



DEBATES OF THE SENATE

1st SESSION



44th PARLIAMENT



VOLUME 153



NUMBER 198

OFFICIAL REPORT
(HANSARD)

Tuesday, May 7, 2024

The Honourable RAYMONDE GAGNÉ,
Speaker

CONTENTS

(Daily index of proceedings appears at back of this issue).

Publications Centre: Publications@sen.parl.gc.ca

Published by the Senate
Available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Tuesday, May 7, 2024

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

Prayers.

CLERK OF THE SENATE

APPOINTMENT OF SHAILA ANWAR

The Hon. the Speaker: Honourable senators, I have the honour to inform the Senate that a Commission under the Great Seal has been issued to Shaila Anwar, appointing her Clerk of the Senate and Clerk of the Parliaments.

(The said commission was then read by a Clerk at the Table.)

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, on behalf of myself and my colleagues in the Government Representative Office, I would like to welcome Shaila Anwar as our newest Clerk of the Senate and Clerk of the Parliaments.

[Translation]

Ms. Anwar is no stranger to the Red Chamber. For over 15 years, she held positions ranging from procedural clerk to principal clerk. She is also a highly respected parliamentary expert.

[English]

Those in this chamber who have been here much longer than I have and who sat on committees of which she was the committee clerk tell me that they always knew they were in good hands. Shaila was always well prepared and familiarized herself with the witnesses and the needs of all committee members. Those who worked with her, from committee attendants to interpreters, admired her professionalism and her genuine concern for the well-being of those working with her and for her.

[Translation]

Ms. Anwar's appointment as Clerk of the Senate and Clerk of the Parliaments is the culmination of her increasingly senior roles since joining the Senate in 2007. Her experience in procedures and practices, her command of both official languages, her professionalism and her patience will serve us well.

[English]

As Clerk of the Senate, she will manage the Senate's day-to-day operations and support all aspects of the legislative process, from the swearing-in of new senators to advising Her Honour on parliamentary procedure and the interpretation of the *Rules of the Senate*.

We are fortunate to welcome someone who is so well suited to this position for many reasons, not the least of which is her knowledge of and obvious genuine affection for the Red Chamber.

Welcome, Shaila. We all look forward to working with you.

Hon. Senators: Hear, hear!

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, my Conservative colleagues and I would also like to formally welcome and congratulate Shaila Anwar as the seventeenth Clerk of the Senate and Clerk of the Parliaments.

• (1410)

Although this may be her first Senate sitting day in this new role, Shaila — as has already been mentioned — is no stranger to this institution, nor is she a stranger to anyone here. For starters, she joined the Senate family as a procedural clerk 17 years ago — that's before almost all of us except maybe four senators. Her work ethic and dedication were quickly recognized, and step by step — perhaps I would be better off saying hour after hour of hard work — she has made her way up to the role she now holds.

Shaila will often say that her career training course and work ethic began while working in her family's restaurant. It has forced her to be innovative. It has set the tone to not be worried about long hours. It has provided her the opportunity from an early age to be able to multi-task and intuitively recognize priorities. Her parents have a lot to be proud of, and I am, indeed, pleased to see they are present here today. We owe you, Shaila's parents, a lot of gratitude for raising such a wonderful daughter.

Hon. Senators: Hear, hear!

Senator Plett: Second, Shaila is no stranger to anyone in this chamber because she has made a tremendous effort to build strong relationships with many of us. As a matter of fact, many of us probably consider her a very close friend. Shaila is someone to whom senators, staff and the Senate Administration have been able to go for guidance and advice on how to get things done in this chamber. This, colleagues, speaks volumes of the individual who will now be at the helm of the Senate administration.

Shaila, I am happy that your reputation, dedication and hard work over the years have truly been recognized.

Last week, some of us made a conscious decision that the outgoing Clerk should be here at least until past midnight. Today, I am promising you, Shaila, that some of us will make every effort to see that you are also here until the late hours of the night or early morning.

Shaila, on behalf of myself and the official opposition, I wish you well in your new role. You will do well.

Thank you.

Hon. Senators: Hear, hear!

[*Translation*]

Hon. Raymonde Saint-Germain: I'm privileged to congratulate Ms. Anwar on her appointment to our institution's highest administrative position, the Clerk of the Senate and Clerk of the Parliaments.

Ms. Anwar richly deserves this appointment. She began her career at the Senate in 2007 as a procedural clerk, and has risen in the ranks ever since. In 2016, she was promoted to Deputy Principal Clerk of the Senate Committees, and, in 2021, she was promoted to Procedural Clerk of the Senate Committees Directorate.

Throughout her career, she has demonstrated her knowledge of rules and procedure, her intimate understanding of this institution and her grasp of both its culture and its operation.

Now that she's in charge around here, in an institution that is working hard to adapt to a contemporary context, she'll be our only clerk. Her depth of knowledge and expertise will serve her well as she continues to advise us on procedural matters and oversee all the administrative demands of our institution.

I also want to point out that her impartiality, which is not the least of her traits, is why she deserves this position. Impartiality plays an extremely important role in securing the trust that we all need to have in our Clerk. It demands an acute awareness of the nuances of our institution. I know that she'll strike the right balance between her impartiality toward the Senate of Canada and its senators, and her acceptable bias for the Ottawa Senators. She has not missed a single playoff game since 2020. When it comes to understanding nuance, I trust her.

[*English*]

All members of the Independent Senators Group, or ISG, join me in sharing the pride of her family — her father, Feroze; her mother, Masuda; and her brother, Tariq — at this more-than-well-earned and well-deserved nomination.

Congratulations, Shaila!

Hon. Scott Tannas: Honourable senators, like a breath of fresh air, we finally and warmly welcome a full-term Clerk of the Senate. For many years, the Senate has had a series of interim holders of this position — until now. While these past individuals have been very capable and have done an excellent job, it is indeed a positive step for senators and the Senate Administration to have permanence with our head administrator.

We in the Canadian Senators Group, or CSG, welcome Shaila Anwar as our seventeenth Clerk. As she has had an interest in parliamentary affairs since a young age, it is not hard to believe she was destined to work in this place. Her arrival here was a hasty affair. When contacted to become a procedural clerk, she was asked to start the next week because the Senate needed someone to clerk an immediate Legal and Constitutional Affairs Committee meeting — a relative baptism by fire in Senate terms. Shaila was up to the task and has moved up the ladder in the Senate Administration, navigating some challenging times.

If you needed to know what was going on or you needed something, you called Shaila. The Senate is a unique work environment, and it is important that we attract great talent. It is equally — maybe more — important that we nurture and foster this talent from within.

Some may say that Shaila has reached the pinnacle of her career as our Clerk, but those who know her like I do firmly believe this is just a stepping stone to her other ambition, which is to manage the other Senators in Ottawa at some point in the future.

Congratulations, Shaila, on behalf of me and my colleagues in the CSG. Good luck.

Hon. Senators: Hear, hear!

Hon. Pierre J. Dalphond: Honourable senators, on behalf of the Progressive Senate Group, it is a pleasure to join the other leaders to congratulate Ms. Shaila Anwar on her appointment as the new Clerk of the Senate and Clerk of the Parliaments.

[*Translation*]

She'll hold a very important office within our new structure — our administration's most important office, in fact.

[*English*]

I don't think it will take us long to adjust to the change at the table, and I am pleased that we will continue to be well served when it comes to seeking advice about the three Ps: procedure, practice and politics.

[*Translation*]

You'll hold the highest office in our administration. Over the years, you've shown considerable skill along with great knowledge and availability.

I remember speaking to you about an administrative matter one Thursday evening, long after 10 p.m., when I thought that I was the last person left in the building. You were still there, near the reading room, and you said, "Senator Dalphond, such-and-such a point wasn't discussed at the Internal Economy Committee recently." I admit that your devotion to your work amazes me.

[*English*]

I can only hope that we don't disappoint you as much as the other Senators have done. Perhaps we could look at adding a penalty box in the chamber. After all, there is a lot of skating down here, too, and often zero games.

In all seriousness, you have established yourself as an expert on all things Senate, and I am delighted that we will continue to benefit from your wisdom in this new important role.

[Translation]

On behalf of the Progressive Senate Group, congratulations once again. We are delighted to continue working with you. Thank you.

• (1420)

[English]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of the family of Ms. Anwar, including her mother, Masuda; her father, Feroze; and her brother, Tariq. They are accompanied by friends, including Heather Lank, Parliamentary Librarian; and Cathy Piccinin, former clerk assistant of the Chamber Operations and Procedure Office.

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

Hon. Senators: Hear, hear!

SENATORS' STATEMENTS

CANADA POST—SERVICES PROVIDED TO RURAL COMMUNITIES

Hon. Pamela Wallin: Honourable senators, in a small town, the post office is a place to catch up on local news or the latest gossip, read the death notices so you can call the family, mail a care package to a grandkid or pick up that much-anticipated Mother's Day card.

It's a gathering place, community billboard and Facebook for those without a smartphone, all rolled into one. But with costs mounting, the prospects for rural communities are troubling as the federal government again considers service cuts and closures.

Canada Post just recorded a \$748-million loss, up from \$548 million last year. In fact, there have been no profits since 2017. Stamp prices, of course, are set to rise again, to 99 cents to send a domestic letter and almost \$3 to send a note overseas.

Canada Post says that mail is down by 50% while the number of addresses is up by 3 million. We all know that the world has changed and such losses are clearly unsustainable, but this is a core service for rural Canadians, who already have poor internet, must travel long distances and can't take another hit.

Already, over 50% of communities have no postal outlet of any kind. I drive 25 kilometres to get my mail. We have seen post offices converted to franchises, or those big boxes on the side of the road, which often have limited access due to weather.

In 1994, Ottawa called a moratorium on rural closures in response to a public outcry after more than 1,700 post offices were shuttered.

Last year, I raised questions about Canada Post once again polling on closing rural post offices, and even trying to redefine "rural" to get around the rules. I expressed similar concerns when our local paper, the *Wadena News*, closed down. Ottawa had pulled most of its advertising dollars from small papers, and, as a result, many communities lost their voice.

So, we need a commitment from government, and these are cabinet decisions. We need modernization, but that need not mean closed doors, lost jobs or no service.

Please do not convert our post offices to apartments to deal with an ill-considered immigration policy, or impose your urban-centric view of the world, or fund the failures of a Crown corporation on the backs of rural Canadians.

Hon. Senators: Hear, hear!

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of 10-year-old Levi Gitlin, who has brought his parents with him today. They are the guests of the Honourable Senator Arnot.

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

Hon. Senators: Hear, hear!

CHILDREN'S HEALTHCARE CANADA

Hon. Rosemary Moodie: Honourable senators, I rise today to acknowledge the delegation from Children's Healthcare Canada and the Pediatric Chairs of Canada, who are on the Hill this week advocating for transformative changes to improve children's health outcomes in Canada.

