requesting parliamentary approval for \$13 billion.

I would like to start by thanking my colleagues on the National Finance Committee and also the officials who support the committee.

This appropriation act is supported by Supplementary Estimates (C), which specifies the amounts and broad purposes for which the funds will be spent. Supplementary Estimates (C) was studied by the Standing Senate Committee on National Finance. As a member of the Standing Senate Committee on National Finance, I, along with the other members of the committee, have studied the Main Estimates and supplementary estimates for this fiscal year, which will end today.

My comments focus on the challenges and problems in reviewing the government's spending plans. I must say that in all my years of reviewing federal supply bills, I have never been so disappointed in the lack of direction of the government in addressing the problems related to their financial and accountability documents.

There are four issues that I will raise in my comments today. Regrettably, none of my comments are positive.

My first comment is on the non-alignment of the budget with Supplementary Estimates (C) and with all the estimates documents. I have spoken on this problem many times.

Because the Main Estimates are tabled on or before March 1 and the budget is not tabled until the month of April, the two spending documents do not match. New budget initiatives that are announced in the April budget are not included in the Main Estimates, so we will spend the remainder of the year, and maybe into subsequent years, trying to track the implementation of new budget initiatives in Supplementary Estimates (A), (B) and (C).

Despite knowing that the estimates documents do not match the budget, there is no attempt by government to address the problem. Rather, the government provides a "reconciliation" in each supplementary estimates document that purports to "reconcile" its proposed spending as per each supplementary estimates document with its proposed spending as per the budget. While the reconciliation is better than nothing, it is confusing and leaves many unanswered questions.

To demonstrate the problem that this misalignment causes, Budget 2021 indicated that there would be \$49 billion in new budget initiatives in this fiscal year. However, Supplementary Estimates (C), which supports Bill C-15, indicates that there are \$36 billion in new budget initiatives, not \$49 billion. The reader is left to wonder how the government accounts for this difference of \$13 billion.

Were budget initiatives not undertaken? If they weren't undertaken, why not? And what are the implications?

Tracking the implementation of new budget initiatives is important because it identifies which initiatives are delayed so that the committee can follow up to determine the reasons why.

For example, Budget 2021 provided \$2 million over two years to Innovation, Science and Economic Development Canada to support the implementation of a publicly accessible corporate beneficial ownership registry, and \$1 million was allocated to this fiscal year.

This initiative is instrumental in assisting lawmakers to catch those involved in money laundering and tax evasion. Canada has long been seen as having weak anti-corruption laundering laws and enforcement. It is not possible to track the implementation of this Budget 2021 initiative. I have looked everywhere for it and simply cannot find it.

I read with interest an article in last week's Senate clippings noting that Budget 2022 will be released on April 7, while the Main Estimates have already been released. The article included comments from the Parliamentary Budget Officer that the trend to later budgets is undermining Parliament's oversight of government spending. I agree with his comments, as it is not possible to track government spending.

My second issue relates to the Public Accounts of Canada. The financial statements of the Government of Canada are called the public accounts. Each year, the public accounts are prepared for the fiscal year that runs from April 1 to March 31 of the following year.

There are three volumes to the public accounts. Each volume contains hundreds of pages of financial information, some of which is provided in summary form and some of which is provided in detail. Legislation establishes a deadline for the release of the public accounts. Specifically, the Financial Administration Act requires that the public accounts be tabled by December 31.

The information in the public accounts is required by legislators and the public to stay informed about the financial activities and financial position of the government. The public accounts for the year that ended March 31, 2021, were released unusually late. They were not released until December 14, just three days before the House of Commons adjourned for the Christmas break, and therefore just three days before the legislated deadline.

We reviewed the date on which the public accounts were released for the past 27 years, going back as far as 1994, and the tabling of the public accounts on December 14 was the latest we could find. We use the public accounts to review government spending, and they should have been released months earlier so they could assist us in our review of government spending during the fall sitting of Parliament.

My third issue relates to the *Debt Management Report*. The Minister of Finance has a legislated obligation to table the annual *Debt Management Report* in each house of Parliament on money borrowed during each fiscal year and on the management of the public debt. Specifically, the Financial Administration Act requires that within 30 sitting days after the tabling of the public accounts, the Minister of Finance must table the *Debt Management Report* for the same fiscal year.

Since the government withheld the 2021 public accounts until mid-December, they were able to push back the deadline for the 2021 *Debt Management Report* to March 28, which was just a few days ago. The *Debt Management Report* was finally tabled last Friday, on March 25 — a mere one day before the legislated deadline and 359 days after the fiscal year to which it relates.

Honourable colleagues may recall that I asked Senator Gold in this chamber when government would release the *Debt Management Report*. This report was of particular interest because it was the first year of the pandemic, during which the government borrowed \$345 billion.

Given that the government continues to run large deficits, requiring the borrowing of significant amounts of money, the *Debt Management Report* should have been provided earlier to assist us in our review and oversight of government spending.

My fourth issue relates to the Departmental Results Reports. The Departmental Results Reports are part of the estimates family of documents. These reports support the estimates, supplementary estimates and appropriation bills, including Bill C-15. The reports were designed to focus on what departments and agencies are doing to achieve results for Canadians, while continuing to provide transparency on how taxpayers' dollars are spent. However, in reviewing these documents, there are two significant problems.

First, the Departmental Results Reports were not provided to us until last month. In other words, we waited 10 months for reports that focused on a year that ended 12 months ago. We reviewed the Main Estimates, Supplementary Estimates (A) and (B), the budget and the fall fiscal update without the benefit of these reports. In summary, we had to review almost all government spending this year without knowing what the government had previously achieved.

The second problem relates to the quality of the information in the reports. The reports released last month indicated that there are 2,722 performance indicators for 86 organizations. Of the 2,722 performance indicators, 1,242 indicators were achieved. This is less than 50%. There were 739 indicators not met, while 741 indicators were categorized as "not available" or "to be achieved." If 741 of 2,722 indicators provided no information, and there were 739 indicators not met, how can these reports be considered accountability documents?

The delay in tabling the Departmental Results Reports and the poor quality of the data make scrutinizing spending more difficult when we review the government's requests for billions of dollars. We need to know what results government programs have achieved in the past in order to assess their request for additional monies.

• (1530)

Honourable senators, my last comment relates to a study that was done by the C.D. Howe Institute. For senators who are not familiar with this organization, the C.D. Howe Institute is a reputable research institute. It is widely considered to be Canada's most influential think tank. Last December, the C.D. Howe Institute released a report on the financial information presented to legislators and the public by Canada's federal, provincial and territorial governments.

They concluded that massive increases in spending and borrowing in response to COVID-19 and the ambition for new social programs have coincided with some serious backsliding in the transparency and timeliness of financial information, notably at the federal level.

The three documents on which they focused were the budget, the estimates and the public accounts, all of which I have just discussed.

The researchers assigned letter grades that reflected how readily an interested but non-expert user could find and understand the information that the documents should contain. The years reviewed included the financial statements for 2019-20 and the budget and estimates for 2020-21.

Receiving an A grading were Nova Scotia, New Brunswick, Saskatchewan, Alberta, B.C. and Nunavut. Ontario received a B rating. Receiving a C rating were Newfoundland, P.E.I., the Yukon, Manitoba and Quebec.

The federal government earned an F grade. One of the reasons for the federal government's F grade was the lack of a budget in 2020. The report indicated they were on track for a C grade in their report card for 2022. My question is: Why only a C? Why not an A or even a B?

The report also said that the federal government's budget for last year was late — it was released in April — and that it buried key numbers under hundreds of pages of marginally informative and repetitive material — not a performance consistent with the importance of its fiscal policy nor the example the federal government should set.

Just to conclude, I will summarize my comments as follows: The government's financial and accountability documents are provided much too late to be of any significant benefit. The lateness of the documents diminished their usefulness. I refer specifically to the Public Accounts of Canada, the Debt Management Report and the Departmental Results Reports.

In addition, the government's budget and its estimates documents indicate different spending plans, and they should be aligned. Departmental Results Reports should provide the information on the results of their spending in their reports.

Honourable senators, for the government to leave this issue unresolved, it is a disservice to parliamentarians and the public. The issues I have raised should be addressed. Thank you.

Some Hon. Senators: Hear, hear.

Hon. Tony Loffreda: Thank you for your speech, and I share your concerns on many fronts. I am particularly in agreement with you that the National Finance Committee is too often asked to review billions of dollars of government spending in so little time. Tracking money is not always an easy task, and for Supplementary Estimates (C) we were limited to two meetings. We only heard from 5 of the 70 departments seeking funding. This is unfair for committee members, and although we do commendable work — we do great work, and, like me, I know you take this work very seriously — it seems as if it's always a race against the clock for us to conduct our reviews.

In all of your years of experience, what would you propose to do to fix this issue? Do you have a solution that could allow us more time to review the estimates? Is it more meetings? Is the

parliamentary financial cycle too restrictive and uncompromising? I know Senator Smith proposed mandatory dates. I would like to know your opinion.

Senator Marshall: I think the government should look at earlier tabling of some of the documents, like the Main Estimates and the supplementary estimates. I think they should also look at the possibility of doing pre-study on some of the bills that are over in the House of Commons. For example, Bill C-8 is over there now. I expect the National Finance Committee will get it. It's a very complicated piece of legislation, but its arrival, I expect, will coincide with our study of Main Estimates, and possibly Supplementary Estimates (A). I would like to see more time given to the pre-study.

I'd also like to see more frequent meetings. I find that the pandemic has had a terrible effect on the National Finance Committee. One meeting a week is not sufficient. We should go back to our two time slots, and we should also have the ability to have those extra meetings when the Senate sits.

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

Hon. Senators: Question.

The Hon. the Speaker: It was moved by the Honourable Senator Gagné, seconded by the Honourable Senator Gold, that the bill be read a third time. If you are opposed to the motion, please say "no."

An Hon. Senator: No.

The Hon. the Speaker: I hear a "no." Those in favour of the motion who are in the Senate Chamber will please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker: Those opposed to the motion who are in the Senate Chamber will please say "nay."

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the "yeas" have it.

I see two senators rising.

And two honourable senators having risen:

The Hon. the Speaker: Do we have an agreement on a bell between the government liaison and the Opposition Whip?

An Hon. Senator: Now.

The Hon. the Speaker: If any senator in the chamber is opposed, please say “no.” The vote will take place now.

Motion agreed to and bill read third time and passed on the following division:

YEAS

THE HONOURABLE SENATORS

Arnot	Harder
Audette	Hartling
Bellemare	Jaffer
Bernard	Kutcher
Black	LaBoucane-Benson
Boehm	Lankin
Boniface	Loffreda
Bovey	Lovelace Nicholas
Brazeau	Marwah
Busson	Massicotte
Clement	McCallum
Cordy	McPhedran
Cormier	Mégie
Cotter	Mercer
Coyle	Miville-Dechêne
Dagenais	Moncion
Dalphond	Moodie
Dasko	Omidvar
Deacon (<i>Nova Scotia</i>)	Pate
Deacon (<i>Ontario</i>)	Petiti
Dean	Quinn
Downe	Ravalia
Duncan	Ringuette
Dupuis	Saint-Germain
Forest	Simons
Gagné	Sorensen
Galvez	Tannas
Gerba	Verner
Gignac	White
Gold	Yussuff—61
Greene	

NAYS

THE HONOURABLE SENATORS

Ataullahjan	Mockler
Batters	Oh
Boisvenu	Poirier
Carignan	Richards
Housakos	Seidman
MacDonald	Smith
Manning	Wells—15
Marshall	

ABSTENTIONS
THE HONOURABLE SENATORS

Nil

• (1540)

[*Translation*]

APPROPRIATION BILL NO. 1, 2022-23

THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Gagné, seconded by the Honourable Senator LaBoucane-Benson, for the third reading of Bill C-16, An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2023.

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate): Esteemed colleagues, when we adjourned yesterday I was about to conclude my speech. I simply wanted to remind you, one more time, that GC InfoBase is available for you to consult online. It makes it possible for parliamentarians and Canadians to access information on the estimates and other government financial and performance data.

I appreciate your attention. Thank you. *Meegwetich*.

Hon. Leo Housakos (Acting Leader of the Opposition): Honourable senators, I rise today to speak to Bill C-16, An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2023.

This bill provides for funding what we call interim supply, which gives the government the authority to spend before the Main Estimates are approved.

[*English*]

The publication *House of Commons Procedure and Practice* by Marleau and Montpetit explains it this way:

Since the fiscal year begins on April 1 and the normal Supply cycle only provides for the House to decide on Main Estimates in June, the government would appear to be without funds for the interim three months. For this reason, the House authorizes an advance on the funds requested in the Main Estimates to cover the needs of the public service from the start of the new fiscal year to the date on which the Appropriation Act based on the Main Estimates of that year is passed.

• (1550)

Colleagues, as someone who came to this place with a fairly extensive background in the private sector, I can assure you that this process raises flags for me and it should for all of you.

We are being asked to provide approval for the government to spend about one quarter of its voted expenditure plan prior to a detailed examination of those expenditures and prior to the approval of the Main Estimates, which won't happen until sometime in June.

Furthermore, it is important to realize that, regardless of what Parliament decides about the Main Estimates in June, any spending approval which is granted through this interim supply bill cannot be withdrawn later.

As stated in the *House of Commons Procedure and Practice*:

... during the examination of the main estimates, neither the House nor its committees can reduce a vote to an amount less than the amount already granted in interim supply.

This applies to the Senate as well. Even though the Senate's National Finance Committee has not yet cracked open a single page of the Main Estimates, this chamber is required to approve \$75 billion of interim spending and there is no recourse to withdraw any of that spending approval once it has been granted.

If the business of supply were operating properly, this would be an acceptable process. Checks and balances would be in place to ensure that adequate accountability and oversight was in place. But this is not the case. When it comes to the business of supply, parliamentarians are receiving inadequate information, receiving it late and are not being provided with a plan to see this rectified.

We always complain about it, but it is the same, ugly cycle. I want to be clear, colleagues. This is not a new problem. It has occurred many, many times. We rip our shirts in indignation when it occurs.

[Translation]

The Parliamentary Budget Officer brought up this problem in the report he released in November entitled *Considerations for Parliament in Reforming the Business of Supply*. He noted that there was, and I quote, "increasing unease among many legislators regarding their ability to provide informed consent of the government's proposed financial plans."

He goes on to say the following, and I quote:

This wariness is most palpable in the number of parliamentary standing committee reports issued since the mid-1990s offering recommendations to improve legislative scrutiny of the Business of Supply.

The mid-1990s, esteemed colleagues. That was 30 years ago, and this is still going on.

[English]

Colleagues, I think I can safely speak for most of us when I say that when the Main Estimates arrive, you open them up to take a look and almost immediately feel overwhelmed and exhausted, as stated by many of our colleagues. No doubt there are a couple of exceptions to this, perhaps Senator Marshall and Senator Loffreda, but I'm sure that for a great many of us perusing the Main Estimates can be like drinking from a fire hose. There is simply no way we can be expected to adequately review and digest that amount of financial information in the time frame that's expected.

In the end, I wonder how many of us slap the estimates shut and are more thankful than ever for Senators Marshall and Loffreda, and others who more readily consume all that information and are able to drill down on it, because, colleagues, it represents an awful lot of money that is going out the door in an awfully quick fashion.

But the truth is no parliamentarian has the ability to properly scrutinize the government's expenditure plan and Main Estimates because the information necessary to do so is not made readily available. And my raising the red flag on this isn't just partisan rhetoric; this is a widely acknowledged problem which has been left unaddressed for a long time.

In his 2016 report — six years ago — the Parliamentary Budget Officer noted that there were three core problems with the business of supply: one, the budget presents new policy initiatives but the estimates present functional adjustments to the allotments. Why does this even matter? Well, because, as stated in the PBO report:

Parliament does not have control over new policy initiatives, allowing money to be transferred between policy initiatives without parliamentary approval.

The second problem is that the Main Estimates do not include new budget measures:

Parliament spends its time scrutinizing a spending plan in the main estimates that does not reflect the current reality presented in the budget.

Third, the budget and Main Estimates have a different scope and basis of accounting. As noted by the PBO, this means that:

Parliament is asked to vote on a spending plan in the main estimates that cannot be easily reconciled with overall spending.

