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The Honourable GEORGE J. FUREY,
Speaker

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THE SENATE

Wednesday, May 4, 2022

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

Prayers.

SENATORS' STATEMENTS

BUSINESS OF THE SENATE

Hon. Raymonde Saint-Germain: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I move:

That, notwithstanding any provision of the Rules or previous order, for today's sitting, the duration for Senators' Statements be 45 minutes, to be used for the purpose of paying tribute to our late colleague the Honourable Josée Forest-Niesing, who passed away on November 20, 2021.

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

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[Translation]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of the family of the Honourable Senator Forest-Niesing: her husband, Robert Niesing; mother, Marie-Paule Forest; daughter, Véronique Niesing; and sisters, Sylvie Palkovits and Dominique Forest.

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

Hon. Senators: Hear, hear!

TRIBUTES

THE LATE HONOURABLE JOSÉE FOREST-NIESING

Hon. Raymonde Saint-Germain: Honourable senators, two families have come together today to pay tribute to our late colleague, Josée Forest-Niesing.

Robert, Véronique and Philippe, as you mourn your spouse and mother, please know that we, the members of the large Senate family, are also mourning the loss of a colleague who was dearly loved and greatly appreciated. My heart also goes out to her team, Louise Mercier and Nour El-Farouk, who lost a wonderful and inspiring boss.

We all had loved ones among the some 39,000 Canadians who lost their lives to COVID-19. Josée was one of them.

Everyone will agree that Josée was a generous, competent, dedicated and resilient woman, who had a very promising future in the Senate. She was a family woman and very proud of hers. We all heard about the achievements of Jacob and Léo, who are obviously the world's best grandsons.

In just three years in the Senate, Josée accomplished a great deal. It was really something to hear her speak with conviction, switching back and forth from one official language to the other without hesitation, passionately making her case. Josée knew how to make a strong, tactful and bold argument.

Yes, Josée was bold. I still remember one of her very first speeches in the Senate. It was during one of our heated debates with one of our most experienced debaters, the formidable Senator Don Plett. New to this chamber — which would have been enough to intimidate many but not Josée — she stood with determination and confidence and took an active role in the debate. If memory serves me correctly, she did a great job of it.

That is what I think best describes Senator Forest-Niesing's record in the Senate: her courage and willingness to express her opinions on issues that were important to her, with openness and a desire to educate. She knew how to express a different point of view and take an objective second look at the legislation, with relevance and elegance. This earned her everyone's respect. Josée's contribution, despite her short term of office, was also significant within the Internal Economy Committee, where she was able to put her expertise as a lawyer to good use in the governance of our institution.

Our memory of Josée is that of a woman of integrity, competence, determination and humility. She has forever left a mark on the Senate, and it was a privilege to have worked alongside her. On behalf of the Independent Senators Group, I salute her and thank her one last time, while again extending our most sincere condolences to her family and friends.

• (1410)

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, as you know, our colleague Josée Forest-Niesing passed away in November in her Sudbury home. The Senate of Canada is known for its stance in favour of minority rights. That reputation endures thanks to senators who take great care to ensure those rights are respected. Senator Forest-Niesing volunteered with many different community organizations, so she was destined to serve as one of the Senate's advocate for respect for official languages.

In her November 3, 2020, statement, she reminded us of the following:

Canada's two official languages have equal constitutional status. One is not the main language which then gets translated into the other.

She encouraged us to take steps to make that equality part of our daily reality and to pay special attention to this issue during these uncertain pandemic times. On June 3, she argued in favour of introducing a bill to amend the Bankruptcy and Insolvency Act to include national guarantees of bilingualism in court proceedings.

Senator Forest-Niesing's premature death is a great loss to the Senate and official language minority communities. May her death inspire us all to pursue her passion for access to justice in both our official languages.

I had the privilege of meeting her family and members of her community. The love, admiration and respect they felt for her, as well as the personal stories they shared about her, clearly showed how deep her roots in her community were and how much her service to others was an integral part of who she was.

Over and above her qualifications as a lawyer and dedicated community member, Senator Forest-Niesing always showed great compassion, a particularly important trait for our institution which is, above all, human.

As Government Representative in the Senate, I offer my condolences to her husband, Robert, her two children, Philippe and Véronique, and her grandchildren.

[English]

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, I think it is safe to say that we were all shaken by the news of the recent passing of our dear friend and colleague Senator Josée Forest-Niesing.

The Honourable Senator Forest-Niesing may have been a member of this chamber for only three short years, but, in that time, she made a significant impression on all of us. As has already been shared by my colleague Senator Saint-Germain, she made an impression on me when she challenged me, both here and in the Subcommittee on Long Term Vision and Plan.

She could be very disarming with her brilliant and warm smile. Yet, she was also tenacious and fiercely dedicated to her work, her community and her values. These qualities served her well and gave her substantial influence as a senator, a trial lawyer, an advocate and, no doubt, as a friend, wife and mother.

Her focus, her attentiveness and her eloquence were hallmarks of who she was as a person but also as a compassionate and impactful parliamentarian.

I will always remember fondly my 2019 trip to Ukraine with Senator Forest-Niesing and Senator Boniface. We travelled together as Organization for Security and Co-operation in Europe observers of the early parliamentary elections in Ukraine, and we also had an opportunity to visit the Holodomor memorial in

Kyiv. It was a very enjoyable trip with my two senate colleagues. I will always treasure the opportunity I had to get to know Josée in a very real and personal way.

I know that we all treasure the privilege we had of working with Senator Forest-Niesing here in the Senate. Canada is better for her service and her contribution as a senator. But, as you know, her dedication to public service began long before this place and is well documented. Over the years, she served on many boards of directors, from the Art Gallery of Sudbury, to the Carrefour francophone de Sudbury, the Centre canadien de français juridique and the University of Sudbury.

Senator Forest-Niesing was a proud, devoted and passionate northern Franco-Ontarian, and her voice will be greatly missed in this chamber.

Her maiden speech was a tribute praising Gaétan Gervais, another great Franco-Ontarian from Sudbury. At the time, she concluded by saying:

Colleagues, please join me in thanking Gaétan Gervais and paying tribute to him, as we lost him to a better place.

On behalf of the Conservative caucus, I think it only fitting that I say: Colleagues, please join me in thanking Senator Josée Forest-Niesing and paying tribute to her, as we lost her to a better place.

Our heartfelt condolences go out to her husband, Robert, and her children, Véronique and Philippe. May God strengthen them, and all of us, as we grieve her early departure.

Hon. Jane Cordy: Honourable senators, on November 20 we all received the shocking and sad news that our colleague and friend Senator Josée Forest-Niesing had passed away. She was only 56. Appointed in 2018, Senator Forest-Niesing only served in the Senate for just over three years, but in those three years it was clear to anyone who met her that she brought to this chamber a real passion and dedication to get things done.

Senator Busson, Senator Griffin and I had the pleasure of serving on the Senate Committees Mandates Working Group with Josée. We were a small group and worked closely together over several months to produce recommendations and ideas on how to best update our committee mandates.

One of our working group meetings was the last time I spoke to Josée. She was very ill at the time but insisted on taking part in the meeting's discussions from her bed with the video off. She passed away only days later. Unfortunately, Senator Forest-Niesing was not with us when we completed our final report and presented it to the Senate Standing Committee on Rules, Procedures and the Rights of Parliament.

Colleagues, Josée's passing is the loss of a strong voice in this chamber as an advocate for minority language communities. She defended access to justice and to public service in both official languages and in sign language. Her advocacy for Indigenous communities will also remain a part of her legacy.

So many from her community have spoken, honouring the impact she made over her lifetime of public service. This lifetime of service and experience would have only further enriched our work here in the Senate.

We will miss her friendship and her wonderful smile, as well as her valuable contributions to our work here in the Senate. Josée had so much to offer and left us far too soon.

On behalf of the Progressive Senate Group, I wish to extend our deepest sympathies to her husband, Robert, and to all her family and friends. Thank you.

[Translation]

Hon. Jean-Guy Dagenais: Honourable senators, I too would like to take a moment to pay tribute to our colleague, Josée Forest-Niesing, who passed away from complications of COVID-19.

First of all, there are no words to express how shocked we all were by the news of her passing. Since she was only 56 years old, we had every reason to believe that she would be with us for many years to come, pursuing her commitments. One of her favourite causes was defending the French language.

• (1420)

The Honourable Josée Forest-Niesing was a proud francophone from Ontario who never stopped calling for the respect that is due to the French language in this country. I commend the fact that in her community of Sudbury, her actions contributed to mobilizing the general public, the legal community and the university community to ensure that French remains as their language of use and continues to be taught. The francophone cultural community of Sudbury has just lost a fierce representative of its collective heritage. In the last few days, everyone has recognized the strength of her personal, professional and political commitments.