As the Chair of the All-Party Child Health Caucus, I recognize the urgency of moving beyond Band-Aid solutions to address the crisis in child and youth physical and mental health. It is time that we recognize children's health and well-being as a national priority. Short-term, patchwork solutions implemented jurisdiction by jurisdiction have proven insufficient. We must take decisive and collective action.

Children's Healthcare Canada's new report, *Beyond Band-Aids: Delivering Healthcare Fit for Kids*, outlines a number of actions we can take as a country to measurably and equitably improve health outcomes for all children in Canada.

Simply put, colleagues, maintaining the status quo is not an option. Our historically siloed, patchwork approach to tackling the complex health and social needs of children, youth and families is failing our kids, their health care providers and — quite frankly — the future of our country.

Let us commit to working together to implement comprehensive and sustainable solutions that will truly transform the future for youth, children and their families — and, indeed, our collective future. Thank you.

Hon. Senators: Hear, hear!

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of scientists from the Science Meets Parliament program. They are the guests of the Honourable Senators Galvez, Seidman, Kutcher and Mégie.

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

Hon. Senators: Hear, hear!

[*Translation*]

SCIENCE MEETS PARLIAMENT

Hon. Rosa Galvez: Colleagues, every May, we welcome scientists from across the country to Parliament as part of the Science Meets Parliament program. This program is a joint initiative between the Canadian Science Policy Centre and the Office of the Chief Science Advisor, Dr. Mona Nemer, to strengthen ties between Canada's scientific and political communities, enable two-way dialogue and promote mutual understanding.

[*English*]

On behalf of the four Senate co-champions of the event — Senators Seidman, Kutcher, Mégie and myself — I would like to thank the scientists who have taken the time to travel to Ottawa and meet with policymakers to share their knowledge and experience in the scientific and academic worlds. These exchanges are crucial for the development of more effective policies.

The world is becoming more and more complex and changing rapidly, and the policies that we adopt here at Parliament need to reflect that. Artificial intelligence, for example, is expanding exponentially and poses both a great opportunity for and a challenging risk to society.

[Senator Moodie]

While we have witnessed great advancement in disease prevention and vaccine development, our health care systems are being overstretched. Climate change has completely upended our relationship with the planet and the way we live and work.

These important issues of our time have all been identified, studied and understood by scientists around the world. Scientists, complemented by traditional knowledge for a more holistic approach to Western science, are also the ones who can offer solutions and pathways for a better future.

[*Translation*]

It is our responsibility to ensure that our policy decisions are based on the best available scientific facts and evidence. This requires ongoing training and engagement with experts in various fields. We need to be proactive and seek out opportunities to learn about important issues affecting Canadians, and to keep abreast of the latest developments in science and technology.

In undertaking our parliamentary duties, we need to recognize our political biases and try to take an objective, evidence-based approach.

[*English*]

Senators, I encourage you to seek out knowledge and science constantly, for both your own benefit and that of all Canadians.

Please join us at the Science Meets Parliament reception today from 4:30 p.m. to 7 p.m. — though the time will depend on our vote and debate — at the Shaw Centre. You will have the opportunity to meet some incredible Canadian scientists while learning along the way.

Thank you. *Meegwetch.*

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of students and their teachers from Kerrisdale Elementary School in Vancouver, British Columbia. They are the guests of the Honourable Senator McBean.

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

Hon. Senators: Hear, hear!

[*Translation*]

MOOSE HIDE CAMPAIGN

Hon. Michèle Audette: [*Editor's Note: Senator Audette spoke in Innu-aimun.*]

I thank the wonderful Anishinaabe people for welcoming us again today.

Honourable senators, I rise today to speak to you about a wonderful campaign that you're all aware of, the Moose Hide Campaign, which is why we are proudly wearing this piece of moose hide. Last week, I gave you some statistics on violence against women, girls and Indigenous people. We represent only 5% of the Canadian population, but unfortunately, 24% of us are homicide victims. That is a problem that we are seeing everywhere.

• (1430)

The Moose Hide Campaign was launched in 2011 by the Lacerte family, a father and his daughter who came up with the idea while out hunting moose. This wonderful organization is run by Indigenous men. It is meant for all Canadians, not just us, but everyone. It is a grassroots movement that my son, my husband and many other men are participating in. Women are also invited to be part of this great initiative that everyone should, of course, be involved in. Four million pins were handed out last year as part of the campaign and, from what I understand, five million have been handed out so far this year. Congratulations to the entire Moose Hide Campaign team.

Ceremonies, events and education are all part of the campaign, but the main goal is to prevent violence and promote non-violence. Last week, there was talk about the red dress alert system, which is like an AMBER Alert but for Indigenous women and girls who go missing. It includes other community initiatives to combat the violence they face.

Archbishop Desmond Tutu once said, and I quote:

There comes a point where we need to stop just pulling people out of the river. We need to go upstream and find out why they're falling in.

By understanding the root causes of violence, these people will have a chance to get help and to help create change. That's what I want, and I hope it's what we all want. The budget mentioned the Moose Hide Campaign, but it didn't indicate a funding amount, so I urge you to support it.

We need to go further. Governments have a responsibility, but so do individuals.

I see things changing now. I'm a witness to those changes. A woman holds the title of Speaker of the Senate. A woman also holds the title of Clerk of the Senate. That, to me, is softness and healing.

Tshinashkumitnau

[English]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Ellen Zweibel and Judy Broadbent. They are the guests of the Honourable Senator Omidvar.

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

Hon. Senators: Hear, hear!

THE LATE PETER SHOWLER, C.M.

Hon. Ratna Omidvar: Honourable senators, I rise to honour Peter Showler and his many contributions to our country.

Peter was a professor of law, an activist, a teacher, an author, a scriptwriter, a wannabe film producer, a coach and a mentor. As you can see, he was a true Renaissance man and a real mensch. He was also one of the very few who understood the intricacies, the complexities and the many ins and outs of refugee law.

The centre of his passion was always the application of the law to refugees. He was relentless in his efforts to ensure that it was applied fairly, justly and consistently. In order to do so, he actively sought opportunities to work both inside and outside the system. At various times, he was the chair of the Immigration and Refugee Board of Canada; he taught law at the University of Ottawa; he worked for the United Nations High Commissioner for Refugees, or UNHCR, in training missions in Africa and Mexico; he co-led the Community Legal Services of Ottawa; and he co-founded the Canadian Association of Refugee Lawyers, whose members are often called on to testify at our committees. Somehow, he also found the time to chair PEN Canada's Writers in Peril Committee. Under his leadership, PEN became a trusted partner of the government's human rights defenders program, which succeeded in bringing many Afghan human rights defenders to Canada.

Peter understood the power of storytelling like no other. He had scripts, TV shows and novels — all in the works — dramatizing the refugee experience, because he understood how powerful personal narrative can be, and how it can change hearts and minds.

I met Peter through my colleague Judy Broadbent — some 25 years ago, I think — who was the then-president of Maytree. Peter taught me how to connect the dots — connect the lived experience of refugees — to policy and legislative change. He was my guide and mentor in so many ways. He graciously contributed the final chapter of my book entitled *Flight and Freedom*, in which he said that generosity is its own reward.

It is fair to say that he taught me almost everything I know about refugee law, and any wisdom I bring to this chamber is due to him.

A few years ago, Peter developed cancer. In 2023, Peter was awarded the Order of Canada in a private ceremony by Governor General Mary Simon. He passed soon after by accessing MAID.

I had so wished to honour him while he was still with us, but that became impossible. In a final note to PEN, he said:

I am a lucky guy. . . . I leave with more than my share of human kindness and I am grateful.

Indeed, Peter, it is us who should be grateful. I thank you and your partner, Ellen Zweibel, for sharing your wisdom, passion and incredible sense of humour with us. May you rest in peace.

[*Translation*]

MENTAL HEALTH WEEK

Hon. Tony Loffreda: Honourable senators, I rise today to mark Mental Health Week. This year, the Canadian Mental Health Association is reminding us of the importance of kindness and the healing power of compassion.

[*English*]

We all have the capacity to be compassionate, and we know that doing so can make an enormous difference. Compassion allows us to connect with each other, establish trust, strengthen relationships and cultivate a sense of belonging.

A recent study by the Canadian Mental Health Association, or CMHA, confirms what we already knew about the generous and compassionate nature of Canadians: 76% of Canadians say that when they see someone struggling, they feel compelled to help. However, over half admit feeling overwhelmed by the issues, and are unsure where to begin.

Colleagues, as managers, we must always foster a safe and supportive work culture in our offices and in the entire Senate community. The Senate Occupational Health, Safety and Wellness team encourages us to engage in open communication so that staff feel comfortable expressing their thoughts, concerns and emotions without fear of judgment. In the high-paced, high-intensity environment of working on the Hill, we may sometimes forget to check in with our staff. I encourage all senators and managers to engage with them and to see how they are truly doing. Talking openly about their struggles and anxieties may be difficult and overwhelming. I know we all want our staff to thrive, but they must feel appropriately supported, valued and, perhaps most importantly, heard and understood. It is especially important to support Canada's youth, who are facing high levels of stress and mental health challenges.

That is why I welcome the government's recent announcement of a \$500-million youth mental health fund.

Many young staffers on the Hill chose politics because they are passionate about Canada. Offering them a safe place to work, where mental health and wellness are at the heart of the

[*Senator Omidvar*]

workplace, is fundamental. Long hours and unpredictable sittings make the Senate a unique place to work. We have the best people working in the Senate, but it's important that they have a healthy work-life balance, and can disconnect on weekends and evenings. That responsibility falls upon us.

Honourable senators, to reduce the feelings of stress, anxiety and depression, it is incumbent upon us to make every effort possible to ensure our workplace promotes and protects our employees' mental well-being. Empathy, compassion, and understanding should always be our guiding principles.

Thank you. *Meegwetch.*

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Theresa Pauly and Jessica Wong. They are the guests of the Honourable Senator Deacon (*Ontario*).

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

Hon. Senators: Hear, hear!

[*Translation*]

ROUTINE PROCEEDINGS

NATIONAL STRATEGY RESPECTING ENVIRONMENTAL RACISM AND ENVIRONMENTAL JUSTICE BILL

SEVENTH REPORT OF ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE PRESENTED

Hon. Paul J. Massicotte, Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources, presented the following report:

Tuesday, May 7, 2024

The Standing Senate Committee on Energy, the Environment and Natural Resources has the honour to present its

SEVENTH REPORT

Your committee, to which was referred Bill C-226, An Act respecting the development of a national strategy to assess, prevent and address environmental racism and to

advance environmental justice, has, in obedience to the order of reference of October 26, 2023, examined the said bill and now reports the same without amendment.

Respectfully submitted,

PAUL J. MASSICOTTE

Chair

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

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

• (1440)

[*English*]

TELECOMMUNICATIONS ACT

BILL TO AMEND—EIGHTH REPORT OF TRANSPORT AND COMMUNICATIONS COMMITTEE PRESENTED

Hon. Leo Housakos, Chair of the Standing Senate Committee on Transport and Communications, presented the following report:

Tuesday, May 7, 2024

The Standing Senate Committee on Transport and Communications has the honour to present its

EIGHTH REPORT

Your committee, to which was referred Bill C-288, An Act to amend the Telecommunications Act (transparent and accurate broadband services information), has, in obedience to the order of reference of April 11, 2024, examined the said bill and now reports the same without amendment.