[Translation]

Colleagues, I mention these three points to emphasize that the problems that affect parliamentarians' ability to provide effective oversight of public spending are well known. There is no mystery there.

The Parliamentary Budget Officer's 2016 report summarized the findings of a House of Commons committee report published in 2012 entitled *Strengthening Parliamentary Scrutiny of Estimates and Supply*.

That report, which was supported by all parties, not only identified some of the problems at the time, but also proposed practical and meaningful measures to address them.

That was 10 years ago, and parliamentarians are still waiting for the proposed solutions to be implemented.

[English]

To its credit, this government did not simply ignore the proposals. It admitted the system is broken and that it needed to be fixed.

In November 2016 — again, six years ago — the government published a document entitled *Empowering parliamentarians through better information*, the government's vision for estimates reform. The very first paragraph in the document, which is available online, reads as follows:

The inability of Parliament to play a meaningful role in reviewing the Government's spending plans is a frequent source of frustration. It stems from an incoherent Estimates process, where Budget items are not included in the Main Estimates, spending plans are difficult to understand and reconcile, and departmental reports are neither meaningful nor informative.

Honourable senators, those were the government's own words in 2016. That statement was made in a document published by the President of the Treasury Board at the time, none other than the Honourable Scott Brison.

Now, on the one hand, perhaps we can take some comfort in the fact that the government has acknowledged there is a problem and that it needs to be addressed. But on the other hand, that acknowledgment was made five and a half years ago and nothing has substantively changed since then; absolutely nothing.

[Translation]

In this year's report on the Main Estimates, the Parliamentary Budget Officer again sounded the alarm. He wrote the following, and I quote:

As noted by the PBO in previous reports, while there is a fixed tabling date for the Main Estimates (no later than March 1st), no such guarantee exists for the other supporting information (notably the Departmental Plans and the Departmental Results Reports). While this discretion provides greater flexibility to the Government, it does create the risk of misalignment between the money parliamentarians are asked to approve and when details of the planned (and actual) spending are available. This undermines the ability of parliamentarians to meaningfully scrutinize proposed spending.

[English]

There was more. The PBO went on to say:

While the Government refers to the Main Estimates as the "Government's Expenditure Plan", they generally fail to include any measures in the corresponding Budget, nor do the Departmental Plans, and therefore present an incomplete picture of government spending. Tabling the Main Estimates prior to the release of the budget has allowed for more detailed Treasury Board scrutiny of budget measures prior to their consideration by Parliament in the Supplementary Estimates. However, this results in asking parliamentarians to approve funding through the Main Estimates that were incomplete as they do not represent an accurate picture of the Government's planned spending.

The PBO goes on:

As previously admitted by the Government, this lack of cohesion between two of the Government's primary fiscal documents engenders confusion. As such, it hinders the ability of parliamentarians and Canadians to understand the overall federal spending strategy, track new policy measures announced in the Budget, or identify the expected results of new Budget measures.

The PBO then repeats the three all-party recommendations made ten years earlier by the House of Commons Standing Committee on Government Operations and Estimates:

Parliament should establish a fixed tabling date for the budget;

This tabling date should be early enough to ensure that Budget measures can be incorporated in the Main Estimates; and

The Departmental Plans should be tabled at the same time as the Main Estimates.

• (1600)

In addition, the Parliamentary Budget Officer, or PBO, repeated two recommendations he made earlier this year:

... Move the publication date of the Public Accounts to no later than September 30th; and

Require the Departmental Results Reports to be published at the same time.

According to the PBO, these five changes "... would create a cohesive, intuitive and (critically) transparent financial decision-making process for legislators."

Honourable senators, the truth of the matter is that not only are the problems well known, but the solutions are equally well known. The government's clear acknowledgment that these problems exist needs to be addressed. You would think this equates to a clear and simple path forward.

Yet, not only has nothing been done, but this lack of information and accountability has also progressively been getting worse over the tenure of this government. Consider the fact that in 2020 we never even received a budget. Then, in 2021, the budget didn't arrive until the third week of April. Of course, the government blamed the lost budget in 2020 and the late budget in 2021 on COVID. Yet, even this year, the budget will not be tabled in Parliament until April 7.

The Financial Administration Act requires that the public accounts are tabled in Parliament before December 31 of each year, but by convention, they are usually tabled in October. Last year, they were not tabled until November 30. The year before that, they were tabled December 12. This year, the public accounts were not tabled until December 14, 2021, which, as the Parliamentary Budget Officer pointed out, was the latest publication date since 1993-94.

[Translation]

In his January report entitled *Economic and Fiscal Update 2021: Issues for Parliamentarians*, the Parliamentary Budget Officer stated, and I quote:

Comparatively, Canada was among the last of the G7 countries to publish their financial accounts for the 2020-21 fiscal year.

The Parliamentary Budget Officer added the following:

The federal public accounts are published later than most provincial and territorial public accounts, with nearly half of the provinces and territories publishing their respective public accounts within six months.

The government's tardy publication of the Departmental Results Reports is further evidence of its inability to provide information in a timely fashion.

[English]

These reports outline the government's actual performance by department for the most recent fiscal year and enable parliamentarians to review what was actually accomplished through all that money being spent. Yet, this year, these reports were not published until February 2022, which was 10 months after the end of the fiscal year. This is no small thing.

As noted by the PBO:

The lack of timely, comprehensive results data makes scrutinizing proposed spending more difficult. It is important that parliamentarians can understand the results organizations expect to achieve, how they will be measured and how these compare to previous years in order to make informed decisions.

Colleagues, there is no lack of clear action that the government could be taking in order to correct the problems that plague our ability to provide proper oversight and accountability to the expenditures of public funds, which is our fundamental role in this place. Instead of doing so, they continue to make things worse instead of better. A perfect example of this is found in the

interim supply bill before us today. As I mentioned earlier, interim supply is supposed to provide an advanced appropriation of money needed for three months: April, May, and June.

Yet, under this government, the amount of money included in the interim supply bill has sharply increased since they took power from 29% to more than 40% of total voted appropriations in the Main Estimates. How high do they plan on allowing that number to go? It's like they are stuffing as much spending as they can into an interim estimate just to diminish accountability even further — 29% to 40%. It's unacceptable.

Colleagues, we desperately need this government to get its act together and to do the right thing, but all the indicators are pointing in the wrong direction. Spending is going up, while accountability is going down. Disregard for the role of Parliament has become what we all know it to be. Even those that deny it sense it and see it.

Take note that this interim supply bill is for \$75.5 billion. That is almost as much as the entire voted supply in the 2015-16 Main Estimates when this government took power. That year, total voted appropriations in the Main Estimates came to \$88 billion. This year, that number is \$190 billion. That is a 116% increase in only seven years.

In 2015-16, interim supply was \$29 billion. This year, it is 193% higher at \$75.5 billion. This government has almost doubled their voted spending requirements in only seven years.

[Translation]

Colleagues, don't forget that the Main Estimates do not take into account any of the new spending the government will announce in its budget or any of the spending promises it had to make to buy the NDP's support to save the government.

This government will not hesitate to open the floodgates of public spending and print as much money as necessary so it can keep sprinkling it all over the place.

[English]

They don't care that our debt is ballooning. They don't care that the inflation rate has exploded. They don't care that last year's fiscal sustainability report warned that current fiscal policy in Canada is not sustainable over the long term and they don't care that they have no plan to balance the budget.

The truth is, colleagues, they have no fiscal anchor. They are irresponsible. They are short-sighted and dangerously negligent in their stewardship of public finances, and they can't be bothered to make the fundamental changes necessary to ensure proper oversight by Parliament. It is our obligation to make sure they do.

At the end of the day, I want to remind colleagues that the way this democracy is supposed to work is not the way it's working. It's not the Prime Minister at the top with his cabinet under him, and his MPs under him and his senators under him. It is supposed to be the other way around. It's supposed to be Parliament at the top. Under Parliament, it should be ministers, and under the ministers, at the bottom of the totem pole, it should be the Prime

Minister. That's where the word "prime minister" comes from, servant of the people. That's where the word "ministers" comes from. The word means servants of the people. Somewhere along the line, we have lost track of that reality. We think that our Parliament, our bureaucracy and our ministers are all accountable to the Prime Minister's office.

It has to stop at some point if we want to defend fiscal responsibility and we want to defend democracy in the true spirit that we're supposed to be practising it in. This government has no interest in doing what is right and no qualms about heaping all the obligations to pay for their profligate spending habits on future generations. Clearly, we are seeing a debt right now that generations will be saddled with for decades to come. This government has been reckless and unapologetically incompetent.

Honourable senators, today, I suspect in all likelihood this Senate will pass this bill. We the opposition, the Conservative Party, will continue to call for transparency, for accountability and for fiscal responsibility in our governance. We will redouble our efforts to ensure that after the next general election Canadians will once again have a responsible and competent government that works to ensure the future rather than the present and that takes into consideration that decisions we make today will have a huge impact on future generations of Canadians. Thank you.

Hon. Elizabeth Marshall: Thank you, Senator Housakos, for your comments.

Before I start my speech, I only have a few words to say about the interim estimates, but I want to pick up on a couple of points that you made. We spend a lot of time in the National Finance Committee — and I spend a lot of time — reading the government's financial documents. Of course, most of them are hundreds of pages long, but even I find it challenging to try to make sense of what is happening. I must say that trying to match the estimates documents with the budget is an absolutely impossible process.

The other point I would like to make with regard to some of your comments is that the National Finance Committee spends a lot of time on the estimates documents and the supplementary estimates documents. It's the appropriations bills we focus on, but if you look at last year's public accounts, you'll see that there was \$166 billion approved by appropriations bills, but there was \$308 billion approved by other legislation. We rarely look at that money. We're focusing on one third of government spending, so that has always been a concern of mine.

• (1610)

I'll talk about the specifics of the interim supply bill. Senator Gagné mentioned most of it already and Senator Housakos alluded to it, but sometimes you need to say something eight times before people pick up on what you're saying. I'm going to give a very short speech with regard to the interim supply bill.

This is the first appropriation bill for the 2022-23 fiscal year. As I said previously, the year runs from April 1 to March 31, so the old year ends today. This is a big day. It's the end of the

fiscal year, and tomorrow is the new year. The Senate just approved the last appropriation bill for the old year, which was Bill C-15.

This is Bill C-16, and it will approve some funding for the new year. It's called the "interim supply bill." That will be tomorrow. Because the Main Estimates have yet to be approved by the House of Commons and the Senate, the government needs money to continue operating, so parliamentary approval is being sought for an advance of the funding that is requested in the Main Estimates. That will be achieved through Bill C-16, and the bill itself sets out in detail the sums of money that the government requires to operate until June 30, when we expect the Main Estimates will be approved.

If you look at the bill itself, you'll see that funding is requested in the supply bill and is expressed in twelfths of the amounts that will be voted in the Main Estimates. There is a schedule there, but it starts off by saying that everybody gets three twelfths of their funding in interim supply, except for the following, and then there is a schedule that says certain departments and certain votes will get four twelfths, so many will get five twelfths and it goes up to 12 twelfths. On average, if you look at the total amount in the bill, you will see that the government is effectively requesting, on average, about five twelfths of the money being requested.

What is striking about this bill is that the \$190 billion being requested in the Main Estimates is significantly more than the Main Estimates last year, because last year the Main Estimates requested \$142 billion. This year, it's \$190 billion, so it's an increase of about 33% or 34%.

The interim supply bill, as a result, has also increased, going from \$59 billion to \$75 billion. However, it's still very early, so you can expect that these amounts will increase significantly.

We haven't done our study of the bill yet, but we usually go through it to see whether anything stands out. There are a couple of things there. Four organizations are requesting significant increases in their funding. The Federal Economic Development Agency for Southern Ontario is requesting a significant increase, as are Employment and Social Development Canada and the Department for Women and Gender Equality, so I expect we will hear from them. The fourth is Indigenous Services Canada, which is already problematic for me because they testified at our committee for Supplementary Estimates (C), and their Departmental Results Reports need a lot of work. They have 79 performance indicators, and they indicated that 14 of them have been met, so 63 are not met or not available or to be achieved. That stands out as an issue.

Those are my comments on the interim supply bill. I look forward to looking at the Main Estimates because that's where we'll be studying all the details in the bill.

The Hon. the Speaker: Senator Marshall, you have some time left. There is a senator who wishes to ask a question. Will you take a question?

Senator Marshall: Yes, of course.

Hon. Rosa Galvez: Thank you, Senator Marshall. I know you say that you have to repeat the same thing many times for people to hear. I want to tell you that I hear you, and I'm worried, as are you, that we see only one third of all the expenses.

Because you have been on the National Finance Committee much longer than I have, will you please tell me if this was the practice years ago? Is it common that we only see one third, or is it because of COVID? Thank you.

Senator Marshall: No, it's not because of COVID. It might have intensified with COVID because some of the COVID spending was statutory. However, it has always existed, and I think I have spoken about the issue in the Senate a number of times. In fact, I have drafted a letter — it's not quite ready to go; I'm waiting for the translation to be done — asking that the National Finance Committee undertake a review of the spending of this \$308 billion. My concern is that perhaps the members of the Finance Committee think that all the spending is in the Main Estimates and supplementary estimates, and that's not correct. There is a lot of spending outside that process, and members of the committee should be aware of it. We should be tracking it, providing oversight and making our colleagues in the Senate aware of it.

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

Hon. Senators: Question.

The Hon. the Speaker: It was moved by the Honourable Senator Gagné, seconded by the Honourable Senator LaBoucane-Benson, that the bill be read a third time. If you're opposed to the motion, please say "no."

Some Hon. Senators: No.

The Hon. the Speaker: I hear a "no." All those in favour of the motion who are in the Senate Chamber will please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed in the Senate Chamber will please say "nay."

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the "yeas" have it.

And two honourable senators having risen:

The Hon. the Speaker: Do we have an agreement on a bell?

Hon. Senators: Now.

Motion agreed to and bill read third time and passed on the following division:

YEAS THE HONOURABLE SENATORS

Arnot	Hartling
Audette	Jaffer
Bellemare	Klyne
Black	Kutcher
Boehm	LaBoucane-Benson
Boniface	Lankin
Bovey	Loffreda
Brazeau	Lovelace Nicholas
Busson	Marwah
Christmas	McCallum
Clement	McPhedran
Cordy	Mégie
Cormier	Mercer
Cotter	Miville-Dechêne
Coyle	Moncion
Dagenais	Moodie
Dalphond	Omidvar
Dasko	Pate
Dawson	Patterson
Deacon (<i>Nova Scotia</i>)	Petitclerc
Deacon (<i>Ontario</i>)	Quinn
Dean	Ravalia
Downe	Ringuette
Duncan	Saint-Germain
Dupuis	Simons
Forest	Sorensen
Gagné	Tannas
Galvez	Verner
Gerba	Wallin
Gignac	Wetston
Gold	White
Greene	Yussuff—65
Harder	

NAYS THE HONOURABLE SENATORS

Ataullahjan	Marshall
Batters	Oh
Boisvenu	Poirier
Carignan	Richards
Housakos	Seidman
MacDonald	Smith
Manning	Wells—14

ABSTENTIONS
THE HONOURABLE SENATORS

Nil

• (1620)

THE SENATE

MOTION TO EXTEND HYBRID SITTINGS TO APRIL 30, 2022,
ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Gold, P.C., seconded by the Honourable Senator LaBoucane-Benson:

That the provisions of the order of November 25, 2021, concerning hybrid sittings of the Senate and committees, and other matters, be extended to the end of the day on April 30, 2022;

That the Senate commit to the consideration of a transition back to in-person sittings as soon as practicable in light of relevant factors, including public health guidelines, and the safety and well-being of all parliamentary personnel; and

That any further extension of this order be taken only after consultation with the leaders and facilitators of all recognized parties and parliamentary groups.

Hon. Jane Cordy: Honourable senators, I rise to speak in support of Motion No. 28, and I do so on behalf of my Progressive Senate Group colleagues. On this issue we are unanimous. We support this motion and, in fact, we would support extending the motion until the end of June at this time.

However, we do agree to proceed with this motion as it is today, and wish to re-evaluate the COVID-19 situation and the hybrid measures again before the end of April.

