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Thursday, May 12, 2022

The Honourable PIERRETTE RINGUETTE,
Speaker pro tempore

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THE SENATE

Thursday, May 12, 2022

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

Prayers.

SENATORS' STATEMENTS

ACCESS TO SAFE DRINKING WATER

Hon. Dennis Glen Patterson: Honourable senators, I am probably not known to often praise our current federal government, but when it is deserved I am very willing to do that.

Last October, when fuel contamination in Nunavut's capital city's water system made our water undrinkable, a crisis that lasted 60 days happened — not only during the challenges of managing the pandemic crisis but also coinciding with the onset of winter, when an otherwise alternative local water supply at the nearby Sylvia Grinnell River was rapidly freezing.

The City of Iqaluit applied for relief under the federal government's Disaster Mitigation and Adaptation Fund. On April 1, 2022, Prime Minister Trudeau, in a virtual press conference held in Iqaluit, announced to the Iqaluit mayor and council the contribution of \$214 million from that fund. That funding will allow the city to create a new water reservoir above Lake Geraldine and to improve the existing water distribution system, which has been ruptured by climate change. Since first applied for, the funds were even increased to take into account cost inflation since the first engineering cost estimate was done.

In this connection, I wish to particularly commend our Minister of Northern Affairs, the Honourable Dan Vandal, and Minister of Intergovernmental Affairs, Infrastructure and Communities, the Honourable Dominic LeBlanc, for quickly responding to this serious water crisis that impacted my home community of Iqaluit.

I'd like to also acknowledge the support of the Senate Standing Committee on National Finance, which graciously allowed me to ask a question, through Senate colleague and Chair Percy Mockler. We asked Minister Freeland to acknowledge the urgent requirement for capital funding — then estimated at \$190 million to repair Iqaluit's water system — when she appeared at that committee's hearings during the crisis and following the fall economic update.

The Mayor of Iqaluit, Kenny Bell, indefatigably travelled to Ottawa to lobby the federal government and, in his characteristic straightforward fashion at a press conference, scolded a local reporter who asked why it had taken so long to address Iqaluit's

longstanding water issues caused by climate change. The mayor noted how “. . . amazing and unbelievably fast” the federal response had been once the formal application was submitted.

I, too, am so grateful for Canada's response to this water crisis in Nunavut's capital community but, in saying that, I want to acknowledge that most of Nunavut's 24 other communities are still out of compliance with their existing water licences, as well as many First Nations communities in Southern Canada that have long laboured under boil water advisories.

Thank you, *qujannamimariaaluk. Taima.*

MENTAL HEALTH WEEK

Hon. Jane Cordy: Honourable senators, oftentimes we can get swept up in our thoughts or the everyday living of life, and those things can be overwhelming. It can become difficult to ask for help when we need it and to remember or recognize that we are not alone in those feelings. When we become bogged down by such feelings and begin to think that we are struggling with our mental health or we notice this in family or friends, there are certain steps we can take to #GetReal about how to help.

Last week was the Canadian Mental Health Association's Mental Health Week. The theme and focus this year is empathy. Empathy is an important tool that allows us to connect as human beings. Understanding empathy, and indeed being empathetic, is a step toward eradicating isolation and loneliness. The last two years have brought both of these things to the forefront and made many of us acutely aware of how devastating they can be.

Like most things, empathy is a practice. We can make conscious choices to be more aware of others and what they are experiencing within their own frame of reference.

One thing we can do to increase empathy is to tune in to one another. This is simply the act of remaining present and aware of others and their possible struggles. We must also look inward. If we are in tune with our own thoughts and feelings and sensitive to our own mental well-being, it becomes clearer and easier to relate to others.

We must understand other people's feelings and meet them where they are. It is important to see the world from their perspective.

Finally, we must choose not to judge. This can sometimes be the most difficult and certainly requires the most practice. It is hard not to pile on our own opinions and preconceived notions when dealing with someone who is struggling. We must also not sit in such harsh judgment of ourselves. We deserve the same courtesy we might offer to others.

Honourable senators, I ask you to consider these points and, particularly in our line of work, to lead with empathy. I believe if we each put this into practice, we would see a marked difference in the world around us.

I would like to highlight the work being done by the Senate Mental Health Advisory Committee. The changes that we make to protect our own mental well-being and that of others can only make our Senate community stronger and a better place to work.

Honourable senators, let's look after ourselves and each other. While Mental Health Week is one week out of the year, we can and must do the work each and every day. Thank you.

[Translation]

MOOSE HIDE CAMPAIGN

Hon. Michèle Audette: Esteemed colleagues, I would like to thank the Anishinaabe Nation for allowing me here on its territory.

Today, in honour of Moose Hide Campaign Day, some beautiful little square pins were distributed for you to wear. You look wonderful, thank you.

This campaign is about ending violence against women and girls. For the colleagues who are joining us remotely, don't worry, we have some for you, too.

I also want to thank all the campaign organizers for these pins and for all the information on their website.

This beautiful story began in 2011, when Raven Lacerte and her father, Paul, came up with the idea for a campaign while hunting on their ancestral land. After harvesting a moose, they decided to tan the hide and cut it into small squares to inspire change. The Moose Hide Campaign was born: a grassroots movement of Indigenous men and boys committed to ending violence against Indigenous women and girls.

Today, this movement embraces everyone, men and women across Canada, in a bid to end violence against women, girls and their families.

• (1410)

Unfortunately, COVID-19 exacerbated family violence situations in 2020 because of financial stress, lockdowns and limited social contacts. According to federal government surveys, in March and April of 2020 and 2021, the rate of gender-based and family violence rose between 20% and 30% in some parts of the country. These numbers underscore just how important it is to condemn violence against women and girls.

I would like to invite schools, teachers and everyone to visit the Moose Hide Campaign website because it contains a lot of information and plenty of ideas and resources for those wishing to participate in the movement.

Let us join the movement, join the dance known in my Innu language as the *makusham*, to help end violence, create safe and secure spaces, and, of course, support reconciliation.

The campaign enables participants to respond to several calls to action, including the call to action of the Truth and Reconciliation Commission and the United Nations Declaration on the Rights of Indigenous Peoples. It's also an opportunity to speak out against the tragic reality of missing and murdered Indigenous women and girls in Canada. This is a response to the calls for justice 1.8 and 1.9 issued by the National Inquiry into Missing and Murdered Indigenous Women and Girls.

We can get a lot done when we work together. We have the power to change things and do great things.

I would like to say *tshinashkumitnau* for wearing your pin.

[English]

VISITORS IN THE GALLERY

The Hon. the Speaker pro tempore: Honourable senators, I wish to draw your attention to the presence in the gallery of Mark Farrant, CEO and founder of the Canadian Juries Commission. He is the guest of the Honourable Senator Moncion.

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

Hon. Senators: Hear, hear!

The Hon. the Speaker pro tempore: Honourable senators, I wish to draw your attention to the presence in the gallery of Professor Gregory Tardi, Executive Editor of the *Journal of Parliamentary and Political Law*. He is the guest of the Honourable Senator McPhedran.

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

Hon. Senators: Hear, hear!

ROUTINE PROCEEDINGS

CITIZENSHIP ACT

BILL TO AMEND—FIRST READING

Hon. Yonah Martin (Deputy Leader of the Opposition) introduced Bill S-245, An Act to amend the Citizenship Act (granting citizenship to certain Canadians).

(Bill read first time.)

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

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

[Translation]

[English]

L'ASSEMBLÉE PARLEMENTAIRE DE LA FRANCOPHONIE

QUESTION PERIOD

MINISTERIAL CONFERENCE OF THE FRANCOPHONIE AND
WORKING MEETINGS, MARCH 14-18, 2022—
REPORT TABLED

JUSTICE

IMPACT ASSESSMENT ACT

Hon. Éric Forest: Honourable senators, I have the honour to table, in both official languages, the report of the Assemblée parlementaire de la Francophonie concerning the Fortieth Ministerial Conference of the Francophonie and Working Meetings, held in Paris, France, from March 14 to 18, 2022.

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, my question concerns the government leader's response to Senator Tannas on Tuesday regarding the ruling of the Court of Appeal of Alberta that the Impact Assessment Act, formerly Bill C-69, is unconstitutional.

CONFERENCE OF BRANCH CHAIRS OF THE AMERICAS REGION,
APRIL 4, 2022—REPORT TABLED

Leader, you said:

Hon. Éric Forest: Honourable senators, I have the honour to table, in both official languages, the report of the Assemblée parlementaire de la Francophonie concerning the Conference of Branch Chairs of the Americas Region, held by videoconference on April 4, 2022.

The government worked with provincial and territorial governments when developing the legislation to ensure that their views were considered and that jurisdictional responsibilities were respected Working collaboratively with provinces

NATIONAL FINANCE

I repeat the word “collaboratively.” You end that sentence by saying, “. . . supports a single impact assessment process for major projects that considers all project impacts.”

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF
THE SENATE

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

Leader, who exactly did your NDP-Liberal government work collaboratively with on Bill C-69? Alberta? Saskatchewan? Ontario? The Woodland Cree First Nation? The Indian Resource Council? They all opposed Bill C-69 in court and won the case. So where was the so-called collaboration, leader?

That the Standing Senate Committee on National Finance be authorized to meet on Tuesday, May 31, 2022, at 4 p.m., for the purpose of its study of 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, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, the fact that the government engaged not only with provinces and stakeholders but also that the bill was the subject of vigorous debate here does not mean everyone has to agree at the end of the day. Clearly they don't. The government remains convinced that the bill was carefully crafted to affect areas of federal jurisdiction and is confident that its use will be upheld on appeal.

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

• (1420)

Hon. Senators: Agreed.

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

Senator Plett: Well, of course, that didn't even touch upon the question I asked.

Hon. Senators: Agreed.

(Motion agreed to.)

Leader, I don't know what you or your government think “collaboration” means. It's not just debating here in the chamber. The *Oxford Dictionary* definition of collaboration is, “The action of working with someone to produce or create something.” What the Trudeau government did regarding Bill C-69 was “impose,” to “Force (something unwelcome or unfamiliar) to be accepted or put in place.”

Leader, in 2019, the government of your own province wrote to the Senate's Energy, the Environment and Natural Resources Committee to say:

While Quebec conveyed its concerns to the federal government, there was no real government-to-government dialogue on Bill C-69

Leader, if there was no dialogue on Bill C-69, how is that collaboration? If provinces and First Nations had to take your government to court to be heard on Bill C-69, how is that collaboration, leader?

Senator Gold: In the development of Bill C-69, the Government of Canada took into account the interests of all stakeholders and of Canada in ensuring that there is a proper, efficient and effective process for overseeing the environmental impact of major projects.

The government believed and believes it was acting within its constitutional jurisdiction, a shared jurisdiction between the federal Parliament and the provincial legislatures, and remains of that view.

PUBLIC SAFETY

ASSISTANCE FOR VICTIMS OF FLOODING

Hon. David M. Wells: Honourable senators, my question is for the Leader of the Government in the Senate. Senator Gold, Peguis First Nation, Manitoba's largest First Nation, has had six major floods in the last 18 years from the Fisher River. Over 3,000 people have been affected and 700 homes evacuated. This mass displacement occurs every couple of years.

There is some important context here, leader. In 1907, the residents of the community were moved from prime farmland just north of Winnipeg to the flood plain of the Fisher River, so this frequent occurrence is caused by this movement.

Could you tell me what the federal government is doing to provide some permanent prevention to the major floods that happen every couple of years, and also what the government is doing to help people who have been affected by the evacuation of their homes to rebuild their homes and lives?

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

The government is monitoring the situation of flooding in Manitoba, and elsewhere, very carefully. The government has been advised that Minister Blair has been in touch with his provincial counterpart. The government stands ready to provide federal support if required and is committed to supporting Manitobans.

The issue affects many communities, as you know — First Nations and others — and the government is working with its partners to provide as much help as is needed.

Senator Wells: Thank you, Senator Gold. Will the government provide some permanent solution to the constant flooding in the area?

Senator Gold: Again, the government is working with its partners and with the First Nations community. I'm advised that the Red Cross has been activated. It's coordinating the evacuation of community members affected by severe flooding, and Indigenous Services Canada is providing funding to the First Nations for emergency flood response.

I do not have information about what measures might be taken or could be taken to provide a more permanent solution to this problem, which is a recurring one. I will certainly make inquiries and respond back.

EMPLOYMENT AND SOCIAL DEVELOPMENT

PORT OF MONTREAL

Hon. Frances Lankin: Honourable senators, my question is to the Government Representative in the Senate. It won't surprise you, Senator Gold, to know that I am returning to the Port of Montreal issue. I remain extraordinarily concerned that we made a mistake in this chamber and failed to do our duty.

I have, through internal documents read to you, evidence — what is evidence to me — that COVID was not the main concern and cannot be put forward as a way to justify a section 1 overruling of workers' rights. You have responded that it was multi-factored, and I agreed. You talked about the economic impact. I'd ask you rhetorically what strike or lockout doesn't have an economic impact.

In fact, this issue was reviewed for a year and a half by the Canada Industrial Relations Board in examination of the employer application for this to be declared essential work and to prohibit a strike. Their reasons were 82 pages long.

It has been stated many times by the board in the past that essential services' right to strike and right to lockout are protected by code. They go on to say that this clearly is not a situation where these jobs are essential services. Could you respond on that point and tell us why the government then decided it had Charter-free access to use return-to-work legislation?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. I will try to be brief.

The government introduced back-to-work legislation because it was persuaded that the immediate and long-term impact on the Canadian economy caused by the prolongation of this strike in the Port of Montreal was sufficiently serious to justify the legislation. The government took great care in the legislation to make sure that it complied with the highest jurisprudential standards as set out by our courts to find the right balance between the right to strike, which is a constitutionally respected right, and the processes for resolving disputes.

That's why the legislation included what is called in the business an "escalator clause," which is mediation, arbitration and the like. So it is not that the government believed it was a Charter-free exercise but rather that it was a Charter-compliant exercise. Here in the chamber, we came to that conclusion after appropriate debate. As I said, the courts are there to review our decision, and we await those results.

Senator Lankin: Senator Gold, a year and a half of review by the Canada Industrial Relations Board — 82 pages of reasoning — summed up the results, remarking that, "In light of the evidence presented," — and they say over and over again that the employer did not present hard evidence to back up their claims —

. . . the Board is not satisfied that it would be necessary to maintain all longshoring activities, as requested by the employer

They also say:

Free collective bargaining is seriously compromised if the right to strike may not be exercised by employees to counteract the employer's economic power.

I pulled the Charter Statement that was filed at the time by you on behalf of the government. It is such a thin and flimsy document. It gives no rationale as to why section 1 is being used; it only says that section 1 can be used. Then it talks generally about economics.

The internal documents from the government show that there is a minimal economic impact of this, that there are alternatives and that the kind of heightened concern we had about medical supplies and COVID-related medical supplies are without evidence. Would you please ask the government to review their decision in this matter and not leave it to the courts to decide whether the rights of workers have been taken away? Rather, it's the government, which is responsible for governing, that ensures the rights of workers. Ask them to review this and, if appropriate, withdraw their opposition and their defence in this court case.