Respectfully submitted,

LEO HOUSAKOS

Chair

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

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

[*Translation*]

FUTURE OF CBC/RADIO-CANADA

NOTICE OF INQUIRY

Hon. Andrew Cardozo: Honourable senators, I give notice that, two days hence:

I will call the attention of the Senate to the future of the CBC/Radio-Canada.

[*English*]

QUESTION PERIOD

GLOBAL AFFAIRS

FOREIGN INTERFERENCE

Hon. Donald Neil Plett (Leader of the Opposition): Leader, last year at about this time the Prime Minister told us a secret study by the National Security and Intelligence Committee of Parliamentarians, or NSICOP, was the best place to investigate what he knew about Beijing's interference in our democracy. He made up a Special Rapporteur to delay calling a public inquiry and used a man's good name as a shield. That farce produced a report that was nothing but a cover-up. Senator Gold, this is not just me saying that. This is *The Globe and Mail* saying this.

Justice Hogue's initial report says the Prime Minister told her removing his candidate in Don Valley North in the 2019 election would have direct electoral consequences, as the Liberal Party expected to win that riding. He knew and didn't act for partisan reasons. Isn't that right, Senator Gold? He's not worth the Canadian democracy, is he?

Hon. Marc Gold (Government Representative in the Senate): The answer to your question is in the negative, senator. Thank you for the questions nonetheless.

Protecting the security of our country from foreign interference ought to be a non-partisan issue. I think the interim report of Justice Hogue has shone a spotlight on some of the issues. Indeed, she has underlined that the extent of foreign interference — though it may not have affected the results of the previous elections — has had a negative impact on the public faith in the integrity of our system. That's something that we all are and should be concerned about.

We look forward to the continuing work that she has undertaken and to the recommendations and further analysis that will appear when she does issue her final report.

Senator Plett: Well, we certainly agree it should be a non-partisan issue. Justice Hogue says there were strong indicators of Beijing's interference against former Conservative MP Kenny Chiu during the 2021 election. She said there was a reasonable possibility it impacted the result in the riding, which was the defeat of Mr. Chiu and the election of a Liberal. Last year, the Prime Minister's made-up rapporteur dismissed all of this.

Who told Canadians the truth, Justice Hogue or the rapporteur?

Senator Gold: Senator, I take exception, as I have in the past, to the way in which you describe an eminent Canadian who did his best to serve this country.

The fact remains that the interim report confirms what we already knew and what your former leader, Mr. O'Toole, to his credit, spoke about at length in Parliament. Again, this report is welcome. We await with interest the final report.

Hon. Leo Housakos: Senator Gold, the fact remains my bill for a foreign agent registry has been on the Order Paper since February 2022. It's the same bill that had been introduced in the previous Parliament by then-MP Kenny Chiu. It's a straightforward bill, a bill that your government has allowed to languish for many years. The only person to speak to it has been Senator Richards. Apparently, it was of no interest to Trudeau-appointed senators, any more than it was of any interest to the Trudeau government.

Now, in an effort to distract from Justice Hogue's findings that your government did nothing to combat foreign interference when it benefited the Liberal Party, all of a sudden you have the urge to move forward with the registry as part of your convoluted bill.

Senator Gold, my bill is straightforward when it comes to a registry. You could have moved it forward. You could have introduced it as a government bill after Mr. Chiu lost his seat as a result of interference from Beijing.

Why did it take so long to put this piece of the puzzle on the table and get it done?

Senator Gold: Thank you for your question and for your ongoing advocacy on this matter.

As I mentioned in this chamber on several occasions in the past, the government was considering seriously the idea of a foreign registry, and it has now come forward with legislation.

The foreign influence transparency registry will be overseen by an independent foreign influence transparency commissioner, who will promote transparency from people who advocate on behalf of a foreign principal, including a foreign state or state-owned business, and provide for accountability from those who would do so in non-transparent ways.

Under this framework, individuals or entities who enter into an arrangement with a foreign principal and undertake activities to influence a government or political process in Canada would be required to publicly register these activities.

This was the product of consultation and input, and reflects the government's considered judgment.

Senator Housakos: Senator Gold, it has been over five years. There was a registry bill in the House of Commons and this institution, the Senate. You have ignored it.

Senator Gold, Justice Hogue revealed that Justin Trudeau testified to her that the reason he didn't do anything about Beijing's meddling in Han Dong's riding is because he didn't want to lose that riding. The Prime Minister said that. He admitted putting his own electoral interests ahead of the interests of Canadians. Senator Gold, why did Justin Trudeau put his political fortunes and his thirst to stay in power above our national security and above the integrity of our elections?

• (1450)

Senator Gold: That is not an accurate characterization of what happened. I admire your ability to read minds and impute intentions. The government has come forward with serious legislation that will strike the right balance between protecting our national security and our constitutional values. It will do so in a way that is constitutional and without a "notwithstanding" clause.

EMPLOYMENT AND SOCIAL DEVELOPMENT

CANADA DISABILITY BENEFIT

Hon. Kim Pate: Senator Gold, persons with disabilities continue to tell us that a Canada disability benefit of only \$200 per month, and only reaching some, is woefully inadequate.

Last week the office of the Minister of Diversity, Inclusion and Persons with Disabilities emphasized that this funding level was necessary in order to deliver the benefit in a "... fiscally responsible way."

At the same time, recent research from Quebec indicates that offshore tax avoidance by Canada's largest companies is increasing. Over 10 years, 59 companies have transferred about \$120 billion in profits to Luxembourg alone, resulting in billions of lost public revenue per year.

What steps is the government taking, one, to ensure that the most affluent actually contribute their fair share; two, to adequately fund the Canada disability benefit; and three, to ensure that fiscal responsibility is not on the backs of those most in need?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. Again, as I've stated on many occasions, I understand and the government understands the disappointment of many of those within the disability community and those who properly support the extension of benefits announced in the budget.

With regard to your question of offshore tax avoidance, tax compliance is extremely important for Canadians. Taxes not only support government services and programs, but aid economic development within Canada through investments in infrastructure and employment. The government has made ongoing financial investments directed at collaboration with domestic and international partners as well as in technological advancements and data sources that have advanced the Canada Revenue Agency, or CRA, in its efforts to make everyone pay the tax that they owe.

The government remains committed to supporting Canadians in a caring and responsible manner.

Senator Pate: Thank you, Senator Gold. Could you please ask the government to provide the concrete steps they will be taking to address both the inadequacy of the Canada disability benefit and the lack of action to address offshore tax avoidance by the richest and most privileged in our country?

Senator Gold: I will certainly raise those questions with the minister. Thank you, senator.

HEALTH

MENTAL HEALTH

Hon. Iris G. Petten: My question is to the Government Representative in the Senate. This week we recognize Mental Health Week in Canada. To quote the Newfoundland and Labrador branch of Inclusion Canada, “. . . Compassion isn’t just about being kind to others, it’s about extending that same kindness to ourselves.”

The theme this year is the “. . . healing power of compassion.” Senator Gold, how is the government helping to raise awareness and decrease stigmas that are still far too common when discussing mental health in Canada?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for underlining the importance of both supporting mental health and awareness about the importance of mental health issues.

As you know, the government has invested significantly in mental health supports for Canadians. As an example, the Mental Health Promotion and Innovation Fund provides national funding to support the delivery of innovative and community-based programs in mental health promotion for infants, children and youth, for young adults and for caregivers of both children and youth. This funding helps to generate new knowledge about which programs and policies work, for whom and in what context. The aim is to address health equity, build protective factors, reduce risk factors at both individual and community levels and, of course, fundamentally address the underlying determinants of health at the population level.

Senator Petten: Senator Gold, in February, CBC put out an article that identified eating disorders as a serious mental illness that upwards of 20,000 people in Newfoundland and Labrador are currently living with. This is according to Darcie Valois, a fourth-year doctoral student in clinical psychology at Memorial University. How is the federal government working with provinces such as mine on this serious, widespread issue?

Senator Gold: Thank you. It is a serious problem that affects the health and welfare of far too many Canadians, and it is a growing number. That’s why Budget 2024 proposes to provide half a billion dollars over five years, starting this year, for the creation of a new youth mental health fund which will help younger Canadians access the mental health care that they need, and this will help community health organizations provide more care and information about that care.

ENVIRONMENT AND CLIMATE CHANGE

CARBON TAX

Hon. David Richards: My question is for the Government Representative.

Senator Gold, my son’s best friend is 32. Over the last number of years, he built up his little empire of three service trucks, selling produce, milk and eggs, cheese and ice cream to independent small grocers along the roads in southern New Brunswick. However, the price of diesel has risen so exponentially that it costs him almost \$3,000 a week to fuel his trucks, and then, because of inflationary measures, the price of produce rose as well so that many of the grocers could not afford what he wanted to sell. The insurance for his drivers and his trucks rose to a prohibitive level.

Over time, he had to lay off one driver, then the second and then sell the trucks. With only one truck, his little produce empire floundered, and with a wife, two children and a new house, he had to declare bankruptcy.

Senator Gold, we are speaking about compassion here. How does our government, which flies off to Scotland and Dubai to meet with princes and presidents, who themselves fly about our world, who groom each other with theoretical solutions in splendid meetings, a government hierarchy who in many respects has never known what it was like to struggle with this kind of livelihood —

Hon. Marc Gold (Government Representative in the Senate): First of all, Senator Richards, I’m very sorry to hear about the struggle and the bankruptcy to which you refer. Canadians are still struggling with both the businesses that they are running and with the cost of living. This government has and will continue to provide support for Canadians. It will continue to do its best to manage the economy in a responsible way. Though it is true that inflation has come down, that employment is up, that Canada is doing as well or better than its G7 counterparts, that doesn’t change the fact that individual Canadians face challenges, and the government will continue to do what it can to assist them in all respects.

Senator Richards: As a follow-up, this man and his family took their first plane trip last year, with my son and his family, to see a baseball game. These are the Canadians we are sworn to protect. How can we say we do so when so many new taxes and burdens have betrayed them to such an extent?

Senator Gold: It is the position of this government, senator, that the measures the government has taken — whether it's to increase the contribution rate on capital gains or whether it is to provide for continued investments as our economy responds to worldwide trends, capital trends, technological trends — are, in fact, the responsible things to do for your son's family and his generation and generations to come.

CANADIAN HERITAGE

RCMP HERITAGE CENTRE

Hon. Marty Klyne: Senator Gold, I was pleased to see Budget 2024 include an investment of \$3.2 million over the next two years for the RCMP Heritage Centre. This investment will be managed through the Regional Development Agency, or RDA, PrairiesCan, and is a welcome and positive step towards learning the history of our national police force, advancing related aspects of reconciliation and supporting Prairie economic development.