• (1630)

Honourable senators, while I'm keen to return to fully in-person Senate sittings and committee meetings, I'm also well aware that some senators are immunocompromised or have immunocompromised family members. We should be sympathetic to our more vulnerable colleagues who don't feel comfortable participating in the chamber at this time. They don't want to risk their health or the health of their loved ones.

We must also be cognizant that if we continue in a hybrid setting, we are better placed to have the infrastructure in place in the event of another wave. Ottawa's Medical Officer of Health just yesterday warned that the level of COVID here in Ottawa is rising, with the level in waste water rising dramatically over the last two or three weeks. Dr. Vera Etches said in her special statement:

The pandemic is not over and we are currently experiencing another resurgence.

In my home province of Nova Scotia, 5 members out of 55 members of the legislative assembly now have COVID. The legislature is currently discussing a move to hybrid sittings, and there are concerns about it because it cannot happen instantly while the legislature is sitting.

Given these obvious warnings, we must keep in mind that it is easier to maintain hybrid until the end of June than it would be to convert back to hybrid if COVID cases rise significantly here in Ottawa or in our own provinces and territories.

Finally, I don't think I am telling any secrets to say that many of us in this chamber are in the age group that is more susceptible to poor COVID outcomes than are members of Parliament. It is also interesting to me that the other place continues with their hybrid model until the end of June. Why shouldn't we do the same here in the Senate?

Hybrid sittings, and settings, do not prevent anyone from attending Senate sittings in person. If a senator wants to be here, as most of us are, they can be. But an in-person-sitting-only environment, at this time, will certainly prevent some of our colleagues who are immunocompromised or who have immunocompromised family members from being able to fulfill their responsibilities as senators.

To be clear, hybrid sittings should not be a long-term occurrence. We all want to be in Ottawa in person with our colleagues, in this chamber and in committees. But I do not want to negatively impact the health and well-being of my colleagues or Senate staff to do so. I believe it is absolutely essential to remember that these decisions not only affect senators but our staff and Senate staff as well.

I will support the current motion, and I look forward to re-evaluating the Senate's position at the end of April. Thank you.

Hon. Dennis Glen Patterson: I would like to ask Senator Cordy a question, if she'd take one.

Senator Cordy: Certainly.

Senator Patterson: Senator Cordy, you asked why we should not follow the House of Commons in continuing hybrid until the end of June. I would say to you that the problem we have in the Senate is that, unlike the House of Commons, we clearly do not have the adequate resources to support our committees while we're in the hybrid mode. You understand that those resources are interpreters, technical operators and camera operators. That limits us to one committee meeting per week.

So I would like to ask you this: Would you agree that until we get adequate resources to allow our committees to do the important work that Senate committees do, we should not be embracing the hybrid motion because it's crippling our ability to do our committee work?

Senator Cordy: Thank you very much. You raise a really good point.

We all would love to be sitting in our committee meetings. For those of us who normally sit twice a week, it's now down to once a week. We all understand.

But you also have to recognize that a number of our staff have developed COVID as a result of working in circumstances with a lot of people around. We know there are senators who have contracted COVID, whether that's in the Senate Chamber, getting on an airplane and flying to Ottawa or whether it's when they're at home. We don't know that, and it's very challenging to figure out where the contacts have come from when you've been on an airplane, in an airport or even in the Senate Chamber as a whole.

It would be great if committees could sit twice a week, but I don't go back on what I believe, which is that we should, at least until the end of June, maintain hybrid. I'm willing to support this motion, but I think it should be the end of June when we could better make an evaluation. We should, in fact, go along with the House of Commons — and I don't often say that. However, in this case, I believe the motion should be until the end of June.

Hon. Marc Gold (Government Representative in the Senate): Would the senator take a question?

Senator Cordy: Certainly.

Senator Gold: Thank you for your speech, Senator Cordy. As some of you may know, in the month of March alone, there have been 23 cases of COVID in the Parliamentary Precinct: 12 in the Senate family, 7 in Parliamentary Protective Service and 4 in Public Services and Procurement Canada.

As we all know, the Parliamentary Precinct pretty much operates in an integrated fashion, so when cases are compiled and reported they include all of those I just mentioned, including, of course, employees of the House.

Given this integration, senator, do you think it would make sense for the Senate to transition back to in-person sittings before the House does? Would this not just simply be increasing the risk, not only for ourselves but for the entire precinct?

Senator Cordy: I absolutely agree that it would be best if we followed the House in this matter and that we ought to continue hybrid until the end of June.

The numbers you've presented to us today are not surprising, but they are startling. They certainly give one cause to pause. They suggest that if you wish to be here in person, you can be in person, but if you are immunocompromised or if you are really nervous about going to an airport and flying, then you can certainly fulfill your functions as a senator via the hybrid model.

I spoke earlier and told you that five MLAs in Nova Scotia have COVID, and that's out of 55 members of the legislature. In Nova Scotia, the Conservative Premier Tim Houston said:

We're in a pandemic and you've got to be willing to roll with it. . . . Very strongly in favour of a hybrid session to make sure that every voice, every Nova Scotian has a chance to be heard through their MLA.

And I would say the same thing would be true in Ottawa. Every senator has the responsibility to work on behalf of their constituents in their provinces, and every senator should have the ability to do that in the middle of a pandemic. The numbers that I'm seeing — and my staff in working on this looked at the numbers — are rising, whether we like it or not. It's a pandemic, and I think we should follow the House of Commons and make our situation hybrid until the end of June.

Having said that, I will support this motion, but my wish would be that it would be until the end of June. I look forward to revisiting this at the end of April and making adjustments if they are necessary at that time.

Hon. Frances Lankin: Senator Cordy, you will take another question, I hope?

Senator Cordy: Yes, I will.

Senator Lankin: Thank you very much. I want to indicate that I agree with everything you've said, including the comments that most of us want to get back to in-person sittings and two committee meetings a week.

I'm concerned that, even without hybrid sittings, our resources are very stretched. One of the things that concerns me is that there is a cyclical argument of, "We'll go to April, and then after that, maybe to June." There is a hope being held out that we may, within the next couple of months, fix this problem of resources.

I wonder if you could tell me if you would support an initiative where we sit down with the Standing Senate Committee on Internal Economy, Budgets and Administration, attempt to seriously address these issues and not wait until we know if we're coming back to a full sitting or not. Thank you.

• (1640)

Senator Cordy: Thank you very much for that. I couldn't verbalize it any better than you've already done. I think it's really important. Resources were stretched before COVID, and they're stretched now. Our office staff and the Senate staff have been going above and beyond, and I'm sure that exhaustion sometimes leads you to be more vulnerable to picking up COVID, colds or flu when you're exhausted. I would like to take this opportunity to thank the Senate staff and our office staff for going above and beyond.

You have raised a really good point that maybe we should have a working group looking at resources. We're looking now, and Senator Gold gave us the numbers of people within our institution who have been getting COVID. However, we should certainly look at it and see where we need people and where we have to hire more staff. Thank you very much for raising that.

Hon. Patricia Bovey: Would Senator Cordy take one more question?

Senator Cordy: I will.

Senator Bovey: Senator Cordy, you mentioned that the hybrid sittings allow those who are immunocompromised to fulfill their responsibilities and take part in the chamber. You've talked about the hybrid continuing until the end of June. I certainly agree with that, especially at a time when direct flights from our cities have not yet been put back in place. I'm from Winnipeg. Mine is not going to be back in place until June. That increases the occasion for some of us, as I have, to contract COVID. The hybrid sitting has allowed me to take part this week. I would not have otherwise, though I'd much rather be in the chamber, as you know.

Would you agree that hybrid sittings allow those who do contract COVID to continue to be active in chamber deliberations?

Senator Cordy: Yes, I did speak about those who are immunocompromised. I did not speak about those who may have contracted COVID and who are able to still take part by sitting at home and not going out of their house to spread it. Provided they're not in a serious condition, bedridden or even in the hospital, they are still able to sit in a room in their house and take part.

You spoke about the lack of direct flights. I think all of us who have to fly to get here understand that. Flying to Nova Scotia used to be very easy with a choice of five or six direct flights a day. Now there are two direct flights a day. If I wait until the next day, it's either 6 a.m., which doesn't lead to a very productive day when I arrive at home — and that's not a direct flight — or getting home late on Friday afternoon and heading back to Ottawa either on Sunday night or Monday morning.

I've spoken to one person who has to take three planes to get to Ottawa and could probably drive faster to Ottawa if she wished to do so. You're absolutely right. There are a lot of things happening during the pandemic times and lack of convenient flight times would certainly be one of them. Thank you for raising that.

Hon. Denise Batters: Honourable senators, I rise today to speak in opposition to this motion to extend the Senate's hybrid parliamentary sittings to April 30, 2022.

As you may know, I have opposed similar proposals for conducting virtual and hybrid parliamentary business in the past. Frankly, I don't think a virtual connection between senators is sufficient for adequately handling the magnitude of issues Parliament deals with every day — refugees fleeing from war-torn Ukraine or Afghanistan, assisted suicide, the Emergencies Act.

As parliamentarians, we are called to come together in this place at the heart of Canada's very democracy to debate the issues that matter most to Canadians. For us to be here, in person, matters. Our senatorial duties aren't something we should fit in around the edges of our own lives — something to which we log on or off. Our primary responsibility should be to represent the

interests of our respective regions in the legislative process. To do that, I think it's important to stand up and make our voices heard.

This motion is indicative of a Senate parliamentary bubble that doesn't reflect real life in Canada. Let me preface my comments by saying that I am proudly triple vaccinated, and I have promoted this widely on my social media. But at this point in time, every province has either dropped their vaccine mandates or has a plan to do so. Still, this federal Trudeau government obstinately refuses to drop the federal vaccine mandates or even plan for it.

With this motion, the government signals that it intends to keep this chamber under the boot of hybrid Parliament just a little while longer. As we've seen, a dull Parliament conducted by Zoom is much less likely to spark public and media interest, which is advantageous to a government keen to avoid transparency and accountability.

This motion is weak on any commitment to returning to in-person Senate sittings. It reads:

That the Senate commit to the consideration of a transition back to in-person sittings as soon as practicable in light of relevant factors . . .

The Senate should “commit to the consideration of a transition”? I could “commit to the consideration of a transition” into a Winnipeg Blue Bombers fan, but it doesn't mean I will. Such a wide-open phrase commits the government to absolutely nothing.

The reality is that most people don't have the luxury of dialling in remotely to work. For months, Canada has been asking Canadians to work while still being as safe as they can. Cleaners, health care workers, mechanics, farmers, wait staff, first responders and truckers are just some of the people who have worked in person throughout this pandemic to support the public. And, honourable senators, as public servants — quite literally servants of the people — senators should be on that list too.

But that hasn't been the case, has it? On top of the unnecessary election Prime Minister Trudeau called, we've been in virtual sittings for the past 18 months. We've had hamstrung committees that can only do half as much work as normal because of Zoom broadcast scheduling problems and frequent suspensions in the chamber due to technological problems at one end or the other. All of these interruptions and obstacles ultimately chip away at our democracy.

Because of challenging personal circumstances during the pandemic, many senators have not been coming in person to Ottawa at all. I haven't seen some of my Senate colleagues for two years. This loss of informal, in-person communication between senators at committee or in the halls hampers not only political strategy but also the collegiality, communication and cooperation between senators. Previously, I have actually convinced other senators to vote with me on initiatives just as the whips were heading down the aisle before a vote, something that is just not as possible under a hybrid system.

Other COVID safety measures could have been employed in the Senate Chamber, which would have allowed us the freedom to safely social distance while still gathering in person for chamber sessions. These included measures like plexiglass dividers or speaking from a more distanced corner of the chamber or gallery, for example.

At times, when the Speaker himself has to attend the chamber by Zoom, the disadvantages of a hybrid system are quickly made apparent. He is unable to see the full chamber in detail and thus can't see if a senator is rising in the chamber or if someone is trying to get his attention.

One of the biggest drawbacks to a hybrid Senate system is the impact it has on our parliamentary interpreters. This is an ongoing major problem, and it's one I've voiced at the Internal Economy Committee and in the chamber. Hybrid Parliament has had very detrimental health implications for these employees, especially given the varying quality of audio equipment used by senators and witnesses in the chamber or at committees.

Furthermore, the limited number of qualified interpreters in the National Capital Region, plus a higher demand for their services, means an increased level of work overload and burnout. It is unfair that we expect interpreters to shoulder this increased burden at a risk to their own personal health so that senators can attend by Zoom from the comfort of their homes.

Furthermore, as a detailed House of Commons report found last year, hybrid sittings required double the number of employees in general to run, compared to an in-person sitting of the House. The argument that hybrid Parliament is better for staff simply doesn't hold water.

Also, Ottawa's vaccination rate is one of the highest in the country. The Senate already has a vaccine mandate as a precondition for employment or even attending at the Parliamentary Precinct. Yet, rather than those measures providing an additional measure of freedom within the Senate in the last several months, our restrictions have tightened. Now we not only have to wear a mask in the chamber, even at our seat, and sit six feet apart, but until recently we were expected to wear a mask while speaking in the chamber. This is different than the House of Commons where they have always been able to remove their mask to speak.

Of course, the Senate has continued to adhere to this masking policy even though the Province of Ontario recently removed its provincial mask mandate.

• (1650)

Meanwhile, Ottawa's downtown is a ghost town. The streets in front of Parliament Hill are still locked down to vehicular traffic, weeks after the convoy left. No one seems to be able to explain why; it's just one more of those infuriating details of life in a bureaucratic city. It seems every week another long-time small business is closing, no longer able to withstand the absence of its usual clientele.

What is the plan for reopening in this chamber, this precinct and in the streets surrounding us in the National Capital Region? We can't live this way forever. It's not good for Parliament, and it's certainly not good for the Canadian economy.

Recently, the Senate circulated a notice announcing the easing of restrictions throughout the Senate and parliamentary buildings. That memo noted that only 25% of the Senate Administration workforce would be returning to the office by mid-April. There were no other indications about ramping up back-to-work plans beyond that.

Meanwhile, the Senate budget for the upcoming fiscal year has ballooned to \$122 million, a sum that has continued to increase despite the fact that we have had two years of a pandemic, a significant portion of senators are not travelling back and forth to Ottawa, and we currently have 15 senatorial vacancies.

Other businesses and organizations have had to make difficult and often gut-wrenching decisions about layoffs and cutbacks because of this pandemic. Yet the Senate Administration has added employees; they and we have not lost one paycheque throughout this pandemic. It seems like everyone else in the country has a back-to-work plan. Why not the Senate?

The motion says the Speaker will only extend the hybrid Senate further after consultation with the other leaders and facilitators in the Senate. My question on that is, is that the Trudeau government's patented brand of consultation? A phone call just before the emailed press release goes out?

One of the primary reasons I am opposed to extending the hybrid Senate is the Trudeau government's penchant for using it to try to avoid accountability. This government has pumped billions of dollars in spending through this Parliament during this pandemic, ramming it through the Senate in brief hearings in Committee of the Whole, rather than holding the usual intensive Senate committee studies. With Committee of the Whole, a Trudeau minister or two appear for one or two hours, with no other witnesses, to give rambling responses that don't directly answer even the most basic of questions. It's unequivocally bad Parliament, and it impairs the ability for opposition, in fact, all parliamentarians, to hold the government accountable.

How many times throughout this hybrid Parliament have we seen the Leader of the Government in the Senate refuse to even deliver a speech on government bills and motions that they want passed lickety-split through this chamber? He's even waived his right to speak on this motion, which also denies the rest of us the opportunity to question the government on this important issue.

There is no excuse, honourable senators. None. The Senate government leader has a budget of \$1.5 million and a staff of up to as many as 15 people, plus the massive resources of the Government of Canada to draw upon to do his work. As the Leader of the Government in the Senate, he owes the people of Canada at least the respect of doing that job.

We saw it again this Tuesday with the government's deputy leader in the Senate, who introduced two major government supply bills, worth tens of billions of dollars each, but then did not speak to either one at second reading. When I asked her how much money each bill would cost, she had to pause and look it up, saying she wasn't expecting any questions. Why not? This is about government accountability. This Trudeau government treats Parliament like background noise to be muted and managed, and in that worldview, dialling it in by Zoom is good enough governance. But Canadians deserve better, honourable senators, and the Senate of Canada is not just a rubber stamp. We must not allow this chamber to be treated like one.