She was an accomplished jurist, and her actions reached far beyond her region. Senator Forest-Niesing headed the Association of French-Speaking Jurists of Ontario. She founded the Centre canadien de français juridique and she also played a pivotal role in chairing the Ontario Bar Association Official Languages Committee. I hope that all Ontarians, regardless of the language they speak, will do something to pay tribute to her and commemorate her achievements.

I will cherish the memory of our discussions about how I supported her efforts in this chamber last June to have her motion adopted in support of the francophone teaching programs at Laurentian University in Sudbury, which terminated 58% of its French programs for lack of funding, resulting in the departure of 110 teachers.

I also recall the speech she gave in November 2020, in which she pointed out that, in emergency situations such as the one we have been in since March 2019, the government all too often forgoes communications in French for the sake of getting out the message quickly. Senator Forest-Niesing rightly reminded us at

the time that everyone has the same fundamental need to receive information, instructions and clear messages. Her message could not be any clearer, and I quote:

Canada's two official languages have equal constitutional status. One is not the main language which then gets translated into the other.

If, in my own small way, I can continue Senator Forest-Niesing's fight for respect for official languages in this chamber, I will be proud to do so in her memory. I extend my sincere condolences to her entire family.

Hon. Senators: Hear, hear!

[English]

Hon. Bev Busson: Dear colleagues and family, how can one describe a loss that is indescribable, explain an event that is unexplainable or accept a fact that is so unfair as to be unacceptable? Here goes.

Since the first time that she rose in the Senate, I was always afraid that if we spoke on a subject, I would get a time after her. She was such a hard act to follow. Senator Josée Forest-Niesing was one of the most amazing people I have ever met, and I have met a lot of extraordinary people.

She became a senator about a month after I did, but from the very beginning I was her biggest fan. When one is appointed to the Senate, I think we all feel unworthy. Senator Josée Forest-Niesing set the standard. She had it all. She was elegant and beautiful, but many of us are blessed with that DNA. She was smart; this is an occupational necessity. She was well educated, as many of us are. She was kind, as we all strive to be. She loved her family with a passion. Don't we all? Her ethics and principles were above reproach; we all strive to meet that standard.

Josée had all of that, but she also had that quality that is difficult to define and impossible to falsify. She was special. When she walked into a room, she did not have to dominate the conversation. Her presence did that for her. Her passion for truth and her dedication to her country were subtle but obvious.

She was tenacious about the things that mattered to her. First and foremost was her family. She always had pictures on the ready to reinforce the pride she had in her husband, children and grandchildren. Professionally, gender equality, French language rights, Indigenous issues and the modernization of the Senate were passions for her. We spent many a night analyzing what had just happened in the Senate over a glass of wine or two, and we spoke often about the Senate of the future.

In the week prior to her passing, she even virtually joined a Senate meeting from her bed, wanting to make a difference to the end. I am so honoured that this amazing person chose me as a friend. She died far too soon and had so much more yet to give. We have all lost an outstanding Canadian. Her family has lost an amazing wife, sister, daughter, mother and grandmother, and I have lost a true friend.

Her legacy is a standard I continue to strive to be worthy of. I suspect that she and the other angels in heaven will be planning the modernization of heaven, probably wearing ribbon skirts.

We will never forget you, dear friend. You will forever be a hard act to follow.

Hon. Senators: Hear, hear.

Hon. Brian Francis: Honourable senators, I rise today to pay tribute to our dear colleague and friend Senator Josée Forest-Niesing.

As others have noted, Josée was a proud Franco-Ontarian who was devoted to protecting the rights of francophone minority communities. From her questions to the Government Representative to her motion on the closing of French university programs, Josée was passionate in her advocacy.

During her time here, Josée was committed to improving the lives and futures of Indigenous people. I had the pleasure of travelling with her as part of Canada's delegation to the United Nations Permanent Forum on Indigenous Issues in 2019. Last year, we sat as members of the Standing Senate Committee on Aboriginal Peoples during our study of Bill C-15, An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples. She took so much pride in this work.

Colleagues, I want to tell you about a special moment I shared with Josée.

In October 2018, I had the privilege of being sworn in with her on the same day. That day, I brought an eagle feather with me, which for First Nations people is one of the most honoured and sacred gifts. Josée knew of the significance. As we were preparing to enter the chamber as the last two to be sworn in, I could see that she was nervous — something I later learned was not common for her. I offered a prayer to the Creator in her name and touched her with the eagle feather. I believe she found this gesture to be powerful and reassuring. When she entered the upper chamber, she was calm and filled with strength and determination.

Colleagues, we lost a dear member and friend far too soon. However, Canada is a better place because of her presence and influence. Josée's warmth, generosity and humour will never be forgotten. She will live on in the hearts of all those she touched.

I offer my sincere condolences to her husband, Robert, her children, Philippe and Véronique, and her extended family and friends.

Wela'lin. Thank you, Josée, for your friendship. May the Creator continue to embrace you and hold you tight.

Hon. Senators: Hear, hear.

[*Translation*]

Hon. Lucie Moncion: Honourable senators, today is an opportunity to celebrate our friend and colleague.

I want to take this opportunity to share a story. On March 13, 2020, the last sitting day before the Senate shut down because of the pandemic, Josée, Senator Lankin and I travelled together back to our respective cities. Just before getting to Pembroke, Josée pointed at the top of a rock and said, "You see that rock with someone's name written at the top?" I replied, "Yes, I've been making the trip between Ottawa and North Bay for 25 years and I've been wondering who that Josée is." She said, "That's me. I'm that Josée."

When she and Robert were studying at the University of Ottawa, they decided to pull over and write their names on the rock. After their children, Philippe and Véronique, were born, they added their names. Josée told me then that she would go back to add her grandson Jacob's name and then Léo's.

I had the pleasure of spending an afternoon with Josée's husband Robert last week. There was an event at the University of Sudbury, followed by the official opening of the Place des Arts. I should point out that Josée was the longest-serving chair of the University of Sudbury's board of governors, having served for five years. Josée's and Robert's names are prominently displayed in the Place des Arts, and there is even a room dedicated to Josée.

Let me return to the story of the aforementioned rock face. I told Robert, "I noticed that Josée's name seems even brighter than it was before, as though someone put on a new coat of paint. That is surely the work of an angel."

As for me, every time I am here, I greet Josée and think of her. I will always have that privilege.

• (1430)

Knowing how deep Josée's faith was, I would like to read this poem, from an unknown author. It is called *Footprints in the Sand*.

One night I had a dream. I dreamed I was walking along the beach with the Lord. Across the sky flashed scenes from my life. For each scene I noticed two sets of footprints in the sand; one belonged to me, and the other to the Lord.

When the last scene of my life flashed before me, I looked back at the footprints in the sand. I noticed that many times along the path of my life, there was only one set of footprints. I also noticed that it happened at the very lowest and saddest times in my life.

This really bothered me, and I questioned the Lord about it. "Lord, you said that once I decided to follow you, you would walk with me all the way. But I have noticed that during the most troublesome times in my life, there was only one set of footprints. I don't understand why in times when I needed you the most, you should leave me."

The Lord replied, "My precious, precious child. I love you and I would never, ever leave you during your times of trial and suffering. When you saw only one set of footprints, it was then that I carried you."

Josée, in letting your light shine, you have given us the opportunity to let ours shine. Your light will always shine in our hearts. Until we meet again, my friend.

Hon. Senators: Hear, hear!

[English]

Hon. Patricia Bovey: Honourable senators, I too welcome Senator Forest-Niesing's family and friends as we pay tribute to a truly valued colleague. We were all devastated by the news of Senator Forest-Niesing first contracting COVID-19, then her hospitalization and then after the good news of her release, her sudden passing. She was an absolutely dedicated, hard-working colleague who embraced all — from all groups and caucuses. There is no question that she is sorely missed. I was indeed lucky to sit beside her for those months prior to COVID-19, and at its outbreak I know she was concerned and was truly careful.

[Translation]

I had the privilege of working with her on several occasions, most recently as part of the Artwork and Heritage Advisory Working Group. Her attention to detail, her ideas and her desire to showcase the Senate's visual arts and heritage were all incredible. She found ways to share all this with a wider audience in order to increase engagement, and she made sure that every part of the country was heard. I hope she was proud of the work she did.

I also want to commend her initiative to publicly raise the issue of the financial crisis at Laurentian University. I am grateful for the time she spent keeping me and others who care about the plight of faculty, students and the community informed. She always kept me up to date on the situation. I believe that the inquiry she launched made a difference to the institution's financial planning and governance. At least that is what I hear from the academic community.