However, while this will help the RCMP Heritage Centre's operating expenditures over the next two years, it does not significantly move it closer to becoming a Canadian national museum, a process started in 2019 through a mandate letter commitment for the Minister of Canadian Heritage.

I remind this chamber this was a 2015 campaign promise of both the Conservative and Liberal parties.

• (1500)

Can you tell us what next steps we can look forward to — perhaps in the Fall Economic Statement — relating to the Government of Canada delivering on its commitment and officially establishing a national RCMP museum?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, and for underlining the importance — to all of us and to Canadians — of understanding our history and the role that the RCMP has played, and continues to play, in the daily life of our country.

You will understand, of course, that I'm not in a position to speculate as to what may be in the Fall Economic Statement or any other measures that have not yet been tabled or made public, but I will certainly take your legitimate concerns and preoccupations to the attention of the minister at the first opportunity.

Senator Klyne: Once established as a national museum, an annual investment of \$7 million would provide part of the funds that the RCMP Heritage Centre needs to operate. Given its size and scope, this is a fraction of many of the other national museums. As a national museum, the RCMP Heritage Centre

would continue to tell the stories of duty, bravery and service, and also the complex and difficult stories regarding injustices to Indigenous peoples and other challenging aspects of our history.

Does the government agree that sharing this history from diverse perspectives, and from a place of dialogue, reflection and reconciliation, is an investment in our federation's identity and future?

Senator Gold: I have no doubt in my answering to you, Senator Klyne, that the government totally agrees with the importance of sharing our history and the values that are embedded in our institutions for the benefit of Canadians, both current and future generations, as well as all who come to this country in the hope of a better life.

PUBLIC SAFETY

HUMANITARIAN AID

Hon. Salma Atallahjan: My question is for the Leader of the Government. Senator Gold, Bill C-41 — which amended the Criminal Code to allow humanitarian aid agencies to provide life-saving food, shelter and health care in any geographic area controlled by terrorist groups — received Royal Assent on June 20, 2023. This provided many with hope that Afghans may finally receive Canadian humanitarian aid.

I raised many concerns in my speech — as the critic in the Senate — about Bill C-41's implementation, and shared these concerns with the minister when he appeared before the Human Rights Committee. Recently, humanitarian organizations have reported exceptionally long delays and bureaucratic hurdles.

Senator Gold, our allies — the United States, Australia, the European Union and the United Kingdom — created carve-outs to their own terrorism laws by February 2022. In the meantime, we recently learned that Canada's blanket exemption to terrorism financing laws for humanitarian workers isn't enough. When will this permit process for development workers be in place?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your continued advocacy, senator. It's an important issue.

The government took the step that it did in the legislation to which you referred in order to clear the way for aid to be provided by responsible international actors, even though they work in challenging circumstances. I'm not in a position to comment on the details of the procurement process, but I will certainly bring this concern to the attention of the minister.

Senator Atallahjan: Senator Gold, the current blanket exemption only covers humanitarian aid, and not development work. As your government lacks clear definitions of "development work," aid organizations are left to themselves to determine if they can pursue their work without risk of prosecution.

Leader, why isn't your government using long-standing definitions of "development work" issued by Global Affairs Canada or the United Nations to expedite the process?

Senator Gold: Thank you for the question. I don't want to speculate on the reasons, because I don't have a detailed grasp of them, except to say that the focus has been, to my understanding, on the humanitarian crisis which, unfortunately, is befalling too many people in those areas. That may be the beginning of a partial answer. Thank you.

[Translation]

CANADIAN HERITAGE

OFFICIAL LANGUAGES

Hon. Claude Carignan: Leader, an article in today's *La Presse* is alleging that a Liberal MP intimidated and insulted witnesses who appeared before the Standing Committee on Official Languages.

The topic was funding for anglophone post-secondary institutions in Quebec and francophone ones in Canada. The Liberal MP insulted two witnesses who were advocating for the protection of French in Quebec. He accused them of making extremist statements and called them names so vile they don't bear repeating here.

Isn't the government embarrassed that one of its members made such comments and behaved in such a shameful way? When is the government going to censure this MP?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. Every witness who appears before a committee of the Senate or the other place deserves to be treated with respect. I'm not aware of all the details you shared, but I do want to emphasize the importance of showing appropriate respect to the people who appear before our committees.

Senator Carignan: Will your government apologize for the MP's blatantly inappropriate remarks?

Senator Gold: I'm not in a position to answer that question, but I will reiterate that it's unacceptable to treat anyone appearing before a parliamentary committee disrespectfully.

[English]

EMPLOYMENT AND SOCIAL DEVELOPMENT

FUNDING FOR ACADEMIC INSTITUTIONS

Hon. Paula Simons: My question is for the Government Representative.

Last year, the University of Alberta received more than \$215 million in federal research dollars, representing nearly 1,800 individual funding agreements, and 87% of that funding came from research grants that were subject to independent

expert peer review. However, Alberta Premier Danielle Smith has recently tabled Bill 18, which would require all Alberta post-secondary institutions to obtain prior agreement from the province before entering into, renewing or extending any federal research agreements to ensure that any federally funded research conforms with Alberta's priorities, be they political or ideological.

Can you please tell me what steps the federal government could — or may — take to defend the independence of Canada's national peer-reviewed academic funding programs?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. Indeed, the legislation to which you referred is deeply preoccupying and troubling. As a former academic — and one who benefited from research funding — we all know the importance of the integrity of funding agencies and, of course, the freedom of the academic community to pursue research that they see fit.

The government has confidence, though, in its funding agencies. Both the Social Sciences and Humanities Research Council, or SSHRC, and the Natural Sciences and Engineering Research Council of Canada, or NSERC, have been very clear:

Independent external merit review at the federal research funding agencies adheres to internationally recognized best practices as the fairest, transparent, and most effective way to allocate public funds to research.

And they will continue to act in that same and proper spirit.

JUSTICE

CONDITIONAL SENTENCES

Hon. Yonah Martin (Deputy Leader of the Opposition): Leader, last month in Victoria, B.C., an individual was arrested and charged with attempting to steal an occupied vehicle. He was released later that day. The next day, he was arrested for stealing a woman's car, crashing into two other cars and then attempting to steal another vehicle. He was released the next day. Later that night, for the third day in a row, he was arrested for breaking and entering and trying to steal another car. In a press release, the Victoria Police Department said that this person was released because of Bill C-75.

Leader, does the Trudeau government understand its catch-and-release Bill C-75 has made Canada less safe?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. The Criminal Code is a federal statute. The administration of justice is a provincial responsibility. Decisions that the courts make on bail or conditional release are within the administration of justice and the independence of the courts.

• (1510)

The position of this government is that its measures are, in fact, appropriate and Charter-compliant to ensure that we strike the right balance between preserving and protecting the safety of Canadians — which is the primary responsibility of any government — and also respecting the constitutionally protected rights of those who are charged with or arrested for alleged criminal offences.

Senator Martin: The Prime Minister himself has admitted to the failure of Bill C-75 because at a summit he convened on February 8, the Prime Minister said his government is looking at strengthening penalties for anyone who participates in auto theft. Three months later, no action has been taken.

Leader, when will the Trudeau government finally put an end to house arrests for repeat car thieves and ensure they get jail and not bail?

Senator Plett: It's a good question.

Senator Gold: This government will continue to focus on evidence-based, research-based solutions to the issue of crime. It will continue to take the lessons from other jurisdictions, including our own, of failed measures — however attractive they are in slogans — that do not do anything to protect Canadians, that do not do anything to make our streets safe. The government is committed to doing the right thing — the Charter-compliant thing — to keep Canadians safe.

GLOBAL AFFAIRS

FOREIGN INTERFERENCE

Hon. Donald Neil Plett (Leader of the Opposition): Leader, this time last year, I raised with you the Trudeau government's failure to tell Conservative M.P. Michael Chong that he and his family had been targeted by the Communist regime in Beijing. I asked you if any other parliamentarians had also been targeted. As usual, no answer.

Last week, we learned that 18 parliamentarians, including one of our own colleagues in this chamber, had their email accounts targeted by hackers tied to the People's Republic of China, or PRC. This happened in 2021. We also learned the FBI warned the Trudeau government about this in 2022.

Leader, why did your government fail for two years — for two years — to tell parliamentarians they had been targeted?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. These questions and many others have been raised and are being addressed by Justice Hogue in her inquiry and will continue to be the subject of analysis and discussion. We look forward to her report.

Senator Plett: Justice Hogue is neither the Prime Minister nor the Leader of the Government in the Senate. Why don't you answer questions?

The Trudeau government is not worth the cost to our democracy. It's their job, leader, to inform parliamentarians they were targeted. They failed to do so. Leader, can you guarantee all honourable senators that their emails are not being accessed by a foreign power or is that also up to Justice Hogue?

Senator Gold: Well, I appreciate the confidence you have in my powers to be, both at the same time, the government representative leader and a member of the communications security organization, the Canadian Security Intelligence Service known as CSIS, and the government. Unfortunately, my roles are more limited.

Foreign interference is a serious matter. It's being addressed seriously by this government. We are continuing to learn from the inquiry and, happily so, of measures that we need to take to do an even better job.

HEALTH

DECRIMINALIZATION OF DRUGS

Hon. Yonah Martin (Deputy Leader of the Opposition): Leader, it's now been 11 days since the Government of British Columbia asked the Trudeau government for urgent help to stop the illegal use of hard drugs in public spaces such as hospitals, parks and transit. Minister Saks claimed last Wednesday that she was waiting for more information from the B.C. government before granting an exemption to the Trudeau government's radical drug decriminalization program. However, B.C.'s Ministry of Mental Health and Addictions told the media it had received the request and responded with additional data that very same day.

Leader, what is taking so long? When will you act?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question because the government has acted. The federal government, I've just been advised, has approved B.C.'s request to recriminalize use of illicit drugs in public places. It took the time necessary to evaluate it, to discuss it internally. It has now taken action.

Adults will still be allowed to carry small amounts of illicit drugs and use them in private, but they could be arrested for using them in public. That's the answer to your question.

Senator Martin: Thank you for that response, but I still believe that it took far too long and that this drug policy has wreaked havoc in B.C. I hope your government will carefully consider what has happened in B.C. and look at what should not happen in other jurisdictions like Toronto.

Senator Gold: This government is one that, in fact, learns from experience. In that regard, the Prime Minister announced, some days ago, it will continue to work with the appropriate jurisdictions — meaning the provinces and territories — and consider whatever requests they may make vis-à-vis adjustments to these particular laws.

AGRICULTURE AND FORESTRY

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Leave having been given to proceed to Motions, Order No. 192:

Hon. Robert Black, pursuant to notice of May 2, 2024, moved:

That the Standing Senate Committee on Agriculture and Forestry be authorized to meet on Tuesday, May 7, 2024, at 6:30 p.m., even though the Senate may then be sitting and that rule 12-18(1) be suspended in relation thereto.

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

Hon. Senators: Agreed.

(Motion agreed to.)