Senator Gold: I will certainly pass that on to the government.

FINANCE

CANADA PENSION PLAN FUND

Hon. Tony Loffreda: Honourable senators, my question is for the Government Representative in the Senate.

Senator Gold, I would like to address the lacklustre performance of our Canadian pension funds in investing in homegrown talent and businesses. Thanks to research conducted by the global investment management firm Letko Brosseau, I was recently made aware of the fact that in 1990 Canadian-listed companies and equities accounted for nearly 80% of Canada pension fund equity investments. By 2020, this proportion had fallen to only 10%. Our colleague Senator Gignac recently came out publicly on this issue, and I support his views on the matter.

• (1430)

This is a concerning trend that deserves some attention. If pension funds were to inject billions of dollars into Canadian companies at a greater rate, it would have the potential of increasing productivity and growth, accelerating technology, fuelling competition, attracting further investments and, perhaps more importantly, help raise the standard of living of Canadians.

Is the government aware of the current situation, and has it engaged with Canada's major pension funds to find ways to increase private capital investments at home without necessarily regulating free enterprise?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. The Canada Pension Plan Investment Board, or CPPIB, is an independent body that makes its own investment decisions. The CPPIB operates at arm's length from both federal and provincial governments and has a mandate to invest Canada Pension Plan funds in the best interests of the 20 million Canadians who contribute and benefit from that plan. Importantly, as affirmed in the board's 2019-20 report, the Canada Pension Plan remains secure, and the resilience of the fund should give Canadians confidence. The plan continues to meet its performance objectives and provides a foundation for retirement for Canadians, even in these times of unprecedented uncertainty.

Senator Loffreda: I would like to pursue this further. I really think the government needs to properly assess the situation, find out why Canadian pension funds are reluctant to invest and what winning policies can be implemented while respecting the idea of free markets. What tool does the government have to further incentivize pension funds to invest in made-in-Canada businesses? Is the government considering making changes to the regulatory landscape that private pension funds must adhere to?

Senator Gold: Thank you for your supplementary question. As I indicated, the CPPIB is an independent institution, and part of its effectiveness and long-term stability requires that it be independent. However, the government has and will continue to consider the many different ways it can support Canadian businesses and is grateful for the senator's continued advocacy on this issue.

CANADA EMERGENCY RESPONSE BENEFIT

Hon. Brian Francis: Honourable senators, this question is for Senator Gold. Analysis from *The Canadian Press* shows that a disproportionate number of First Nations people who received the Canada Emergency Response Benefit got letters from the Canada Revenue Agency questioning their eligibility and warning that they may have to pay some of the money back. Some of the applicants worked on-reserve during the pandemic and earned tax-exempt employment income under section 87 of the Indian Act. As you know, First Nations experienced the highest low-income rates in the country due to overrepresentation in precarious and low-wage employment, and this population was hardest hit during the pandemic. Many are still struggling to meet their basic needs.

Senator Gold, back in 2020, the federal government acknowledged that unclear messaging on the eligibility requirements contributed to widespread confusion. Why is the federal government allocating so many resources to tracking and penalizing First Nations who face high levels of poverty, homelessness and other inequities rather than assuming responsibility for administrative errors?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. As the government has acknowledged on many occasions, and I will do so again, the government is aware that some aspects of the Canada Emergency Response Benefit program ended up causing unintended and negative consequences to those who received it. I was not aware of — so thank you for pointing out — the disproportionate impact on Indigenous communities and recipients. The government has been working and will continue to work with those who are experiencing such difficulties in an effort to make ends meet. I will certainly take these concerns back to the government and hope for an answer in due course as to what other measures may be taken or contemplated.

Senator Francis: Senator Gold, I am very concerned about the impact of repayments on First Nations living paycheque to paycheque, or worse. Can you please provide us with disaggregated data on the number of First Nations and other Indigenous people who received the Canada Emergency Response Benefit and how many received repayment letters? With regard to what the repayment process will look like, can you also provide us with a detailed explanation of the consequences of non-repayment? Is there discretion to cancel or waive penalties or interest for First Nations and others with an income below the poverty level?

Senator Gold: I will certainly add those questions to my inquiry and I will get back to you as soon as I get an answer.

[Translation]

VETERANS AFFAIRS

SUPPORT FOR VETERANS

Hon. Pierre-Hugues Boisvenu: My question is for the Government Representative in the Senate. At the meeting of the Subcommittee on Veterans Affairs we learned that roughly between 3,000 and 5,000 veterans do not have housing. Two years ago, the Trudeau government announced the launch of a program that would accelerate the construction of affordable housing for the homeless and would help get them off the street and away from drugs.

I asked the minister the question last week and he was unable to tell me when the program will be implemented. Yesterday, I asked the Veterans Ombudsperson the same question and she told me that the minister had no information to share on this matter.

When will the government take care of veterans?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question, Senator Boisvenu. The veterans' situation is troubling. I will inquire with the

government and try to provide an answer as quickly as possible. Unfortunately, I do not have any information on the subject at this time.

Senator Boisvenu: Why did Veterans Affairs not spend \$634 million in 2021? It ended the year with \$634 million in unspent funding, even though there are 11,000 benefit applications being appealed and applicants have not had any news. That is not to mention the 5,000 homeless veterans roaming the streets. Why did the government not spend the \$634 million?

Senator Gold: Thank you for the question, Senator Boisvenu. I will add this to the inquiries I will make with the government.

[English]

PUBLIC SAFETY

EMERGENCIES ACT

Hon. Donald Neil Plett (Leader of the Opposition): Senator Gold, on February 22, when we were debating your government's invocation of the Emergencies Act, you were asked if you were aware which levels of our national security apparatus or others were consulted and listened to when the government was considering invoking the Emergencies Act. You replied:

... the government was informed by all of the law enforcement and intelligence services upon which it relies in matters like this.

Senator Gold, is the RCMP included among those law enforcement agencies that the government relies upon in matters like this? If not, why not?

Hon. Marc Gold (Government Representative in the Senate): The short answer is yes, of course, the RCMP, other law enforcement and securities — all of these were sources of information and guidance as the government assessed on an ongoing basis the situation with which it was confronted here in Ottawa. The government, benefiting from the information that it received, reached the conclusion that the act was necessary and invoked it — as we know — and revoked it when it was no longer necessary.

Senator Plett: I think you said the RCMP had also been involved. Leader, by now, I'm sure you are aware of an exchange between our colleague Senator White and Commissioner Brenda Lucki of the RCMP that took place in the Special Joint Committee on the Declaration of Emergency. Senator White asked:

As a law enforcement agency with primacy for national security, did you ask the government or representatives for the invocation of the Emergencies Act?

Commissioner Lucki responded:

No, there was never a question of requesting the Emergencies Act.

Senator White said:

So you never asked for it. Do you know of any other police leadership who asked specifically the government for the invocation?

• (1440)

Commissioner Lucki responded, “No.”

Public Safety Minister Marco Mendicino said, in defending his government’s invocation of the act, “We invoked the act because it was the advice of non-partisan professional law enforcement”

Who, leader, is correct? The Minister of Public Safety or the Commissioner of the RCMP? They cannot both be correct, Senator Gold.

Hon. Marc Gold (Government Representative in the Senate): With respect, of course they can be, and I will explain why. The government consults with and takes advice from the situation on the ground from all relevant sources, and being informed by what is on the ground is different than responding to a request.

I am aware, of course, of what the commissioner said in response to our colleague’s question. I am also familiar, as colleagues are, with her statement on a previous occasion that it was absolutely necessary to allow them to do what needed to be done to remove the illegal protest from Ottawa.

They are both correct, and the government acted as it responsibly should, because they are answering different questions, as I am trying to do to the best of my ability here.

HEALTH

MEDICAL ASSISTANCE IN DYING

Hon. Pamela Wallin: Honourable senators, my question is for Senator Gold. More than a year ago, the government rejected an amendment passed by the Senate to allow for advanced requests for medical assistance in dying but then promised there would be significant consultations and study of the issue. The election brought those meetings to a halt, and then there was another five-month delay in getting the committee up and running again. The committee has held just two meetings on advanced requests with no intention to review it further before its report this fall.

Senator Gold, our mandate requires us to conduct:

. . . significant consultations and study, including a careful examination of the safeguards for persons preparing advance request and safeguards for practitioners administering medical assistance in dying

Do you believe these two meetings meet the requirements set out by that mandate?

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

I was not aware that the committee, which operates independently, had decided that it had sufficient input to complete its reflections or to inform its reflections on this issue, but it is for the committee to decide how it wants to proceed, and, indeed, it is for the committee to decide how frequently it wants to meet.

We passed a resolution here, as did our counterparts in the other place, to extend the deadline for the report, and I have every confidence that the committee will do what it needs to do to provide the recommendations, to which we all look forward to receiving.

Senator Wallin: Perhaps you could ask members of the government who are participating in the committee to ensure that these joint committees don’t treat senators as second-class citizens. Schedules are determined by members of Parliament, and their behaviour tends to be more partisan. We even have different speaking times for senators.

Moving forward, can you assure us that, on these kinds of joint committees dealing with such profound matters, senators are treated more equitably?

Senator Gold: Thank you for the question and for pointing out that of which I was not aware, that the senators on the committee feel somehow that they are not being treated equitably. I encourage the senators on the committee to work with their counterparts to address that directly, and I will certainly make inquiries so that I can be better informed as to the circumstances you describe.

IMMIGRATION, REFUGEES AND CITIZENSHIP

RESETTLEMENT OF DISPLACED UKRAINIANS

Hon. Stan Kutcher: Honourable senators, my question is for Senator Gold.

Since Canada launched the Canada-Ukraine Authorization for Emergency Travel program, over 200,000 displaced Ukrainians have applied for entry to Canada, about 90,000 applications have been approved and about 500 arrive daily. I am concerned that post-arrival success for those who are making their way here may be jeopardized by inadequate support provided to them after they arrive.

Specifically, I am concerned about three issues. First, the cost of medical examinations is about \$450 per adult, quite the amount for a person fleeing their home with not much more than they can carry. Without this examination, they cannot apply for a work permit. Second, currently, displaced Ukrainians arriving with children do not have immediate access to the Canada Child Benefit, which is available to other refugee populations. And finally, it is still unclear what the federal income support that the Prime Minister announced on April 9, 2022, will actually be, both in amount and duration.

What is the federal government doing to address these time-sensitive financial issues, and when will they be doing this?

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

I have been advised that with regard to medical examinations, they are required in limited circumstances and are specific to the professions that are higher risk, such as in health care and those that require close contact with the public.

As senators know, the resettlement efforts to welcome Ukrainians differ from refugee resettlement efforts. Refugee resettlements are best suited for protracted situations where there is an agency infrastructure set up, and where no other durable, long-term solutions for safety and a return home exist.

The Canada-Ukraine Authorization for Emergency Travel, or CUAET, was designed to respond quickly, and it provides for targeted support and response to the needs communicated, notably, by the Ukrainian nationals, who are not ready to make long-term decisions about their futures.

Recently, I've been advised that the minister announced a series of measures to make it easier to support Ukrainians, such as providing short-term income support to ensure basic needs are met, and I am advised that details will be provided shortly.

Working with its provincial and territorial partners, with the Ukrainian-Canadian community, the business community and settlement organizations across the country, the government will make sure that everyone arriving under the Canada-Ukraine Authorization for Emergency Travel program has access to the services that they need.

Senator Kutcher: There have also been concerns raised by the Canadian Immigrant Settlement Sector Alliance that the sheer numbers of displaced persons who have applied to come to Canada is such that the current settlement sector may not have capacity to provide the needed assistance for a successful integration. Is there a plan for the Government of Canada to introduce a cap to this program or to provide immediate additional financial support to immigrant-serving agencies across the country who are doing such good work to assist these newcomers to Canada?

Senator Gold: Good work it is, indeed. Thank you for the question.

I am advised there is no cap on the CUAET. The government has provided new funding of \$111 million over five years, with \$6 million in future years, to implement these new immigration measures. This funding will help to set up the new immigration pathways, expedite the processing of applications and provide support to Ukrainians once they arrive in Canada.

The government continues to engage with our partners in the settlement sector on how to best support Ukrainians fleeing Putin's war.

CROWN-INDIGENOUS RELATIONS

CHIEF PEGUIS

Hon. Marilou McPhedran: Honourable senators, it is Manitoba Day. It has been mentioned already, and I have a question to Senator Gold.

Could you explain to us, please, the significance of Chief Peguis for Manitoba?

Hon. Marc Gold (Government Representative in the Senate): With pleasure. Thank you, senator.

Chief Peguis was one of five chiefs who signed an 1817 treaty with Lord Selkirk. This was the first land treaty signed in Western Canada. The largest First Nation in Manitoba is the Peguis First Nation, named in honour of Chief Peguis. This is the same community, unfortunately, currently facing the crisis of flooding in Manitoba, which was referred to in Senator Wells' question.

DELAYED ANSWERS TO ORAL QUESTIONS

(For text of Delayed Answers, see Appendix.)

ORDERS OF THE DAY

ADJOURNMENT

MOTION ADOPTED

Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of May 11, 2022, moved:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, May 17, 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.)

• (1450)

FEDERAL FRAMEWORK ON AUTISM SPECTRUM DISORDER BILL

THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Housakos, seconded by the Honourable Senator MacDonald, for the third reading of Bill S-203, An Act respecting a federal framework on autism spectrum disorder, as amended.

Hon. Dennis Glen Patterson: Honourable senators, I rise today to speak to Bill S-203, An Act respecting a federal framework on autism spectrum disorder.

I'd like to begin today by telling senators the story of William McLaren. I am thankful to his mom, Claudine, who works for me as my director of parliamentary affairs, for giving me permission to share this with you all.

Will was born fully blind due to a relatively rare diagnosis that is not preventable and very hard to detect. Basically, his optic nerves and the part of his brain that they would connect to did not fully form.

As a result of his blindness, Will was followed by many different services at the Ottawa Children's Treatment Centre and it was there, at the age of 4, that it was first suggested Will might be autistic. However, it's hard to make a diagnosis at such an early age. It also requires a certain expertise to make such a diagnosis in a blind child because so-called blindisms are very similar to indicators of autism such as texture aversions, not making eye contact when you speak to others, and getting overstimulated easily.

His parents decided to wait until he was older to explore the potential autism further but were hyper-aware of potential indicators and were able to work autism-intervention strategies into their son's individual education plan, or IEP.

Later, at the age of 7, it became apparent that it was time to revisit this possibility. The wait time, however, for a free assessment by the school board was years long and there was no expertise within the school board to make a diagnosis of a blind child. Thankfully, Will's parents were fortunate enough to have the resources to find a private psychologist who was able to diagnose him.

Even so, with COVID restrictions for external professionals entering schools, the assessment has taken over a year to complete and cost \$2,500. While they are still awaiting the final assessment report, they and the school have been told to proceed with an unofficial diagnosis until all the paperwork could be completed. Thanks to the excellent support of his teachers, education assistants, principal and vice principal at Carleton Heights Public School, he has been able to flourish.