Hybrid Parliament is terrible for accountability, and it has also had an awful impact on Senate committees. First, because of the lack of parliamentary and broadcasting resources, Senate committees can generally hold only about half as many meetings as they would normally. For example, I looked up the committees I have been affiliated with in the past. Since April 1, 2021, the Legal Committee met only 14 times; the Rules Committee, only 7 times; and the Standing Committee on Internal Economy, Budgets and Administration — the committee that governs budgetary affairs for the entire Senate — sat only 9 times in the whole year. During regular, in-person sittings, Internal Economy would generally meet nine times in only about three months.

Senate committees have traditionally been known as the vehicle to showcase some of the Senate's finest work — careful, measured, in-depth research and study on issues affecting Canadians. Instead, during this pandemic, committees have often been restricted to meeting once a week. The number of witnesses who can appear at meetings have been limited as well. Senate committees, therefore, bear the negative consequences of these limitations.

Throughout the pandemic, the Senate has been treated like the junior partner of the House of Commons regarding broadcasting time and equipment. The House of Commons was continually prioritized over the Senate; yet this was something that the Senate apparently agreed to, throughout.

Since almost the very beginning of the pandemic, the House of Commons has always had hybrid committee meetings. Almost right from the start, the House had committee meetings operating at nearly 100% normal capacity for almost the full pandemic. Meanwhile, at points, the Senate was forced to have only virtual committee meetings because of a lack of resource capacity. The Senate has had to continue to make do with the leftover scraps.

The Senate and the House of Commons are equal but complementary chambers of Parliament. We should not be continually forced to sacrifice our parliamentary work for the benefit of the House of Commons. The Senate should be returning to in-person committee meetings as soon as possible, not extending this hybrid deadline once again.

Honourable senators, I think we need to think critically about the effect hybrid Parliament has had not only on our committees but on Parliament, on this Senate Chamber and on us as parliamentarians. Does hybrid Parliament serve the best interests of the Canadian public in Parliament? Is this government becoming more open, transparent and accountable under a hybrid

system, or has it become a convenient system for shoving spending through Parliament quickly without too much pesky opposition interference?

I fear the Trudeau government views it as the latter. And I, for one, do not want to stand by and watch that happen. I certainly won't accede to it. That's why I plan to vote against this motion to extend hybrid Parliament. We need to return to work in person and at full capacity, honourable senators. We should be standing here, in our places, for the people of Canada. Thank you.

Senator Patterson: Honourable senators, I rise today to give voice to concerns that I know many senators in this chamber have. I have always said that the Senate does its best work in committee. However, our good work is being hampered by the continuation of the hybrid format.

This was the crux of my question to Senator Marwah last week. I'm sure that many a steering committee has also been frustrated by the lack of resources causing severe limitations on timing and committee schedules.

I have the privilege of sitting on two steering committees, and I know well that my steering committee colleagues share my frustration.

I know that this motion will pass today, but as the leaders of the various groups debate whether we will further extend it past April 30, I want to put some important points on the record that I hope will help with our deliberations.

Today alone, 13 committees are meeting in the other place, colleagues. The Senate had three committees meeting today.

While the other place has been able to add meetings and even create two new committees, we are lucky if we get one meeting each week. Why is there such a gap between the resources available in the House versus the Senate?

Well, the first issue we must confront is that some of the much-needed resources we use every day during our committee meetings are not Senate resources but resources from the other place, with whom we have a memorandum of understanding to borrow staff, such as TV booth operators, multimedia system operators and interpreters.

According to the Canadian Association of Professional Employees, CAPE, which is the union representing interpreters, we have 25% less translation capacity than we did pre-pandemic. The main reason for this is stress and illness.

Both CAPE and the International Association of Conference Interpreters have called for a return to in-person meetings in order to safeguard the safety of interpreters. Despite best efforts — and I think we've all experienced this — jarring jumps in volume for remote participants in meetings has led to hundreds of injuries since the start of the pandemic, with at least one interpreter suffering an auditory concussion. I have to admit that I had never heard of that particular injury before.

• (1700)

During a March 3, 2022, committee meeting of the House Board of Internal Economy, Translation Bureau Chief Executive Officer Lucie Séguin and House Chief Information Officer Stéphan Aubé both reaffirmed the negative impact that hybrid sittings have on translation staff. Mr. Aubé was clear that, “the more participants are in person, you’ll see a reduction of incidents.”

With the shortage of translators, Senate committees are placed lower in the priority list as, according to the MOU, preference must go to the House. This affects not only those translators who provide simultaneous translation, but also translators in our Translation Bureau. The result — and I think we are all familiar with this in our committee work — has been massive delays in our ability to translate transcripts and written submissions, which has the domino effect of delaying the ability of the Library of Parliament to deliver on briefing notes and reports. It has also forced committees to place word limitations on written submissions, which I think is patently unfair to witnesses who are now faced with condensing their submissions at the expense of important testimony for committee consideration.

The delay in translation of transcripts and written submissions is unacceptable. It either results in senators needing to wait an inordinate amount of time before receiving critical information, particularly when it relates to consideration of a bill, or it forces a situation where senators must first receive the submission in its original language in order to have it considered as part of the testimony. In some cases, the translated version is not received until days later. Colleagues, this is an infringement on every senator’s right to conduct business in their official language of choice.

Leaving aside translation troubles for a moment, when reviewing the *Senate Committees Directorate Activities and Expenditures Annual Report 2020-21*, I was shocked to learn about the savings that hybrid has provided for committees.

Where we once used to pay up to \$5,000 for witnesses appearing by teleconference, which often requires renting a studio, we discovered Zoom as a way to have witnesses appear remotely for the cost of a \$100 headset. Remote participation also saves us the need to pay for travel, lodging and per diems of witnesses. It is estimated that this has resulted in savings of at least \$450,000 over the past year.

Why, then, honourable senators, are we not using that money to hire our own TV booth operators and multimedia operators? Why are we not putting that money towards more interpreters?

With the greatest of respect, I believe that the statement of the Chair of the Internal Economy Committee, the Honourable Senator Marwah, in answer to my question on this same issue last week — namely, that these vital services are, as he put it, in the purview of the other place — is not acceptable.

Let the Senate be the master of its own house. We must proactively seek ways to ensure that the important work of our committees is not hampered. We need to ensure that our committees are properly resourced. At the very least, I submit that we should be redirecting the money that we save on

in-person witnesses and senators’ travel to ensure that we have the necessary staff in-house to hold meetings more than once a week. We need to eliminate the limitation that we can have only two committees sitting at a time.

Finally, colleagues, I want to talk about the impact that hybrid has on our privileges. Poor connectivity and strict time limitations have led to no time for senators to ask questions and to some witnesses needing to be cut short in both their presentations and answers to senators. Where we once could count on a potential second round, senators are lucky if they get a single question on the record.

When I moved an amendment in committee relating to Bill C-12, connectivity problems resulted in my not being able to complete the defence of my amendment within the limited time available to the committee. This cannot be allowed to continue.

If we do decide to extend hybrid beyond the end of April, I contend that we must only do so if we have worked and made progress to address the significant concerns I have identified here today. Thank you.

Some Hon. Senators: Hear, hear.

The Hon. the Speaker pro tempore: Senator Patterson, Senator Dupuis has a question for you. Would you take a question?

Senator Patterson: Yes.

[Translation]

Hon. Renée Dupuis: Thank you, Senator Patterson. I agree with you that there is a time problem and that the committee meetings are problematic as well. If I understood what you said, the cause of these problems is the service agreement the Senate has with the House of Commons, to which we have given priority for all business, whether in the House or its committees. We are disadvantaged because of this agreement. The problems we have in finding interpreters and finding time for committee meetings are due to this agreement, which does not benefit the Senate, rather than to the fact we are holding hybrid sittings. Did I understand you correctly?

[English]

Senator Patterson: Thank you for the question. The agreement exists in the context of hybrid meetings and it disadvantages us because of the demands on staff of hybrid meetings. I believe that, through these debates, our Committee on Internal Economy will be inspired to utilize some of the available resources from savings resulting from hybrid sessions to provide our committees with the necessary resources so that they can continue to do the work, notwithstanding the limits of the service agreement with the House of Commons.

All I am saying is that since there appears to be a movement to continue hybrid even beyond April, let's get our committees working adequately to address this problem within the Senate's own resources and not rely on the service agreement. Thank you.

Hon. Elizabeth Marshall: Honourable senators, I will be brief, but I do want to put my comments on the record.

I support extending hybrid sittings to the end of April. Tomorrow is April 1. If we extend to the end of April, it will give people a chance to transition to regular sittings on May 1. I would support reverting to regular sittings on May 1 and that hybrid not be extended beyond the end of April.

I have to say that hybrid sittings are a benefit. I live in the easternmost part of the country. We don't have direct flights. The best bet to get to Ottawa is the 5:20 a.m. flight, so you have to get up at 3 a.m. You don't know when you're going to get home again because flights are often delayed or cancelled. I'm very familiar with the Sheraton at the airport in Toronto and also the Marriott in Montreal, because cancellations are not something that is unknown to me.

• (1710)

It is horrendous to travel, so the hybrid sittings have been a benefit. However, when I look at the Senate and our work, I think that it has had a devastating impact on the Senate. It certainly has had a devastating impact on the Finance Committee. We just finished speaking about that when we discussed Bill C-15 and Bill C-16. We have one regular sitting a week now for the Finance Committee, and it is same for the Banking Committee.

We need more. How can we in the Finance Committee provide oversight of government spending when we are so limited in our meeting times? I think that we really do need to revert to our regular sittings.

The other issue that concerns me is sometimes I feel as if we are in a bubble in Ottawa. When you look at people in the private sector — I have family members and a lot of friends who work in the private sector — they are all returning to their regular work schedules. Employers are having welcome back events for their employees. The government is supporting opening the economy again. We're not setting a very good example by continuing to look at extending our hybrid sittings.

That is the basis of my comments. I will support extending the hybrid sittings until the end of April, but I would prefer that we revert to regular sittings May 1 so that we can do our work as parliamentarians. Thank you.

Some Hon. Senators: Hear, hear.

Hon. David M. Wells (Acting Deputy Leader of the Opposition): Honourable senators, I don't support this motion. As you have heard, it's clear that our chamber and committee work are less effective when we're not in person. I recognize the comments from Senator Marshall and agree to some extent. It is convenient to be at home, but our job is here. When we took the job, we knew that was the circumstance.

[Senator Patterson]

Most of us are vaccinated, have the booster and wear masks. I'm at a loss as to how this place is so much riskier than a supermarket, a school or a hockey rink where thousands gather with no masks, distancing or vaccine provisions.

We have been told, colleagues, for two years that we have to trust science and listen to the experts. Senator Cordy now asks us not to listen to the experts who have advised the policy-makers that the restrictions will have no effect, but instead to listen to the House of Commons, which I find more than baffling. It defies logic, common sense and the good practices that we should be undertaking here in the Senate.

Some Hon. Senators: Hear, hear.

[Translation]

Hon. Pierre-Hugues Boisvenu: I am pleased to add my two cents to the debate on this motion. I rise to share the reasons why I am opposed to this motion, whose primary objective is to extend the hybrid sittings of the Senate until the end of April. As I have heard in some speeches, I'm sure that the next step will be to extend the hybrid sittings until the end of June or maybe even until fall.

Throughout North America and in most Canadian provinces, reopening has begun and life is going back to normal. We are seeing the consequences of the federal government's decisions to shut down the Canadian economy and even impose restrictions on society as a whole. On Parliament Hill, we are one of the last organizations to resist the return to normal life. There is no scientific or medical basis for this confinement.

We are even seeing contradictions that defeat all arguments for maintaining and extending the hybrid model for parliamentary work. For example, if your offices are in the Chambers building, you are not required to wear a mask. However, if you are in the Victoria building, wearing a mask is mandatory. Is there scientific evidence that supports this decision? I don't see any.

Here's another example of how little sense this makes: If you go to the Tim Hortons on Sparks Street, you don't have to wear a mask to pick up your order. However, if you got to the cafeteria in the Wellington Building, you must wear a mask. Once again, where is the science in all this?

This sterile dome, as I call it, that we've erected over Parliament Hill is symptomatic of how the public sees us, because it gives ordinary people the sense that we are separate from their reality. A few kilometres from Parliament, the Canadian Tire Centre can accommodate over 20,000 people, none of whom are required to wear a mask, while here parliamentarians maintain social distancing criteria that are utterly out of touch with reality.

Worst of all, maintaining a hybrid Parliament has resulted in months of persistent inefficiency within the Senate and has prevented us from doing thorough work because we have so little time to pass important bills. Hybrid mode does nothing to counter the Canadian public's cynicism about the purpose of the Senate and whether Canada even needs it.

Our hybrid sessions require twice the resources to manage in-person and online attendance, and committee meetings are time-limited, which makes us inefficient and contributes to the public's sense that the Senate's work is useless.

I am thinking of the Standing Senate Committee on Legal and Constitutional Affairs, which can only meet for two hours a week, when it used to have six hours for meetings. At the current rate of business and with that committee's heavy workload, we will once again leave very important legislation to die on the Order Paper when the next election is called in three years' time.

Some of these bills deal with matters of life and death. My bill on domestic violence comes to mind. While many countries are adopting measures to save the lives of abused women, here we are reflecting on how we are going to manage Senate business. We clearly have a poor definition of the word "priority."

Senator Gold has not convinced me of the merits of maintaining our hybrid sessions. Rather, he has convinced me that he is a faithful messenger of this government, which, for several months, has been doing everything it can to prevent the democracy that forms the basis of our political system from returning to Parliament Hill, where it belongs, for the good of and out of respect for all Canadians.

The risk with this motion is that after April 30 we will find more excuses to keep this chamber in hybrid mode, and we will perpetuate the unacceptable work model of the past two years. This institution costs Canadian taxpayers nearly 100 million dollars a year. Many of these taxpayers find it difficult to make ends meet and are facing an alarming rate of inflation without being able to do anything about it.

Esteemed colleagues, we are more than privileged to be senators, and we had a lighter workload over the past two years because we were not required to meet in person. This situation must come to an end as soon as possible, and we must resume working at a pace that reflects our responsibilities so as to achieve the best results that Canadians expect from each one of us and from our institution.

Honourable senators, for two years I was always here in person. I never felt that my health was at risk, and I think the risk is even lower now, as deaths and hospitalizations have decreased. I know that some of you may have medical restrictions that would prevent you from being here in person. For that reason, I believe that absences must be the exception and authorized in advance, as they were before 2020.

I will be voting against this motion because Canadian taxpayers ask this of us and have every right to do so. I have a deep respect for them, and I have taken my duties very seriously since my appointment in 2010. I expect every senator to do the same.

I will conclude by stating that all of us want this chamber to gain credibility in the eyes of Canadians, and I know that you are doing everything in your power to that end. The next step is to return to the in-person model starting next week. Thank you.

Hon. Claude Carignan: Honourable senators, I rise today to share my thoughts on the government motion to extend the hybrid sittings of the Senate.

On March 13, 2022, we entered the third year of a devastating and deadly pandemic. Societies all around the world were plunged into turmoil and ravaged by the COVID-19 pandemic.

• (1720)

Canada was no exception, and our health care system was hit extremely hard as the virus spread like wildfire. I want to take a moment to acknowledge the women and men who, day after day, took in and then cared for thousands of Canadians who needed urgent and essential care. Our health care system cracked but did not collapse thanks to the dedication of these health care workers. I have the utmost respect for them.

Unfortunately, esteemed colleagues, another system was compromised during this pandemic. I am talking about our democratic system.

[English]

Since the beginning of the pandemic, our Parliament has been reduced to its simplest expression, and that was done at the expense of democracy, unfortunately. To be totally honest, I believe that the slowing down of the primary function of Parliament has served Prime Minister Trudeau well. Mr. Trudeau likes to govern by decree.