[English]

On a personal note, I will never forget her real joy at the birth of her first grandchild; she was over the moon. Then there was her announcement in this chamber of her discovery that she had Métis ancestors. Her creative determination to make a ribbon skirt was palpable, and I applaud her mother for making it with the material Josée chose. I am so looking forward to seeing it.

I extend my heartfelt condolences to her husband Robert and her entire family, to her friends and community. Her sense of commitment, care, compassion and her unbounded sense of humour and storytelling is missed by all in this chamber, and all who knew her. Thank you. And thank you, dear colleague, for such enriching ideas.

Hon. Senators: Hear, hear.

Hon. Frances Lankin: Honourable senators, the words and tribute that I will be delivering are the words of Louise Mercier, the director of parliamentary affairs for Senator Forest-Niesing:

I can't believe how lucky I have been to work with Senator Forest-Niesing. It has been a great privilege in my life. Not only considering her amazing wit, her exceptional diplomacy and extended know-how, but for the fact that she was a truly luminous human being and became a very close friend.

Her empathy and true interest for every person she met gave her exceptional insight into the human psyche. In reviewing legislation, she adopted the perspective of Canadians targeted by a particular bill. She was not afraid of bringing forward amendments and special initiatives if she believed the legislation under review did not accomplish all that it should to make life better for the Canadian population.

She was also truly dedicated to the people of her native region of Sudbury, especially the French community. I travelled twice to Sudbury for a week's visit to meet with key stakeholders, MPs and the mayor. We visited Science North and the SNOLAB. The SNOLAB is a renowned scientific facility that studies the particles of sunlight two kilometres below the earth's surface, which made for a very peculiar scene because we had to shower — hair and body — and wear the facility's clothing in order to avoid contaminating the experiences. At the time, I remarked to Josée, "Oh, just another day in the Senate with you, senator."

Visiting Sudbury, I also got to meet numerous members of Senator Forest-Niesing's family. One in particular was her pride and joy, her brand new grandchild Jacob. Since then, she has been blessed with a second grandchild, Léo. Her family was her number one priority. Having lost her father in June 2020, she made sure to be as present as possible with her mother and sisters, Sylvie and Dominique — "the girls," as she would say. She was especially proud of her daughter, Véronique, and of her son, Philippe, and admired the adults that they had become. She had just celebrated her thirty-fifth wedding anniversary with Robert, her partner in crime and the love of her life.

I am still feeling the aftermath of her passing and miss her every single day. However, trying to make sense of it all, I am choosing to focus on the fact that I was blessed to share a part of my journey with her, which made me a better person.

[Translation]

Thank you for everything, Josée.

Speaking for myself now, I would like to say that Senator Forest-Niesing was a remarkable, supportive and hard-working colleague. She was a woman who carried herself with grace, and I will miss her very much. Thank you.

Hon. Senators: Hear, hear!

Hon. René Cormier: Dear colleagues and members of the Forest-Niesing family, from the day she was born in Sudbury in 1964 until her sudden passing on November 20, 2021, Josée Forest-Niesing was engaged, devoted and possessed of an admirable drive that made her a brilliant and generous wife, sister, mother, grandmother and colleague.

She earned her law degree from the University of Ottawa and was called to the Ontario Bar in 1990. She spent her life serving the Franco-Ontarian community and became known as the Franco-Ontarians' advocate in the Senate.

She spoke both of our country's official languages fluently, elegantly and precisely, and she spent her career fighting for access to justice in both official languages. Her argument for the equality of both official languages was, is, and will remain a great source of inspiration to members of the Official Languages Committee.

Dear colleagues, we all remember the day she was sworn in, here in this chamber. Her broad smile and luminous gaze lit up the Senate.

• (1440)

I fondly recall her voice tightening up as she took the oath. There was a lump in her throat. She was deeply moved and filled with gratitude as she took the oath. She understood the importance of her first steps in this chamber as a Franco-Ontarian senator.

During her brief time in this chamber, Josée Forest-Niesing was driven by a deep desire to contribute to the modernization of the Senate. Her commitment to her work to update the mandates of our Senate committees is a legacy we can turn to in the future. Known for her honesty and integrity, Josée was so engaging and compelling, that we all wanted to work with her.

In response to a question that journalist Benjamin Vachet asked her on March 2, 2019, on ONFR+, about what she thought of the purpose of her role as senator, Josée responded:

The role of senator comes with great power and privilege, and I feel that only my imagination and time will limit me in doing what I want to accomplish. However, what I would like to do, as with everything I've done before, is to leave this place better than I found it. It's simple, but it's quite a lot!

Josée, I assure you that because of who you are and everything that you've done, you have left this place better than you found it. We are all grateful and we thank you today.

I want to conclude with an excerpt of a song entitled *Whirlwind*, written for Josée by her sister Dominique, that speaks to the character of our great colleague:

Inspired, resourceful, the whirlwind's got a hold on me
 Passionate, reassured, my life remains my own
 Challenges, worries, it's a choice, let it be

The whirlwind's got a hold on me and I'll always stay the same

Trusting and loving, the whirlwind's got a hold on me

Passionate, reassured, my life remains my own

Challenges, worries, it's my choice . . .

The whirlwind's got a hold on me and I'll always stay the same.

Thank you, Josée Forest-Niesing. My condolences to your family. Rest in peace.

Some hon. senators: Hear, hear!

Hon. Peter M. Boehm: Colleagues, today we pay tribute not only to a friend and fellow senator, but to a distinguished Canadian and, quite simply, to a remarkable person, the Honourable Josée Forest-Niesing.

My friend Josée and I were sworn in to the Senate on the same day, October 16, 2018, together with our colleagues Patti LaBoucane-Benson, Paula Simons and Brian Francis.

As is often the case at a swearing-in ceremony, the wait was interminable and I started pacing. The Forest-Niesing family appeared to be celebrating in the next room. We opened the door slightly to peek in and my family asked me: "Who is that elegant lady? Is she going to be a senator as well? I love her shoes!" If Josée was as nervous as I was that day, she did not look it.

I remember her first speeches, her attention to detail and her obvious but polite determination. She did not tolerate scathing or hurtful comments, which, as we say in this place, in the heat of debate, might have been directed at her or at someone else.

I remember her patience and her ready smile. I remember she actually listened. It was always a pleasure to debate with her. I really felt that every word I said was important, that I was important, and that I had her undivided attention. She was a friend and a very attentive and supportive colleague.

Once she caught me looking at her computer screen saver, which showed a wonderful picture of her family. I told her that she had a beautiful family. She looked at me with her wonderful smile and said, "I know. They mean everything to me." To her loved ones who are here with us today, please know how much she meant to us. We thank you for sharing her with us.

Josée was a proud Franco-Ontarian and a staunch advocate for the interests of northern Ontario and her beloved Sudbury. As Robert Dickson, a famous poet from the region, wrote in his aptly named poem *Sudbury*:

the future is plotting in our guts
 the status quo is an enormous risk
 go toward the other travel toward oneself

Accepting the role of senator was Josée Forest-Niesing's final professional move in highly decorated career marked by her great generosity, which had such a meaningful impact. Even when her health began to fail, she continued to change things.

I will miss her so much. We will all miss her. May she rest in peace.

Hon. Senators: Hear, hear!

[English]

Hon. Rosemary Moodie: Honourable senators, I rise today to pay tribute to my friend, colleague and office neighbour, the Honourable Senator Josée Forest-Niesing.

For all of us, Senator Forest-Niesing represented kindness and elegance in manner and approach. She led with her keen intellect and brilliance as an orator, shining her light on all of us. She was a gentle force and a strong voice within the Senate, and her passing has been a great loss for our institution and for Canada.

When I was appointed to the Senate, Josée enveloped me with her kindness, her realism and her wisdom. She was the first person who contacted me to welcome me within a day of my appointment, sharing her own experiences joining the Senate not too long before and offering a guiding hand and a gift of friendship.

She held, and will always hold, a special place in my heart, and she will be missed.

Senator Forest-Niesing served for just over three years, as we have heard. She was an ardent champion for minority language communities. She had a fierce commitment to truth and reconciliation. She was a defender of human rights, social justice and substantive equality for all Canadians in and outside the chamber.

She was never one to let an opportunity pass to fight for the rights of the under-represented.

Colleagues, these are just some of the many ways that Senator Forest-Niesing left her mark in pushing forward to a more just, equitable and inclusive Canada.

Josée wanted to be the best senator for Canadians, a proud legacy that we can all emulate.