Colleagues, this story is significant because, while it is a good news story for Will, there are many instances where this story could have taken a tragic turn for many others. It's possible that parents would not have received any early indication of autism and not known what to look out for as their child grew and developed. Parents may not have had the advocacy skills required to put in place a comprehensive IEP or may have faced resistance within the school to implementing autism intervention strategies ahead of a final diagnosis.

Other potential barriers to accessing services include the \$2,500 private assessment fee, which may have prevented many families from jumping the long queue to access services. Geographical considerations may have limited the amount, type or quality of services available. This is particularly true for families with children who are multiply involved, that is, who have two or more diagnoses, because they would often require access to specialized services and professionals.

What Bill S-203 would do is require the government to create a national framework on autism spectrum disorder based on consultations with various stakeholders. While the bill lists several points for inclusion in the framework and outlines many of the stakeholders that should be included in the consultation process, it is important to note that amendments I proposed, and that were subsequently accepted, clearly noted that these lists under clauses 2 and 3 are not exhaustive. I agree with Senator Housakos' approach of not being overly prescriptive so that the minister has flexibility to decide what issues and which stakeholders should be included.

I feel it important to underscore the fact that this is not the framework, this is the mechanism to create it. The bill also sets out accountability measures to ensure that the framework is created within 18 months of Royal Assent. It also requires a review after five years of that framework being tabled to study the efficacy of those measures that had been implemented and to get a response as to why other measures may not have been implemented since the framework's tabling.

It is my hope that senators see the importance of this bill and the need to move it through our chamber expeditiously so that we can make this a law and begin the hard work of addressing the gaps and barriers that families and neurodivergent persons face every day, as I have described in Will's case.

We heard in committee how previous attempts to create a similar framework have failed, so I want to congratulate Senator Housakos as sponsor and Senator Loffreda who, though given the title of critic, has been very supportive of this bill. I know that this topic is personal for many senators in this chamber and it is my sincere hope that this bill will succeed where many other efforts have failed. The next step to that goal is passing this bill in our chamber — hopefully today.

Thank you, honourable senators. *Qujannamiik.*

Hon. Tony Loffreda: Honourable senators, I rise today at third reading to speak to Bill S-203, an Act respecting a federal framework on autism spectrum disorder.

At the outset, I want to thank our colleagues who spoke to the bill and those who participated in the hearings of the Standing Senate Committee on Social Affairs, Science and Technology. While I am not a member of the committee, I made sure to attend the meetings. I want to extend my thanks to Senator Omidvar for the way she skilfully presided over the meetings and dealt with the bill. I appreciated her detailed account of the work of the committee in her remarks at the report stage last week. I also want to thank all the witnesses who appeared before the committee and whose testimony was very compelling and insightful. I think it's fair to say that there is general support for this bill.

• (1500)

[Translation]

When I rose at second reading as a friendly critic of this bill, I expressed my long-standing commitment to the autism community in Montreal and elsewhere.

Senator Housakos and I worked on some community initiatives that would provide adequate, affordable and tailored programs and services to people with autism spectrum disorder, or ASD. One example is Giant Steps, a school in Montreal.

I don't want to repeat everything that our colleagues have already said, so I simply want to say a few words about how urgently the autism community in Canada needs this bill to be passed. We must make it abundantly clear to this community that the Senate of Canada is an ally and wants to pass legislation that will compel the government to establish a national framework on autism.

Esteemed colleagues, this bill is relatively simple. It would enable the federal minister of health to establish a federal framework on autism spectrum disorder, in consultation and partnership with other ministers, with the provinces and with stakeholders.

[English]

It's clear to me that the autistic community in all its diversity — patients, families, caregivers and supporters — is at the heart of this bill and the implementation of a national framework, and Senator Housakos made that clear to us both in this chamber and in committee.

To be certain, the Social Affairs Committee amended the bill to make sure — in case it wasn't already — that the definition of “relevant stakeholders” in the section of the bill that deals with government consultation includes self-advocates, persons with lived experience, including caregivers and support persons, service providers, representatives from the medical and research communities and from organizations that focus on autism spectrum disorder in Indigenous communities.

I also welcomed the committee's amendment to clause 2(2)(d), which shifts the focus from establishing a national public awareness campaign to national campaigns to enhance public knowledge, understanding and acceptance of autism spectrum disorder, while accounting for intersectionality in order to foster inclusivity. Witnesses called for this amendment. During

committee hearings, Jonathan Lai, Executive Director of the Canadian Autism Spectrum Disorder Alliance was clear about it. He told the committee:

For instance, for one of the clauses, one of our suggested amendments would be to replace the word “awareness” with “acceptance” regarding a national public campaign. We're not looking for awareness about a disorder but about acceptance for people, to have more a human-rights-based lens on that and to prioritize the social and economic inclusion of autistic Canadians and their families.

He continued:

We have to move away from that awareness culture around an impairment to an acceptance of people and to actions that would lead to a more inclusive society with the supports available so that everybody can participate more fully.

Senators will remember that the government has also been engaged in consultations on establishing a national autism strategy. There was some discussion on this matter in committee and whether Bill S-203 was duplicative. I don't want to dwell on that matter, but allow me to quote the sponsor of the bill in committee who reminded us that an autism framework, which is what Bill S-203 seeks to implement:

... will serve as a fantastic springboard into that strategy because you will have a much broader range of discussion and consultation with stakeholders who will be around the table making their asks when you're negotiating and building the framework.

This message was echoed by Dr. Jean-François Lemay from the Alberta Children's Hospital who also believes that:

This bill will serve as a springboard to help create the space to codesign and develop new, innovative solutions leveraging Canadian and international knowledge.

Our esteemed colleague Senator Boehm, during his speech at second reading, also argued that:

... the appeal of the bill is that it is general, recognizing that there are jurisdictional issues and varying approaches in dealing with ASD across the country. Hence it is a framework within which a national autism strategy could be created.

In fact, Senator Boehm may recall that, just a few weeks ago, when the Public Health Agency of Canada appeared before our National Finance Committee, I asked officials from the agency to provide us with an update on the development of the strategy. In a written response received on May 4, the agency explained that it received \$15.4 million over two years in Budget 2021 to support its work in the development of the strategy. The agency provided us with several key milestones that have been achieved in recent months.

We were told that there has been engagement with provinces and territories through a new federal-provincial-territorial working group on autism, along with Indigenous engagement. We were also reminded that the Canadian Academy of Health Sciences is consulting broadly and just released its comprehensive assessment report on autism two days ago. A national conference to build consensus on the priorities for action is scheduled to take place on November 15 and 16, 2022. Finally, the public release and implementation of a national autism strategy are scheduled for the spring or summer of 2023. This is encouraging news.

However, what differentiates the strategy from the framework being proposed in Bill S-203 is that this bill compels the government — by law — to develop a national framework. The national strategy is a policy decision, not a legislative requirement. If enacted, Bill S-203 would make sure we hold the government to account. It forces the minister to table a report in both houses of Parliament setting out the federal framework, and ensures a review and assessment of the framework within the first five years.

Honourable senators, this bill is a good one, and I thank Senator Housakos for bringing it forward. The committee did great work and made changes that strengthen the bill, and I think it's time for the Senate to unanimously adopt this bill today.

Together, we could send a strong and united message to the autism community that we stand behind them as we put pressure on the government to develop and implement this national framework. This bill gives the government a pretty good road map to consult widely and address an array of issues without being too prescriptive.

Once implemented, I have no doubt this bill will find innovative solutions to unique problems and inadequacies in the ways we support — socially, financially, culturally and otherwise — individuals living with autism. It will also help reduce barriers and provide greater opportunities for autistic individuals to grow, prosper and contribute to our society and economy.

After all, let us not forget who this bill is for. It's for all individuals who are on the autism spectrum disorder, their families, their caregivers, their advocates and all those who play a role, big or small, within the ASD community. Let's pass this bill for them.

Thank you very much.

Some Hon. Senators: Hear, hear.

[Translation]

Hon. Leo Housakos: Thank you, honourable colleagues. I want to thank all my colleagues for their collaboration on this very important bill. I also want to thank the Standing Senate Committee on Social Affairs, Science and Technology, committee chair Senator Omidvar and all members of the committee for their significant and important contributions to this bill in such a short period of time.

[Senator Loffreda]

I also want to say how proud I am today, because it is in moments like these that I feel we are fulfilling our role, as senators and as an institution, to advocate for minorities, for people who may, from time to time, feel forgotten by their government, their Parliament or their society. Today, we can be proud of this institution.

I also want to sincerely thank Senator Boehm, whom I feel has been the co-sponsor of this bill since the start. He has given his unflinching support to this bill at every stage. I am also very grateful to former senator Jim Munson.

• (1510)

[English]

Senator Munson, for years, was a strong advocate for people on the spectrum and for people with special and unique needs. Even though he is no longer in the chamber with us, of course, this bill speaks to his heritage and his work, as well as that of all senators who worked so hard for so many years to put this issue on the table with the historic report *Pay now or pay later: autism families in crisis*, done a number of years ago, that brought a lot of attention to the cause.

Aside from Senator Munson, of course, I want to thank all my other colleagues who have come on board and embraced this cause. We all have personal stories that touch us. Thank you for your speech, Senator Loffreda. Senator Loffreda and I have been fighting for this cause for many years, and he brought up Giant Steps, which is close to my heart and his. I want to thank all the stakeholders who participated in putting together and supporting the legislation and who testified before the committee, particularly the Canadian Autism Spectrum Disorder Alliance, or CASDA, and the dozens of advocates and members that CASDA works with across the country.

I have been involved with this issue for a number of years, and there are two recurring themes when I talk to family members of children, particularly, who are afflicted with autism spectrum disorder. They say, "Senator, we feel alone. We feel helpless." If our institution can pass this bill and send it to the other place, calling for what has been needed for a long time, a national framework to serve as a springboard that will hopefully become a national strategy on autism, then we can send a clear message to those Canadian families, grandparents, parents, brothers, sisters and friends who are dealing with the challenges of autism: We have been hearing you. We are listening. You're not alone and you're not helpless. We feel you, we will respond and we will be there in solidarity, because at the end of the day, those are just words for me. I think a society can only achieve its true greatness if we use our resources to make sure that no child is left behind and that we take advantage of the wonderful skill sets every Canadian has to offer.

I also want to thank my wife, who just finished her master's degree in health administration from McGill University. It was her master's paper that served as the inspiration for me to sit down with Senator Boehm and Senator Loffreda and all my colleagues to push forward this project. I also want to send a thank you to a young, brilliant man, Manoli Katalifos who,

20 years ago, introduced me to autism spectrum disorder. He has ever since become one of the people I advocate for. Manoli, thank you. This is in large part for you.

Colleagues, this is just the beginning.

I hope we pass this bill unanimously and send a strong message to the other place. Of course, the work doesn't end there. We all need to advocate, and I call upon Senator Gold to put his shoulder to the wheel one more time once we pass this bill to advocate for our institution and this bill in the government. I hope that all parties over in the other place embrace this and receive it in the spirit in which the Senate is sending it over there. I hope it serves as a tool for them to build an autism strategy that responds to today's challenges that the autism community faces and to tomorrow's challenges as well. Thank you, colleagues, for your indulgence, support and hard work. I hope we do send a clear message of great things to come.

Thank you.

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

Hon. Senators: Agreed.

(Motion agreed to and bill, as amended, read third time and passed.)

PANDEMIC OBSERVANCE DAY BILL

THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Mégie, seconded by the Honourable Senator Audette, for the third reading of Bill S-209, An Act respecting Pandemic Observance Day, as amended.

Hon. Rose-May Poirier: Honourable senators, I rise today on third reading of Bill S-209, An Act respecting Pandemic Observance Day. I thank Senator Mégie for bringing this initiative forward.

It has been 792 days since COVID-19 officially became a pandemic, and 792 days since our lives were turned upside down. Streets were empty. Stores were closed. We had to isolate from each other. In the obscurity of the pandemic, the only lights in our society that were left on were those of our essential workers: all health care professionals, truckers, grocery store employees, banking service workers and the list goes on.

Please allow me, honourable senators, to quote part of the preamble of the bill, to give context for my speech at third reading. It states:

... whereas March 11, 2021, was designated — by order in council on March 8, 2021, and by proclamation on March 31, 2021 — as a “National Day of Observance” to honour those who have died of COVID-19, to recognize

those working on the front lines and to acknowledge COVID-19's serious effects on the health of Canada's population;

Honourable senators, we stand where we stand today, two-plus years into the pandemic, with the millions of Canadians who are our unsung heroes who have helped us get here. As every province is slowly but surely lifting their various COVID restrictions, pandemic observance day is an opportunity for all Canadians to remember how we got here and to recognize the millions of Canadians who worked tirelessly for all of us. Close to half a million nurses, thousands of doctors and many other health care professionals, such as workers in home care facilities, all went above and beyond in the most difficult conditions. Not only the individuals themselves but also their families have made sacrifices. How many stories have we heard of nurses and doctors who slept in a different room for months just to protect their loved ones? How many stories have we heard of truckers driving for hours, unable to access showers and bathrooms along their routes? How many stories have we heard of retired nurses and doctors going back to clinics and hospitals to help?

I have heard stories of truckers in my province of New Brunswick who were out on the road for days driving to deliver important goods. Truck driving already can be lonesome work when you are by yourself for hours on the road. It became even more lonely during the height of the pandemic where, in broad daylight, they would barely see another soul on the road.

Furthermore, across the country, retired nurses and doctors stepped up in a time of need to support the health care system and to make a difference. In early January 2022, the government of New Brunswick asked for volunteers to fill in various crucial roles. In only one day, more than 1,600 volunteers rolled up their sleeves to pitch in.

[Translation]

Take, for example, Suzanne Landry, who has been retired since 2016. When she was asked to help in the clinics, she did not hesitate to pitch in. When employees had to quarantine, it was retirees like Ms. Landry who took over. There is also the story of Paul Auffrey. He retired in 2013 and was finding he had a bit too much time on his hands, but more importantly, he wanted to volunteer to help the cause. Both of them feel valued because they made a difference. We thank them and are grateful for the sacrifices they made during this crisis.

• (1520)

[English]

Honourable senators, the stories of Ms. Landry and Mr. Auffrey have been heard from coast to coast to coast. It is a testimony of the Canadian spirit to help each other out through difficult times — not only from retired nurses, but also from all nurses across the country.

Appropriately, last February, the Canadian Nurses Association unveiled a mural to celebrate nurses nationwide. As the president of the Canadian Nurses Association, Tim Guest, said:

Without nurses, there can be no health care. We need nurses to know that people living in Canada have their backs. We hope every nurse that sees this mural is reminded of this sentiment and hopefully of the concrete positive actions spurred in the wake of this crisis.

With Bill S-209, I do hope it is seen as a signal to not only nurses, but to all health care workers: we see you and we are most grateful for your dedication to the well-being of our society. I hope that our government and all Canadians will be there for nurses who will need our help and understanding.