[Translation]

People often say that a picture is worth a thousand words. Every year, the Economist Intelligence Unit, a research and strategic analysis firm, publishes a document that ranks nearly all of the world's countries in terms of health and democracy. The democracy index is based on 60 indicators grouped into five categories: electoral process and pluralism, civil liberties, functioning of government, political participation and political culture. Ratings on a scale of 1 to 10 correspond to the average score across all five categories. Countries are then classified as one of four types of regime based on their average score: full democracies, flawed democracies, hybrid regimes and authoritarian regimes.

Canada has always placed high in the rankings, usually around 7th, 6th or even 5th place, which is enviable and an accurate reflection of the fact that our democratic traditions are well established. In 2021, however, Canada fell from 5th to 12th. It appears this drastic drop is due to the Trudeau government's many authoritarian and anti-democratic approaches.

This fall from grace is worrisome according to Andrew Potter, Associate Professor at McGill University's Max Bell School of Public Policy. How does Mr. Potter explain this slide? I'll quote him:

What has happened over the last two years is that the Prime Minister has basically shut down Parliament for a long time and has been keen to limit the opposition as much as he can The House sat for a record low number of days

Mr. Potter went on to say, and I quote:

When people who disagree with the government's decisions can no longer express themselves in the appropriate forum, they will look for other ways to be heard, on the streets if necessary. By deciding to silence the voice of the opposition within the institutions, Mr. Trudeau is directly responsible for what is happening His attitude towards Parliament has been contemptuous and dismissive What is happening on the streets of Ottawa is, to a large extent, a direct result of this. When people feel that their opinions are being ignored or disregarded, it is likely to lead to anger.

He concluded by saying the following:

If you were deliberately trying to make Canada less democratic, it would be difficult to do worse than what the Prime Minister has done over the past two years.

During the occupation of Parliament Hill in January and February, the government used the Emergencies Act to seize the bank accounts of protesters and force them to leave, in direct contravention of section 8 of the Canadian Charter of Rights and Freedoms, which protects citizens from unreasonable seizure. The Deputy Prime Minister acknowledged this a few days after the Emergencies Act was lifted. This is outrageous and antithetical to a democracy that respects itself and, above all, that respects its citizens. I will give you another example of the government's contempt for democracy.

In the midst of the pandemic, Mr. Trudeau called an election that no one wanted, in his words to deal with the pandemic emergency. After wasting \$612 million on the election, which yielded almost the same result as last time, Mr. Trudeau waited two months before convening the new Parliament. Finding himself once again at the head of a minority government, Mr. Trudeau ignored the popular will, pulled out his cheque book and sealed an alliance with the NDP in order to run the country as though he had a majority government. Only a very clever person will be able to tell us how many billions of dollars this political and undemocratic alliance will cost the public treasury.

The government will continue spending billions of dollars, either for the Prime Minister's enjoyment or, most importantly, to keep him in control for the next three years. In doing so, it will be outrageously and irresponsibly inflating Canada's debt, which has already hit astronomical heights.

Now for the government's legislative agenda, which is disjointed and hard to predict. The government is sending bills marked "very urgent" to the Senate at the last minute because it apparently cannot or will not give us enough time. On more than one occasion, senators in all groups have felt rushed and disrespected by the government's approach. It is often very difficult for committees to study bills in hybrid sittings because the technology sometimes fails and senators have quite limited interactions with each other. We need to abandon this approach as soon as possible in order to breathe life back into our democracy, which is so important to our society.

Honourable senators, while the Prime Minister is gallivanting around the world, preaching love and peace, he has let his country's democracy fall further and further into disarray, which I find incredibly sad and appalling.

Canada deserves much better.

Thank you for your attention, honourable senators.

[English]

Hon. Leo Housakos (Acting Leader of the Opposition):
Honourable senators, I rise today to speak to the motion before us on hybrid sittings.

It will come as no surprise to you that I'm not a fan of hybrid sittings. It is my view and my experience that the weighty responsibilities that have been placed upon senators require us to actually assemble in this chamber and be present in the Parliamentary Precinct.

Being a parliamentarian is not a remote job. If it is being taken seriously, it requires networking, building relationships, fostering collegiality, developing trust and, of course, meeting stakeholders. It requires connecting with fellow parliamentarians, with staff and the public in both formal and informal settings.

I recognize that there are many jobs and occupations that can, perhaps, be done remotely, but I remain convinced that being a parliamentarian is not one of them. It's not a role that can be properly carried out from one's living room or home study.

Nevertheless, I acknowledge that these have been exceptional times that have, at times, required exceptional measures. But as more and more jurisdictions continue to lift the various measures put in place to deal with the pandemic, it is time for the Senate of Canada to follow suit.

It is very appropriate and, I would argue, incumbent upon us to lay out a plan for moving forward without the constraints the pandemic has placed upon us. This includes the need to discontinue hybrid sittings as quickly as possible.

The motion calls for the provisions of the order of November 25, 2021, concerning hybrid sittings of the Senate and committees, and other matters, to be extended to the end of the day on April 30, 2022.

I believe this is a compromise; however, I do question whether it is supported by science and the reality of the facts as we know them today.

As I have stated, health officials across the country, including at the federal level, have started approving the removal of COVID mandates for some time already. In response, provinces have started lifting vaccination mandates, mask mandates, social-distancing rules and COVID safety plans, including COVID passports, which are no longer required in most jurisdictions.

As of April 1, Canadians will be able to travel without having to provide tests. Mandates are being retained for our vulnerable populations, such as long-term care homes, retirement homes, shelters and so on but, other than that, they have been falling across the country.

Except, of course, right here in the Parliamentary Precinct. Here the rules are different. Apparently, compared to the Parliamentary Precinct, the COVID virus is less of a risk in privately or provincially owned buildings; but it is still a risk in federally owned buildings, such as the Senate of Canada. It seems that COVID is the most rampant and most dangerous in the Senate of Canada. For those working in a privately owned building where the Senate occupies accommodation, including 40 Elgin Street, 90 Sparks Street, 56 Sparks Street and 60 Queen Street, masks are now optional, and they are not required in common areas such as elevators, lobbies and parking garages.

However, this does not apply to Crown-owned accommodations, including East Block, the Victoria Building, the National Press Building, 1 Wellington Street and the Senate of Canada Building. For these buildings, health and safety guidance within Senate workplaces remain in effect, and masks are still required. Here in the Senate Chamber, we are required to wear our masks except when we speak, and yet up to 21,000 maskless fans were permitted to attend the game between the Montreal Canadiens and the Toronto Maple Leafs at the Bell Centre just this past weekend. I guess COVID doesn't circulate well at a hockey game, thank God. In this country we play a lot of hockey.

The changes to public health rules in the provinces and municipalities appear to be driven by the best available science.

• (1730)

What is driving our policies and procedures here in the Senate? Why do they differ so significantly? Are we thinking that the Senate needs to mirror the guidelines of long-term care homes? If so, I don't think that this is the image we want to portray to Canadians.

I am pleased that the motion includes a commitment to the:

... consideration of a transition back to in-person sittings as soon as practicable in light of relevant factors, including public health guidelines, and the safety and well-being of all parliamentary personnel

However, I am puzzled why we are not already making decisions in light of these relevant factors.

We know, for example, that our translators have suffered greatly as a result of the hybrid sittings. Just last week this issue was raised in the chamber with Senator Marwah by Senator Patterson.

In addition, the hybrid format has severely limited the ability of committees to meet and work. Whereas we previously had two meetings a week, now we have one. That was addressed by Senator Patterson very effectively in his comments.

You have situations like that faced by the Standing Senate Committee on National Finance just last week. We were conducting an in camera review of their report on Supplementary Estimates (C). The committee needed more time than was allotted but was unable to continue their meeting because other committees required the resources. The only option was to place the final decisions in the hands of the steering committee because it was next to impossible to schedule an additional meeting.

That is negligence on our part when it comes to dealing with the estimates in this Parliament.

Under normal circumstances, the committee would have considered the option of just putting in some overtime and getting the job done, but this was not an option. The hybrid sitting format imposed a hard stop because of the limit of resources. This is a very inefficient way to conduct business on behalf of the people of Canada.

Colleagues, when hybrid sittings were first introduced, they were understood to be a temporary measure to address the public health crisis. As Senator Harder said on July 27, 2020, "The hybrid solution is the only solution that will meet the public health requirements of both chambers." For that reason, we agreed to go forward with the hybrid sittings.

At this point, however, those public health requirements appear to no longer exist, and yet we seem to be clinging onto those hybrid sitting requirements, and I can't figure out why for the life of me.

There is no question that COVID negatively impacted the ability of the Senate to conduct its business over the last two years and that hybrid sittings were a compromise for mitigating those limitations. But at this point, it is not COVID that is limiting our ability to do our work, but hybrid sittings. I see no solid rationale for failing to immediately lift the provisions allowing hybrid sittings, but I am prepared to compromise because this place functions on compromise.

The final paragraph of this motion notes that:

... any further extension of this order be taken only after consultation with the leaders and facilitators of all recognized parties and parliamentary groups.

It is my hope that such consultations will be brief, and barring any unexpected future wave of COVID infections, we will unanimously concur that no extensions are necessary but that we all need to get back to work.

Honourable senators, at the end of the day, our Parliament has an obligation to show leadership. Over the last two years, Canada has faced the most severe existential crisis of our time, COVID. More than 33,000 Canadians have lost their lives. We had to take drastic steps, but it's in those moments of leadership and those moments of crisis that this institution had to stand up and probably work harder than ever before and represent Canadians' concerns more than ever before.

However, the truth of the matter is we didn't do what firefighters have been doing. We haven't been doing what nurses and doctors and health care providers have been doing for the last

two years. We haven't been doing what truck drivers in this country, Uber drivers and taxi drivers have been doing, grocery store workers or people who stack shelves in pharmacies. You know what they've been doing during this existential crisis? Many of them have been showing up to work, and they don't show up to work Tuesday through Thursday. Shockingly, most of them show up to work Monday through Friday. Most of them put in overtime, especially some of these professions, because there was an existential need to step up during this time of crisis.

Do you know what the leaders of this country did in the Parliament of Canada? We shut down. We went hybrid. We went virtual. The truth of the matter is that the biggest crisis facing our country, economically, over the last number of years, even before COVID, is our productivity. And yet, during this existential crisis, the upper chamber of Parliament and the other place of Parliament met less than ever before. We did output of legislation, motions and worked less than ever before. We rubber stamped hundreds of billions of dollars more than ever before with less scrutiny than ever before. And you know what I say? I say we lost an opportunity, as an institution, to show Canadians in a valid way what leadership is all about.

This place is always questioned because of a lack of accountability, transparency and the fact that we're not an elected institution. Yet, in the words of Serge Joyal, we missed in this moment of crisis an opportunity to show that the Senate is more relevant in terms of oversight, governance and leadership than ever before, and we dropped the ball.

The truth of the matter is that we are privileged. We are the most privileged Canadians. We are in the most exclusive club in this country, and we have an obligation to show Canadians that we take that privilege seriously. What Canadians have seen, though, is a lack of equality. They see their Prime Minister climbing a plane ladder a few days ago in Ottawa leaving the country and coming down in the same plane over in Europe at a summit without a mask.

So a mask climbing the stairs going into his plane in Ottawa was necessary, but coming down and going to a summit over in Europe, the mask was left on the plane. I can go on, colleagues. When Canadians are looking at the work of our parliamentarians at the House of Commons and they're all masked up, yet they follow committee work and the masks are off, or a camera flies quickly by an open door at a government caucus meeting where there are 160 parliamentarians and none of them have a mask on, it's that level of hypocrisy and inconsistency that drives Canadians nuts.

I went a couple of weeks ago to a place called Jack Victor in Montreal. They make clothing and have 800 employees. None of them have taken a day off, none of them had the option to virtually, none of them had the option to go to Finance and order a comfortable chair and a comfortable desk and do their work from home, from their living room.

They show up every day, and these are the people who fill the Treasury Board with taxes so we can have the privilege to come here and do work on their behalf. That's who I feel I represent, to be honest. Even though I'm not an elected parliamentarian, when

I walk through a factory and I meet those 800 employees, I take the time to listen to their concerns. Let me tell you, they have a lot of them, and they don't think COVID is the biggest concern.

This motion believes that the biggest crisis that Canada and the Senate are facing is COVID and we need to extend our virtual sittings until the end of June. Of course we want to extend them until the end of June. Who wouldn't want to work from the comforts of their home? We have that privilege and opportunity to do so, but I think we also have a privilege to show Canadians leadership, that we're willing to do what they're asked to do.

Why are we not willing to do the things we ask these individuals to do? That's the question they asked themselves. I'm telling you, colleagues — I have said it before in this place and I conclude — COVID is just the first step of a bigger crisis around the corner. Go to your grocery stores. Try to speak to citizens and listen to them about paying their rent, about single mothers trying to feed their children, trying to pay four times what it costs to buy a roast today than it did a month ago or two months ago. There is a crisis brewing in the country. There is unrest and discomfort amongst middle-class and poor Canadians, and this institution has to start speaking for them, has to start looking out for them. That's why I believe more than ever before — we're all double and triple vaccinated, the science indicated that if we get double and triple vaccinated that we can return back to some normalcy.

Let's lead the way. Let's make a commitment that we're not going to go past April 30, government leader. Let's make a commitment that this institution is going to start meeting as long as we need to meet, work as many days a week as we need to work in order to make sure that we give the best governance to citizens. Let me say something else. We have spent the last couple of days — and I'll conclude — talking about how we need to change the rules and we have to go to the Rules Committee and study about making the rules more flexible so we can get more work done.

How about finding the political will to just show up here more often, work longer than ever before, sit longer than ever before, and deal with all the motions, a lot of the private members' bills that are here before this place, that are here and asked to be heard by stakeholders in this country that want to be heard. That's what we need to do.

So I hope, colleagues, we will all accept this compromise but as of April 30 accept that it's time we step up and be the best that we can possibly be.

Some Hon. Senators: Hear, hear.

[Translation]

Senator Carignan: Would Senator Housakos agree to take a question?

Senator Housakos: Yes, absolutely.

• (1740)

Senator Carignan: Leader of the Opposition, I was looking at the photos that were taken recently during Prime Minister Justin Trudeau's visit to England, where he met with Queen Elizabeth II. She will be 96 on April 21, and her health is precarious, but no one was wearing a mask and it was a rather long meeting.

Can you comment on the Prime Minister's behaviour during his meeting with the Queen, a meeting with a fragile woman that was held without masks, despite what is happening here?

Senator Housakos: Thank you for the question, Senator Carignan.

My opinion on this issue does not matter, but the opinion of the Canadian public does, and I have a perfect example. When I talk with workers back home in Montreal about the government's actions, they ask me why the Prime Minister wears a mask when he boards his plane to go to a summit in Europe, but takes the mask off when he gets there.

It was not just a meeting with the Queen. Afterward, he went to different restaurants to meet socially with other parliamentarians and international leaders, all without wearing a mask.

People wonder what is happening. Is this a situation where there is one set of rules for the elite and another set for everyone else?

That is why we are seeing this frustration in society today, because of the behaviour of our Prime Minister and parliamentary leaders in general.

Hon. Éric Forest: Would Senator Housakos take a question?

Senator Housakos: Yes, absolutely.

Senator Forest: Reading between the lines of your speech, setting aside your comments about the Prime Minister's travels, I believe you were indicating that you'd like us to be more efficient in our work.

Do you suppose that, once we're back to in-person attendance, or even during hybrid sittings, we could try ringing the bell for less time? Instead of 60 minutes, it could ring for 15 minutes, saving us 45 minutes per vote. Could we also boost the Senate's efficiency by not seeing the clock? That would benefit Canadians, wouldn't it?

Senator Housakos: Senator Forest, there are all kinds of ways to make the Senate more efficient. Bells are a perfectly reasonable tradition that give senators the opportunity to participate in a vote. We often have a 15-minute bell, a 30-minute bell, or even a 60-minute bell.

The real problem, senator, and I think you will agree with me, is the fact that we sit very little. Few parliaments around the world sit for the same number of days as the Senate of Canada.

If we were to tell Canadians that we're not particularly interested in doing our work, so we sit for 90 to 100 days a year, they would laugh at us.

Again, if we look at the past two years, despite the fact that we have been able to work in hybrid mode and virtually, the Senate has set a record for the fewest sitting days. We also beat another record over the past two years: This government has passed fewer bills than any other.