To Senator Forest-Niesing's husband Robert and children Véronique and Philippe, and to the rest of her family, friends and to her community, we want you to know that she will be greatly missed here in the Senate and in our lives as well. We are not the same without her.

To Josée, I'm immensely grateful for the privilege to have known you, worked with you and learned from you.

[Translation]

I miss you a lot, my dear friend and colleague.

Hon. Senators: Hear, hear!

[English]

Hon. Mary Coyle: Honourable senators, I rise today to celebrate our cherished colleague and friend, the late Honourable Senator Josée Forest-Niesing. In the words of her obituary:

... for those who cherish Josée, it is her compassion, her astute mind, her grace, her humour and her inexhaustible resilience hidden behind her radiant smile that will remain in our hearts forever.

Colleagues, I was completely captivated the day that tall, striking beauty walked into our chamber proudly and stylishly, of course, adorned in the green and white of the Franco-Ontarian flag. We clicked immediately, sharing our feelings of awe, privilege and the weight of our duty on being appointed to this august chamber.

We shared stories of our health, of facing our mortality and our mutual desire to use our time and good health to live life fully and to contribute. Josée's commitments to Canada, her Franco-Ontarian community of Sudbury, bilingualism, matters of criminal and social justice, reconciliation, to her own Abenaki roots and to Senate modernization were clear.

• (1450)

Last summer we connected on a birthday package a few of us were sending to jailed Filipino Senator Leila de Lima and about supporting Afghan women judges. Senator Forest-Niesing and Senator Pate worked to organize prison visits for senators. Josée was supposed to be with Senators Pate, Jaffer, McPhedran, Deacon and I when we visited the Nova Institution for Women and Springhill Institution last October, but sadly she had contracted COVID-19 and was unable to join.

Senator Forest-Niesing worked tirelessly on Senate modernization, spearheading an effort to work with colleagues across the chamber to look at ways of improving our committees. In the chamber, we were treated to Senator Forest-Niesing's thoughtful debate on the proposed national ribbon skirt day, the UN Declaration on the Rights of Indigenous Peoples, systemic racism, the independence of the judiciary and firearms legislation, among others.

Honourable colleagues, Josée Forest-Niesing was a capable leader with a big, beautiful heart. She loved her colleagues, especially Louise Mercier and Nour El-Farouk. And, wow, did she ever love her family.

[Translation]

Her parents, her sisters Sylvie and Dominique, her husband Robert, her children Véronique and Philippe, and her dear sweet Jacob and Léo.

[English]

To her family, thank you so much for sharing Josée with us. Please know we share your grief.

Hon. Kim Pate: Honourable senators, where to start in remembering Josée and what we miss most: her megawatt full-body smiles, her effervescent personality, seemingly endless grace, energy, warmth, fortitude, tenacity, intellect, kindness, care, generosity, compassion, integrity, courage, humour, empathy, humanity?

One of my most enduring and endearing memories was when Josée approached us with shared concerns about isolating prisoners and offered to work on Bill C-83. We did our best to improve it, and Josée took the lead on insisting on judicial oversight and remedies for prisoners. When the resulting amendments, which would have assisted the government in its stated objectives, were ultimately rejected, Josée, with characteristic aplomb, immediately determined our next move. If the government would not ensure correctional accountability, we should.

I feel very blessed that I had the privilege and responsibility to walk and work with Josée. We planned to work with Senator McCallum to make ribbon skirts.

[Translation]

On behalf of her family, it is my privilege to announce that the ribbon skirt presented to the Senate today was carefully crafted by Marie-Paule Forest, Senator Forest-Niesing's mother, using the fabric the senator had selected for this purpose. The Forest and Niesing families are grateful to be able to offer it as a solemn gesture of healing in fulfilment of a promise made by the senator. May this ribbon skirt symbolize her resilience, her sense of duty and the lasting contribution she made to the Senate of Canada.

[English]

Senator Forest-Niesing was a passionate advocate for equality rights, particularly for Franco-Ontarians. Her long and distinguished legal career began in *le programme de common law en français à l'Université d'Ottawa*, where she was also inducted to the Common Law Honour Society. Indeed, in her honour, the University of Ottawa has initiated the Senator Josée Forest-Niesing Entrance Scholarship to provide financial assistance to first-year students from northern Ontario, and within a few minutes your offices will all receive information about that.

Colleagues, I cannot think of a better way to honour our beloved Josée's memory. *Meegwetch*, to all of her family and friends, and thank you so much for sharing her with us these few years.

[Senator Coyle]

Hon. Marty Deacon: Honourable senators, I wish to join today in celebrating the life of the Honourable Senator Forest-Niesing by sharing three memories I will forever be grateful for.

When I first had a chance to sit and talk to her shortly after her appointment — I knew the senator was from Sudbury — I sat and talked to her about Laurentian University, some work that I enjoyed there and my love for community. I assumed she flew to Ottawa each week. After all, it is quite a drive from Sudbury, especially in the winter months. When I asked her about this, she looked at me straight as day and said:

Absolutely no flights for me. I love my drive. I live for the drive. It is five to six hours of me and the road, just me and the road. I love my music, my podcasts, time to think, the scenery —

— The rock, clearly —

— It brings me great calm and peace.

I admired her appreciation for something so simple and somewhat arduous.

As time progressed and the future of Laurentian University became dire, we spoke again. During this time I was contacted directly by Laurentian faculty and students, and I knew the next step was to ask the senator for some direction on how to best support these devastated students, graduates and faculty.

In retrospect, that was one of my favourite moments and times with Josée. The passion with which she spoke about this institution, including her family history, betrayed a sense of almost personal responsibility that this must succeed.

Finally, there is one more interaction I continue to be grateful for. *Les Jeux de la Francophonie* are like an Olympic Games or Paralympic Games for francophone countries held every four years with 54 countries participating.

In Canada, we weren't sure we were representing francophone Canadians in the most inclusive and right way. Immediately, I reached out to the senator to seek advice on how we could make this experience, this opportunity for francophone countries and Canadians, a little bit better. She was most helpful and insightful and helped us steer our thinking and actions, and for that Canada is so grateful.

Colleagues, as we have heard, Josée enjoyed and accomplished so much with us in such a short time. But it was in her day-to-day — sometimes even our routine — work that we all do that she showed a drive and passion for that I hope to carry with me in all of my endeavours. We will miss her deeply. Thank you. *Meegwetch*.

Hon. Senators: Hear, hear.

[Translation]

SILENT TRIBUTE

The Hon. the Speaker: Honourable senators, I would ask that you rise and join me in observing a moment of silence for our former colleague, Senator Josée Forest-Niesing.

(Honourable senators then stood in silent tribute.)

[English]

ROUTINE PROCEEDINGS

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Teresa Woo-Paw, Chair of the Action Chinese Canadians Together Foundation and the Asian Heritage Foundation, and Patti Pon, CEO of Calgary Arts Development. They are the guests of the Honourable Senator Woo.

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

Hon. Senators: Hear, hear!

• (1500)

[Translation]

DEPARTMENT OF EMPLOYMENT AND SOCIAL
DEVELOPMENT ACT
EMPLOYMENT INSURANCE ACT

BILL TO AMEND—FIRST READING

Hon. Diane Bellemare introduced Bill S-244, An Act to amend the Department of Employment and Social Development Act and the Employment Insurance Act (Employment Insurance Council).

(Bill read first time.)

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

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

[English]

BANKING, TRADE AND COMMERCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET
DURING SITTING OF THE SENATE

Hon. Pamela Wallin: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(a), I give notice that, later this day, I will move:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to meet on Wednesday, May 4, 2022, at 6:30 p.m., even though the Senate may then be sitting and that rule 12-18(1) be suspended in relation thereto.

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

Hon. Senators: Agreed.

QUESTION PERIOD

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

BUSINESS OF THE COMMITTEE

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, I know that Senator Gold will be tremendously disappointed in me today, because I will not be asking him a question. My question today will be for the Chair of the Senate Standing Committee on Internal Economy, Budgets and Administration, Senator Marwah.

Senator Marwah, this question concerns the impact on the Senate of Government Motion No. 11, which passed in the other place on Monday with the support of the NDP-Liberal coalition. I know you received the text of my question yesterday, so I trust you will have the answer for me today.

Among other things, Senator Marwah, Motion No. 11 permits the House of Commons to sit until midnight without advance notice. This will impact the work of the Senate, and specifically our Senate committees, due to the shuffling of translation resources that will inevitably prioritize extended sittings whenever they occur in the other place.

Senator Marwah, could you tell us how the Senate will be impacted by Motion No. 11, especially when combined with Motion No. 35 on our Order Paper regarding hybrid sittings of the Senate?