Rates of anxiety and depression among nurses have increased over 40%. A staggering 66% of nurses reported workplace burnout and one in three nurses has given serious thought to leaving their health care facility or profession altogether. They need our help now and for the foreseeable future so they, too, can recover from the stress the pandemic has brought to their daily lives.

Not only nurses and health care workers, honourable senators, but a lot of Canadians saw their mental health suffer. Studies have shown that mental health has declined during the pandemic. In a survey released by Angus Reid last March, 54% of respondents have seen their mental health worsen and 53% have seen their overall physical health and well-being worsen.

From the same survey, on the question if the pandemic disrupted their lives, 47% of respondents said significantly and 11% said severely. But the most affected were Canadians aged 18 to 34: 16% of males said severely and 18% of women said severely.

According to an article citing two studies published by Cambridge University Press:

Declines in mental health during the pandemic are not stable, but are sensitive to societal responses (lockdowns, restrictions, reopenings and so on). In Denmark, for example, mental health declined during the lockdown of the first wave, but improved as the Danish government gradually reopened society.

As much as lockdown and restrictions were effective tools to fight the transmission of COVID-19 in the early stage of the pandemic, long-term effects of repetitive lockdowns and restrictions were detrimental to the mental health of all. For many, loneliness was the deteriorating factor of their mental health. It will not be as simple as opening things up again and everything goes back to normal.

According to numerous studies, younger people's mental health was the most affected while older adults appeared to cope better during the pandemic. Resources for youth to cope emotionally will be extremely important. It will need to be easily accessible.

[Senator Poirier]

Another effect of COVID that has not received as much attention is the long-term impacts of COVID on the health of Canadians, or what the experts are calling long COVID. As we went from wave to wave, variant to variant, one current that underlines COVID is the possibility of the development of long COVID. The challenge remains how to diagnose long COVID. Since it can have so many general symptoms like muscle and joint aches, fatigue, brain fog, headaches, heart rate increase, breathing issues and so on, it is difficult for patients and doctors to diagnose.

According to Dr. Angela Cheung, a senior scientist at the University Health Network in Toronto, using conservative estimates based on the World Health Organization's estimate that at least 10% of those infected with COVID develop long COVID, the number of Canadians would be around 300,000. On top of the health care system being overburdened with regular COVID, Canadians suffering from long COVID also need assistance. We cannot forget the serious and long-term consequences of long COVID.

As of today, honourable senators, we have lost over 6 million people to COVID-19 worldwide. Here in Canada, we have lost close to 40,000 Canadians to COVID-19. It is important to recognize all Canadians who have sadly lost their lives to COVID-19.

A pandemic observance like Senator Mégie proposes would be an important day for the families and friends of the 40,000 Canadians who lost their lives at the hands of COVID-19 and to all who have seen their lives disrupted.

Honourable senators, not everything is bleak. Canada still has a respectable vaccination rate nearing 85%. Businesses are recovering and Canadians can be optimistic about rediscovering a lifestyle like what we had prior to COVID-19. The recovery will be a challenge, but the solidarity and the selflessness we have seen time and time again over the last two years give me encouragement in our capacity to overcome current and future challenges.

I believe Bill S-209 will be a great opportunity for all of us to remember the sacrifices made, but also the strength and resolve that all Canadians showed to get through the tough times. I support Bill S-209 and encourage all senators to support it as well. Thank you.

[Translation]

Hon. Marie-Françoise Mégie: Esteemed colleagues, I am happy to rise to speak at third reading of Bill S-209, An Act respecting Pandemic Observance Day.

I would like to thank all members of the Standing Senate Committee on Social Affairs, Science and Technology, chaired by Senator Omidvar, as well as the witnesses, for their contribution to the bill. In addition to the extensive testimony we heard and the many briefs we received during the three meetings to study the bill, my colleagues' comments also helped to improve the legislation.

In light of what I just said, an amendment was made to the preamble to clarify the intentions of pandemic observance day. The preamble was strengthened, and it explicitly acknowledges the multidimensional effects of the pandemic on every person in Canada, the various forms of public health inequality that resulted, and the pandemic's disproportionate impact on members of historically disadvantaged groups, including Indigenous peoples, racialized communities, seniors and members of the LGBTQ2+ community. The preamble also identifies three reasons for commemorating pandemic observance day. I talked about them before at second reading, but I improved them with input from our witnesses. The three reasons are the following: to get through, to remember and to prepare.

Reason 1: the duty to get through it. During the Second World War, which lasted six years, more than 45,000 Canadians died. Today, after only two years of the pandemic, COVID has taken the lives of nearly 40,000 people, or the equivalent of the population of Nunavut, and there are currently more than 250,000 active cases in the country, or the equivalent of the populations of Nunavut, Yukon and P.E.I. combined.

Our governments certainly took no pleasure in imposing health measures on the Canadian public. Six months ago, when Bill S-209 was introduced, we were on the eve of the fifth wave of COVID-19 in Canada. Today, the sixth wave is receding. When we returned from Easter break, the risk was still considered high by the Public Health Agency of Canada, because of the arrival of Omicron subvariants BA.1, BA.2 and BA.3. During that time, the number of COVID cases doubled in Canada, and the number of deaths rose from 30,000 to 40,000, an increase of 33%.

Despite these statistics, the Public Health Agency of Canada has just amended its epidemiological publications. It is talking about higher and lower risks for Canadians, based on several factors such as vaccinations and available treatments. It is a paradigm shift: We are shifting from collective risk management to individual risk management.

In this regard, an internet site was developed by the National Institute on Ageing, part of what was formerly known as Ryerson University, to help people, based on their age and health condition, understand the factors that contribute to the risk of getting the virus during visits or gatherings. Many of these factors inform us on the risk of contracting other respiratory infections, such as the flu. In three minutes, the calculator can help you assess your risk of catching or spreading viruses.

Does this paradigm shift mean that we will soon emerge from the pandemic? We strongly hope so, especially with the warm weather of the past few days. However, experts are reminding us that the pandemic is not quite over, and thus it is important that we continue to comply with health measures. New variants might still emerge, and, as Quebec's director of public health has said, a seventh wave is possible. We hope it doesn't happen. We must continue to be vigilant and do everything in our power to limit the spread of the virus.

• (1530)

That said, here in Canada we have the privilege of having access to several measures to combat the pandemic.

In terms of prevention, we have tests and vaccines available. In terms of treatment, we have drugs to treat COVID-19. On the organizational level, remote work is still helping to slow transmission.

We have independent and trusted public health agencies. The vast majority of Canadians are informed and vigilant. Furthermore, Health Canada just approved the use of a COVID-19 prevention drug for immunocompromised people.

If we remain vigilant, we will improve our chances of making it through.

Scientific studies agree that we will have to continue our efforts on a global scale if we are going to put an end to the pandemic. The only way out is by fighting together.

Reason 2: the duty to remember. There are a lot of people we will have to remember. We must remember our seniors who died of COVID-19 in care homes and experienced a very painful, lonely and undignified end of life. We must remember the families who are grieving, and the already marginalized groups of people who were disproportionately affected by the pandemic. We must remember their lives and their suffering.

We must also remember another group we don't hear much about, the children orphaned by COVID-19. An article by Isabelle Paré in the daily newspaper *Le Devoir*, on March 1, had this to say:

The number of children orphaned by COVID-19 has nearly doubled in the past six months, bringing the number of children who have lost a father, a mother or primary caregiver to 5.2 million, or one every six seconds. As many as 2,000 children are estimated to be affected in Canada.

We need to think about them.

We must remember those who were on the front lines, sometimes risking their lives, to care for and support the sick. We must pay tribute to their courage and show them our gratitude. They are our guardian angels.

We must also remember the work and dedication of essential workers in other areas.

There are many of them, and they are often unsung heroes. They work in transportation, driving ambulances, cabs, big rigs and delivery vehicles; teaching and education; food services; security and policing and so on. The list is long. By providing continued service to the public, they helped keep us going during this difficult time. A big thank you to the artists who helped ease our minds during the lockdown and who continued to work even though they could not perform in public.

Let's also remember the young people who faced serious upheavals in their academic career. The lockdowns strained social ties among young people, causing feelings of isolation and damaging their mental health. This also resulted in an increased risk of dropping out.

Let's also remember those who have suffered major financial losses, either because their business went bankrupt or because they lost their job. These people will struggle to recover from such economic setbacks.

Let's remember the general public, the sacrifices everyone made, their resilience and their respect for health restrictions. It's also important to recognize the outpouring of mutual assistance and solidarity in all of our communities.

The health care system was surprised and overwhelmed by the magnitude of the crisis, and it definitely showed some cracks. In that regard, one of the witnesses at the Social Affairs Committee, Dr. Straus, from the Royal Society of Canada, reminded us to also celebrate all the positive things that have been done over the past two years.

She gave some examples, such as the expansion of the scope of practice and the creation of task shifting teams to look after patients in different settings.

Health authorities adapted to the urgency and uncertainty of the onset of the pandemic. To use an expression heard frequently over the past two years, we were building the plane as we were flying it.

There have been significant advances in research, such as the creation of national platforms, international cooperation on research for large-scale clinical trials and the quick switch of health professionals to virtual care. All this happened in a relatively short period of time. These are good outcomes that deserve to be highlighted and made permanent.

How should we commemorate? Like any day of celebration, this will be a time to pause that will foster reflection and individual and collective action.

The bill gives everyone the freedom to celebrate this day as they wish. This flexibility was appreciated by the witnesses. Many of them told us this when they appeared before the committee.

Individuals and groups can celebrate this day in a way that will reflect the nature and intensity of their suffering, their needs and their cultures.

Witnesses mentioned several times the need to reflect, to gather so as to break the isolation, and to create a place to come together and share. Some people might express their pain, begin the grieving process and share their thoughts in order to suggest solutions for moving forward. Spiritual rites and ceremonies could also be organized.

With today's technology, various platforms can be used for virtual meetings, collective action and disseminating scientific information. Technology can also be used to raise awareness about mental health and serve as a reminder of the importance of social interaction, as mentioned by Hannah Ehler of the Canadian Alliance of Student Associations.

Community organizations that work with vulnerable people can plan events based on the needs at any given moment, while respecting the cultural traditions of these groups.

For governments, this could be a day of reckoning, a day for discussing what worked and what didn't work, a day for learning lessons in order to build sustainable solutions for the future.

With such a wide range of potential commemorative activities, and given that the population's needs shift over generations, this bill is not intended to be prescriptive. That is its strength. Bill S-209 leaves room for the imagination and creativity of individuals and communities.

In her report on the first wave of COVID-19, Quebec's ombudsman made the following recommendation:

[We must] establish annual events to remember the loss and suffering. That must also be an opportunity to recognize the essential and generous contributions of all those who have carried the burden of service and care during this troubled time.

The Public Health Agency of Canada also affirmed that this kind of global catastrophe must never be forgotten.

La Presse columnist Alice Girard-Bossé wrote an article about those statistics entitled "On a oublié les visages derrière ces chiffres" — we have forgotten the faces behind the numbers. In it, she quotes Dr. Donald Vinh, an infectious disease specialist and microbiologist at the McGill University Health Centre, as follows:

Because of overexposure to data combined with pandemic fatigue, Quebecers now see these deaths merely as numbers, said Dr. Vinh.

The article goes on to say:

Ève Dubé, a medical anthropologist with the Quebec National Institute of Public Health, the INSPQ, agrees: "It is easy to ignore a number of deaths if you do not stop to think about it. When the dead are not our parents and grandparents, it is very abstract."

Experts indicate that desensitization has consequences.

According to INSPQ surveys since March 2020, the perception of risk related to COVID-19 has declined steadily.

Social media is also a factor. Today's news is no longer news tomorrow, and things are quickly forgotten, at the risk of repeating past mistakes.

For example, in March 2022, Italy and Ireland marked a remembrance day for COVID-19 victims.

On March 11, the Premier of Quebec lowered the flag at the National Assembly to half-mast. Other than that, virtually nobody noticed March 11. The pandemic is already being forgotten.

Reason 3: the duty to be prepared. To achieve that, we need an up-to-date picture of the situation. The goal is to do better next time. Alongside the present situation I have been talking about, we are seeing another significant impact. Senator Poirier talked about it earlier: long COVID.

We need to study its impact on our population, our health system and the long-term generational socioeconomic costs of the disease.

• (1540)

Immigration, the backbone of our growth, is another issue that will come up in the post-pandemic period. It has ground to a halt.

More than 1.8 million cases were waiting in the queue as of February 1, according to the immigration minister. This pandemic paralysis is having a significant impact on the economy, which currently has nearly one million jobs to fill. It is also affecting the demographic weight of francophone communities from coast to coast to coast.

The list of actions to be taken to prepare for the future will have to be the subject of more sustained and comprehensive reflection. This could be done in due course, probably by a parliamentary committee, to examine the repercussions of the pandemic.

In this regard, the Auditor General of Quebec tabled a report yesterday that includes an entire chapter on how personal protective equipment was managed during the pandemic. This is a good example to follow.

In response to questions from members of the Social Affairs Committee, the witnesses made some interesting proposals. They called for federal leadership. Basically, we will have to consolidate the gains made and plan for the future in the short, medium and long term.

However, as I already explained, Bill S-209 is not prescriptive, not for the public nor for governments. It allows everyone the freedom to choose how they want to commemorate this pandemic observance day.

In closing, I thank Senator Duncan, our colleagues who spoke about this bill, and the critic, Senator Poirier. I would also like to thank my office staff for their hard work to get this bill to third reading.

Every annual commemoration on March 11 will serve to remind us of what happened, both the tragic events and the display of solidarity and empathy within communities. I am counting on you, colleagues, to make all of this possible by passing Bill S-209, An Act respecting Pandemic Observance Day, and sending it to the other place in order for the legislative process to take its course.

Thank you.

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

Hon. Senators: Agreed.

(Motion agreed to and bill, as amended, read third time and passed.)

[English]

DEPARTMENT OF PUBLIC WORKS AND GOVERNMENT SERVICES ACT

BILL TO AMEND—THIRD READING—DEBATE ADJOURNED

Hon. Jim Quinn moved third reading of Bill S-222, An Act to amend the Department of Public Works and Government Services Act (use of wood), as amended.

He said: Honourable senators, I rise today to carry the privilege of sponsoring a bill from our retired colleague Senator Griffin. Her hope was that this bill could go through third reading and be passed expeditiously to the other place before we rise for the summer. As this chamber is very familiar with this bill, I will be brief with my comments.

Bill S-222 was amended in committee to ensure alignment with legislative terminology in the Department of Public Works and Government Services Act by using the words “shall consider” — rather than “must consider” — the use of materials that may potentially reduce the release of greenhouse gases, including wood, for the purpose of procurement projects under Public Services and Procurement Canada. Requiring the government to consider the use of wood is a small way to address climate change while embracing and promoting economic growth in Canada’s forestry sector.

Let me be clear that the wood I am referring to is engineered wood, also known as mass timber. Research by the National Research Council Canada has proven that mass timber construction is no more flammable than concrete or steel construction.