There are many ways to improve the Senate's productivity. The first would be to come to Ottawa and work here in Parliament.

Senator Forest: Yes, there are several possibilities, including the length of the bell, for example, and they all should be considered. If we really are here in person, on site, we shouldn't need an hour-long bell for a vote. There is absolutely nothing to gain in terms of productivity, when every decision we make must be efficient. Would you agree with that?

Senator Housakos: I agree completely.

You're worried about the length of the bell, but when senators are here, they often work in committee, meet with stakeholders in their offices and have many diplomatic meetings.

Once again, the main problem is not the 60- or 30-minute bell that gives all senators the opportunity to come and vote. The biggest problem right now is that we have a government that doesn't want to sit longer. It always wants to sit less, and that's the first thing that needs to be fixed.

[English]

Hon. Ratna Omidvar: Would Senator Housakos take a question?

Senator Housakos: Absolutely.

Senator Omidvar: Senator Housakos, I was reflecting on your exchange with Senator Carignan about the Queen. I'm not quite sure what relevance the Queen has to this debate. But it did remind me of someone who was a queen in our midst, and that was Senator Forest-Niesing. As we all know, she passed away suddenly and tragically from COVID, and that was a particular circumstance.

We don't know who else here may have an underlying medical condition because medical information is private. We're mostly a senior citizen group. And it is also more likely — and the science bears me out — that older people will have greater affinity for catching a virus, even after they have been vaccinated.

So I ask you, Senator Housakos, in light of the fact that there are many of us in the Senate — and this is not reflecting on the age of the Senate staff, all the pages and the security services, it's reflecting just on us — would you not think that it is wiser and safer to meet in hybrid mode so that the tragic incident that we experienced in the Senate at the passing of Senator Forest-Niesing does not occur again?

Some Hon. Senators: Hear, hear.

Senator Housakos: Where I do disagree with you, senator, is your claim that there's evidence that people that are older in age have a higher propensity of catching COVID. That I disagree with. There is a case that the dangers increase with people of a certain age. That I totally agree with.

Having said that, we have seen now that with people who are fully vaccinated, it has completely mitigated the risk factor of getting sick to a huge extent. We see it in our hospitals.

Furthermore, you can take a bunch of steps that we have taken in this institution to protect individuals as they do in every other place of work.

All I'm simply saying is that there is an inherent danger with COVID. Every single profession faces it — police officers; ambulance workers; doctors, on a daily basis; respiratory therapists, of which my wife is one. So if these people have been taking the steps in their professions to mitigate the risks but still show up to work, I think it's incumbent on us to do the same thing, to take the mitigating steps to make sure that we can do our job in an effective fashion.

But it's inexcusable that our committees are operating at a third of the output that they're supposed to be operating at. It's inexcusable that we're sitting fewer days over the last two years as this country faces a huge crisis. And what we've done is, during that crisis — some legitimate, some illegitimate — is set world record spending with the least amount of oversight. So, yes, there has to be a balance.

But currently, the general view is — and this is my view — we have completely put all the emphasis on making sure we're safe and not enough of an emphasis on making sure that we can do our jobs while being safe.

Senator Gold: Would the senator take a question?

Senator Housakos: Absolutely. I'm not used to you asking me. I am used to you answering me.

Senator Gold: So you will forgive me, as there may be a bit of a preamble.

First, I appreciate your comments and those of all of our honourable senators in this debate, and in previous debates, because one theme that seems to recur is the importance — to which I entirely subscribe — of us having the time and the resources to do the job for which we were summoned. I appreciated especially, Senator Housakos, your comments about taking more time to do the work. You're 100% right. We are privileged and can work harder, particularly in the context of the important work that our committees do and with the clear constraints that the hybrid setting has put on the ability of our committees to meet as regularly, frequently or intensively as we would otherwise want.

• (1750)

Would you commit to the opposition approving all requests for committees to sit during break weeks when there are more resources available, when the House is not sitting and, therefore, translation and other resources could be used to our full advantage?

Senator Housakos: First of all, as long as we need to be sitting in this place and doing our job, I will commit to being available to do our job as an opposition party. It has been the tradition in this place that committees serve at the pleasure — again, I've had these debates with other colleagues, especially some who have arrived here recently — of the Committee of the Whole. That is how Parliament has always operated, and we're not going to change the whole Westminster parliamentary system to accommodate a process that doesn't fit into the tradition in this place.

Senator Gold: Our Rules, which are well established, do give both the government and the opposition a veto over whether a committee request to sit, notwithstanding that the Senate may be adjourned for over a week — they can approve or disapprove. Honourable senators will know that those requests have often been disapproved.

I'm asking whether you would agree, in light of the legitimate concerns you've raised about the importance of the work we do, especially in committees, and representing the opposition as the leader — at least today — that those requests should in fact be acceded to such that committees could do the work with greater time and resources.

Senator Housakos: As you know, government leader, those requests often have been accepted in extenuating circumstances.

First of all, to answer your question, you won't solve much, because if you allow committees to meet while we're not sitting, most senators won't be here. That would be a breach of their privilege. The easiest way to have those committees sit is to call the Senate back during the weeks we're not sitting to do their work. That's the way to resolve the issue. Are you willing to do that? Are you willing, in those non-sitting weeks, to call the Senate back to allow us to do the extra work required? Nobody can stop committees from meeting if we're sitting in this place.

Furthermore, if we don't have virtual or hybrid sittings anymore, even if we grant that exception for senators and committees to meet while we don't sit, they would still have to be here. Why wouldn't you have senators be here while the committees meet and conduct the business of this chamber?

The Hon. the Speaker pro tempore: Senator Housakos, would you take another question?

Senator Housakos: Absolutely.

Hon. Marty Deacon: Thank you, Senator Housakos, and everyone else who has spoken to this issue today. It brings out, as someone said, a number of themes that have emerged this week.

I'm going to take the word "COVID-19" out of the sentence. I would like your thoughts on this. I met last week with Waterloo business partnerships, 60 companies that all work together in the Waterloo region, and we talked about the workplace, what that meant moving forward, and what they were experiencing as presidents and CEOs. Someone commented, "Of course, you folks in the Senate are going to carry on in a hybrid format. I assume you would, because of the investment you've made and

the environmental footprint.” They had four or five different reasons that paralleled their experiences and why they were going to carry on in this format.

I wonder, from a business perspective, and the folks you’re speaking to, if you’ve had that experience in your conversations also.

Senator Housakos: Thank you, Senator Deacon. That’s a very good question. I’ve had that discussion recently with my colleague Senator Seidman.

If you all remember during the early stages of COVID-19, many management consultants came to the conclusion that real-life, on-site work environments would start seeing a decrease because law firms and companies were seeing the convenience and the time saved in terms of transporting people to and from work, as well as the reduction of overhead costs and unnecessary office space. As it turns out, two years into it, a lot of CEOs and corporate consultants, particularly in the United States, after a review, have found that productivity is starting to sink to such a degree that companies are starting to — even though they had originally planned to only bring back employees to work from their workplace in a reduced structure — come to the conclusion that it’s not cost-effective because productivity levels have shrunk drastically.

Of course, a case in point is right here in the Senate. Our productivity levels in terms of studies, committee work, output and oversight have completely diminished, but the savings have been marginal by comparison.

Senator M. Deacon: It will be interesting to monitor, in the months ahead, our various tables, particularly as they relate to — as you said — the efficiency of being in the Senate in person compared to being in the Senate virtually. Those are the pieces that we’re going to have to continue to wrangle. Thank you.

[Translation]

Senator Carignan: Senator Housakos, would you take a question?

Senator Housakos: Yes.

Senator Carignan: Do you remember the oath you took in the Senate, in which you pledged to attend Parliament whenever Parliament was called to sit?

Senator Housakos: Absolutely. I imagine everyone takes this oath very seriously. It is our first obligation. As senators, being present is part of our rights and responsibilities. As I mentioned in my speech, the problem at the moment is that the general public thinks we are too privileged.

[English]

Parliamentary privilege is important. All of us who respect the British Westminster parliamentary system know that without parliamentary privilege we lose a fundamental right. However, parliamentary privilege and senators’ privileges are not what the

public thinks they are. The public thinks that we have benefits and comforts that 85% of Canadian citizens would never dream of.

[Translation]

As soon as people perceive Parliament as a place of privilege, in other words, they think people in this chamber don’t have to follow the same rules as everyone else, we risk losing the people’s trust. Yet the public plays an important and fundamental role in a democracy.

[English]

Hon. Colin Deacon: Honourable senators, I’d like to thank you for taking this debate seriously and spending some time exploring the issue.

I want to reach well beyond COVID-19. The debate has been focused enormously on COVID, and I’m struck by the fact that in Nova Scotia, our doctors have started taking appointments by telephone. They have started renewing prescriptions by telephone. There have been cost savings, time savings and the enhancement of patient care. Yes, there are times when they say, “No, you have to come in for an appointment,” but a lot of the work can be done remotely through a telephone consultation.

That was something that had been discussed in this province for 20 years. All of a sudden when COVID-19 came along, it was implemented, and the benefits were so significant that it has now been extended permanently. COVID has actually provided us with an opportunity to innovate, change and improve how we do things. I think that’s worth looking at significantly.

• (1800)

I’ll go to what has been Canada’s largest company, the fastest company in the world to reach a billion dollars in revenue since inception, and that’s Shopify, which has chosen to be a remote-first company. Looking at their employment pages that are advertising new positions, whether it’s in Asia, Africa, Europe, South America or North America, they are remote positions for highly technical sales and product development jobs. They have embraced this, and, according to their CEO, their productivity continues to increase.

We need to look at this from a broader standpoint and ask: What are the opportunities that could come from using hybrid in a properly resourced manner? I take to heart Senator Patterson’s concerns about the fact that we have not properly resourced hybrid because we have been going month to month. We have been taking a short-term approach rather than a strategic long-term approach to our decision making here.

As we revisit this from a sober-second-thought perspective and look at it as something that could be an opportunity, I would like us to think about what benefit could be brought to bear for those who have far more difficult travel challenges than Senator Cordy and I do from Halifax, where you’re not just losing half a day but you’re losing a day in each direction. That commuting time is significant for us, but it’s also significant for other people we might want to be able to work with.

I've been struck by the tremendous meetings that I have been able to get. We get to know each other and start to work together quite effectively using virtual communications rather than in-person communications, and it has provided us with some tremendous opportunities to have witnesses speak to us formally and informally. As you know, I did a session a couple of weeks ago with a Toronto company that, through their Australian operations, is helping to transform the Australian government's use of blockchain in the collection of taxes, which has benefits for consumers, retailers, producers and the tax office. We got that great interview with one person in Adelaide, one person in Sydney and a group in Toronto all at the same time with a group of senators right across the country.

We have the ability to work with people that we wouldn't otherwise be able to work with. If we start to constrain that benefit, I think it's to our detriment.

The first year I was here, you would often ask senators if you would see them the next week, and they would say, "No, I have a medical appointment," and as you well know, in many provinces, we can't choose when our medical appointments are. That would cause them to be out of the chamber for a whole week if their medical appointment was mid-week.

There are a whole lot of benefits for us to continue some form of this work that is not related to COVID. I found that a huge amount of the debate was focused purely on COVID.

I look at this in terms of the employment opportunities for us with staff that are not located in Ottawa, people who wouldn't or couldn't move to Ottawa that we could have working for us in our offices. It's a tremendous opportunity. I have benefitted from that personally in having folks for whom there wasn't the budget to have them move in their own lives, because we can't pay for our staff to move. But all of a sudden we're working incredibly effectively at distance.

When I consider this issue, it goes well beyond the question of COVID, and it focuses on the benefits that we may be able to realize in a strategic way as an employer. I want us to be able to be as inclusive and competitive an employer as possible moving forward. I want to see senators apply for this job who maybe have issues with dependents, be they old or young, and can't travel each week the Senate is sitting, but they still want to put in the hours and the work.

Certainly, I found rather troubling a few of the comments that were made, such as those suggesting that work isn't being done if you're not physically present in the chamber. That, to me, is an archaic way of managing in the 21st century. There are not very many employers who would get very far with employees if they start to view their employees in that manner and are not viewing people that they work with from the standpoint of productivity and evaluating that productivity based on its merit versus based on somebody's physical presence. It worries me that that sort of attitude may limit whom we get to have work with us in the future.

There are all of those social and inclusive benefits, the travel benefits and the ability to have witnesses who are from very different locations than we have in the past.

We also have to start considering our carbon footprint. I am very proud of the fact that the chamber has committed to dealing with that aggressively, and what we will learn in doing that will help us do our job far better because we'll have first-hand experience, and an ability to say, "Don't just do as we say, but do as we are doing," will help us to hold government to account on an issue that no government in Canada has lived up to in terms of commitments.

I want us to look at this debate as an issue that goes well beyond COVID. I think there is a tremendous opportunity as a parliamentary leader to show that there are ways to use new tools to become a more innovative employer and very much improve our productivity as an organization. To look at this purely through the lens of COVID is missing a great opportunity.

Thank you, Your Honour and colleagues.

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

Senator C. Deacon: Absolutely, thank you.

Hon. Diane Bellemare: Would you agree with me that yesterday we had testimony from Mr. Cl  roux from the Business Development Bank of Canada? He said in answer to a question:

... I think remote work is here to stay, because the reception on the business side has really changed. ... First, a lot of businesses have invested in technology to allow the workers to work from home. Second, they realize that productivity has been as high for people working from home.

I think remote work is here to stay, but there's going to be more of a hybrid model. ...

Would you agree that was the testimony of Mr. Cl  roux yesterday who said that about the business community?

Senator C. Deacon: Thank you very much, Senator Bellemare. He was quite passionate about the issue and the transformation that has occurred as well as the issue facing many employers in terms of a shortage of labour if they do not start to become accommodating.

If we want to have the best people working for us in this organization, we have to be a competitive employer. I think that was the focus of our discussion last night in the Banking Committee. It was an important one from my standpoint because it got at the issue of talent. Talent is crucial in the ability of an organization to function. We want to make sure we have the ability to attract the very best talent as an organization. It's part of what we have to look at as an organization moving forward and reaching beyond COVID. Thank you.

• (1810)

Senator Housakos: Will Senator Deacon take a question?

Senator C. Deacon: Absolutely.

Senator Housakos: Thank you, Senator Deacon.

I'm going to try to get you back to being focused on the motion at hand here. At a later date, we can have a discussion about the benefits of hybrid working in the private sector and public sector. I appreciate the opinion coming from a CEO of a Crown corporation, but let's focus now on the motion at hand.

Will you not agree, Senator Deacon, that when it comes to the last two years of output, both of committee work and in the Senate, the number of dates we sat in comparison to any other two-year period in the history of the Senate — and the fact that we have actually dealt with less government legislation than ever before in those 24 months compared to any other cycle, fewer private members' bills than during any other 24-month cycle and less output in terms of our committee work than any 24-month cycle — will you admit that there have not been many benefits of hybrid vis-à-vis productivity in the Senate?

My second question is actually not a question; I'm correcting the record. Hiring employees who can work virtually for senators has been around for eons. My first two policy advisors — one of them was working out of Vancouver and one was working out of Montreal. This is not new; COVID didn't invent this. It has been around for decades where senators, via email, Zoom and Microsoft Teams, have been able to hire staff, so there has never been an impediment to hiring staff who can't work out of Ottawa in order to substitute or provide the best possible support staff to senators.

However, back to my point. Show me any benefit we've received over the last two years in terms of productivity in the Senate because of hybrid sittings.

Senator C. Deacon: Thanks, Senator Housakos.

I would say that how we have chosen to manage this issue as an entity has more to do with that than using hybrid services.

On an incremental basis, we have chosen to extend hybrid versus embracing it. If we had embraced it, I think we would be having cost savings and productivity improvements. That's hypothetical, but I believe that firmly.

I don't think that, as we consider the use of hybrid, we should just look at COVID and the experience of how we have chosen to use hybrid over the last two years as the only way of looking at this issue. If we look forward, there are many benefits we could extract from this experience in terms of how to do things and in how not to do things.

The other thing I will just offer in terms of the point you made about staff is that senators' offices are a part of the employment group of staff in this organization, but we also have an awful lot

of staff scattered around the National Capital Region. Those staff are the Parliamentary Precinct. Those staff are expected to be physically present.