Hon. Sabi Marwah: Thank you for the question. To be honest, I would much prefer if you go back to asking questions of Senator Gold.

I did read the news about Motion No. 11 and Motion No. 35 and, I must say, I had the same questions as you did.

When the Translation Bureau came to us last week, they made it very clear that there was a finite amount of capacity in terms of translation services, and there was no way they could increase it in the short term. With that as background, if the House decides to sit for a longer period of time, that increase has to be offset somewhere, Senator Plett. It has to come from somewhere. At this stage, I am hopeful it will not affect the Senate sittings, but I am not so hopeful that it will not affect committee meetings.

We have written to the CEO of the Translation Bureau, and among the many other questions we have asked her, I will reference two: We want to know their assessment of the impact the House of Commons' Motion No. 11 will have on simultaneous interpretation services the Translation Bureau provides to the Senate and its committees, and, secondly, more specifically, with the House of Commons likely sitting longer hours, will this cause a reduction in simultaneous interpretation for the Senate, or will the resources be reallocated from the resources already provided to the House?

As soon as I get a response, Senator Plett, I will let you know.

Senator Plett: With all due respect to the Leader of the Government, I think I received a better answer from you than I did from him, so I might continue this.

The meeting of the Special Joint Committee on Medical Assistance in Dying was cancelled on Monday, Senator Marwah, due to the lack of interpretation. A minister was appearing at another committee, and that committee was given priority for interpretation services. Last Thursday, the Internal Economy Committee heard from Lucie Séguin, chief executive officer of the Translation Bureau, and Ms. Séguin stated:

In terms of coming back to normal, I think that the best scenario for sound quality is everyone is in one room like it used to be in the good old days.

Surprise, surprise, colleagues. How many of us remember those good old days?

She continued:

But as soon as there are one or more participants who are participating remotely, until our sound quality issues are addressed, I think that we are still looking at the capacity that we have now.

Senator Marwah, in light of Motion no. 11, Motion No. 35 and the ongoing difficulties with interpretation, how will this further reduce meetings of our Senate committees, which have already decreased from 32 time slots to 22 time slots?

Senator Marwah: Thank you, Senator Plett. I don't know exactly how those two motions will impact Senate committee times, but I doubt it will result in increased capacity. If anything, it is going to go the other way.

I still think there are some actions that the Senate can take to increase Senate committee time, and I mentioned that in my comments at the Senate Standing Committee on Internal Economy, Budgets and Administration that I circulated to everybody last week. Some of the suggestions recommended that

some committees be authorized to meet while the Senate is sitting, consider resuming the early morning committee time slots and possibly changing schedules so we can do things like rise early on Tuesdays.

Those decisions are not within the purview of Internal Economy. They are really within the purview of the leaders, the Selection Committee and the Senate as a whole.

FOREIGN AFFAIRS

TAIWAN—PARTICIPATION AT WORLD HEALTH ASSEMBLY MEETINGS

Hon. Leo Housakos (Acting Deputy Leader of the Opposition): My question is for the government leader in the Senate.

Time and time again, Taiwan has shown its commitment to global public health and humanitarianism. In the early days of COVID-19, Taiwan sent Canada life-saving PPE, and just days after Russia invaded Ukraine, Taiwan sent Ukraine 27 tonnes of medical supplies followed by another 650 tonnes of additional supplies in the month of March. This is despite, of course, Taiwan's continued exclusion from international fora dedicated to health care.

Last week the health committee of the other place gave its support for the full participation of Taiwan in both the World Health Assembly and the World Health Organization.

Senator Gold, what concrete action will the Trudeau government take to include Taiwan in the WHO and, more pressing, to include Taiwan in the World Health Assembly later this month?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. Canada is grateful for the assistance Taiwan provided, as you properly pointed out, and grateful for the collaborative and good relationship Canada has with Taiwan.

The question you raised is an important one. The government continues to value its relationship with Taiwan and works in all ways in which to provide both the benefits of Taiwan's participation and the benefit to Taiwan of its participation in international fora.

Senator Housakos: Senator Gold, with all due respect, we have heard our government constantly say that we are all in this crisis together. The truth of the matter is Taiwan has walked the talk. They have stepped up and helped the international community with PPE and other health care support.

At the end of the day, I think we have an obligation to work closely with countries that are such a model and are aligned with us when it comes to the defence of human rights and the defence of the rule of law and all the rest of it. We should not be listening to regimes that don't align with us on human rights and our belief in democracy and all the rest of it.

• (1510)

If we are genuine about aligning ourselves with strong allies who serve as models, why is the government not taking a strong stance and insisting Taiwan be included in the World Health Assembly which is going to be taking place in three weeks?

Senator Gold: Thank you for your question. Indeed, Canada aligns itself with countries that share our democratic values and commitments to the rule of law. Canada is also an active player in the world more broadly, and, alas, that world does not always share our values and principles.

Canada's long-standing One China policy takes into account practical geopolitical realities of the region, which are complicated, as all of us surely know.

Canada continues to have strong and growing trade relationships and people-to-people ties with Taiwan. The government is committed to deepening our ties based upon the shared values that the honourable senator underlined as well as the large diaspora.

We have a complex geopolitical relationship with China. It presents challenges, and we all know that. Indeed, most of Canada's other international partners are facing similar challenges, and the Government of Canada is actively engaging with them, our allies, in order to address the common interests and concerns that we all share.

While recognizing the strategic military and geopolitical realities of the region, the government continues to be firmly guided by Canadian interests, by our fundamental values and principles — which include human rights at their core — as well as the global rules and strategic partnerships we have developed over time.

HEALTH

COVID-19 EXPOSURE NOTIFICATION APPLICATION

Hon. Colin Deacon: Senator Gold, the launch of the Government of Canada's COVID Alert app was a missed opportunity in the earlier stages of the pandemic and ultimately failed due to a very low adoption rate. It is estimated that only 17% of Canadians downloaded the app, of which only half of those were estimated to be active at the peak. Senators Moodie, Dasko and I conducted a survey that found that five times that many, or 80% of Canadians, wanted to use their mobile device data to notify others they had been close to if they tested positive for COVID-19.

The app is now in a zombie state between the low adoption rate and the fact that it is now useless given it requires a polymerase chain reaction, or PCR, test confirmation to input the positive case data.

Does the government have a plan to retire this application and, importantly, conduct a post-mortem? Can you speak to why Canada had such low download and adoption rates compared to, for example, New Zealand at 60%?

I can't understand why there was no plan to use partnerships with businesses that could benefit from the app to encourage its use, for example, airlines. Can you speak to that please?

Hon. Marc Gold (Government Representative in the Senate): Thank you, colleague, for the question. The COVID Alert app is one of many tools made available to Canadians to help slow the spread of COVID-19. I'm advised the government continually reviews the evolving scientific evidence and public health guidelines to determine the app's continued use. The government is also maintaining and monitoring the service as the pandemic evolves.

I further note that in the COVID-19 Exposure Notification Application Privacy Assessment under the "Time-Limitation" paragraph, the government committed:

The app as a whole will be shut down within 30 days of a declaration by the Chief Public Health Officer of Canada that the pandemic is over.

Colleagues, as of February 15, 2022, the app has been downloaded more than 6.9 million times. More than 58,000 users have entered a one-time key into the app. Since April 2021, this has resulted in more than 388,000 notifications and the identification of at least 2,290 positive cases. These notifications provided users with next steps to self-isolate and to get tested or self-monitor for symptoms so as to limit the transmission of COVID-19.

While downloading the app is voluntary, the government is still encouraging Canadians to download it and, of course, individuals can at any time delete the app.

Senator C. Deacon: Senator Gold, health data is under a lot of scrutiny. I believe the COVID Alert app went above and beyond in how it managed data, and the privacy-by-design element received gold star marks from many privacy experts. Yet it was not adopted at anything close to the rates of other countries despite the numbers you have provided.

Does the government have a plan to manage the public perception of this type of app into the future? The reality is we are going to need to have more digital data to help us with good decision making. All the elements were in place, but it was a failure in terms of adoption. I'm hoping the government hasn't given up. I'm hoping the government is looking for ways to do a better job in the future.

Senator Gold: Thank you for the follow-up question. As I said, the government continues to monitor its application and use in order to determine whether it or some other technique, app or method would prove even more effective and popular. As soon as decisions are made, I'm sure they will be communicated in a timely fashion.

[Translation]

JUSTICE

STRENGTHENING LAWS TO FIGHT SEXUAL EXPLOITATION

Hon. Julie Miville-Dechéne: Senator Gold, a committee in the other place is currently in the process of reviewing Bill C-36 on prostitution. At the same time, a hyper-realistic and almost unbearable film called *Noémie dit oui*, or Noémie says yes, reminds us of the central role that johns play in the exploitation of young girls and women in prostitution, whatever their age.