I was pleased to hear witnesses from J.D. Irving, Limited and Wood Research and Development testify that, beyond the use of capturing carbon, the use of mass timber structures can also be helpful to provincial and territorial economies, and — to be specific — in the use of value-added wood products.

Canada is fortunate to have a nearly limitless supply of forestry products that could be used for mass timber construction. As of 2022, according to the federal government’s 2021 report *The State of Mass Timber in Canada*, there are presently 593 mass timber construction projects completed across the country, with another 74 under construction and 35 proposed. These structures cover all regions of our country, from sea to sea.

Since the age of the construction of wooden ships in the Napoleonic Wars, New Brunswick timber has been part of the rich fabric of my province. Covered wooden bridges — most famously in Hartland — not only link two sides of a river together, they also serve as a link to our past. We heard in committee that Wood Research and Development is designing mass timber bridges to replace steel structures. This highlights a degree of innovation that extends the use of wood beyond large buildings.

It is my hope that for projects in New Brunswick with Public Services and Procurement Canada, the establishment of new mass timber bridges can restore the use of a bountiful and environmentally sustainable natural resource that has been intrinsically linked to New Brunswick. This approach is also important in other provinces across Canada where forestry industries form an important part of creating jobs and growing our economy.

I understand that some senators on the committee expressed concerns with respect to fire safety and related matters. They correctly identified that the use of fire suppression needs to be included in design specifications, and that the National Building Code should be mindful of the flammability and toxicity of any and all new building materials and treatments, including engineered wood products.

Honourable senators, the National Fire Code of Canada 2020, which was published this year, contains changes to address fire safety during the construction of encapsulated mass timber buildings. This highlights that it is clear that experts are aware of potential issues respecting fire safety in mass timber construction. I wish to remind honourable colleagues that there is no requirement for Public Services and Procurement Canada to use wood as other building materials can still be used.

Bill S-222 provides for a small but important change in terms of how Canadians can utilize a natural resource that has tremendous environmental and economic benefits to the country. It is my hope that provincial governments, including the Government of New Brunswick, will adopt similar procurement requirements to expand the use of mass timber structures for provincial infrastructure projects. Further, it is my hope that this policy change will restore the use of a natural resource commodity that not only has an important historical legacy in New Brunswick and other provinces, but that is also an important pillar in our local, provincial and national economies.

I would like to thank all who assisted in getting the bill to this stage. On behalf of Diane Griffin, I thank you.

(On motion of Senator Martin, debate adjourned.)

FOOD DAY IN CANADA BILL

THIRD READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Black, seconded by the Honourable Senator Downe, for the third reading of Bill S-227, An Act to establish Food Day in Canada.

Hon. Pat Duncan: Honourable senators, I am grateful to join you today from — and to live and work on — the traditional territory of the Kwanlin Dün First Nation and the Ta'an Kwäch'än Council.

[*Translation*]

Esteemed colleagues, I rise today to speak to Bill S-227, An Act to establish Food Day in Canada.

[*English*]

This bill seeks to establish the Saturday of the August long weekend as food day in Canada. As with other speakers, I am eager to celebrate and share the discussion of Canadian locally grown, harvested, prepared and shared food.

A Canadian meal may include seafood, such as lobster from New Brunswick or Nova Scotia, cod from the recreational fisher in Newfoundland and Labrador, shrimp and mussels from Nunavut and salmon from the East and West Coasts.

• (1550)

If seafood with omega vitamins is not your thing, there is nothing quite like Alberta beef or caribou harvested by the Gwitch'in in the Yukon and Northwest Territories.

The main course should include P.E.I. potatoes and other vegetables such as asparagus, Brussels sprouts and peas from Manitoba; a fresh salad with tomatoes and greens from Ontario; cucumbers from Alberta; and carrots from the Yukon. Every meal should have bread made with Canadian wheat from Saskatchewan and a slice of cheese from Quebec — perhaps with butter from a dairy farm in B.C. or Ontario.

The sweet dessert will have started with sugar from beets once grown and processed in Manitoba, now perhaps from Alberta, flour milled in the Yukon and eggs from the Yukon. The sweet dessert might be berry-focused, with cranberries from the Fraser Valley in B.C., Saskatoon berries from Saskatchewan, blueberries from Nova Scotia and haskap berries from the Yukon. Perhaps an apple is more to your liking, a Honeycrisp from Nova Scotia or a McIntosh from Ontario, candied with maple syrup from Quebec.

As many would agree, fine foods are best consumed with an appropriate beverage, such as a glass of Canadian wine from Niagara or B.C., or perhaps a locally brewed beer. According to the *Yukon News's* local guide to spring in the Yukon, with five breweries in Whitehorse, we are the Canadian jurisdiction with the most breweries per capita. Or if an after-dinner single-malt whisky is more to your liking, Yukon Brewing has won the best Canadian single malt of the year at the World Whiskies Awards.

That's just a wee sample, and not exhaustive, of a truly Canadian menu. Yes, you can eat your way from coast to coast to coast.

To celebrate Canadian food that is traditionally harvested on the land in the traditional way, or grown and harvested in the agricultural community, with this bill we are turning our attention to celebrating Canadian food and agriculture, and celebrating those who grow and bring to market those exceptional items that grace our tables.

I would like to thank Senator Black for his tireless efforts to celebrate Canadian farmers and all that agriculture means to our country. We are not allowed props in the chamber to emphasize our point or to express thanks, but I will share that I have a small gift for Senator Black in my office in Ottawa.

Honourable senators will have noted, as I described the meal, that I mentioned Yukon-grown carrots and haskap berries, eggs from the Yukon and flour milled in the Yukon. There is a bag of flour in my office from the Hinterland Flour Mill in the Yukon for you, Senator Black. I thank you for your tireless representation of Canadian agriculture.

And thank you, Senator Quinn, for your recent gift of dulse.

Allow me to grow your knowledge of agriculture in the Yukon. Almost three years ago, the Sunnyside Farm in the Ibex Valley near Whitehorse changed their focus to become a year-round commercial dairy farm. Setting up a dairy farm in the Yukon was recently described by Yukon's Minister of Agriculture as an epic adventure, with the owners sourcing Jersey cows from Manitoba, Alberta and British Columbia, and their farm equipment from Ontario, Romania, the Netherlands and Ukraine. Sunnyside Farm has now received a licence to sell commercially and locally produced whole milk that can be purchased at the grocery store near my home in Whitehorse.

The dairy farm is new; agriculture in the Yukon is not.

Honourable senators, in 1997, thanks in part to the efforts of the Yukon Anti-Poverty Coalition and the Downtown Urban Gardeners Society, a non-profit society known as DUGS, was formed. Last year, the Whitehorse community garden donated almost 1,000 pounds of locally grown vegetables to the Golden Age Society, an organization dedicated to seniors.

The Downtown Urban Gardeners Society and the dairy farm are innovations within my children's lifetimes. I grew up in the Yukon, when most of our food arrived by truck from Edmonton. Despite the stories of Sunnyside Farms, Little Red Hen eggs, Ibex Valley farm eggs and DUGS today, if there is a problem on the Alaska Highway, there will still be a run on milk in the grocery store. Supply-chain issues are not a new story in the North.

There are pictures and stories of vegetables grown in Dawson City with the long summer daylight from the early days of government in the territory.

In an online article, "Agriculture Research Stations" from *The Canadian Encyclopedia*, author Stephen Morgan Jones reports:

Two experimental stations were opened in YT at Mile 1019, Alaska Highway (1945) and in NWT at Fort Simpson (1947) . . .

Those are experimental farms.

Honourable senators, I will share with you the story of one of the farmers who operated a Yukon experimental farm. In January 1965, a sense of adventure brought James Roderick

Myles Tait, better known as Rod, and his family to the Yukon where he became the foreman at the Pine Creek Experimental Farm, five kilometres west of Haines Junction.

Returning to Stephen Morgan Jones's article I referenced earlier, he wrote about the Yukon and Northwest Territories stations:

. . . both stations subsequently closed due [to] the lack of agricultural potential in the regions that they served.

It was not the first time that Ottawa made a decision that didn't quite sit well with Yukoners.

As was noted during the tribute to Rod Tait when he passed in 2007:

Unfortunately, Ottawa's decision makers did not share Rod's love of farming and the boundless confidence that it could be done successfully and profitably north of 60. After six years at the farm, funds were slashed, leaving only Rod and one loyal helper out of a once-proud number of 30 employees.

Further funding cuts forced Rod into interim employment with Parks Canada before he found full-time work at the Haines Junction weigh scale, while double-shifting in the midnight sun on his own farm, his true vocation and passion.

With cattle purchased from the defunct experimental farm, a land lease and a six-acre market garden application, Rod successfully pursued his dream of growing the finest beef, oats, hay and vegetables in the region.

He leaves a legacy of more than 200 titled acres of farmland, more cleared land, and the reputation of growing the best and most exotic potatoes in the north. His expertise was formally recognized with the presentation of the Yukon Farmer of the Year award in 2000.

The area where Rod farmed and his family lives is at the base of Kluane National Park in the Yukon.

Whether the Yukon Gold potatoes were Rod's innovation or not, I will always credit, in part, the success of Yukon agriculture to Rod Tait and farmers like him throughout our country.

May I suggest, colleagues, that we best honour our farmers when we lovingly prepare and honour their products? I am delighted to share with you that "Yukon-grown food products proudly sold here" is displayed in grocery stores in the Yukon. Inside on the shelves, I can purchase potatoes, eggs, cabbage, beets, carrots, cucumbers and tomatoes. There are also locally produced kale chips and mixed spices, celebrated in the recent *The Globe and Mail* Christmas gift list.

The flight kitchen of Air North, the Yukon's airline, demonstrated their resilience during the pandemic, offering bison, shepherd's pie and other dishes ready for your freezer and to go on your plate. Those meals and other homemade-ready meals from Home Sweet Home business, using local ingredients in the Yukon, are also available in the store.

We also celebrate the farmers' market. I note that the very first Yukon farmers' market will be held this evening on the shores of the Yukon River in downtown Whitehorse.

Honourable senators, this bill asks us to celebrate all Canadian farmers, and to purchase and consume their products all year, particularly on the Saturday of the August long weekend.

Therein, Senator Black and those who have supported this bill, lies my difficulty. The Yukon does not celebrate the August long weekend the way you do. Our August long weekend is the third Monday in August, the date closest to Discovery Day — the date gold was discovered in the Klondike. While Yukon Gold potatoes might be the gold we eat, changing the Discovery Day holiday would encounter the same sort of difficulty that Prime Minister Chrétien encountered when he wanted to rename Mount Logan in Kluane National Park, Canada's highest peak. It's not a winning proposition in the territory.

That said, trying to choose a date appropriate for all of Canada and to get all regions of Canada to agree upon a date is not an easy proposition. Celebrating Canadian farmers and Canadian food is a winning proposition, and I wholeheartedly support the bill's intent.

Respectfully, Senator Black, perhaps the other place will make an amendment to the bill to celebrate Canada food day as the first Saturday in August, rather than reference a long weekend that only part of the country celebrates.

• (1600)

However and when it occurs, I look forward to the support from and this bill's return from the other place. I appreciate the opportunity to discuss the Yukon with all of you once again, and thank you for this chance to discuss the importance of agriculture and the availability and quality of sustainable food sources in the Yukon and throughout Canada and, notably, to share the story of agriculture in the Yukon and to express my support and a slight reservation with Bill S-227.

Mahsi'cho, gùnáłchish, thank you, colleagues.

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

Hon. Senators: Agreed.

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

[Translation]

INCREASING THE IDENTIFICATION OF CRIMINALS THROUGH THE USE OF DNA BILL

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Carignan, P.C., seconded by the Honourable Senator Wells, for the second reading of Bill S-231, An Act to amend the Criminal Code, the Criminal Records Act, the National Defence Act and the DNA Identification Act.

Hon. Jean-Guy Dagenais: Honourable senators, I rise today at second reading stage of Bill S-231, which seeks to increase the identification of criminals through the use of DNA.

As a former police officer, I would say that Bill S-231 will provide our judicial system and our police forces a technological modernity that will ensure that Canadians are better protected because justice will have more means for identifying and convicting criminals. In short, we have to shift from the era of fingerprints to an era of genetic profiling.

You would agree that science and technology have evolved considerably since the arrival of fingerprinting as a tool for legal identification. The use of fingerprinting goes back to 1902, or 120 years ago.

No one is challenging fingerprinting. When a person is charged with a crime, their prints are taken. It is an accepted and legally well-defined practice.

Under the provisions of Bill S-231, the collection and use of the DNA of an individual charged with serious crimes, properly regulated, will give the Canadian justice system new means that will make it possible to formally and scientifically identify suspects and victims and to limit the possibility of wrongful convictions.

In Canada, the RCMP's National DNA Data Bank was created 22 years ago and already contains the profiles of more than 500,000 offenders. The NDDDB, as it is known, has improved its operations and technology over the years, and it has become an invaluable support for our police forces.

The NDDDB already plays an important role in the legal system, but DNA science could contribute even more. It could play a bigger role in tackling crime if our laws made it possible to increase the number of profiles collected from offenders convicted of serious crimes in Canada. That is precisely what Bill S-231 would do.

The National DNA Data Bank must become an even more effective tool for investigators. In 2022, investigators should have access to existing scientific evidence that will satisfy our courts as they determine whether someone suspected of serious crimes is guilty.

Fingerprints do not compare to DNA when it comes to scientific accuracy in identifying people. Furthermore, police officers use DNA to do more than identify suspects. It is also used to officially identify victims, even after decades.

Bill S-231 proposes expanding Canada's DNA sampling, which I hope will eventually lead to a judicial outcome for many of Canada's unsolved crimes.

The NDDB's DNA samples and personal information are already well protected, and Bill S-231 does not change these important privacy protections. Instead, it seeks to increase the chances of making a match. To that end, the bill proposes increasing the number of offences that require the court to order the convicted person to provide a DNA sample to the data bank.

This provision of the bill received a lot of support from the National DNA Data Bank Advisory Committee, a group of experts who advise the Commissioner of the RCMP on all matters relating to the operation of the National DNA Data Bank.

For reference, Bill S-231 is the second iteration of Bill S-236, which died on the Order Paper, but was first introduced in the previous Parliament.

On September 6, 2021, the NDDB Advisory Committee commented on Bill S-236, as follows:

A DNA data bank is only as strong as the number of profiles it contains. The proposed amendments [in Bill S-236 from 2021] will not only improve the efficiency and effectiveness of the National DNA Data Bank, but they will also provide Canadians with access to the latest proven methods of DNA identification that have been very beneficial to people in other countries for some time.

Three reports have also recommended that more offences should result in a DNA sample being taken from a convicted offender, and these same reports have also recommended limiting the court's discretion to not impose the taking of a sample. The first is the 2009 report of the House of Commons committee responsible for the Parliamentary review of the DNA Identification Act. The second is the 2010 report of the Senate committee conducting the same review. The third report is the 2017 report of the Standing Senate Committee on Legal and Constitutional Affairs on its study of delays in the justice system. These three reports from 2009, 2010 and 2017 are consistent with the substance of the bill before us.