So there is an opportunity to reach beyond in terms of everyone who works within our organization. Thank you.

The Hon. the Speaker pro tempore: Senator Deacon, your time is up. We have still two senators who want to ask questions.

Would you like to ask for more time?

Senator C. Deacon: That would be great, Your Honour, if the chamber so chooses.

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

Some Hon. Senators: No.

The Hon. the Speaker pro tempore: Leave is not granted.

Senator C. Deacon: Thank you, Your Honour.

The Hon. the Speaker pro tempore: Are 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, on division.)

[Translation]

BILL TO AMEND THE CRIMINAL CODE AND THE IDENTIFICATION OF CRIMINALS ACT AND TO MAKE RELATED AMENDMENTS TO OTHER ACTS (COVID-19 RESPONSE AND OTHER MEASURES)

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Dalphond, seconded by the Honourable Senator Bovey, for the second reading of Bill S-4, An Act to amend the Criminal Code and the Identification of Criminals Act and to make related amendments to other Acts (COVID-19 response and other measures).

Hon. Claude Carignan: Dear colleagues, I rise today at second reading stage of Bill S-4, entitled An Act to amend the Criminal Code and the Identification of Criminals Act and to make related amendments to other Acts (COVID-19 response and other measures).

In a presentation given on February 8, 2022, Justice Canada stated that the purpose of the bill was to support the safe, effective and efficient operation of criminal proceedings, in order:

. . . to help address the challenges faced by criminal courts caused or exacerbated by the COVID-19 pandemic, and modernize our criminal justice system . . .

[English]

While I support the purpose of the bill, I regret that the government has taken so long to move forward with this legislation given that it was meant to address the impacts of the pandemic on the operation of the justice system. The courts adapted quickly, but had to do so before the government could adopt the reform it proposes today to promote and regulate the use of video and audio conferencing in court.

[Translation]

Senators will remember that in February 2021, the government introduced Bill C-23, which is almost identical to Bill S-4. What did the government do to advance Bill C-23? The Minister of Justice issued a news release in February 2021 when he introduced the bill, then he did nothing more on this file. The bill died on the Order Paper because the government called an election.

However, in its February 2021 news release, Justice Canada acknowledged that it was important to support the courts in their technological transition imposed by COVID-19 by amending the Criminal Code. I quote:

[English]

The effects of the ongoing COVID-19 pandemic are still being felt throughout the criminal justice system, and particularly in the operation of criminal courts. The pandemic has both created and amplified challenges and limitations within the criminal justice system. Canada's criminal courts have been adapting and modernizing to address the challenges they face, but many remain unable to operate at their pre-pandemic capacity.

That said, I not only support the purpose of Bill S-4, but I also agree with the main provision of the legislation. However, I do believe it's important for this bill, which is very technical, to be sent without delay to the Senate committee for further study. That will give us the opportunity to answer several technical questions and propose, if necessary, amendments to improve the wording of the bill.

[Translation]

Take, for example, the rules set out in the bill regarding the use of video conferencing. The rules require that the accused consent to the use of this technology for the preliminary inquiry, trial, plea hearing and sentencing hearing, all the stages where important decisions are made about the accused.

[Senator Carignan]

However, does Bill S-4 also require this consent from the offender for a hearing regarding a breach of an order of imprisonment in the community? This is an important hearing that takes place after sentencing, but that may have serious implications for the offender. If an offender breaches a conditional sentence order, the judge may order that the offender serve the rest of their time in prison instead of at home, for what could be months.

Yet Bill S-4 does not appear to require the offender's consent to hold such an important hearing by video conference instead of in person.

I share this example to highlight what I believe is an important aspect of the bill, and the defence lawyers I consulted before writing my speech agreed. I am talking about the safeguard proposed in Bill S-4 requiring that the accused and the prosecutor consent to having important criminal hearings conducted by video conference or audio conference.

• (1820)

Thanks to this measure, the parties' lawyers can require that these hearings be held in person if they feel this could hinder the proper conduct of their case, the fairness of the proceedings or the constitutional rights of the accused.

I would completely understand if a defence lawyer required a sentencing hearing to be held in person in court, if they felt that would help in sharing information with their client.

It's important to remember that each criminal case is unique. Take for example a homeless person who has neither a fixed address nor a cellphone. In practice, lawyers who have clients in this situation gain a major advantage when their client is required to appear in court on a given date. The presence of the accused in court gives the lawyer an opportunity that they would not otherwise have, to talk to the accused in private in order to prepare the case or to make an appointment at the lawyer's office.

On the other hand, I can also see a defence lawyer preferring that the hearing not be held by video conference, if it would facilitate interactions with a client who is suffering from a serious mental health problem or has serious difficulties expressing themselves.

I used these examples to illustrate how Bill S-4, despite allowing for the use of audio conference and video conference, prioritizes the kind of flexibility that is needed for hearings. Some hearings are best held in person, while others are best held using remote appearances.

I think many lawyers, both Crown and defence, are hoping Bill S-4 will help them in a very real way because they will no longer have to spend hours physically waiting at the courthouse for short hearings. That can happen in cases where a lawyer wants to request a postponement of the trial, ask the court to change a condition for interim release, or enter a guilty plea along with the parties' joint sentencing proposal. This kind of hearing can take a few minutes, but when the lawyer and the accused are required to be physically present in court, they have

to wait their turn in line along with all the other cases on the docket that day. Clients may also have to pay their lawyer's fees for the time spent waiting at the courthouse.

Some may be wondering whether these questions are truly important. They are in practice. Lawyers who are not wasting time at the courthouse can use this time to better prepare their cases at their office, take more time to meet with clients and even agree to take on more cases, which would help our unfortunately overloaded justice system. Most importantly, this could result in significant savings when it comes to fees for the non-productive time spent waiting at the courthouse.

The real-life benefits of appearing virtually instead of in person cannot be underestimated, if such appearances save several hours of waiting at the courthouse. An accused person, who is presumed to be innocent, would not have to inform their boss that they will be missing a full day of work to appear in court on criminal charges. They might avoid losing their job in some cases. An accused who has a disability or is seriously ill would be happy not to have to travel to the courthouse if they can testify from home or from the hospital.

[English]

However, I'm concerned that in some cases, the changes proposed in Bill S-4 would be inapplicable in practice. Again, consider the example of video conferencing. In principle, this use of technology would save defendants and lawyers in remote areas from having to travel long distances to the courthouses. Remember, not everyone has a car or a driver's licence.

But in many rural communities or in Aboriginal communities in the Far North, access to a high-speed internet connection is either unstable or non-existent. These communities would not enjoy the benefits of the use of video conferencing in Bill S-4.

[Translation]

The Quebec Ombudsman, who is the ombudsman for prisons run by the Government of Quebec, condemned the serious injustices experienced by accused persons when there was no internet to provide access to video conferencing in certain Inuit communities in northern Quebec.

In 2016, a report released by that organization, which, I will point out, was headed at the time by our colleague, Senator Raymonde Saint-Germain, stated:

Based on the information gathered, most of the villages' courthouses, with the exception of the Kuujuaq courthouse, do not have the equipment, technology, bandwidth or qualified staff for effective appearances via videoconferencing. . . .

In light of this situation, the Québec Ombudsman feels that further efforts should be made to increase the use of videoconferencing or any other adapted technology for all pre-trial stages — including the bail hearing — to be done remotely, without unnecessary transfers, barring some exceptions. . . .

In other words, due to the lack of video conferencing, some inmates from northern Quebec had to take a plane and spend several days being transferred in order to appear in person at the Abitibi-Témiscamingue courthouse, which was more than 1,000 kilometres from where they lived. Does this serious injustice continue to occur in these communities in 2022? Witnesses can answer this question when the bill is studied in committee.

Without significant government funding to reliably connect these communities to high-speed internet, the promises made in Bill S-4 are empty. Their residents will not have audio conferencing, or telephones, as an alternative to appearing in person at the courthouse because, by creating sections 715.231 to 715.233 in the Criminal Code, Bill S-4 allows for a trial to be held by video conference, but not by audio conference. Without a fast enough internet connection, it will be impossible to implement these provisions in these communities.

Another question about the bill is whether virtual hearings in criminal law actually reduce court delays. Prior to COVID-19, some judges were reluctant to hear applications for remission or guilty pleas by video conference. They would tell lawyers that it was more complicated for the court, and that wait times to connect or to sort out technical problems were delaying all the other cases of defendants and lawyers who were waiting for their turn in court.

It's true that every minute counts in courtrooms, given the very large volume of cases that must be dealt with in a day.

That said, since COVID-19, there's no doubt that the justice system has been forced to improve its practices and, I would even say, its openness with regard to remote appearances.

[English]

Expert witnesses must be heard by a Senate committee to explain whether the current use of video and audio conferencing in the different regions of Canada has generally made it possible to hold criminal hearings without causing court delays. It should be noted that, in criminal law, judicial practices vary considerably from region to region. They vary because the administration of the criminal justice system falls under the jurisdiction of the provinces and also because judges have the independence to adopt different rules of practice according to different regions.

[Translation]

Does using the technology, all across Canada, effectively provide for the use of interpretation services, for confidential discussions between lawyers and clients, or for evidence to be presented during a trial if the individual presenting it is not in the courtroom?

How do we ensure that the individual appearing by audio conference is actually the accused? How do we ensure that the accused is not being fed answers behind the screen or is not reading a text when testifying by video conference? Has there ever been a case where an accused failed to appear virtually

because of a technical glitch or a connection problem but the judge was not made aware and issued an arrest warrant for failure to appear?

Senators need this kind of information so we can assess whether the measures in Bill S-4 will, in practice, make it possible to meet the objective of improving, simplifying and aligning the use of video conferencing and audio conferencing for criminal cases across the country, all while ensuring the proceedings are fair and the administration of justice is efficient and effective.

• (1830)

[English]

While I support the purpose of Bill S-4, I would not be surprised if the testimony received by the Senate committee recommends technical amendments to refine the bill to better address problems that have been observed in practice.

[Translation]

There is something else to watch out for as we follow up on the study of the bill. We must also consider whether promoting the use of video or audio conferencing may in practice restrict public access to trials and public criminal law hearings. The public nature of trials is recognized in paragraphs 2(b) and 11(d) of the Canadian Charter of Rights and Freedoms.

However, in its February 2021 report, the Canadian Bar Association expressed its concern as follows:

The emergence of online proceedings can pose challenges to the public and media's ability to access hearings.

It is a concern that underpins a very important principle. As the Supreme Court of Canada explains in 1996 in *Canadian Broadcasting Corp. v. New Brunswick (Attorney General)*:

The principle of open courts is inextricably tied to the rights guaranteed by s. 2(b). Openness permits public access to information about the courts, which in turn permits the public to discuss and put forward opinions and criticisms of court practices and proceedings.

[English]

I will close my speech by briefly addressing another important measure in the bill that proposes to relax the rules for obtaining a telewarrant. For those of you who are wondering what a telewarrant is, it is a procedure that allows a police officer to apply for an arrest or search warrant without having to go to the courthouse to apply for the warrant before a judge.

[Translation]

Under the Criminal Code, there is currently a condition for obtaining a telewarrant. The police officer must demonstrate that it would be impracticable to appear personally before a justice to make an application for a warrant.

[Senator Carignan]

Some may believe that eliminating this requirement could diminish a person's protection against unreasonable search or seizure, which is a right protected by section 8 of the Charter. Law professors could certainly enlighten the Senate committee on this subject. I believe that, at first glance, eliminating this requirement would strengthen rather than weaken the protection of Canadians' privacy.

The procedure for obtaining a telewarrant requires a police officer to prove to the justice that, based on the information collected during the investigation, there are reasonable grounds to believe that an offence has been committed and that a warrant would make it possible to collect evidence concerning that offence. The same rigorous criterion is used when the warrant application is presented by the police officer in the justice's office rather than electronically.

In this context, I believe that Bill S-4 could have the positive effect of reducing warrantless searches because it would be easier for police officers to request telewarrants. The advantage would be that there would no longer be cases requiring justices to determine if the police had sufficient grounds, without which a warrantless search cannot be authorized.

The Association des avocats de la défense de Montréal — Laval — Longueuil, or AADM, seems to agree. Its representatives wrote me to say that they think Bill S-4 “adequately balances the needs to protect privacy and to simplify the process for requesting” warrants electronically insofar as Bill S-4 upholds the stringent criteria for obtaining warrants.

For all these reasons, I encourage you to support this bill at second reading and refer it to the Senate committee for study so the committee can make the appropriate recommendations to the Senate.

[English]

Hon. Dennis Glen Patterson: Honourable senators, I would like to express my appreciation for the way in which Senator Dalphond, as sponsor of the bill, has clearly outlined its main provisions and urged that it be referred to the Legal and Constitutional Affairs Committee for detailed study.

Senator Dalphond clearly outlined the main provisions of the bill, and he pointed out that since the bill is not a money bill and has been first introduced in the Senate, we have the freedom to make amendments if they seem appropriate. This is more freedom now than if the bill had originated in the other place. I believe that introducing government bills in the Senate is good practice for a government that says it wants thoughtful advice and constructive criticism from the Senate on legislation but often gives us very little time to do this important work. Such review of legislation in a less partisan atmosphere than in the other place is to the benefit of all Canadians.

I wanted to speak to this bill because, as Senator Dalphond said, the bill is about making the justice system more efficient using available technologies. Perhaps nowhere in this great country are there greater challenges of remoteness, adverse weather and air travel than in Nunavut's 25 isolated, off-road communities in the largest jurisdiction in Canada.

In its first iteration, this bill was introduced in the House of Commons at least in part as a response to COVID; it was an attempt to minimize in-person contacts wherever possible in the justice system. The Nunavut Court of Justice, out of necessity, has always been on the forefront of trying to utilize technology to facilitate remote appearances because of the huge distances and costs resulting from our remote community locations across three time zones in an area covering one fifth the land mass of Canada.

The Nunavut Court of Justice is fundamentally a circuit court. The court travels to all of Nunavut's communities, multiple times each year, to ensure Nunavummiut have meaningful access to justice at their doorsteps. There is a long tradition in the Northwest Territories and Nunavut of bringing justice to communities, beginning with legendary flying circuit court judges Sissons and Morrow. As a legal aid defence lawyer, I was privileged to travel on the circuit with Judge Morrow. This tradition is honoured today by judges, lawyers, prosecutors and court officers who travel courageously in challenging weather and small planes to bring justice to people's doors.

Some observers of the Nunavut justice system are concerned that the ability of technology to facilitate remote appearances could have the unintended consequence of diminishing the public's confidence in the administration of justice in Nunavut if the public sees the court as a purely Iqaluit-based or southern institution. It is seen as essential that lawyers be on the ground meeting and developing relationships with their clients who have matters before the court.

In Nunavut, where severe lockdowns and strict limitations on travel between communities were put in place by public health authorities, COVID shone a light on how valuable technology can be in enabling courts to proceed when personal appearances are not possible, which was very important during the pandemic. Additionally, increasing ways in which certain court appearances can be made without incurring expensive travel costs, which this bill allows, has obvious benefits.

However, a preliminary survey of individuals who work in the criminal justice system in Nunavut suggests that support for the efficient mechanisms offered by the bill still need to be viewed with caution. It was emphasized to me that, as good as the technology is — or can be — it should not be a replacement for in-person appearances when and where possible. This principle will require that attention be paid to the adequacy of safeguards around the use of technology for court appearances. As Senator Dalphond noted, trials and preliminary inquiries will be held only with consent of the accused, and the same safeguard of requiring the accused's consent will apply to sentencing or pleas by teleconference.

While Bill S-4 is clear about the requirement of consent by both parties for the exercise of its provisions for virtual proceedings, obtaining true, informed consent from people in custody, or indeed anyone, may be made difficult by language and cultural barriers amongst our high-majority Inuit population. I would note that many lawyers for both the Crown and defence are based in Southern Canada and are non-Inuit, non-Inuktitut speakers.

• (1840)

These difficulties of communication are not resolved simply by face-to-face encounters between lawyers, clients and witnesses. Addressing the language and cultural challenges requires significant investment in interpreters and translators, as well as court workers.