TRANSPORT AND COMMUNICATIONS

BUDGET AND AUTHORIZATION TO ENGAGE SERVICES AND TRAVEL—STUDY ON THE IMPACTS OF CLIMATE CHANGE ON CRITICAL INFRASTRUCTURE IN THE TRANSPORTATION AND COMMUNICATIONS SECTORS—SEVENTH REPORT OF COMMITTEE ADOPTED

Leave having been given to proceed to Other Business, Reports of Committees, Other, Order No. 65:

The Senate proceeded to consideration of the seventh report of the Standing Senate Committee on Transport and Communications (*Budget—study of the impacts of climate change on critical infrastructure in the transportation and communications sectors —power to travel*), presented in the Senate on April 11, 2024.

Hon. Leo Housakos moved the adoption of the report.

He said: Thank you, honourable senators. This is more basic business. Our committee has applied for two trips to be taken, in essence, to visit the Port of Hamilton and the Port of Montreal. The trips are scheduled for June 14 in Montreal and May 31 at the Port of Hamilton. The committee has gone through the process of due diligence with the Internal Economy Committee in order to get approval for our budget. I just want to get approval and table the report. Thank you.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, pursuant to rule 4-13(3), I would like to inform the Senate that as we proceed with Government Business, the Senate will address the items in the following order: Motion No. 169, followed by Motion No. 165, followed by all remaining items in the order that they appear on the Order Paper.

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

TIME ALLOCATION—MOTION ADOPTED

Hon. Marc Gold (Government Representative in the Senate), pursuant to notice of May 2, 2024, moved:

That, pursuant to rule 7-2, not more than a further six hours of debate be allocated for the consideration of motion No. 165 under Government Business.

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, we really are in a hurry to get this through, aren't we? He doesn't even have anything to say on his own motion. Ramming through time allocation and he has no comments to make on his own motion on time allocation. That is what this Senate has become. This is no longer a democratic institution. This is an institution being run by —

Senator Batters: Unbelievable.

Senator Plett: — a handful of people who just say, “We are now here. We have now arrived, so everybody step aside, we're going to now run this institution our way.”

• (1520)

We are here again, colleagues. Senator Gold is once again reaching for the tool that Senator Furey gave him just before he left; the ability to use the power of the government majority to shut down democratic debate. This is the third time that Senator Gold's impatience has led to the use of the hammer to close debate.

Colleagues, you will note that Senator Harder faced the same opposition and he did not use time allocation one single time through his entire time as the government leader. The fact of the matter is I was either the opposition leader or the opposition whip during that entire time, so our side was the same people. We managed to get through every piece of controversial legislation, including the “no pipelines” bill we got through without time allocation. I guess some people have better negotiating skills than others. I'm not sure.

Senator Gold has said he could not reach a consensus with the opposition because that is what he has to say, which again is entirely false. Senator Gold, I said, “We have four very legitimate amendments to make.” No filibustering, colleagues, none.

The amendments were going to be that this would be for this parliamentary session. The amendment was going to be to continue with our evening suspension from 6:00 to 8:00. One amendment was going to be the amendment that Senator Quinn already offered. We had a fourth amendment — I should have written it down — but it was an amendment that was legitimate, it was short. There was no filibustering going on, none. Let’s do this; let’s debate these amendments and put them through, vote on them, have them either passed or defeated.

Section 7 of the Rules talks about time allocation. Let me, once again, put on the record synonyms that were used over the years, colleagues, by our Liberal colleagues who were then in opposition. By Liberal colleagues who actually believed in the democracy, who didn’t think that 48 independents should run the place. They believed that this institution should be run in a democratic fashion.

I think it might help for the Trudeau-appointed senators who were not here at the time to understand what time allocation really is. What Senator Gold and the Trudeau government want to do has been described as an effort to — let me read these to you — do time allocation; do time limitation, invoke closure, curtail debate, limit debate to the maximum degree possible, cut off debate, shut down debate in Parliament, ram Motion No. 165 through and cut off debate, run shortcuts around due process, avoid careful scrutiny, silence our voices on the most critical issues facing Canadians and slam through its agenda without listening either to Parliament or to Canadians.

What Senator Gold is doing has been called by me and others: undemocratic; a guillotine imposed by the government on this chamber; using power to secure power; the muzzling of Parliament; the muzzling of Parliament and, through that, of the Canadian people; the abuse of Parliament and denying Parliament its right — our duty — to seriously examine what is proposed.

With Senator Gold’s motion, Parliament is being emasculated, and our examination on an important government motion has been radically truncated. This is what Liberal senators said about time allocation 10 to 12 years ago. Some of those senators are sitting in this chamber right now. This is what either you or your colleagues said at that time. Let me not point anybody out. Let me just look at them and whistle.

Let me quote a former Leader of the Opposition — Senator Jim Cowan — about the words “time allocation.”

They are words used to stop debate, to kill it outright, to prevent each one of us from asking questions about the very important and complicated bill before us, to stop us from looking too closely at this government’s plans for our country.

To look closely is, of course, our job. It is what Canadians expect us to do, what we are paid to do, what we were summoned here to do. . . .

— The words of Jim Cowan.

Senator Gold is shutting down debate after two senators, colleagues — two senators — from the opposition have spoken. That has got to be some kind of a record in our Parliament. Two senators have spoken, and he says that is a fulsome and wholesome debate and let’s shut it down.

Senator Housakos: Too much democracy.

Senator Plett: Senator Gold is shutting down debate before the opposition could table one, single, solitary amendment. Nothing. “I don’t want to hear from you guys. Go away. I’m running this place now.”

If having two speakers and no amendment are considered by this Trudeau government a filibuster, colleagues, we will have a lot of those before the next election. If Justin Trudeau and Marc Gold want to shut down debate with time allocation after two speakers, they will have to do it on a very regular basis. Let me put this chamber on notice right now. This is what this non-partisan Senate has become: non-partisan. This is the most partisan this chamber has been since I was appointed in 2009.

Senator Batters: Not even close.

Senator Plett: By far and out the most partisan Senate since 2009 because under previous Conservative and Liberal governments, the use of time allocation was a reaction to a filibuster by the opposition.

Let me again quote my friend Jim Cowan. I miss Jim Cowan. I hope Jim Cowan is watching.

. . . I readily acknowledge that there may be circumstances in which proceeding in this way is justified, for instance when a deliberate filibuster drags on and on

No argument. I will continue to quote former Liberal senators. Maybe their words will enlighten senators also appointed by a Liberal Prime Minister. This is what Senator Joan Fraser said:

There are occasions when time allocation, drastic as it may be, may be necessary. It may be necessary on a major piece of legislation

— that’s what this motion is —

— when the opposition is being obstructionist for pure obstructionist’s sake.

The other reason usually invoked for imposing the guillotine on debate is the urgency of passing a bill. I am sure we all agree that debate should be limited when time is of the essence, and we get that time after time. As a matter of fact, with Senator Gold, they come to us and say, “This is time-limited, and time is of the essence,” two months before we receive a bill from the other place. Everything is a hurry to Senator Gold.

• (1530)

If a legislature is called on to pass a bill to stop a strike in a hospital where patients are in danger, it is easy to understand that it is fair to put parameters on the duration of the debate. But Senator Gold's use of the guillotine is not to counter a filibuster. Colleagues, there is no filibuster.

Senator Gold's use of closure is not because the matter at hand is urgent. Changing the *Rules of the Senate* to give more time to some senators to speak is by no means urgent.

Senator Gold has talked about how long this has dragged on. This place has been functioning, but now, all of a sudden, overnight, there is a panic because we are going on a break week, and if we don't have this in place — if Senator Saint-Germain does not have the right to unlimited speaking time — before we come back on May 21, this place is going to fall apart. If we continue to have dinner breaks from 6 p.m. to 8 p.m. when we come back on May 21, what a horrible thing that would be for us. Let's get this rammed through so that when we come back, we can get out of here at seven o'clock in the evening.

Pay attention — because I will pay attention — to how many senators are here in this chamber when we start having our breaks at seven o'clock instead of six o'clock in the evening, because that is the ultimate reason why we're doing this: Senators can go home early. They don't want to be here. They were not appointed to be here. That's why they want hybrid sittings — because they don't want to be here. They want to be in their living rooms. Pay attention. Do the math. I'm going to do it.

This is not an abuse of power on our part; this abuse of power on Senator Gold's part serves two purposes.

First, it answers the calls of all those senators who openly say that they are fed up with the opposition in the Senate — there it is. Only in Justin Trudeau's Canada could you have parliamentarians openly calling for the elimination of dissenting voices in Parliament. This is simply outrageous. I know a lot of you are tired of hearing from us, and especially tired of me having my unlimited time, but giving it to somebody else isn't going to prevent me from having mine. Trust me, Senator Lankin; I'm sure you're going to come up with another motion in the next little while to prevent that from happening.

Conservatives rail against the government; that's a bad thing. Justin Trudeau's fans are a small minority in Canada, but he can count on a large majority in this chamber.

I am sorry if listening to the opinion of 80% of Canadians who don't like Justin Trudeau is difficult for you, but we will continue. I invite you to reflect carefully on what democratic debate is. Time allocation was not in place so that the majority of senators could use it because they don't like what they are hearing. The use of this mechanism by Senator Gold on Motion No. 165 is a perversion of the notion of time allocation.

I spoke in my speech last week about the fact that time is important for the opposition. Time allows the opposition to alert public opinion about an issue. Shutting down debate early allows the government to do its dirty deeds before anyone notices.

I submit to you, colleagues, that this use of time allocation on Motion No. 165 is to shut down debate early. It is no coincidence that Senator Gold moved his motion after *The Globe and Mail* had a story on the Liberals preparing the Senate for the election of Pierre Poilievre. The Office of the Prime Minister realized that people were starting to pay attention to the Liberal plans, so they ordered Senator Gold to quickly sweep this under the rug.

It's either that or it's a private member's bill — one or the other. Take your pick. That is why the use of time allocation by the government is so outrageous and should be opposed, colleagues, by each one of you. Even if you dislike the Conservatives, this isn't about the Conservatives. This is about you having the right to speak, just like us.

Whether you agree with Motion No. 165 or not, you should support the right of all senators to be heard. You should accept that amendments are presented, but this motion removes that. It silences all those voices before they are heard.

Since 2016, we have heard — over and over — how the Trudeau senators are independent. They vote 96% of the time with the government, but they are independent. They sponsor government legislation, but they are independent.

Colleagues, you're going to have an opportunity again tonight to show your independence. Choose wisely. Thank you.

Hon. Denise Batters: Honourable senators, I rise today to speak against the Trudeau government's invocation of time allocation on Motion No. 165 — an omnibus motion to overhaul the Senate Rules for the purpose of destroying the Conservative opposition.

To begin, I am stunned that Senator Gold — the Senate government leader — did not even give a speech, after which we could have asked him questions. It is just shocking that he did that.

It's unfortunate that we once again find ourselves here, colleagues. Three years ago, when I spoke on the Bill S-4 changes to the Parliament of Canada Act, I predicted that Trudeau independent senators weren't just pursuing changing their titles and increasing their leadership salaries, but also that the government would continue its long quest to destroy the opposition.