Bill S-231 therefore proposes ways to address the flaws that have already been identified. It establishes reasonable recommendations that broaden and simplify the definition of designated offences that allow for the collection of DNA from convicted persons.

More specifically, this bill proposes that, without possible exception, the court order a sample for the National DNA Data Bank when the criminal offence carries a maximum sentence of at least five years imprisonment.

If this bill comes into force, all violent offences against the person in the Criminal Code, since they all carry a maximum sentence of at least five years, will result in the taking of a mandatory DNA sample. The same goes for other crimes that put public safety at risk, such as drug trafficking, or more serious Criminal Code offences with respect to crime against property.

The bill proposes limiting the court's discretion to refuse an order authorizing the taking of a DNA sample for a conviction on an offence carrying a maximum sentence of less than five years.

This measure has two exceptions. The first exception concerns offences that can only be prosecuted on summary conviction and not by indictment. These offences, referred to as purely summary offences, are considered less serious in criminal law. For this type of offence, the bill upholds the current situation, whereby the court cannot order the offender to submit a DNA sample. The second exception applies in cases where the offender satisfies the court that the impact of such an order on their privacy and security of the person would be grossly disproportionate to the public interest in the protection of society and the proper administration of justice. This last exception already exists in the Criminal Code for certain designated offences.

• (1610)

As for their constitutionality, the measures proposed in the bill that seek to increase the number of collection orders for DNA samples at the time of conviction can also be supported by substantive decisions handed down in several court cases in Canada.

Bill S-231 also proposes other important measures that would make DNA collection in criminal cases more common and more efficient. For example, it proposes to allow, under strict conditions, familial searching in the National DNA Bank. This technique, which would be authorized under the bill, consists in verifying whether the DNA found at a crime scene corresponds to the genetic profile of a close relative or a person listed in the bank. It is essentially the same analysis as that carried out in DNA tests to establish paternity or kinship. In other words, familial searching does not seek to obtain perfect matches between two genetic profiles. Instead, it seeks to find profiles in the bank that are very similar to the profile obtained at the crime scene when there is not an exact match in the bank.

This bill would enable the police to order further research in the bank so they can investigate whether the unknown perpetrator is related to someone on file in the National DNA Data Bank.

Yes, this is a little technical, but it is not really new. Many countries already permit familial searching in their DNA data banks. This investigative method is being used successfully in the United Kingdom, Australia, New Zealand and U.S. states such as California, Florida and New York.

Bill S-231 is a little different though. It would amend the legislation to include conditions governing familial searching, which is a degree of oversight over and above what exists in other jurisdictions that already allow this investigative technique.

Familial searching could reopen a number of cold cases if this bill comes into force. It is entirely possible that the option provided by Bill S-231 could give the police the name of a person on file in the bank who is related to the person whose DNA was found at the scene of a crime. This might seem like no big deal, but sometimes it can result in the identification of a dangerous criminal.

I believe that, in many cases, the use of familial searching would help solve very serious crimes for which the offender is unknown and still poses a danger to the public. I am thinking, for example, of cases of murder, kidnapping, sexual assault with a weapon, firearms or carfentanil trafficking, or even terrorism offences.

Familial searching would allow investigators to identify offenders more quickly to stop them from victimizing more people. The RCMP's National DNA Data Bank Advisory Committee has spoken in favour of this move. I want to share an excerpt from its 2019-20 annual report, in which the committee set out the advantages of and need for familial searching. I quote:

In 2015, the Advisory Committee . . . once again reviewed this matter and concluded that the value of familial searching to solve challenging, serious cases and protect Canadians outweighs the inherent risks associated to its use.

The committee also pointed out a very important aspect of familial searching, stating that it could be used to exonerate the innocent or, in other words, limit miscarriages of justice.

The other important point is that Bill S-231 includes an addition to Bill S-236 regarding familial searching, which was introduced in the previous Parliament. It proposes to expand familial searching beyond the convicted offenders index to include the victims index, the missing persons index, the voluntary donors index and finally the human remains index. This change is the result of a suggestion made by the National DNA Data Bank Advisory Committee. Allowing for familial searching of the data bank would provide an additional tool to resolve investigations more quickly, which could save lives.

Bill S-231 also requires the Minister of Public Safety to prepare a report within two years of the legislation coming into force. The report would seek to determine whether DNA can be taken from persons arrested or charged with an offence in Canada without the need for a warrant from a judge.

In other words, this report will consider whether it is in the public interest to change the law to allow for the collection of DNA from a person presumed innocent in the same way that the Identification of Criminals Act currently allows for the collection of fingerprints. Taking DNA samples at the time of arrest is permitted in the United Kingdom.

This type of change in our laws is crucial. It will help Canada and its police forces, whose fingerprinting methods are 120 years old, by adding a new, proven, scientific and much more accurate method, that of DNA identification. Senators will recall that

DNA evidence helped convict Robert Pickton, Canada's worst serial killer. Therefore, this is an important and modern tool to which Canadian police should have better access.

For all these reasons, I urge you, esteemed colleagues, to support Bill S-231. Thank you.

(On motion of Senator Duncan, debate adjourned.)

[English]

HEALTH-CENTRED APPROACH TO SUBSTANCE USE BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Boniface, seconded by the Honourable Senator Hartling, for the second reading of Bill S-232, An Act respecting the development of a national strategy for the decriminalization of illegal substances, to amend the Controlled Drugs and Substances Act and to make consequential amendments to other Acts.

Hon. Tony Dean: Honourable senators, I rise today to speak in support of Bill S-232, An Act respecting the development of a national strategy for the decriminalization of illegal substances, to amend the Controlled Drugs and Substances Act and to make consequential amendments to other Acts — also known as the health-centred approach to substance use act.

I start by thanking Senator Boniface for her thoughtful leadership on drug policy in Canada, and specifically on the abuse of opioids, which grows ever more potent and deadly. When I spoke to this bill last year during the previous legislative session, I noted that opioid-related deaths reached a record high in the first year of the pandemic.

According to the Public Health Agency of Canada, in 2020, there were 6,500 opioid-related deaths compared to 3,669 deaths in 2019. This represents a 95% increase in opioid deaths during the first year of the pandemic compared to the year before, with an average of 20 deaths per day. Colleagues, the opioid crisis is getting worse.

In 2021, between the months of January and September, there were almost 5,500 deaths. While data is not yet available for the full year, the rate of deaths indicates that the number deaths in 2021 may surpass those in 2020.

Furthermore, a recent report from the British Columbia Coroners Service indicated that 2,224 people died of suspected overdoses in B.C. in 2021. That is the most ever in a recorded year, a 26% increase from 2020.

In their most recent report, the Public Health Agency of Canada notes:

A number of factors may have contributed to a worsening of the overdose crisis over the course of the pandemic, including the increasingly toxic drug supply, increased feelings of isolation, stress and anxiety, and changes in the availability or accessibility of services for people who use drugs.

• (1620)

And colleagues, this epidemic is no longer concentrated in well-known and established drug ghettos in major cities. It is affecting every community — both large and small — including small, rural communities, as we have heard from Senator Richards. Neither is it confined to those living on our streets. It is affecting middle-class families as a result of the abuse of pain medications and, of course, for many other reasons.

No one is immune from this epidemic. No one. It has become a national tragedy that is spiralling out of control — seemingly beyond our ability to catch up with it.

In all of this, colleagues, I'm reminded of the way governments and public policy-makers used to think about the scourge of poverty. It seemed so thorny; it seemed nasty. It seemed to be something that we couldn't tackle, intractable. We used to refer to this, among other big policy challenges, as a "wicked" policy challenge. So it went on for decades until poverty became too big and too expensive to ignore, and we had to figure out a way to tackle it.

We now know that initiatives such as the Guaranteed Income Supplement have greatly reduced poverty among seniors. The same is true for kids and families. Since the Canada Child Benefit was introduced, the poverty rate for children under 18 fell from 16.4% in 2016 to 9.7% in 2019, the most recent year for which data is available.

Big and nasty problems can be addressed. The wicked issue of opioid addictions and deaths can no longer be ignored. We need a very different approach.

Colleagues, while the opioid crisis continues to take more lives every year, it is not for lack of trying to address the issue. Budget 2022 proposes \$100 million over three years, starting in 2022-23, to Health Canada to support harm reduction, treatment and prevention at the community level. This comes on top of \$116 million provided in Budget 2021 and \$66 million in the Fall Economic Statement 2020. Since 2017, the government has dedicated over \$700 million to address the opioid overdose crisis. I repeat: \$700 million.

It seems to me that if almost three quarters of a billion dollars has been spent trying to address a crisis that is only getting worse every year, it's time to try a different approach. Colleagues, Senator Boniface's bill does just that.

Senator Boniface suggests a comprehensive approach with multiple elements that goes well beyond making naloxone available or the important effort to expand safe injection sites across the country.

As a reminder, Bill S-232 would mandate the Minister of Health to consult with governments at all levels, including representatives of Indigenous peoples, to inform the development of a national strategy for decriminalization of simple possession of illegal substances, including repeal of provisions of the Controlled Drugs and Substances Act which relate to these charges.

A national strategy is an appropriate tool for an issue as complex as this crisis, as it would lay the foundation for an integrated approach from governments at all levels as well as the police, health care providers and other key stakeholders.

The strategy would require establishing a framework for decriminalization and additional treatment programs and support services, ensuring that there are public health measures in place to support decriminalization. It assumes that nothing less than an integrated and concerted federal, provincial and territorial strategy will overcome the challenge of opioid addictions.

Following these steps, the Minister of Health would have to prepare a report setting out a national strategy, cause that report to be laid before each House of Parliament two years after the act receives Royal Assent and then post the report on the departmental website within 10 days after the day on which it is tabled in Parliament.

That sounds like a plan. Doesn't it, colleagues? We desperately need a plan, and we need it quickly.

If I can add anything to this approach, colleagues, it is that sophisticated efforts to tackle harms — be they in the world of regulation, as they affect vulnerable people, disease, poverty or a myriad of other harms affecting our populations — require moving upstream to look at both the causes and early indicators or fault lines that are both predictors and causes of harms, some of the more obvious in this case being prescribing practices in the health care system, mental health challenges and the various forms of abuse.

Why is decriminalization an effective tool? B.C.'s Mental Health and Addictions Minister Sheila Malcolmson stated that decriminalizing small amounts of drugs would help to reduce the stigma associated with them.

The BC Coroners Service report found that between January 2019 and January 2022 more than half of opioid overdoses resulting in death happened at home, indicating that there are still significant shame and stigma associated with drug addiction. Individuals struggling with addiction may be reluctant to seek help because of this.

Colleagues, decriminalizing small amounts of illicit substances would ensure that these individuals would not be penalized for their addiction, but that they would be recommended for treatment services.

Minister Malcolmson said:

It's never going to be decriminalization alone. That alone will not save lives. But if we have the health-care supports for people to turn to, they don't feel the shame and stigma about drug use. They're willing to talk to their primary health care provider.

Some municipalities and provinces have already started to move in this direction. In May 2021, the City of Vancouver requested an exemption to the Controlled Drugs and Substances Act to decriminalize possession of small amounts of drugs, including cocaine, heroin and fentanyl. B.C. then made a province-wide request in November 2021. The City of Toronto followed in January 2022, and just a few weeks ago so did the City of Edmonton.

Colleagues, there are a broad range of actors telling us we need to get this done, including the Canadian Association of Chiefs of Police, who tell us that they:

... agree that evidence suggests, and numerous Canadian health leaders support, decriminalization for simple possession as an effective way to reduce the public health and public safety harms associated with substance use . . .

In their July 2020 report, they concluded that decriminalization should be a key component in responding to the opioid crisis in concert with a number of other policy tools already being implemented across the country, including safe injection sites, safe supply and treatment programs.

The report states:

In a decriminalized environment, frontline policing would likely assume increased responsibility to divert people suffering from substance use disorder into treatment.

A national framework would ensure that there are treatment programs and other supports set up prior to decriminalization to alleviate the burden on police services.

The British Columbia Association of Chiefs of Police also released a report after the province announced it would be seeking an exemption for decriminalization of small amounts of illicit substances. In the report they expressed their support for the policy.

The report states:

The BCACP supports decriminalization of personal amounts of illicit drugs as part of an integrated approach to divert persons who use drugs (PWUD) away from the criminal justice system and toward health services and pathways of care with the goal of improving health and safety outcomes for those individuals.

Colleagues, this is a massive and deadly crisis. It is affecting all communities, large and small, and it is continuing to grow.

Senator Boniface's bill recognizes both the scale and the complexity of the issues associated with the opioid crisis. Most importantly, it's a framework piece of legislation that sets out the key goals while prompting the government to pursue a variety of strategies. It recognizes and acknowledges that there is no one-size-fits-all solution, and it is appreciative of the fact that this is not going to be resolved quickly or easily, but that it can be addressed.

• (1630)

That is why I am supporting Senator Boniface's bill. It acknowledges the complexity of the issue and would establish a framework for a multifaceted, thoughtful range of approaches to a massive problem that we're not addressing right now.

Honourable senators, with government, law enforcement, health practitioners and a large portion of the general public supporting decriminalization as one of a suite of approaches to the opioid crisis, we should listen and we should follow their advice. Thank you, Senator Boniface, for your leadership. Honourable senators, let's move Senator Boniface's bill to committee. Thank you.

(On motion of Senator Duncan, debate adjourned.)

[Translation]

ENACTING CLIMATE COMMITMENTS BILL

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Galvez, seconded by the Honourable Senator Gignac, for the second reading of Bill S-243, An Act to enact the Climate-Aligned Finance Act and to make related amendments to other Acts.

Hon. Lucie Moncion: Honourable senators, I rise today to speak to Senator Galvez's Bill S-243, An Act to enact the Climate-Aligned Finance Act and to make related amendments to other Acts.

I am particularly drawn to this bill because it combines two issues that interest me, namely finance and the environment.

Given my past work in financial institutions, and particularly my experience as former president and CEO of L'Alliance des caisses populaires de l'Ontario, I fully understand why Senator Galvez is looking to redefine financial risk management to account for environmental risks, using a systemic approach.

[English]

This bill targets the big players, those with the greatest interest in the financial stability of our country. These are federally chartered financial institutions and other entities, including the Bank of Canada, the Office of the Superintendent of Financial Institutions and certain pension funds. In managing and assessing risk, financial institutions are concerned about so-called “black swans.” A black swan is an unpredictable event that, if it occurs, could have serious consequences on financial markets. Examples include the COVID-19 pandemic and its impact on the global economy or the 2007 commercial paper crisis, which represented a \$33 billion financial risk for Canada.

In environmental matters, we use the term “green swans” to refer to the risks associated with climate change. Again, these are risks whose impacts are extremely difficult to predict or manage, but which can have catastrophic consequences for our country. These catastrophic consequences are not always of a nature to disproportionately affect financial markets; think of forest fires, floods, wind storms, ice storms and the like. Over the past five years, these climatic events have cost insurance companies more than \$13 billion, but have not destabilized the financial markets. The question then becomes whether a weather event could have a high enough impact to cause a financial crisis.