Is the federal government considering amending or strengthening the legislation on prostitution, which for the past eight years has been based on criminalizing the purchasers of sex and decriminalizing individuals who sell sexual services?

Hon. Marc Gold (Government Representative in the Senate): I thank the senator for her question. The government will always work to ensure that our criminal laws are effective and that they protect our communities and respect the Canadian Charter of Rights and Freedoms.

With respect to current legislation, the five-year parliamentary review of the former Bill C-36, which is currently under way, is the appropriate forum for parliamentarians to examine the legislation and its effects since it came into force. The committee members have already had the opportunity to hear from experts and partners, including sex workers, and discuss a number of views. The Minister of Justice looks forward to seeing the results of the work of the Standing Committee on Justice and Human Rights and reviewing its findings and recommendations. The Government of Canada remains committed to a society in which all members enjoy equal rights and opportunities.

Senator Miville-Dechéne: Bill C-36 has been in force since 2004 and was supposed to be based on the Nordic model, which relies on the criminalization of johns, the purchasers of sex, and on sweeping public awareness campaigns. The reality is that very few johns are arrested and, most importantly, the federal government has not rolled out a public awareness campaign to make men understand that purchasing sexual services is nothing other than sexual exploitation. How can the government justify its lack of action on behalf of victims of exploitation?

Senator Gold: Thank you for your question. With respect, esteemed colleague, the government has taken action to support victims of sexual exploitation. I note that in Quebec, for example, the government supports the organization Alliance-Jeunesse Chutes-de-la-Chaudière, and that it is also working with Maison Marie-Frédéric and other community partners to provide a range of services and activities for youth between the ages of 16 and 30 who are victims of sexual exploitation or human trafficking on the south shore and in the Quebec City area.

The Minister of Justice has also provided financial assistance through the Victims Fund. The Government of Canada is committed to protecting the rights of all Canadians and providing better access to justice to the vulnerable.

[English]

GOOD SAMARITAN DRUG OVERDOSE ACT

Hon. Pierre J. Dalphond: Honourable senators, five years ago today, after Parliament passed it unanimously, the Good Samaritan Drug Overdose Act became law. This was a private member's bill, championed by MP Ron McKinnon of B.C. Like many such laws in American states, this law means a person cannot be charged with possessing illegal drugs if calling 911 to report an overdose. With the opioid crisis, Health Canada and the police have been promoting this law to the public. Evidence suggests it helps save lives.

• (1520)

South of the border, the State of Maine is considering extending its good Samaritan immunity for non-violent offences if making the call is to save a life.

Senator Gold, will the government consider extending Canada's good Samaritan drug overdose laws to nonviolent offences in order to help save lives?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question, and thank you for reminding us of the five-year anniversary of the passing of the Good Samaritan Drug Overdose Act. The evidence demonstrates that individuals experiencing or witnessing an overdose are often afraid to call for emergency assistance. The Good Samaritan Drug Overdose Act seeks to reduce that fear and to encourage calls that save lives.

This law is only one part of Canada's actions to combat this ongoing crisis, and they have been guided by the Canadian drugs and substances strategy. The Government of Canada is committed to doing everything that it can to save the lives of Canadians. I have been advised that the government would be open to working with you and any interested colleagues on ideas for potential expansion of the current scope of this legislation.

ABORIGINAL PEOPLES

BUSINESS OF THE COMMITTEE

Hon. Percy E. Downe: Honourable senators, it's Wednesday so the Canadian Senators Group question will be to a committee chair. The question today is to Chair of the Standing Senate Committee on Aboriginal Peoples. As we work to correct historical wrongs, in addition to issues like the protection of culture and language, can you advise the Senate what work your committee will be undertaking to identify educational and economic development opportunities for Indigenous Canadians for a more promising future?

Hon. Brian Francis: Senator Downe, the short answer to your question is that, in the coming months, the Standing Senate Committee on Aboriginal Peoples intends to undertake a review of federal implementation of past legislation impacting Indigenous people which will directly or indirectly touch upon

the areas you have identified. Before the summer, the committee hopes to report on the federal implementation of former Bill S-3, which was concerned with inequities under the Indian Act.

We are also working to narrow the focus of an in-depth term study on the federal government's implementation of the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls, which was released in 2019 and outlines changes needed to ensure the safety, social, economic, political and cultural health and prosperity of Indigenous women and girls, as well as LGBTQ2S people.

In the fall, we will turn our attention to former Bill C-15, which requires federal laws, policies and practices to be in harmony with the United Nations Declaration on the Rights of Indigenous Peoples. Article 3, in particular, acknowledges that Indigenous peoples have the right to freely pursue our own economic, social and cultural development. The Aboriginal Peoples Committee is interested in receiving an update on the development of the action plan which is under way and will consider whether its subsequent implementation will result in tangible improvements in the lives of present and future generations. I hope that answers your question.

Senator Downe: Thank you, Senator Francis. That was very detailed and much appreciated. My supplementary is this: During the study conducted by the senators of the Prosperity Action Group, we heard that Indigenous-owned businesses contribute over \$30 billion annually to the Canadian economy. They hope to grow that to over \$100 billion over the coming years.

Has your committee examined or considered examining the best way for the Government of Canada to assist Indigenous-owned businesses in achieving that goal and providing greater prosperity to all Indigenous Canadians?

Senator Francis: Thank you, Senator Downe. As mentioned before, the current work plan of the Aboriginal Peoples Committee will touch upon the federal implementation of matters impacting the social and economic rights of Indigenous people. Due to time constraints related to the pandemic and other factors, the committee cannot address all conflicts and urgent issues impacting our communities. I really wish we had more time and resources to do our work. My hope is that an increase from one to two weekly meetings in the fall will enable our committee to undertake more studies. I also hope more committees will commit to studying issues impacting the rights of Indigenous people which are under their respective mandates. There is much work to be done, and together we can make a difference.

HEALTH

GLOBAL PUBLIC HEALTH INTELLIGENCE NETWORK

Hon. Judith G. Seidman: Honourable senators, my question is for the government leader in the Senate.

Last year, both the Auditor General and an independent review panel released reports which looked into Canada's early warning system for threats to public health, known as the Global Public Health Intelligence Network.

The Auditor General found that changes to this network in 2018 significantly decreased the number of alerts, and, of course, as we know, no alert was issued to provide early warning of the COVID-19 virus. Among its findings, the independent review panel found deficiencies within the chain of decision making and the system's risk assessment, as did the Auditor General.

Leader, since these reports were released last year, what specific steps has your government undertaken to overhaul the Global Public Health Intelligence Network?

Hon. Marc Gold (Government Representative in the Senate): Thank you, colleague, for the question and for reminding us how important it is. Preventive measures, including warnings, are an important part of keeping us safe. The government values the input of the reports and studies to which you referred and is considering all of those steps seriously.

I don't know what the actual state of progress is. I will make every effort to find out and be happy to report back as soon as I can.

Senator Seidman: In its report, the independent review panel recommended that the government restore the position of technical adviser to the Global Public Health Intelligence Network to ensure the network's analysts and subscribers receive necessary and timely technical support and advice. This position had been phased out in 2017.

The independent review panel also stated it had been informed that the network had received an additional \$830,000 through the *Fall Economic Statement 2020*.

Leader, how has this funding been expended? Did any of it go towards hiring a technical adviser?

Senator Gold: Thank you again. I will add those specific questions to my inquiry. I hope to have an answer as quickly as I can.

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

BUSINESS OF THE COMMITTEE

Hon. Denise Batters: Honourable senators, my question is for the Chair of the Standing Senate Committee on Internal Economy, Budgets and Administration, Senator Marwah.

Senator Marwah, last Friday, senators and Senate staff received a memo from the committee announcing the reopening of the Senate gym and yoga room in the Victoria Building. I didn't even know we had one of those.

Despite vigorous activity in close quarters in these rooms with the potential for the spread of a lot of droplets, masks there are only recommended, not required. Meanwhile, mandatory masking still applies in common areas in the Senate, including this chamber and, according to a March 25 press release, "entrances, hallways, washrooms and break rooms." Why the double standard?

Hon. Sabi Marwah: Thank you, senator, for that question. I don't think it is really a double standard. I don't think you can compare doing an exercise workout to sitting in the Senate Chamber or in the hallways. There you are going through an exercise. You are exhaling. And it's also recommended that masking should be required unless you can keep the two-metre distancing. The change rooms all have mandatory masking. All of the aspects of the gym are mandatory masking, except when you are exercising. I think that's an appropriate application of the guidelines.