Senate Government Leader Gold initially tried to convince us that the highest levels of the Trudeau government had nothing to do with the creation and planning of this motion. But in response to me during Senate Question Period last week, Senator Gold admitted that his office sought and obtained the mandate from the Trudeau government for this draconian motion. He told me this one hour before he gave notice of this time allocation motion.

Clearly, the government was aware of this closure motion, and gave its blessing for the Senate government leader to guillotine debate on guillotining the Senate opposition.

Bringing in time allocation at this point — after only a minimal amount of debate on this very wide-ranging motion — shows just how fearful the Trudeau government is of a level playing field. They're scared they're going to lose the next election, and they can't pass the Senate rule changes to obtain what they want, so they've decided to just ram it through as a motion. At least when the government brings time allocation on a bill, senators have multiple stages at which they can speak — at second reading, at committee, at the report stage and at third reading. But Motion No. 165 has only one stage: the main motion and any amendments. The government is dropping the guillotine before we've even fully finished discussing the first amendment. Invoking time allocation now will mean that senators cannot propose any further amendments on this huge set of rule changes.

A few days ago, when speaking on this motion, Senator Saint-Germain said:

There have never been more amendments to government bills than during this new Senate. Isn't that proof that the independent senators from all three independent groups are making the government accountable and improving legislation for the benefit of Canadians?

We often hear Trudeau-appointed independent senators expound that the new independent Senate's effectiveness can be measured by the number of amendments that the Senate passes on legislation. However, this is a myth. Most amendments brought by Trudeau independent senators originate with the Trudeau government. Because there is no government caucus, they pass them on to the Senate via the independent senator who is sponsoring the legislation. Many of these amendments are brought late into the legislative process — usually at the clause-by-clause stage of a Senate committee study. In fact, many of these amendments are to correct technical errors in the legislation that could have been avoided with careful drafting and close scrutiny in the first place.

By Senator Saint-Germain's logic, the fact that the government is now cutting off debate without allowing further amendments shows that the Trudeau government is dodging accountability, and trying to prevent senators from making our Senate Rules stronger.

• (1540)

We have only had nine and a half hours of debate on this motion so far, with only 11 out of 96 senators speaking — and of those, only 2 were Conservative opposition senators. The Trudeau-appointed Senator Quinn brought a very reasoned amendment to limit response times for written and delayed answers. He did not raise this amendment to waste time, and we have barely had time to debate it.

In imposing time allocation, the government is preventing any further amendments, even to correct errors in the text of Motion No. 165 — and there are many errors in this omnibus motion. Take, for example, the motion's proposal to make all Senate group leaders ex officio members of committees. If we add

the leaders of all five groups to the existing membership of committees, members on all sides will be frustrated by having even less time to question witnesses. The Standing Senate Committee on Rules, Procedures and the Rights of Parliament has been studying committee efficiency for months. This proposed change will further dilute the power of opposition senators at every single committee.

The vast majority of time at committees would be taken up by even more senators appointed by Justin Trudeau, something the Trudeau government may like but which is certainly not in the best interests of democracy.

Second, the redefinition of the role of the Government Representative in the Senate to mean that any successor to Senator Gold must be completely unaffiliated is problematic. It will automatically prevent anyone who has even volunteered on a political campaign, made a political donation or put a campaign lawn sign on their property from being the "Government Representative" in the Senate. You can't have a political affiliation — a right afforded to all Canadians — and be the Government Representative in the Senate of Canada, a political institution? It's bizarre.

Furthermore, that restriction is placed on the Government Representative in the Senate but not the Legislative Deputy to the Government Representative in the Senate. Why is that?

But the most egregious of the errors remaining in this motion concern the government changing the rules governing time allocation. Under these proposed rules, the opposition may only get 20 minutes to debate out of the two and a half hours allowed for debate on time allocation. This is actually a decrease in the time we have under the current rules. It is highly objectionable that the government is rolling back the opposition's ability to oppose the termination of debate in this place. This is a sad day for democracy, colleagues.

There have been a number of misrepresentations made during the debate on this motion, and it's important to correct them before we vote on such a massive overhaul of the Senate Rules. Senator Saint-Germain calls our current rules a ". . . tyranny of the minority . . ." saying, "We deny privileges to the majority of senators and groups to the profit of a few. . ."

What she said is ironic, given that a major reason the Senate exists is to protect the rights of minorities. One crucial way we do that is through comprehensive legislative debate in the chamber — the very thing this government is trying to stop by invoking time allocation.

In fact, the existing Senate Rules are structured to protect the rights and views of the minority. Procedurally, the entire Senate can be ground to a halt by the denial of consent by one non-affiliated, independent senator; that is actually a feature of our Senate system, not a bug. It ensures that all senators are equal and that, for the benefit of minority populations in Canada at large, the majority cannot steamroll over the views of the minority.

It is telling that the Trudeau government did not once mention the rights of non-affiliated senators in eight pages of proposed rule changes. Giving more groups special standing when they don't have a parliamentary role to fulfill diminishes the rights of non-affiliated senators. Again, this is contrary to the intended role of senators, which is to be independent by virtue of tenure and equal within the Senate Chamber.

Another misrepresentation I've heard a few times during the debate on this motion is that unanimity is not consensus. Senators, let's get real: We all know what "consensus" means, and it is how the Senate has rightfully and traditionally operated. The opposition has existed as a fundamental entity with a defined parliamentary purpose in the Canadian Senate since 1867. You can try to pretend consensus doesn't have to include the agreement of the opposition, but that doesn't make it true. In fact, by invoking time allocation on this motion and not allowing debate of any further amendments, the government is unilaterally changing the Senate rules to satisfy the raw political ambitions of one man — Justin Trudeau.

Senator Saint-Germain, the leader of the largest "independent" senators' group, will receive unlimited time to speak on legislation under these new rule changes, but she won't use that time to "filibuster" like the Conservatives. She'll only use her unlimited time to "have enough time . . . to try and improve and amend—" a bill "— when it is undemocratic," which is, in fact, filibustering.

It's obvious that the Trudeau government has failed to think through the consequences of the broad-ranging changes they are making to the Senate Rules. This motion will create major problems in practice. For example, the sheer number of people who need to agree on routine procedural tasks will be unworkable. Under these rule changes, five groups will have to come to an agreement on such matters as the timing of bells on votes and holding meetings on days when the Senate is adjourned. You may think things are bad now, but that would be chaos. And what will the result be if there is failure to come to an agreement? More one-hour bells.

Some proposed rule changes in this motion cap the number of groups at five. This means if an additional group of senators wants to assemble into a sixth group, they would be the only group without the rights afforded to the other five — a group without power. I suspect there are several senators who might be uneasy with that outcome.

Colleagues, I ask you to really think about the consequences of what the government is doing in this motion and the effect it will have on our day-to-day operations as well as our long-term future in the Senate of Canada. If you consider yourself independent, you have an opportunity to prove it — right here, right now. You don't have to vote to cut off debate on this motion. The issues at stake are the reasons the Senate exists: Representation of minority views, democracy and careful review and scrutiny. They matter. So does your vote.

I hope you'll join me in voting "no" to time allocation. Thank you.

[Translation]

Hon. Claude Carignan: There are a few things that are particularly objectionable about the government leader's decision to resort to time allocation and to personally proceed with this notice pertaining to changes to the Rules.

I would remind senators that the *Rules of the Senate* have always been amended by consensus, by decision or by committee report, specifically reports of the Standing Committee on Rules, Procedures and the Rights of Parliament. I say "specifically" because there have been times when the chamber has tasked the Speaker with reviewing the Rules during parliamentary recesses. The Speaker came back with proposed amendments to the Rules, which he submitted to the chamber. The Speaker's report was submitted to the Rules Committee and passed by the Senate.

That is why, traditionally, this has been included in rule 12-7(2), which states, and I quote:

the Standing Committee on Rules, Procedures and the Rights of Parliament, which shall be authorized:

- (a) to propose from time to time, on its own initiative, amendments to the Rules for the consideration of the Senate,
- (b) to examine any question of privilege referred to it by the Senate, and
- (c) to consider the orders and practices of the Senate and the privileges of Parliament;

It is no coincidence that it is either the Senate or the Standing Committee on Rules, Procedures and the Rights of Parliament that is responsible for doing so. This involves the independence of the chamber, after all.

Clearly, when we are talking about a chamber that must be independent of the government, of the executive, of the House of Commons, it must be able to set its own rules governing how bills are studied. The government cannot interfere in the Senate's operations and, obviously, it cannot start adjusting the rules as it sees fit so that the chamber panders to the government or so that the government interferes with the Senate's independence.

It is the first part that bothers me, the fact that the Leader of the Government is the one proposing this amendment to the Senate Rules. Imagine if this were a hockey game between the Maple Leafs and the Canadiens, and the coach of the Canadiens was choosing the rules for the game. I have a feeling that people might see something wrong with that. That is what is happening right now.

Second, there is the issue of time allocation. I was reading the sections of *Senate Procedure in Practice* dealing with time allocation. In the introduction of the section on curtailing debate and expediting decisions, it states the following on page 106:

In other cases, debate can extend over a number of sittings. This does not mean that debate on such items will go on as long as any senator is ready to seek to adjourn the debate.

• (1550)

That is the philosophy behind and the very foundation of the use of time allocation. Debate has extended over several sittings, not just one, as stated in Senator Gold's motion.

The fact that after only one sitting, the government leader can give notice of time allocation is an interesting precedent. It is consistent with the letter, but not the spirit of the Rules nor the way the Senate operates.

There's another peculiarity. As we saw, the leader had to be persuaded to admit that he represents the government. That is just as peculiar. Obviously, we have to determine what is government business and what is not. The Leader of the Government has a great deal of discretion in determining whether something is government business, but once he has made up his mind, he can't say that he doesn't represent the government. He's clearly acting as Leader of the Government.

It's also peculiar because this reluctance stems from the fact that only the Leader of the Government can move a time allocation motion for government business. When the Leader of the Government tells us that changing the *Rules of the Senate* is government business, it flies in the face of the whole ideology and the arguments made by this government to the effect that the Senate should be independent. Once again, we can see as plain as the day the government saying one thing and doing another.

This is so true that, in rulings made regarding time allocation on government business, once again in *Senate Procedure in Practice*, this notion is addressed on page 107. It says, and I quote:

Time allocation establishes a limit on the time that can be spent to debate an item of Government Business. It is primarily used to allot time for the study of government bills, although it can also be applied to motions and other items of Government Business. Only the government can propose time allocation and only for its own business.

Footnote 193 includes a Speaker's ruling that reads as follows:

... "[t]o allow a process that could result in the application of the Government's time allocation powers to non-Government Business is not in keeping with the current Rules and practices."