[Translation]

The legislative framework Senator Galvez proposes in her bill is innovative because it covers risk management to mitigate these green swans. This is an excellent solution for financial institutions and other targeted entities.

We need to be careful, though. This proposed legislation would fit into a unique economic context in which financial institutions are resistant to change and slow to get on board with more effective environmental risk management. Why are they so resistant?

The pace of our green transition is important and needs to be evaluated in terms of transition-related risks.

Transitioning toward a new environmental risk management approach is difficult in part because major financial system players are also the entities that finance major polluters. I will come back to this.

[English]

Throughout my time in financial institutions, financial risk management was omnipresent. We had to identify significant activities and evaluate our business practices, analyze our financial position, determine our risk profile and have the funds in reserve to remain profitable under any circumstances. Over the years, and with advances in environmental science, our understanding of climate risk has evolved significantly. Today, we better understand the interrelationship between climate change and the economy, and many environmentalists are sounding the alarm — the green swan alarm.

At the same time, certain industries whose practices do not always align with climate commitments are the livelihood of many Canadians and, in the same vein, Canadians are in large part dependent on these industries. How do we reconcile this dichotomy?

[Translation]

In finance, the “transition” risks associated with an accelerated transition to a low-carbon economy coexist with climate change-related risks.

The relationship between these two types of risk factors that, on the surface, appear contradictory should be taken into account and studied by a committee so we can make sure the measures proposed in Bill S-243 will ensure a sustainable and inclusive transition. We have to try to strike the best possible balance between the risks and the opportunities presented by climate change.

[English]

Senator Galvez is proposing an ambitious, thoughtful and comprehensive legislative framework to allow the big players to manage risks upstream rather than have to pay the price downstream. Let’s remember that if we don’t compel entities to act, the status quo remains and nothing changes. Bill S-243 invites us to reflect, and proposes and invites these entities to step out of their comfort zone and act to bring about change. Thus, in order to ensure market stability in the medium- and long-term, it is incumbent upon the federally regulated financial sector to adapt their operations in a way that mitigates climate change or, at the very least, does not exacerbate it. When this bill is studied in committee, I think it will be important to consider the following elements.

One is assessing the economic impact of the transition on Canada’s GDP. Canada is an oil-and-gas-producing country and part of its economy is based on this sector. How will we finance the transition from oil and gas to other energy sources, and what will the economic impacts be? How fast can this transition take place? Are the timelines reasonable? Realistically and honestly, this transition will take longer than environmentalists would like. How long are we talking about?

• (1640)

The current geopolitical situation has just destabilized the global oil and gas balance. How does this affect decisions made in Canada? What role will Canada have in the global oil and gas supply market? What are the impacts of Europe’s dependence on the transition to clean energy? All of these issues deserve special attention.

While the objective of the bill is laudable, it must also be assessed in a context that takes all factors into account.

[Translation]

Assuming that Canada is serious about the environment and climate change, resistance from key stakeholders can easily put this project on hold indefinitely.

Senator Galvez's bill proposes seven separate measures. The first concerns the consideration of climate risks. The second is about the alignment of various organizations with climate objectives. The third measure is an obligation for setting targets, planning and reporting. The fourth concerns climate expertise on boards of directors. The fifth has to do with establishing capital adequacy requirements. The sixth is about aligning financial products with climate commitments. The final measure concerns the public review processes on the progress made.

Senator Galvez did an excellent job presenting these measures in her speech, and I invite you to refer to them. I thank her for her leadership and for all the work she does to educate us about the environmental situation in Canada and elsewhere in the world. We have a duty to support her work, which can help ensure a better future for our children and grandchildren. I urge you to vote in favour of this bill at second reading and refer it to the Standing Senate Committee on Banking, Trade and Commerce for study. Thank you for your attention.

(On motion of Senator Martin, debate adjourned.)

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

SECOND REPORT OF COMMITTEE—DEBATE CONCLUDED

On the Order:

Resuming debate on the consideration of the second report (interim) of the Standing Committee on Rules, Procedures and the Rights of Parliament, entitled *Use of displays, exhibits and props in Senate proceedings*, tabled in the Senate on April 5, 2022.

Hon. Diane Bellemare: Honourable senators, I have already spoken about this report, but I would simply like to conclude debate so that people will know about it. It is not a bill requiring formal passage. It is a report that was tabled.

The Hon. the Speaker pro tempore: If no senator wishes to debate this issue, debate is concluded.

(Debate concluded.)

THIRD REPORT OF COMMITTEE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Bellemare, seconded by the Honourable Senator Mercer, for the adoption of the third report (interim) of the Standing Committee on Rules, Procedures and the Rights of Parliament, entitled *Amendments to the Rules — Committee mandates*, presented in the Senate on April 6, 2022.

Hon. Diane Bellemare: I move adoption of the report.

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 report adopted.)

[English]

THE SENATE

MOTION TO CALL UPON THE GOVERNMENT TO DESIGNATE THE SECOND WEEK OF MAY OF EVERY YEAR AS JURY APPRECIATION WEEK ADOPTED

On the Order:

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

That the Senate recognize that, each year, thousands of Canadians are called to jury duty and contribute to the Canadian justice system; and

That the Senate call upon the Government of Canada to designate the second week of May in each year as Jury Appreciation Week in Canada, to encourage those Canadians who provide this public service and to recognize their civic duty.

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, I rise today to speak briefly to Motion No. 9 on behalf of the Minister of Justice. I would like to express the government's support and thank Senator Moncion for bringing this initiative forward.

While most Canadians understand the importance of jury duty and view it as a part of their civic responsibility in a free and fair democracy, they often don't fully grasp the potential disruption to their lives and the lives of their families.

During this chamber's debates on Bill S-206, Senator Moncion described very poignantly her own experience, having served on a lengthy and very disturbing murder trial and the resulting impact this had on her and her life. Unfortunately, hers is not a unique experience.

In her speech, Senator Moncion quoted Mark Farrant, the CEO of the Canadian Juries Commission, and an advocate for the rights of jurors in Canada. We welcomed Mr. Farrant earlier today as a guest in the chamber.

I, too, would like to quote Mr. Farrant in relation to this motion:

Jurors perform an enormous service to the public. It's the last mandatory civic duty left in Canada. Jurors have been overlooked for decades in terms of their mental health and the impact of their service to their community. . . .

Passing this motion would be a modest but significant gesture of appreciation in recognizing the invaluable service of individuals called to do jury duty. It would be an acknowledgment of gratitude and respect for the thousands of Canadians who are called to take part in our justice system. Therefore, I ask that my honourable colleagues support this motion.

Thank you.

Some Hon. Senators: Hear, hear.

[Translation]

Hon. Pierre-Hugues Boisvenu: Like my colleague, Senator Gold, I rise to speak to the motion of Senator Moncion, which recognizes the importance of citizens who, often anonymously, play a key role in the Canadian justice system.

I thank the senator for supporting my Bill S-206. I also want to thank Senator Dalphond for his involvement, as he ensured that this bill was adopted without study in committee. That was an excellent decision, and I thank all my Senate colleagues for supporting this initiative. As you know, Bill S-206 is now at the other place, and it could be that members of the House have a surprise for us this afternoon and that they too are passing it without referring it to committee for study.

Bill S-206 is on its third attempt at being passed. Personally, I think we needed to protect these witnesses and not make them come back yet again to the Senate to talk about events that some may want to bury deep in their memory or that some have managed to deal with. It is a very humane decision to not refer the bill to a committee.

We must recognize the work that jurors do. We recognize that jurors need support, but now we must recognize the work that they do. I commend Senator Moncion's initiative to designate one week a year to recognize the essential role that these people play. They are often called upon to make decisions that will have a major impact on other people's lives. I believe that designating one week to tell them how important they are to our country and to our justice system is the least we can do.

I had limited knowledge of what jurors do. I was an observer in courtrooms when I accompanied families who had lost a loved one to murder. I observed this role at a distance and would see jurors on TV shows such as *Perry Mason*. Senator Moncion's testimony was so moving and really taught me a lot about this role. She shared her own experience, as did Mr. Farrant, who testified in committee.

We heard from other witnesses, including some who served as jurors in the Bernardo trial. I couldn't imagine being in that position, leaving every night, seeing the photos in my head, listening to . . . Basically, I think that this role is very important and very demanding. We are sending regular Canadians into the thick of the action, often without any professional or psychological training. They are being asked to deal with the worst things in the world. I think it is a big step forward that we are now telling them they can ask for help without being labelled a criminal.

• (1650)

The other step that needs to be taken, and that Senator Moncion is asking us to take today, is to pass her motion to have the country recognize juries every year. There is indeed a Jury Appreciation Week, and that week is recognized by the association, but not by the government. I think this motion will go a long way in getting proper recognition for that week.

I will close by saying that this motion should be passed today. To me, that is the heart of the issue, and I see nothing inconsistent about it. People who have served on juries in the past and who are serving on juries now, and those who will serve in the future, will know that the Senate has helped advance this role in the justice system. There is finally recognition that what they do is important and that they need support.

Once again, my congratulations to Senator Moncion. It has been a pleasure to speak to this motion and I urge you, colleagues, to pass it today.

Hon. Senators: Hear, hear!

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

Hon. Senators: Agreed.

(Motion agreed to.)

[English]

MOTION PERTAINING TO THE RESIDENTIAL SCHOOL SYSTEM— DEBATE CONTINUED

On the Order:

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

That the Senate of Canada:

- (a) acknowledge that racism, in all its forms, was a cornerstone upon which the residential school system was created;
- (b) acknowledge that racism, discrimination and abuse were rampant within the residential school system;
- (c) acknowledge that the residential school system, created for the malevolent purpose of assimilation, has had profound and continuing negative impacts on Indigenous lives, cultures and languages; and
- (d) apologize unreservedly for Canada's role in the establishment of the residential school system, as well as its resulting adverse impacts, the effects of which are still seen and felt by countless Indigenous peoples and communities today.

(On motion of Senator Martin, debate adjourned.)

FISHERIES AND OCEANS

COMMITTEE AUTHORIZED TO DEPOSIT REPORT ON STUDY OF
THE IMPLEMENTATION OF INDIGENOUS RIGHTS-BASED
FISHERIES ACROSS CANADA WITH CLERK DURING
ADJOURNMENT OF THE SENATE

Hon. Fabian Manning, pursuant to notice of May 10, 2022,
moved:

That the Standing Senate Committee on Fisheries and Oceans be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate, no later than September 16, 2022, a report relating to its study on Indigenous rights-based fisheries, if the Senate is not then sitting, and that the report be deemed to have been tabled in the Senate.

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

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

Hon. Senators: Agreed.

(Motion agreed to.)

(At 4:54 p.m., the Senate was continued until Tuesday, May 17, 2022, at 2 p.m.)

APPENDIX

DELAYED ANSWERS TO ORAL QUESTIONS

FINANCE

MONETARY POLICY FRAMEWORK RENEWAL

(Response to question raised by the Honourable Diane Bellemare on November 24, 2021)

Department of Finance Canada

The monetary policy framework which will guide monetary policy for the next five years was announced on December 13, 2021. The agreement reached between the government and the bank stipulates that monetary policy's primary objective will continue to be achieving a target inflation rate of 2%, of the midpoint of a 1% to 3% control range. The government and the bank also clarified the existing ability of the Bank of Canada to use the flexibility of the 1% to 3% control range to actively seek the maximum sustainable level of employment and to help address the challenges of structurally low interest rates.

PUBLIC ACCOUNTS

(Response to question raised by the Honourable Elizabeth Marshall on November 30, 2021)

Department of Finance Canada

Pursuant to subsection 49(1) of the Financial Administration Act (FAA), the Minister of Finance provides Parliament with an annual report on debt management, which provides transparency and accountability on the money borrowed and the management of the public debt for the most recently completed fiscal year. The Debt Management Report (DMR) satisfies this legislative requirement, and in large part relies on data from the Public Accounts for the relevant fiscal year. Subsection 49(1) of the FAA requires the minister to table the report in each house of Parliament within 30 sitting days after the Public Accounts are tabled in the House of Commons. In compliance with the FAA requirements, the government tabled the DMR for fiscal year 2020-21 on March 25, 2022.

In addition to the DMR, which provides historical information, the government continues to provide regular updates to its ongoing and future plans associated with debt management, which can be found in the 2021 Economic and Fiscal Update (Annex 2) and Budget 2022 (Annex 2).

(Response to question raised by the Honourable Elizabeth Marshall on November 30, 2021)

Treasury Board of Canada Secretariat (TBS):

The Public Accounts of Canada 2021 were tabled on December 14, 2021, and can be found at <https://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/2021/index-eng.html>.

CANADA PENSION PLAN

(Response to question raised by the Honourable Yonah Martin on December 14, 2021)

Department of Finance Canada

After a lifetime of hard work, our seniors have earned the right to a secure and dignified retirement. The Canada Pension Plan (CPP) enhancement will raise the maximum CPP retirement pension by up to 50% over time. To fund these enhanced benefits, annual CPP contributions are being increased modestly over seven years, starting in 2019.

In September 2016, the Government of Canada released analysis showing that enhancing the CPP would significantly reduce the share of families at risk of not saving enough for retirement and would have long-term positive economic impacts.

Changes to the CPP, like this one, require the formal approval of the Parliament of Canada and 7 out of 10 provinces representing at least two-thirds of the population.

The CPP enhancement addresses important challenges faced by young Canadians saving for retirement, and it is important that federal and provincial governments stay the course at this critical time for Canadian workers.

MEDICAL EXPENSES AND PARENTAL LEAVE

(Response to question raised by the Honourable Jane Cordy on February 10, 2022)

Department of Finance Canada

The government understands that some Canadians build their families using surrogacy – it is an opportunity to have the family they have always wanted.

Budget 2022 proposes to allow medical expenses related to a surrogate mother or a sperm, ova, or embryo donor that are incurred in Canada for 2022 and subsequent taxation years to be claimed. This would include costs that have been reimbursed to a surrogate for in vitro fertilization expenses.

Budget 2022 also proposes to allow fees paid to fertility clinics and donor banks in Canada in order to obtain donor sperm and ova to be eligible under the Medical Expense Tax Credit for 2022 and subsequent taxation years.

NATURAL RESOURCES**DORMANT OIL AND GAS WELLS**

(Response to question raised by the Honourable Paula Simons on February 21, 2022)

Department of Finance Canada

The payments to the Government of Alberta and the Alberta Orphan Wells Association (OWA) were part of Canada's COVID-19 Economic Response Plan, to provide targeted and time-limited economic stimulus to sustain jobs in the energy sector while cleaning up the environment in provinces that have a comparatively high reliance on the sector: \$1 billion was provided to Alberta to clean up inactive wells, and \$200 million was provided to the OWA to clean up orphan wells; the OWA will fully repay this amount.