Senator Batters: Senator Marwah, the broadcasting agreement between the House of Commons and the Senate uses House of Commons resources for broadcasting Senate committees and gives the House of Commons priority access to resources when both chambers need access at the same time. Exactly one year ago, you told Senator Griffin that the House of Commons had, in fact, offered to:

. . . add additional capacity to give us more availability, but they require several months to train the staff and the person. This would have taken us to the end of June, by which time we would have risen anyway.

That was one year ago. Since then, Senate committees have limped along at maximum 50% capacity. In the past fiscal year, the Legal Committee sat only 14 times, the Rules Committee 7 times and your own Internal Economy Committee only sat 9 times. Normally it would sit that often in three months.

A year ago, you told Senator Griffin, "We will be revisiting the decision, and if things don't improve, we will take the appropriate steps." So, Senator Marwah, why didn't you?

Senator Marwah: Thank you, Senator Batters. I think that's a fair question, but I think we've heard time and time again in this chamber that the bottleneck is not technicians; it's not broadcasting services or clerks or capacity. The bottleneck is translation and interpretation services. We did increase capacity last year. We hired one more — I think it's called an MMS technician, with which the House of Commons helped us. We hired one which allowed us to go from two simultaneous virtual meetings to three. Beyond that, there was no point in hiring additional technicians or increasing other capacity because we couldn't get additional interpretation services. That is the bottleneck, Senator Batters. If that is resolved, other capacity can be increased. Otherwise we'll be increasing and spending money for no benefit.

• (1530)

INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT

STRATEGIC INNOVATION FUND

Hon. Brent Cotter: Honourable senators, despite the excellent answers by committee chairs today, my question is for Senator Gold.

The Government of Canada — wisely, in my view — established the Strategic Innovation Fund a few years ago and to date it has made available over \$5.6 billion to fund innovative business initiatives across the country.

Despite a number of high-quality applications from Saskatchewan businesses, some of which I have reviewed, so far, of the \$5.6 billion and 103 projects approved, a total of one project from Saskatchewan has been funded, in 2018, to Evraz, a Russian oligarch-owned business. This represents less than 1% of approved projects and barely two thirds of 1% of the funding from the Strategic Innovation Fund to Saskatchewan projects. At a certain point, this unbalanced distribution of funding for innovative projects across the country stops becoming an anomaly and becomes a statistical impossibility.

Why are deserving Saskatchewan businesses doing so poorly in terms of receiving support from the Strategic Innovation Fund?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, senator. As colleagues may recall, I have had previous questions about the Strategic Innovation Fund. Indeed, I have made inquiries on your previous question with regard to that. Regrettably, I have yet to hear back from the government. Pursuant to your question, I will add a query that is specific to the province of Saskatchewan and I hope to provide an answer in that regard in a timely manner.

[Translation]

ORDERS OF THE DAY

DISTINGUISHED VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of our former colleague the Honourable Marie-P. Charette-Poulin.

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

Hon. Senators: Hear, hear!

[English]

BUDGET IMPLEMENTATION BILL, 2022, NO. 1

CERTAIN COMMITTEES AUTHORIZED TO STUDY SUBJECT MATTER

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of May 3, 2022, moved:

That, notwithstanding any provision of the Rules, previous order or usual practice:

1. in accordance with rule 10-11(1), the Standing Senate Committee on National Finance be authorized to examine the subject matter of all of Bill C-19, An Act to implement certain provisions of the budget tabled in Parliament on April 7, 2022 and other measures, introduced in the House of Commons on April 28, 2022, in advance of the said bill coming before the Senate;
2. in addition, the following committees be separately authorized to examine the subject matter of the following elements contained in Bill C-19:
 - (a) the Standing Senate Committee on Aboriginal Peoples: those elements contained in Divisions 2 and 3 of Part 5;
 - (b) the Standing Senate Committee on Banking Trade and Commerce: those elements contained in Divisions 5, 10, 11, 15, 16, 17 and 30 of Part 5;
 - (c) the Standing Senate Committee on Foreign Affairs and International Trade: those elements contained in Divisions 9, 18 and 31 of Part 5;
 - (d) the Standing Senate Committee on Legal and Constitutional Affairs: those elements contained in Divisions 1, 21 and 22 of Part 5;
 - (e) the Standing Senate Committee on National Security and Defense: those elements contained in Divisions 19 and 20 of Part 5; and
 - (f) the Standing Senate Committee on Social Affairs, Science and Technology: those elements contained in Divisions 23, 24, 26, 27, 29 and 32 of Part 5; and
3. each of the committees listed in point two that are authorized to examine the subject matter of particular elements of Bill C-19 submit its final report to the Senate no later than June 10, 2022, and be authorized to deposit its report with the Clerk of the Senate if the Senate is not then sitting;
4. the aforementioned committees be authorized to meet for the purposes of their studies of the subject matter of all or particular elements of Bill C-19, even though

the Senate may then be sitting or adjourned, with the application of rules 12-18(1) and 12-18(2) being suspended in relation thereto; and

5. the Standing Senate Committee on National Finance be authorized to take any reports tabled under point three into consideration during its study of the subject matter of all of Bill C-19.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[Translation]

MEDICAL ASSISTANCE IN DYING

SPECIAL JOINT COMMITTEE AUTHORIZED TO
EXTEND DATE OF FINAL REPORT

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of May 3, 2022, moved:

That, notwithstanding the order adopted on March 31, 2022, the deadline for the Special Joint Committee on Medical Assistance in Dying to submit its final report on its review, including a statement of any recommended changes, be extended to October 17, 2022, provided that the committee submit an interim report on mental illness as a sole underlying condition no later than June 23, 2022; and

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

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

Hon. Senators: Agreed.

(Motion agreed to.)

[English]

BANKING, TRADE AND COMMERCE

COMMITTEE AUTHORIZED TO MEET DURING
SITTING OF THE SENATE

Hon. Pamela Wallin, pursuant to notice of earlier this day, moved:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to meet on Wednesday, May 4, 2022, at 6:30 p.m., even though the Senate may then be sitting and that rule 12-18(1) be suspended in relation thereto.

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

Hon. Senators: Agreed.

(Motion agreed to.)

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, pursuant to rule 9-10(7), the sitting is suspended. The bells will start ringing at 5:15 to call in the senators for a vote at 5:30 p.m.

(The sitting of the Senate was suspended.)

(The sitting of the Senate was resumed.)

• (1730)

THE SENATE

MOTION TO EXTEND HYBRID SITTINGS TO JUNE 30, 2022—
MOTION IN AMENDMENT NEGATIVED

On the Order:

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

That, notwithstanding any provisions of the Rules, previous order or usual practice, the provisions of the order of November 25, 2021, concerning hybrid sittings of the Senate and committees, and other matters, extended on March 31, 2022, have effect until the end of the day on June 30, 2022, subject to the following adjustments:

1. subparagraph 7(a) to (e) of the order of November 25, 2021, be replaced by the following:

“(a) when the Senate sits on a Monday, the sitting:

(i) start at 2 p.m.; and

(ii) adjourn at the earlier of the end of Government Business or midnight;

(b) when the Senate sits on a Tuesday, the sitting:

(i) start at 2 p.m.; and

(ii) adjourn at the later of the end of Government Business or 6 p.m.;

(c) when the Senate sits on a Wednesday, the sitting:

(i) start at 2 p.m.; and

(ii) adjourn at the earlier of the end of Government Business or 4 p.m.;

(d) when the Senate sits on a Thursday, the sitting:

(i) start at 2 p.m.; and

(ii) adjourn at the earlier of the end of business for the day or midnight; and

(e) when the Senate sits on a Friday, the sitting:

(i) start at 9 a.m.; and

(ii) adjourn at the earlier of the end of Government Business or 4 p.m.,” and

2. the provisions of paragraphs 12 and 13 of the order of November 25, 2021, cease to have effect, so that the evening suspension be as provided for in rule 3-3(1), including on Mondays, and, consequently, if the Rules require that something take place at 8 p.m., it take place at the time provided for in the Rules; and

That the Senate recognize the need to work towards a return to a schedule of committee meetings reflecting Ottawa-based operations, and call upon the Committee of Selection to continue to work with the leaders and facilitators of all recognized parties and recognized parliamentary groups to advance this objective.