The thing is, what constitutes government business and what doesn't? In their decisions, Speakers have concluded that, if a government says something is government business and presents it as such, then it's government business. Even though this is all technically in keeping with the Rules, the leader's hesitation and the fact that we are discussing the *Rules of the Senate* are actually completely contrary to the philosophy of the Rules and past practices. I think this sets a dangerous precedent.

I don't know how many of the people here now will still be here six or seven years from now, when we can have another conversation about this precedent and a future government leader may decide to use it, but it would be good to make a note of this

in our archives. I can guarantee that, if I'm still alive, I'll be here and I'll bring this up to those who vote in favour of this time allocation motion.

Thank you.

[*English*]

Hon. Rose-May Poirier: Honourable senators, I rise today to speak on the time allocation motion moved by Senator Gold to close debate on Motion No. 165. As I reflected last weekend after the multiple interventions on Motion No. 165, I was left with an uneasy feeling. Ever since I've been in politics, moments have happened when I've had to hit pause, sit back and thoroughly think, "What are we doing here?" and to weigh the consequences of choices but also the unintended consequences that could unfold. A few questions come to mind.

What could be the unintended consequence of not only the motion but the process used by the government? What kind of precedent are we setting? Are we harming or improving the discourse in this chamber not only today but for years to come? Are we better serving Canadians and our democratic system?

I'm not the only one who is questioning. Over the weekend, multiple people in my community inquired about what was happening in the Senate, what the government was up to and what the purpose of these changes are. Quite frankly, once I told them the government intended to shut down debate on the motion with time allocation, they were shocked but mostly disappointed and concerned.

On the first question, it is quite difficult to give you an answer, colleagues, because the government is cutting the debate short. How can we assess the possibility of consequences and unintended consequences of Motion No. 165? What's the harm of having an extra month to look at it closer? Why not have the Rules Committee study the motion to report back to the chamber? There are so many more tools the government could have used instead of bringing out a closure motion, the equivalent of using a sledgehammer to kill a fly.

On the second question of setting a precedent, it could set the precedent of a governing party imposing how they want to be held accountable in this chamber with a time allocation motion. Do we, as a chamber, want to open this box of allowing the Senate government leader to impose how the government is to be held accountable? The Senate, a house of sober second thought, is now considering a motion that stifles debate to change the Rules. It is not enough for Justin Trudeau to have appointed over 80 senators in our chamber; he also needs to drown out the Conservative voice.

As a reminder, in the last election, close to 6 million Canadians voted for the Conservative Party, electing 119 Conservative MPs. Whether you like it or not, we have a direct link with the electorate of the 2021 federal election, and we are their voice in the Senate. That's a fact. So, as a Conservative senator, I represent two voices: a voice for the people in my home province of New Brunswick and the Conservative voters from across the country in the last election. With Motion No. 165, we are diluting the voice of close to 6 million Canadians who cast their vote in the last election.

On the third question of discourse in the Senate, I cannot see how we are improving the discourse in the Senate. In all my life in the provincial legislature and in the Senate, I have never seen the rules of debate of either chamber be a barrier or an obstacle. We are adding more variables, more unpredictability and, in some ways, a more hostile process to the government, which has a mandate from the people. Is our goal to start challenging the will of the elected people?

On the fourth question, and the most important one, in my opinion, are we better serving Canadians and our democracy? While Motion No. 165 has been styled as being more democratic, why did it take so long for the Liberal government to finally embrace democracy less than 18 months away from the next election? Why not do it three years ago in the name of democracy and fairness for all senator groups, as they claim?

• (1600)

In my opinion, the timing confirms that the government is reading the same polls we are, namely, that the future of this Liberal government is near the end. As a parting gift, the Liberal government wants to complicate the life of the future Conservative government by imposing these rules.

Having been in politics for 25 years, I've learned that timing is everything — which brings me to my conclusion as to why the government is so keen on imposing its will on this chamber.

In 2014, Justin Trudeau decided to kick out all Liberal senators to protect himself from the Senate expense scandal. He styled it as a reform attempt, but really it was a political manoeuvre to put distance between himself and the Senate.

Now Motion No. 165 is the final step of the Liberal Senate reform. It is mind-boggling, colleagues — but also very fitting — that the Liberal government's final piece of Senate reform is to be forced through with time allocation.

Just like today's debate on Motion No. 165, it is more out of political motivation to block the next Conservative government from achieving its mandate given by the electorate. If there has been a pattern with Justin Trudeau and the Liberal government since 2015, it is the notion of "politics all the time." This certainly applies today with Motion No. 165 and the use of time allocation.

Colleagues, while it might be the government's prerogative to use time allocation on legislation when it sees fit, to use time allocation on a government motion in order to force through changes to the Senate Rules is, in my opinion, misuse of this tool. It would be difficult to convince me that time allocation was put in place to force through important changes to our Rules, as Motion No. 165 proposes.

Why does the government believe it needs time allocation to put through a motion that has wide support in the chamber except from the official opposition? There are 13 of us, colleagues, yet the government is charging forward with Motion No. 165. What is the hurry?

In my opinion, what we are seeing here today is the failure of the Senate reform by Justin Trudeau. Prior to 2015, we had senators who represented the government sitting on each committee, with chairs and deputy chairs divided between government and opposition. Through our Rules Committee, there would be a place for dialogue between the government and the opposition to bring changes to the Rules.

Now there is no dialogue between the government and the opposition. We all know who the opposition is: the Conservatives in the Senate. But who is the government? Is it the three senators from the Government Representative Office, or GRO? Is it the Independent Senators Group, or ISG? Is it the Progressive Senators Group, or PSG? Is it the Canadian Senators Group, or CSG? We don't know. How can we have constructive dialogue between the government and the opposition when they only meet within the confines of this chamber?

Each group here probably has an opinion about what the Rules should be, and within each group there are probably subgroups who will think differently in terms of how the Rules should be written. Therefore, the Liberal government decided to put forward a motion that gives something to everyone except the opposition.

Since 1999, I sat across the aisle on the government side for five years in this chamber and I sat for another eight years in the provincial legislature. As many of my colleagues know, I have rarely, if ever, played the political games between parties. This has still allowed me to hold the government's feet to the fire in two houses and to defend our policies in two houses. However, witnessing what the government is now trying to do — and most likely will accomplish — doesn't sit right with me.

In light of what I heard last week and what I have seen in these last months and years, I cannot remain silent, because this is the goal of the motion: to silence the Conservative voice in the Senate by diluting our status vis-à-vis other parties. The slippery slope just got more slippery, colleagues. While I can't do anything to stop it, as the people back home asked me to do, I can at least share my concerns. Will I be right or wrong? Time will tell, but I want to encourage all my colleagues to reflect carefully on the road we are embarking upon. Thank you.

Hon. Leo Housakos: Honourable senators, I too want to share my views on Motions No. 169 and 165. Like Senator Poirier, I don't think that sharing my views will have an impact on the outcome, but I think it is important that I put my views on the record. In that way, there will be no ambiguity 5, 10 or 12 years from now.

The real discussion here is not so much the risk for democracy or for the roles of the opposition or government. The existential issue is what kind of place the Senate of Canada will be a week, a month or a year from now.

The Senate has had its challenges for 157-odd years. We've had those challenges because we are not an elected body. We don't directly represent the democratic will of the electorate like the House of Commons does; however, we certainly receive the privileges of the outcomes of those electoral processes.

The challenge remains, though not in the fact that we don't represent democratic electoral outcomes. What is imperative and what has happened historically is that all senators have understood that our behaviour within the confines of our democracy was essential in garnering the credibility of this institution.

Democracy has a couple of elements: general elections and Parliament. Of course, the outcome of general elections determines who governs, through the support they receive in Parliament. However, democracy is practised in Parliament in between elections, in the House of Commons and in the Senate. It is important that between elections, minority voices have a significant and substantial role in Parliament. When I say "minority voices," and when we talk about minority voices in this place historically, it is those who lose the election. It is those who, between one election and the next, need to have a voice in this place in order for government to be held to account and to be influenced by those voices.

Nobody wants to take away the government's mandate or their right to govern. We certainly didn't in 2015, when the Trudeau government won the election, and the two subsequent elections. Based on their electoral platform, they imposed on this institution the way they wanted it to operate. We acknowledged that there was a limit to what we could oppose, even though we had a majority the day after the election.

It needs to be understood that in the course of a government's mandate, this institution reflects less and less those general elections and the will of the public — unlike the House of Commons, which reflects it more and more.

It is also imperative to understand that this institution, at the tail end of a government — and all governments have an expiration date in this country; it's called democracy — becomes disproportionately too powerful for its own good. We have that case in point today, where 80 out of 105 seats in this chamber have been appointed by a Prime Minister who is on his way out. You don't have to be a genius. If you've been around the political democratic process long enough, you will know that if the public doesn't throw him out, the Liberal Party will.

Yet, this institution disproportionately represents that particular leader. That has always been the challenge of this institution. It was the challenge at the tail end of the Harper, Chrétien and Mulroney governments. That is as far back as I can go because I'm of a certain age. Every single majority group in this institution, as they reached that historical moment, understood their limitations. They understood that power is important, that power corrupts and that absolute power corrupts absolutely.

Colleagues, it is unbelievable to me that eight and a half years after a run during which the Trudeau government won three successive elections — they put forward their agenda, which was supported in the House of Commons after the first term of a

minority government. There were two elections after which they had minority governments and their agenda flew through here, waved through this institution without any hindrance. We tried to have robust debates. Sometimes we managed to and sometimes we didn't. We all know that the times we managed to have robust debates was due to the small opposition here clawing tooth and nail to make sure we had those robust debates. Without a doubt, there have been a number of Trudeau-appointed senators who contributed to those debates. I don't want to diminish that important fact.

• (1610)

It's incredible that after eight and a half years, where the government has had no difficulty putting their agenda through this place, all of a sudden they think it's imperative and essential to help this institution by changing the rules and procedures of this democratic, independent house. The only thing we have in terms of independence — two things, actually — from any prime minister who appoints you are your tenure — he can't fire you, even if you tell him he does a crappy job or you vote against his bills — and our complete independence of the rules, procedures and our rights as parliamentarians.

In 157 years in this chamber, we've never had a motion tabled to change the rules and procedures of this institution by a government representative, a leader, call him what you want. Never in 157 years did a feeble government require the time allocation tool to pass the infringement and the trampling of each and every one of your rights and privileges, never in the history of this institution. Now, all of a sudden, why is there a need for that? You should ask yourselves those questions. Why is it in this new independent Senate that the most robust debate on these procedural rule changes has come from leaders of leadership groups? We used to have two; now we have three or four. In a few years, there might be 15. Who knows? That's all, of course, in the betterment of debate.

I'll say this. Again, time allocation is a legitimate tool that the government has because it's their right to govern, but they should never impose it on rule and procedural changes in any one of the two chambers. By the way, this type of thing would never be tried in the House of Commons — there would be a riot, even by the government's coalition partners, the NDP.