As part of the federal payment, Alberta committed to strengthening its regulatory regimes to limit the creation of new orphan wells. Private operators are responsible for remediating wells when they become inactive. Provinces are responsible for implementing regulatory regimes that create a sustainably funded system where companies pay the cost of their environmental liabilities, including orphan wells. Questions regarding the provincial regulatory regime should be directed to Alberta.

To date, these funds have supported 3,865 full-time jobs, and addressed over 34,600 inactive wells and 300 orphan wells. Alberta and the OWA are responsible for administering their respective well-closure programming. Questions regarding the funds disbursed, assessment of applications and any potential changes to programming should be directed to Alberta and the OWA.

FINANCE**RELEASE OF SUSPENDED ACCOUNTS**

(Response to question raised by the Honourable David M. Wells on February 24, 2022)

Department of Finance Canada

The measures in the Emergency Economic Measures Order are no longer in force since February 23, 2022. Consequently, no accounts remain frozen pursuant to the Order.

TREASURY BOARD SECRETARIAT**FEDERAL PUBLIC SERVICE JOBS**

(Response to question raised by the Honourable Percy E. Downe on March 1, 2022)

Treasury Board of Canada Secretariat (TBS):

The federal public service, drawn from all regions of the country, brings together people from a variety of backgrounds, skills and professions, and we recognize that this is a unique resource for Canada.

Indeed, it is worth noting that most public servants already work outside the National Capital Region (Ottawa-Gatineau). According to March 2021 data (<https://www.canada.ca/en/treasury-board-secretariat/services/innovation/human-resources-statistics/population-federal-public-service-geographic-region.html>), of the 319,601 federal public service employees, less than half, or 134,817, were located in the NCR, including the core public administration and separate agencies.

With many public servants having worked remotely over the last two years, research is underway to determine what form post-pandemic workplace flexibility will take, including exploring options to increase flexibility in the work arrangements of federal employees. Officials at TBS and across government are researching how best to maintain and maximize flexible work arrangements for employees while maintaining quality services to Canadians. This work also entails assessing the lessons learned in terms of what has worked well and what could be improved, including taking into account operational needs and workforce preferences, but will also include business drivers such as enhanced efficiency and productivity, increased diversity and inclusion in the public service and social and environmental effects and impacts.

FOREIGN AFFAIRS**PUBLIC HEALTH DISINFORMATION**

(Response to question raised by the Honourable Stan Kutcher on March 2, 2022)

Canadian Security Intelligence Service (CSIS)

COVID-19 has had a profound impact on our country and the world. This uncertain environment is ripe for exploitation by threat actors seeking to advance their own interests. State-sponsored information manipulation utilized by certain states, including Russia, to undermine the rules-based international order is of particular concern. As CSIS noted in its *Public Report 2020*, most recently, such state-sponsored manipulation, including through disinformation, has sought to reshape or undermine certain narratives to sow

doubt about the origins of the coronavirus and pandemic as well as the means required to counter it; discredit democratic responses to COVID-19 while casting their own responses as superior; and erode confidence in Canada's values of democracy and human rights. While Canadian security agencies and law enforcement cannot discuss specific investigations, we can say that the Government of Canada coordinates with hundreds of domestic and foreign partners on threats to national security, and actively investigates all threats of foreign interference to support a whole-of-government collective effort to ensure individual Canadians as well as Canadian democratic institutions remain resilient to hostile activities by state actors.

SUPPORT FOR UKRAINE

(Response to question raised by the Honourable V. Peter Harder on March 2, 2022)

Global Affairs Canada (GAC)

Canada responds to complex humanitarian crises, including in Ukraine, by providing funding to an established international humanitarian response system made up of United Nations agencies, the Red Cross Movement, and experienced non-governmental organizations. To date, Canada has provided \$245 million to support the humanitarian response to meet urgent needs on the ground in Ukraine and neighbouring countries. The flexible funding enables organizations to procure relief items and deploy equipment and trained personnel quickly and efficiently through established and coordinated humanitarian networks. Canada also deploys humanitarian and logistics experts to augment United Nations capabilities on the ground so that aid reaches affected populations.

Recognizing gaps in supply chains, the department is also coordinating the delivery of relief and medical supplies from Canadian stockpiles to support the operations of humanitarian partners, and offering advice and logistical support to provincial Ministries of Health in this regard. The department is working with the Canadian Red Cross to coordinate the logistics planning and delivery of these supplies to partners on the ground. Leveraging these partnerships, to date, the department has delivered 1,052 family tents and 376,000 essential relief items from Canada's stockpiles.

ECONOMIC SANCTIONS

(Response to question raised by the Honourable Larry W. Smith on March 2, 2022)

Department of Finance Canada

Businesses regulated by the Proceeds of Crime (Money Laundering) and Terrorist Financing Act (PCMLTFA), including businesses dealing in virtual currencies, must

comply with the sanctions against Russia and Belarus applied through regulations under the Special Economic Measures Act. These businesses must block transactions that directly, or indirectly, involve sanctioned individuals or entities and report assets in their holdings to the Royal Canadian Mounted Police (RCMP), which enforces compliance.

Businesses dealing in virtual currencies must register with the Financial Transactions and Reports Analysis Centre of Canada (FINTRAC), verify client identity, and report suspicious transactions. Budget 2022 proposes FINTRAC receive \$89.9 million over five years.

Canada continues to coordinate with G7 countries to scrutinize potential sanction loopholes and provide technical expertise. Canada coordinates monitoring and exchanges information with international partners to ensure the effectiveness of sanctions.

Budget 2022 announced the government's intent to establish a new Canada financial crimes agency and implement a publicly accessible beneficial ownership registry by the end of 2023. The government also intends to work with provinces and territories on a beneficial ownership registry of real property. Further, Budget 2022 announced the government is developing legislative changes to enhance the detection, investigation and prosecution of financial crimes.

UNITED NATIONS TREATY ON THE PROHIBITION OF NUCLEAR WEAPONS

(Response to question raised by the Honourable Marilou McPhedran on March 2, 2022)

Global Affairs Canada (GAC)

Canada is aware of the upcoming first Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons (TPNW), scheduled for June 21-23, 2022. Canada takes note of the invitation extended to states not party to the Treaty to attend this meeting as observers. While not a party to the TPNW, Canada acknowledges that the treaty reflects well-founded concerns about the slow pace of global nuclear disarmament – concerns that Canada shares. In order to achieve meaningful progress towards global nuclear disarmament, Canada engages actively with other states including via cross-regional groupings such as the Stockholm Initiative on Nuclear Disarmament and the Non-Proliferation and Disarmament Initiative in support of the full implementation of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Canada will continue to consider all possibilities to constructively engage with other states in pursuit of a world free from nuclear weapons.

PUBLIC SAFETY**PUBLIC INQUIRY INTO PORTAPIQUE SHOOTING**

(Response to question raised by the Honourable Pierre-Hugues Boisvenu on March 4, 2022)

Public Safety Canada (PS)

The Government of Canada would like to also recognize the upcoming anniversary of this horrendous event, and acknowledge the impact on the families and communities.

With regards to family member participation in the inquiry, please note that the Mass Casualty Commission (Commission) is an independent body. Under Part I of Canada's Inquiries Act and Nova Scotia's Public Inquiries Act, the commissioners have the power to summon witnesses and require them to give evidence on oath or solemn affirmation, and require the production of documents and things the commissioners consider necessary to carry out a full investigation. The Government of Canada does not have the ability to provide directions to the commission.

Regarding the testimony of RCMP members in regards to the three Portapique Foundational Documents, as stated on the commission website, the commission has directed that certain members be subpoenaed to appear either as individual witnesses or as a witness panel. Some of the RCMP members that will be testifying were at the scene the day of the event, and some members testifying are simply in the chain of command. Please see the link for more detail:

<https://masscasualtycommission.ca/updates/an-update-from-the-commissioners-march-9-2022/>

FOREIGN AFFAIRS**UNITED NATIONS TREATY ON THE PROHIBITION
OF NUCLEAR WEAPONS**

(Response to question raised by the Honourable Marilou McPhedran on March 4, 2022)

Global Affairs Canada (GAC)

Canada is aware of the upcoming first meeting of states parties to the Treaty on the Prohibition of Nuclear Weapons (TPNW), scheduled for June 21-23, 2022. Canada takes note of the invitation extended to states not party to the Treaty to attend this meeting as observers. While not a party to the TPNW, Canada acknowledges that the treaty reflects well-founded concerns about the slow pace of global nuclear disarmament – concerns that Canada shares. In order to achieve meaningful progress towards global nuclear disarmament, Canada engages actively with other states including via cross-regional groupings such as the Stockholm Initiative on Nuclear Disarmament and the Non-Proliferation and Disarmament Initiative in support of the full implementation of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Canada will

continue to consider all possibilities to constructively engage with other states in pursuit of a world free from nuclear weapons.

NATURAL RESOURCES**TRANS MOUNTAIN PIPELINE**

(Response to question raised by the Honourable Rosa Galvez on March 23, 2022)

Department of Finance Canada

The analyses undertaken by BMO and TD both confirm that the project will likely allow the government to recoup its expenses with the potential for a positive financial return, and be profitable for future owners. The government does not intend to publish those analyses, given contractual and commercial confidentiality limitations.

The government is confident that there remains strong interest from prospective purchasers of Trans Mountain Corporation, given the expansion project is underpinned by 20-year shipper contracts. The expansion project continues to be an important investment in Canada's economy which is creating thousands of Canadian jobs and which will responsibly deliver Canadian natural resources to meet demand in global markets.

FINANCE**RELEASE OF SUSPENDED ACCOUNTS**

(Response to question raised by the Honourable David M. Wells on March 24, 2022)

Department of Finance Canada

The measures in the Emergency Economic Measures Order are no longer in force since February 23, 2022. Consequently, no accounts remain frozen pursuant to the Order.

FOREIGN AFFAIRS**COVID-19 VACCINE ACCESS**

(Response to question raised by the Honourable Mary Coyle on March 24, 2022)

Global Affairs Canada (GAC)

As of April 1, 2022, Canada has contributed over \$259 million towards COVID-19 vaccine delivery and health systems in low- and lower-middle-income countries, including:

- \$100 million to support vaccine delivery and distribution through COVAX COVID-19 delivery support;
- \$10 million to design and operationalize COVAX's dose-sharing mechanism;
- \$40 million to cover ancillary costs associated with donated surplus vaccine doses;
- \$9.6 million to UNICEF Canada for the #GiveaVax Fund, matching dollar for dollar the donations of Canadians. The funds are enabling UNICEF to cover the costs to transport vaccines, keep vaccines viable by protecting the cold chain and train health care workers to effectively administer vaccines and safely dispose of waste; and
- \$100 million to the World Health Organization (WHO) to support the Health Systems and Response Connector (HSRC). The HSRC supports countries to identify needs and gaps to enable the rollout of COVID-19 tools, coordinate with partners to address bottlenecks, and monitor country progress.

FINANCE

ALCOHOL EXCISE TAX

(Response to question raised by the Honourable Leo Housakos on March 29, 2022)

Department of Finance Canada

The Excise Act and the Excise Act, 2001 adjust excise duty rates on an annual basis for tobacco and alcohol products, on April 1 of each year. The automatic Consumer Price Index adjustment for the 2022-23 fiscal year has already occurred, and came into effect on April 1, 2022. This type of indexing is not an uncommon practice to ensure that duty rates are not eroded with inflation. The adjustments to excise duties do not represent an increase in real dollar terms – they are intended to preserve the effectiveness of the excise duty rates over time and to ensure that the excise duties continue to meet their policy objectives.

Indexation to the Consumer Price Index is a common feature of the tax and benefit systems, used in many other taxes, such as the tobacco excise duties; income tax bracket thresholds; and the key tax credit amounts Canadians use when calculating their tax returns, such as the basic personal amount and the goods and services tax credit. This practice is in line with many other countries that also annually adjust their alcohol taxes to account for inflation.

PRIVY COUNCIL

POLICY ON HIRING MEDICALLY RELEASED VETERANS

(Response to question raised by the Honourable Percy E. Downe on March 29, 2022)

The Public Service Commission of Canada has provided relevant information in the response to Parts 1 to 4 and 6 to 8 of Senate Written Question No. 106.

FOREIGN AFFAIRS

UNITED NATIONS TREATY ON THE PROHIBITION OF NUCLEAR WEAPONS

(Response to question raised by the Honourable Marilou McPhedran on March 29, 2022)

Global Affairs Canada (GAC)

Canada is aware of the upcoming first meeting of states parties to the Treaty on the Prohibition of Nuclear Weapons (TPNW), scheduled for June 21-23, 2022. Canada takes note of the invitation extended to states not party to the treaty to attend this meeting as observers. While not a party to the TPNW, Canada acknowledges that the treaty reflects well-founded concerns about the slow pace of global nuclear disarmament – concerns that Canada shares. In order to achieve meaningful progress towards global nuclear disarmament, Canada engages actively with other states including via cross-regional groupings such as the Stockholm Initiative on Nuclear Disarmament and the Non-Proliferation and Disarmament Initiative in support of the full implementation of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Canada will continue to consider all possibilities to constructively engage with other states in pursuit of a world free from nuclear weapons.

PUBLIC SAFETY

PUBLIC INQUIRY INTO PORTAPIQUE SHOOTING

(Response to question raised by the Honourable Pierre-Hugues Boisvenu on April 5, 2022)

Public Safety Canada (PS)

The Government of Canada would like to acknowledge that it has been two years since the April 2020 mass casualty in Nova Scotia took the lives of many people, and forever impacted families and communities.

The Government of Canada reiterates that it does not have the ability to provide directions to the Mass Casualty Commission. The commission is an independent body. Under Part I of the federal Inquiries Act and Nova Scotia's Public Inquiries Act, the commissioners have the power to summon witnesses, require them to give evidence on oath or solemn affirmation, and require the production of documents

and things the commissioners consider necessary to carry out a full investigation. Decisions related to these powers lie solely with the commission.

The commission is not conducting an investigation under one of the laws mentioned in the definition of “offence” in the Canadian Victims Bill of Rights (i.e. the Criminal Code). This said, any questions pertaining to the applicability of certain laws to the public inquiry should be directed to the commission.

FOREIGN AFFAIRS

UNITED NATIONS TREATY ON THE PROHIBITION OF NUCLEAR WEAPONS

(Response to question raised by the Honourable Marilou McPhedran on April 28, 2022)

Global Affairs Canada (GAC)

Canada is aware of the upcoming first meeting of states parties to the Treaty on the Prohibition of Nuclear Weapons (TPNW), scheduled for June 21-23, 2022. Canada takes note of the invitation extended to states not party to the treaty to attend this meeting as observers. While not a party to the TPNW, Canada acknowledges that the treaty reflects well-founded concerns about the slow pace of global nuclear disarmament – concerns that Canada shares. In order to achieve meaningful progress towards global nuclear disarmament, Canada engages actively with other states including via cross-regional groupings such as the Stockholm Initiative on Nuclear Disarmament and the Non-Proliferation and Disarmament Initiative in support of the full implementation of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Canada will continue to consider all possibilities to constructively engage with other states in pursuit of a world free from nuclear weapons.

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