And on the motion in amendment of the Honourable Senator Plett, seconded by the Honourable Senator Carignan, P.C.:

That the motion be not now adopted, but that it be amended:

1. by replacing the words “June 30, 2022” by the words “May 9, 2022”; and
2. by adding the following after the word “objective” at the end of the motion:

“; and

That, before introducing any motion on the extension or resumption of hybrid sittings of the Senate, the Leader of the Government in the Senate must:

1. table in the Senate:

(a) all opinions and guidelines from public health officials from the federal government regarding in-person meetings in the federal public service;

(b) all opinions and guidelines from public health officials from the Ontario and Québec governments regarding in-person meetings;

- | | | |
|--|--|---|
| <p>(c) a letter from the Clerk of the Senate outlining how the Senate sitting in-person only would contravene any opinion or guideline mentioned in points (a) and (b); and</p> <p>(d) a plan for a transition back to in-person sittings of the Senate as soon as practicable in accordance with the commitment made by the Senate on March 31, 2022; and</p> <p>2. consult in an open and constructive manner with the leaders and facilitators of all recognized parties and parliamentary groups”.</p> | <p>Cotter</p> <p>Coyle</p> <p>Dagenais</p> <p>Dalphond</p> <p>Dasko</p> <p>Dawson</p> <p>Deacon (<i>Nova Scotia</i>)</p> <p>Deacon (<i>Ontario</i>)</p> <p>Dean</p> <p>Duncan</p> <p>Forest</p> <p>Francis</p> <p>Gagné</p> <p>Galvez</p> <p>Gerba</p> | <p>Moncion</p> <p>Moodie</p> <p>Omidvar</p> <p>Pate</p> <p>Petitclerc</p> <p>Ravalia</p> <p>Ringuette</p> <p>Saint-Germain</p> <p>Simons</p> <p>Sorensen</p> <p>Tannas</p> <p>Verner</p> <p>Wallin</p> <p>White</p> <p>Woo—56</p> |
|--|--|---|

The Hon. the Speaker: Honourable senators, the question is as follows: It was moved by the Honourable Senator Plett, seconded by the Honourable Senator Carignan, P.C.:

That the motion be not now adopted, but that it be amended —

Shall I dispense, honourable senators?

Hon. Senators: Agreed.

Motion in amendment of the Honourable Senator Plett negated on the following division:

YEAS
THE HONOURABLE SENATORS

Ataullahjan	Mockler
Batters	Oh
Boisvenu	Plett
Carignan	Quinn
Housakos	Seidman
MacDonald	Smith
Marshall	Wells—14

NAYS
THE HONOURABLE SENATORS

Anderson	Gignac
Arnot	Gold
Bellemare	Greene
Black	Harder
Boehm	Klyne
Boniface	Kutcher
Bovey	Lankin
Brazeau	Loffreda
Busson	Marwah
Campbell	Massicotte
Clement	McPhedran
Cordy	Mégie
Cormier	Miville-Dechéne

ABSTENTIONS
THE HONOURABLE SENATORS

Nil

MOTION TO EXTEND HYBRID SITTINGS TO JUNE 30, 2022—DEBATE

On the Order:

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

That, notwithstanding any provisions of the Rules, previous order or usual practice, the provisions of the order of November 25, 2021, concerning hybrid sittings of the Senate and committees, and other matters, extended on March 31, 2022, have effect until the end of the day on June 30, 2022, subject to the following adjustments:

1. subparagraph 7(a) to (e) of the order of November 25, 2021, be replaced by the following:

“(a) when the Senate sits on a Monday, the sitting:

(i) start at 2 p.m.; and

(ii) adjourn at the earlier of the end of Government Business or midnight;

(b) when the Senate sits on a Tuesday, the sitting:

(i) start at 2 p.m.; and

(ii) adjourn at the later of the end of Government Business or 6 p.m.;

(c) when the Senate sits on a Wednesday, the sitting:

(i) start at 2 p.m.; and

- (ii) adjourn at the earlier of the end of Government Business or 4 p.m.;
 - (d) when the Senate sits on a Thursday, the sitting:
 - (i) start at 2 p.m.; and
 - (ii) adjourn at the earlier of the end of business for the day or midnight; and
 - (e) when the Senate sits on a Friday, the sitting:
 - (i) start at 9 a.m.; and
 - (ii) adjourn at the earlier of the end of Government Business or 4 p.m.;" and
2. the provisions of paragraphs 12 and 13 of the order of November 25, 2021, cease to have effect, so that the evening suspension be as provided for in rule 3-3(1), including on Mondays, and, consequently, if the Rules require that something take place at 8 p.m., it take place at the time provided for in the Rules; and

That the Senate recognize the need to work towards a return to a schedule of committee meetings reflecting Ottawa-based operations, and call upon the Committee of Selection to continue to work with the leaders and facilitators of all recognized parties and recognized parliamentary groups to advance this objective.

Hon. Raymonde Saint-Germain: Honourable senators, for greater clarity, we are debating an extension of our current hybrid practice until June 30, 2022, which is around when we will rise for the summer recess.

While businesses and institutions are reopening, and normality is slowly returning, I believe we should err on the side of caution and do everything in our power to protect the health of senators and Senate employees. We are, by all accounts, still in the sixth wave of this pandemic and do not need to take unnecessary risks when we have a proven hybrid system working pretty well for this temporary period.

Having said this, I believe this motion we are debating today should be improved in order to free up chamber time to allow for two additional committees to sit on Tuesday and Thursday evenings, in addition to the two that are currently available then. More precision is needed to ensure that we allow for more opportunities for committees to meet and carefully study legislation, while having enough time to debate in the chamber.

Colleagues, I will move an amendment that will provide us with the flexibility we need to find a better balance between our work in committees and in the chamber for this period that will go until the end of June 2022. This amendment will also provide for the Senate to adjourn no later than midnight, a precision which was omitted in the main motion.

MOTION IN AMENDMENT ADOPTED

Hon. Raymonde Saint-Germain: Therefore, honourable senators, in amendment, I move:

That the motion be not now adopted, but that it be amended by replacing the proposed new subparagraphs 7(b)(ii) and 7(d)(ii), contained in paragraph one of the motion, with the following:

- “(ii) adjourn at the later of the end of Government Business or 6 p.m., but, unless otherwise provided for in this order, at the latest by midnight;”.

• (1740)

The Hon. the Speaker: On debate on the amendment, are honourable senators ready for the question?

Some Hon. Senators: Question.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

(Motion in amendment of the Honourable Senator Saint-Germain agreed to, on division.)

MOTION, AS AMENDED, TO EXTEND HYBRID SITTINGS TO JUNE 30, 2022—DEBATE CONTINUED

On the Order:

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

That, notwithstanding any provisions of the Rules, previous order or usual practice, the provisions of the order of November 25, 2021, concerning hybrid sittings of the Senate and committees, and other matters, extended on March 31, 2022, have effect until the end of the day on June 30, 2022, subject to the following adjustments:

1. subparagraph 7(a) to (e) of the order of November 25, 2021, be replaced by the following:
 - “(a) when the Senate sits on a Monday, the sitting:
 - (i) start at 2 p.m.; and
 - (ii) adjourn at the earlier of the end of Government Business or midnight;
 - (b) when the Senate sits on a Tuesday, the sitting:
 - (i) start at 2 p.m.; and

- (ii) adjourn at the later of the end of Government Business or 6 p.m., but, unless otherwise provided for in this order, at the latest by midnight;
- (c) when the Senate sits on a Wednesday, the sitting:
 - (i) start at 2 p.m.; and
 - (ii) adjourn at the earlier of the end of Government Business or 4 p.m.;
- (d) when the Senate sits on a Thursday, the sitting:
 - (i) start at 2 p.m.; and
 - (ii) adjourn at the later of the end of Government Business or 6 p.m., but, unless otherwise provided for in this order, at the latest by midnight; and
- (e) when the Senate sits on a Friday, the sitting:
 - (i) start at 9 a.m.; and
 - (ii) adjourn at the earlier of the end of Government Business or 4 p.m.;" and
- 2. the provisions of paragraphs 12 and 13 of the order of November 25, 2021, cease to have effect, so that the evening suspension be as provided for in rule 3-3(1), including on Mondays, and, consequently, if the Rules require that something take place at 8 p.m., it take place at the time provided for in the Rules; and

That the Senate recognize the need to work towards a return to a schedule of committee meetings reflecting Ottawa-based operations, and call upon the Committee of Selection to continue to work with the leaders and facilitators of all recognized parties and recognized parliamentary groups to advance this objective.

(On motion of Senator Housakos, debate adjourned.)

[Translation]

ECONOMIC AND FISCAL UPDATE IMPLEMENTATION BILL, 2021

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-8, An Act to implement certain provisions of the economic and fiscal update tabled in Parliament on December 14, 2021 and other measures.

(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.)

(At 5:42 p.m., the Senate was continued until tomorrow at 2 p.m.)

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