Interpreters and court workers have been a mainstay of the system in Nunavut courts since the earliest days. It is encouraging that increasing numbers of young Inuit are entering the legal profession in Nunavut, but many more professionals are needed.

There is a fear that has been expressed about this bill that, without proper safeguards, technology has the potential to turn the court system in Nunavut into a satellite operation where counsel practice remotely in the territory from locations mainly based in southern Canada. This would have a negative impact on access to justice as vulnerable clients would miss out on personal interactions with counsel.

The other important reality that must be recognized in Nunavut is the limitations of the currently available communications technology. One experienced northern lawyer wrote to me saying:

We do want to share that we think Parliament should be wary of passing legislation that depends on technology that is not realistically available in every jurisdiction impacted by the new law.

Colleagues, you have heard me speak on the issue of unreliable connectivity in Nunavut several times, and I will definitely be speaking about this reality many more times. This past weekend, for example, when I went to buy gas and at a local store, the businesses were requiring cash only, since cash machines depending on the internet were either inoperative or painfully slow.

That the internet in Nunavut is not reliable is only one part of the problem. Experienced practitioners in Nunavut observe that we also operate in a jurisdiction that lacks sufficiently sophisticated expertise to deal with technical issues that arise, is disjointed in its technological rollout and generally apathetic about the impact of technological failure on the rights of individuals or the fairness of proceedings.

One practitioner said:

There is a very real risk associated with the new wording of s.650 that people will acquiesce to being physically absent for meaningful parts of their trial because they are (a) disengaged from and indifferent to the process and/or (b) believe that it will lead to expediency — a fast, if not fair, trial.

In this connection, the importance of language and cultural sensitivities is once again brought to the fore. It is notable that, despite two successful iterations of the Akitsiraq law program, which has graduated two cohorts of mostly Inuit lawyers, the defence bar has unfortunately attracted few Inuit lawyers. There is none at present.

It is said that some of those who have tried this work have found the experience triggering. Probably all of these young lawyers will have experienced or witnessed the traumas that lay behind so much of what ends up in court.

In closing, I'd like to express my thanks to Maliiganik Tukisiiniakvik legal aid clinic and the defence bar of the Law Society of Nunavut for their preliminary advice on this bill, which is so relevant in Nunavut, and to express the hope that the Legal and Constitutional Affairs Committee will seek their input and advice in its study of Bill S-4.

I support sending the bill for study by that committee.

Thank you.

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?

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

(On motion of Senator Gold, for Senator Dalphond, bill referred to the Standing Senate Committee on Legal and Constitutional Affairs.)

[Translation]

ROYAL ASSENT

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

RIDEAU HALL

March 31, 2022

Mr. Speaker,

I have the honour to inform you that the Right Honourable Richard Wagner, Chief Justice of the Supreme Court of Canada, in his capacity as Deputy of the Governor General,

signified royal assent by written declaration to the bills listed in the Schedule to this letter on the 31st day of March, 2022, at 6:22 p.m.

Yours sincerely,

Ryan McAdam

Chief of Staff of the Secretary to the Governor General

The Honourable
The Speaker of the Senate
Ottawa

Bills Assented to Thursday, March 31, 2022:

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-15, Chapter 3, 2022*)

An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2023 (*Bill C-16, Chapter 4, 2022*)

[English]

MEDICAL ASSISTANCE IN DYING

APPOINTMENT OF SPECIAL JOINT COMMITTEE—
MESSAGE FROM COMMONS—MOTION ADOPTED

The Senate proceeded to consideration of the message from the House of Commons:

Wednesday, March 30, 2022

EXTRACT, —

That,

- (a) pursuant to subsection 5(1) of An Act to amend the Criminal Code (medical assistance in dying), a special joint committee of the Senate and the House of Commons be appointed to review the provisions of the Criminal Code relating to medical assistance in dying and their application, including but not limited to issues relating to mature minors, advance requests, mental illness, the state of palliative care in Canada and the protection of Canadians with disabilities;
- (b) pursuant to subsection 5(2) of the act, five members of the Senate and 10 members of the House of Commons be members of the committee, including five members of the House of Commons from the governing party, three members of the House of Commons from the official opposition, and two members of the House of Commons from the opposition who are not members of the official opposition, with two Chairs of which the House Co-Chair shall be from the governing party and the Senate Co-Chair shall be determined by the Senate;

- (c) in addition to the Co-Chairs, the committee shall elect three vice-chairs from the House, of whom the first vice-chair shall be from the Conservative Party of Canada, the second vice-chair shall be from the Bloc Québécois and the third vice-chair shall be from the New Democratic Party;
- (d) pursuant to subsection 5(3) of the act, the quorum of the committee be eight members whenever a vote, resolution or other decision is taken, so long as both Houses and one member of the governing party in the House, one from the opposition in the House and one member of the Senate are represented, and that the Joint Chairs be authorized to hold meetings, to receive evidence and authorize the printing thereof, whenever six members are present, so long as both Houses and one member of the governing party in the House, one member from the opposition in the House and one member of the Senate are represented;
- (e) the House of Commons members be named by their respective whip by depositing with the Clerk of the House the list of their members to serve on the committee no later than five sitting days after the adoption of this motion;
- (f) changes to the membership of the committee, on the part of the House of Commons, be effective immediately after notification by the relevant whip has been filed with the Clerk of the House;
- (g) membership substitutions, on the part of the House of Commons, be permitted, if required, in the manner provided for in Standing Order 114(2) and that they may be filed with the clerk of the committee by email;
- (h) until Thursday, June 23, 2022, where applicable to a special joint committee, the provisions contained in paragraph (r) of the order adopted by the House on Thursday, November 25, 2021, shall also apply to the committee;
- (i) the committee have the power to:
 - (i) sit during sittings and adjournments of the House,
 - (ii) report from time to time, to send for persons, papers and records, and to print such papers and evidence as may be ordered by the committee,
 - (iii) retain the services of expert, professional, technical and clerical staff, including legal counsel,
 - (iv) appoint, from among its members such subcommittees as may be deemed appropriate and to delegate to such subcommittees, all or any of its powers, except the power to report to the Senate and House of Commons,

- (v) authorize video and audio broadcasting of any or all of its proceedings and that public proceedings be made available to the public via the Parliament of Canada's websites;
- (j) pursuant to subsection 5(5) of the act, the committee submit a final report of its review, including a statement of any recommended changes, to Parliament no later than Thursday, June 23, 2022; and
- (k) pursuant to subsection 5(6) of the act, following the tabling of the final report in both Houses, the committee shall expire; and

that a message be sent to the Senate requesting that House to unite with this House for the above purpose and to select, if the Senate deems advisable, members to act on the proposed special joint committee.

ATTEST

Charles Robert

The Clerk of the House of Commons

Hon. Marc Gold (Government Representative in the Senate) moved:

That:

- (a) pursuant to subsection 5(1) of *An Act to amend the Criminal Code (medical assistance in dying)*, S.C. 2021, c. 2, a Special Joint Committee of the Senate and the House of Commons be appointed to review the provisions of the *Criminal Code* relating to medical assistance in dying and their application, including but not limited to issues relating to mature minors, advance requests, mental illness, the state of palliative care in Canada and the protection of Canadians with disabilities;
- (b) pursuant to subsection 5(2) of the act, the committee be composed of five members of the Senate, including one senator from the Opposition, two senators from the Independent Senators Group, one senator from the Progressive Senate Group, and one senator from the Canadian Senators Group, and ten members of the House of Commons, with two chairs, of whom the Senate chair shall be from the Opposition and the House chair shall be from the governing party;
- (c) in addition to the chairs, there be one deputy chair from the Senate, from the Independent Senators Group and three vice-chairs from the House;
- (d) the five senators to be members of the committee be named by means of a notice signed by their respective leader or facilitator, or their respective designates, and filed with the Clerk of the Senate no later than 5:00 p.m. on the day after this motion is adopted, failing which, the leader or facilitator, and,

in the case of the Independent Senators Group, the deputy facilitator if appropriate, of any party or group identified in paragraph (b) that has not filed the name of a senator with the Clerk of the Senate, shall be deemed to be named to the committee, with the names of the senators named as members being recorded in the *Journals of the Senate*;

- (e) pursuant to subsection 5(3) of the act, the quorum of the committee be eight members whenever a vote, resolution or other decision is taken, so long as both houses are represented and that one member from the Senate, one member of the governing party in the House, and one member from the opposition in the House are present and that the chairs be authorized to hold meetings, to receive evidence and authorize the publication thereof, whenever six members are present, so long as both houses are represented and that one member of the Senate, one member of the governing party in the House and one member from the opposition in the House are present;
- (f) for greater certainty, changes to the membership of the committee on the part of the Senate be made in accordance with rule 12-5;
- (g) until Thursday, June 23, 2022:
 - (i) where applicable, the provisions contained in paragraphs (a), (b) and (c) of the order adopted by the Senate on February 10, 2022, respecting the participation of senators in hybrid meetings of standing joint committees, shall apply to senators on this committee; and
 - (ii) senators, members and departmental and parliamentary officials appearing as witnesses before the committee may do so in person, as may any witness invited to appear before the committee;
- (h) the committee have the power to:
 - (i) meet during sittings and adjournments of the Senate;
 - (ii) report from time to time, to send for persons, papers and records, and to publish such papers and evidence as may be ordered by the committee;
 - (iii) retain the services of expert, professional, technical and clerical staff, including legal counsel; and

- (iv) authorize video and audio broadcasting of any or all of its public proceedings and to make them available to the public via the Parliament of Canada's websites;

- (i) a report of the committee may be deposited with the Clerk of the Senate at any time the Senate stands adjourned, and that any report so deposited may be deposited electronically, with the report being deemed to have been presented or tabled in the Senate;
- (j) pursuant to subsection 5(5) of the act, the committee submit a final report of its review, including a statement of any recommended changes, to Parliament no later than June 23, 2022; and
- (k) pursuant to subsection 5(6) of the act, following the tabling of the final report in both houses, the committee shall expire; and

That a message be sent to the House of Commons to acquaint that house accordingly.

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

Hon. Senators: Agreed.

(Motion agreed to.)

• (1850)

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 5, 2022, at 2 p.m.

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

Hon. Senators: Agreed.

(Motion agreed to.)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE FEDERAL FRAMEWORK FOR SUICIDE PREVENTION—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Kutcher, seconded by the Honourable Senator Boehm:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized, when and if it is formed, to examine and report on the Federal Framework for Suicide Prevention, including, but not limited to:

- (a) evaluating the effectiveness of the Framework in significantly, substantially and sustainably decreasing rates of suicide since it was enacted;
- (b) examining the rates of suicide in Canada as a whole and in unique populations, such as Indigenous, racialized and youth communities;
- (c) reporting on the amount of federal funding provided to all suicide prevention programs or initiatives for the period 2000-2020 and determining what evidence-based criteria for suicide prevention was used in each selection;
- (d) determining for each of the programs or interventions funded in paragraph (c), whether there was a demonstrated significant, substantive and sustained decrease in suicide rates in the population(s) targeted; and
- (e) providing recommendations to ensure that Canada's Federal Framework for Suicide Prevention and federal funding for suicide prevention activities are based on best available evidence of impact on suicide rate reduction; and

That the committee submit its final report on this study to the Senate no later than December 16, 2022.

Hon. Dennis Glen Patterson: Honourable senators, I rise today to speak to Motion No. 14, Senator Kutcher's motion regarding further study of the federal government's Federal Framework for Suicide Prevention.

While I applaud the intent, I do have concerns with about this motion. Suicide is a very important issue, but I am wary of yet another study. My constituents in Nunavut, who are dealing with suicide and its impacts every day, need action instead of more studies. We now face a plethora of strategies: the Federal Framework for Suicide Prevention, the National Inuit Suicide Prevention Strategy, the First Nations Mental Wellness Continuum Framework, *Changing Directions*, *Changing Lives: The Mental Health Strategy for Canada*, and so forth. Many of these frameworks, strategies and studies are designed by southern non-Inuit.

The actions that my constituents in Nunavut need include multi-year, flexible federal funding and a whole-of-government approach. I would rather hear more about the specifics of what they need so that we know exactly what to push the government for. It removes the subjective markers of what is counted as progress and what isn't. Instead, the question is: Did you deliver the funding or the programs that people are clamouring for?

I wish to thank the Senate for allowing me to speak to my constituents in their first language, no doubt haltingly. I will now speak in Inuktitut. There is an interpreter here. I thank the Senate for arranging that.

[Editor's Note: Senator Patterson spoke in Inuktitut — translation follows.]

I will be speaking to what is being done in Nunavut. We don't just want more studies. We want our knowledge. We have lost our own loved ones to suicide, and some people whom we know. This has been happening for a long time now. There are many people from Nunavut who have experienced suicide. There are many reasons why people commit suicide, and I, along with all the people of Nunavut, am affected negatively when a suicide happens.

People have come to me and asked for help to prevent more suicides. There are many reasons behind a suicide, but we do not really know what triggers a suicide. One of the many reasons is trauma. Other reasons are residential schools, the relocation of people, the massacre of dogs, tuberculosis and other things such as mental illness and the banning of the seal skins by people such as Greenpeace. These have greatly affected the lives of Inuit. Those are just some of the reasons. Another factor is a lack of housing and other major gaps in the quality of living that we endure daily.

Since the root cause of most suicides among Inuit is trauma, the best programs to deal with the loss, anger and harm it causes to Inuit are programs led by Inuit.

• (1900)

The Inuit should be involved in administering programs or delivering programs based on their knowledge, based on Inuit knowledge, because they know their land and their environment best.

Longtime northerners know what those programs should be because we have heard the decades of discussions and read many studies that all say the same thing. Nunavummiut need programs that help them learn cultural skills and get them back on the land. They need supports to continue learning vital cultural skills, like sewing, sealskin preparation and hunting. They need to learn about the manufacture and maintenance of hunting equipment.

They need to learn cultural skills, a large part of their culture and hunting skills. These are the skills that sustain the lives of Inuit and have sustained the lives of Inuit, for they are survival skills. While this may not seem connected to suicide prevention, it is important to know that all these skills are ennobling and uplifting. A deeper connection to one's culture gives strength and stability. Trades and hobbies give purpose, as opposed to folks seeking to fill the void with drugs and alcohol.

[English]

Additionally, high unemployment and overcrowded housing means that people are simply surviving instead of living. If we're able to tackle these issues, it gives people space to then focus on healing and wellness. Programs must be delivered in Inuktitut so that people can speak with their hearts as opposed to trying to explain complex feelings and thoughts across a language and cultural barrier.

Training and involving Inuit in the delivery of these programs is necessary. When you are at rock bottom, you need people who will provide support and walk with you, guiding you along the way. When you're disconnected, it can be quite confusing. We need people there in communities and available 24/7. We need to acknowledge that our elders are our knowledge keepers and they know what community members are experiencing. Our 25 communities hold people who can do this work with training and support.

I will close in Inuktitut with some comments from an elder.

[Editor's Note: Senator Patterson spoke in Inuktitut — translation follows.]

An elder has said to me that we need to start using our cultural perspectives again to help prevent more suicides. We need to stand on what we know as Inuit, to stand up again.

[English]

So when we call on our Social Affairs, Science and Technology Committee to study a subject as important as preventing soul-destroying suicide, I think we need to keep in mind that the review of programs and initiatives must include a Northern Canadian lens and may need to be expanded to other programs and initiatives that southerners may not classify as related but that Inuit would certainly view as integral to fighting the suicide epidemic we face in the North.

I would close by flagging that what Senator Kutcher has proposed is a thorough, academic fact-based study of the federal approach to suicide prevention and review of 20 years' worth of programs. At least that's how I see it. If followed to the letter, however, it would take up a significant amount of time in a committee that, like all committees, currently meets only once a week and will likely be bogged down with legislation in the foreseeable future. I would caution against spending an inordinate amount of time studying something that people need action on now.

In Nunavut, we cannot wait for more recommendations. Every year without action is another year of lost lives and pain. *Qujannamiik. Taima.*

(On motion of Senator Brazeau, debate adjourned.)

(At 7:08 p.m., pursuant to the order adopted by the Senate on March 31, 2022, the Senate adjourned until Tuesday, April 5, 2022, at 2 p.m.)

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