But I am torn when it comes to Motion No. 169 because I've been here long enough. I've been in government, and I've been in opposition. By the way, our British parliamentary democratic system has a government side and an opposition side. I remember when I was sitting on the government side, and there were 65 or 70 of us. There were 30 on the opposition side, and they were a nuisance. Senator Cordy, Senator Massicotte and Senator Cowan — do you remember, Senator Tannas? They were a nuisance. If you think we're a nuisance, go back and watch those debates. But in due time, I realized that's what an opposition is supposed to do. That's called democracy — being a nuisance, having a robust debate and making life as difficult as possible for government.

When they move forward motions in order, giving the same rights, privileges and tools in the tool box to another caucus group that is larger than the opposition and who think they should have the same rights because they're a larger number in

this place but have been appointed by the government, it makes no sense. It's a discombobulated argument. You're basically giving an opportunity to a larger group in order to stifle and drown out the few voices left of the opposition. The only reason the voices have become so few in this chamber is because of the nature of the institution. Unfortunately, it's not an elected body. If it were an elected body, there would be a lot more Conservatives sitting on this side of the bench after the last two elections. We have to be cognizant and respectful of that reality, no matter where you stand on the political spectrum.

I don't begrudge any of my independent Senate colleagues here, because you are all following the will of the government. It's a government motion. They're using time allocation to pass it instead of doing what has been the tradition for 157 years, which is to have a discussion and have a debate at the Rules Committee. It might not come to a consensus. Bring it to the Senate floor, and the majority has the right to change the rules and procedures. That's how it works. Each and every one of us has a right to do that.

Let's look at it clause by clause and what the impact will be. Let's be intelligent enough to realize that six or eight years from now, those of you who might be in this chamber may be sitting on this side, with a Poilievre government going into its eighth year and having appointed 60 or 70 senators. Think about this particular motion, where you have a dozen Government Representatives because the government of the day has established this precedent. Our institution is governed by the Constitution and the unwritten precedents we establish over the years. We're establishing one now. The government can move unilateral changes to the Rules. The government can use time allocation to pass them. And in this place, we don't need consensus. If you have a majority of appointed senators, they will pass whatever they want.

The Hon. the Speaker pro tempore: I'm sorry, your time has expired.

Hon. Salma Atallahjan: Honourable senators, I rise today to speak on the motion for time allocation. What compelled me to rise and speak? I would like to share a personal story with you about the importance of a healthy democracy.

When my daughter Shaanzeh was in Grade 4, our MP had a competition for students to write an essay on democracy. Well, Shaanzeh won that competition, and the prize was a trip to Ottawa, to the great seat of Canadian democracy, to come and see some debates. You must wonder what Shaanzeh wrote about that she won that competition.

Well, my father, who was a senator, had just been imprisoned because we had martial law, and all the government senators and MPs were taken from their homes overnight and imprisoned. Shaanzeh had never questioned me about it. I didn't realize it had had so much of an impact on her until she wrote this essay.

What did she write about? She said, "I am so lucky to live in Canada, where I can speak freely about anything I wish, and I will not be imprisoned." I knew what she was talking about, but her school friends said, "Oh, my God, Shaanzeh, your grandfather is in prison? What did he do? Whom did he kill?"

Because those of us who live in Canada and the kids who are born and grow up here realize that you don't become imprisoned for speaking your mind or for engaging in debate.

When we came to Ottawa, I came with her. I didn't realize that many years later I would be working here. I am so blessed.

I believe it is important not to hastily curtail this debate, as the result might have long-lasting effects on our democratic institutions. I struggle with time allocations in this chamber, as I believe we should never limit parliamentarians' ability to speak on issues. We are primarily the house of sober second thought, which involves a great deal of debate. It is part of our mandate, and we have the great privilege of being able to speak freely.

I came to Canada in 1980, and I'm proud to call this country my home. Throughout the years, I have seen how easy it is for democracies to be derailed. I believe we are fortunate to sit in this Red Chamber and take the time to properly get to the bottom of important issues that will often affect not only our work but, ultimately, the lives of Canadians.

Even my daughter, when she was only 9 years old, understood the importance of not only voicing concerns but listening to others' ideas as well. A democracy requires work. It requires remaining vigilant, listening to others and empathy.

Honourable senators, I urge you to remember that Motion No. 169 must transcend party lines, and we must think of the well-being of our democracy for generations to come. Thank you.

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I will be speaking on debate on the amendment and on the main motion if Motion No. 169 is adopted to time allocate that debate. Seeing that we are at this late moment in the overall debate of the time allocation motion, I realize now that I will be limited in speaking about all of my concerns. I'm highlighting one specific concern in my speech on the main motion, but because of this time allocation motion, where we're going to have only six hours, our leader, who has unlimited time, could take up a big chunk of that time, and I will only have 15 minutes —

Senator Plett: Five and a half.

Senator Martin: I'm talking about the six-hour debate, senator.

• (1620)

This time allocation is truly limiting debate and discussion on this sweeping motion that we need to continue to have.

Our Order Paper, our scroll, is very thick. There are two sections: "Government Business" and "Other Business." If this motion for sweeping changes to the Rules were put in as a regular motion under "Other Business," then we would have ample time for debate and could look at things more carefully. Perhaps we would even refer it to the Rules Committee where it belongs.

Some of you will argue that this has been at different committees, including the Rules Committee. However, over my years here, I have learned just how important it is that reports from the Rules Committee have unanimous consent when they come back to the chamber, because not everyone is a member of the Rules Committee. There are members of the opposition; sometimes there are independent senators. All senators can partake in debates at committee. In terms of voting on that report, however, it must receive unanimous consent and have the endorsement of everyone around the table. The proposed rules in those reports can then be looked at in this chamber and then voted on — hopefully with unanimous consent, because these rules affect everyone.

Certain things that my colleagues have said concern me. I want to put them on record and share them with those of you who are still deciding whether you are going to support this time allocation motion. We're appealing to you and saying that we need more time. This is a sweeping motion involving many rules, and even one rule requires a full debate. As I said, this should go to the Rules Committee.

Senator Carignan has already explained it, citing some of the history and precedents. The government has tools available to them. That's why this is a government motion. I understand that because we were in government. I think I'm probably on record as moving the most time allocation motions — but it was always for bills, not for motions. The government has various tools, such as the reordering of Government Business so that they prioritize what they want to hear first. Then, there is invoking time allocation. I support it for debates on bills when it is the role of government to advocate for the government's agenda. That tool is there for that purpose. But during my years here, in government and in opposition, I have never seen a government motion of not just one rule but many that will have both intended and unintended consequences for years to come — until they are changed, possibly in a future government motion. But I hope this does not set a precedent. It is a precedent-setting moment.

Senator Plett: It will be.

Senator Martin: That's what makes me very nervous and uneasy, as Senator Poirier has stated clearly. It doesn't sit well with me either.

In a previous debate, I mentioned one simple rule change that we thought would make lives easier, not only for the government but also the opposition, in terms of changing members of committees. It was a substitution, not a full change, so that when you attend in place of another senator, you are actually a member of that committee for that time. It's on the website. You have all the responsibilities and rights of a senator who would normally sit on that committee. We thought that a quick substitution would be easier to do and be better. I proposed that at the Rules Committee and it was adopted unanimously, but when it came back to the chamber, as I mentioned, one of the senators was very

much opposed to that change. They cited how important it is for senators to be at a committee and have the full right to be there, even though they are not substituting and are full-fledged members for that committee meeting. I thought that was an important point.

I remember the clerks looking at me knowingly because these rule changes have to be looked at carefully, taking into account their consequences and how they detract from or add to what we're trying to do as a chamber. I learned my lesson then as Deputy Leader of the Government regarding one simple rule change and the fact that if there is opposition, there may be a good reason. In fact, it's all the more important for opposition members or independent, non-affiliated senators to approve that rule change — because it will impact them.

The fact that the rights of non-affiliated senators are being diminished, as Senator Batters noted, is very concerning. It should concern every one of us, because it could be one of us at some point. We have to think about the shoe being on the other foot.

I'm speaking in opposition today, but I understand the frustration many of you may feel regarding the efforts that you've made to try to change some of the Rules. But I hope you can also see that as a chamber, we have made some amazing accommodations or one-off changes. For example, through "with leave of the Senate," we allow many things to happen; and with sessional orders, many things can go into effect.

We've been both a tough and an annoying opposition, but when we were in government, the Liberal opposition were very effective. I learned so much from them. I appreciated the role that they played and the role that we had as government. I understand the power of government tools.

I feel as though in this time allocation motion, which is limiting debate, I only have two more opportunities to speak — one at amendment and one on the main motion — but I could have multiple speeches on every rule that I'm concerned about; some of these were brought to my attention during today's debate.

In effect, this time allocation motion will allow the government to change the rules from a position of power because they have the power to limit debate. It is an abuse of power to do that with something as important as rules that will impact this entire chamber. Every single one of us — whether we're in government, in opposition, affiliated with a group or non-affiliated and sitting alone — will be affected. I plead with all of you, honourable senators, to think about what we're about to do by limiting debate and allowing the government to time allocate on their government motion to change many rules, not just one — rules that will limit powers and the rights of some senators in this chamber — and to think about not supporting this time allocation motion because we have that opportunity. We can reject this time allocation motion and return to debate. That's what I ask all of you to do — and to carefully consider the impact and unintended consequences of what we're about to do with this motion. Thank you.

Senator Plett: Hear, hear.

Hon. Jim Quinn: Honourable senators, I rise today to discuss whether it's necessary to move time allocation at this specific time of debate on the *Rules of the Senate*. I raise this with the irony that the only amendment by senators to their own Rules that can now be moved is my own, since adopting this time allocation motion at this stage will prevent any further amendments to the Rules motion.

This morning, simply by coincidence, the Rules Committee heard from both the Deputy Clerk, Procedure, from the House of Commons; and Director of Operations, Parliamentary Affairs, from the Privy Council Office, on the topic of delayed answers and responses to written questions — the very subject of the amendment that I had proposed.

Given that many senators are busy, have conflicting committee meetings and would likely not have reviewed the draft transcripts, I want to draw your attention to the following matters for your consideration.

When asked whether there is an obligation to provide a comprehensive answer or even directly address the question raised when providing an answer to a written question, the Deputy Clerk, Procedure, from the House of Commons said:

Our Speaker's rulings have been fairly consistent in that our Speaker is not empowered to judge the quality, the completeness or the accuracy of an answer.

• (1630)

Further, the clerk said:

It is even possible for the government to provide an answer saying, "We cannot provide an answer," and for the purposes, that is an answer.

The Privy Council Office, or PCO, also indicated they use certain limitation language if they cannot fully answer a question.

What triggers a referral to a committee is if the deadline to provide an answer is not met; it is not whether a substantive answer is given. Under Motion No. 165, the proposed rule is to refer to the Rules Committee if either an answer or an explanation of why an answer has not been provided within the time frame. I wanted to make that clear because yesterday, when I was asked the question, I was unclear in specifying that, in fact, my amendment does not take away from the fact that when an answer is not achieved, it cannot be referred to the Rules Committee. I want to make that clear.

My amendment simply removes an unnecessary duplicative and procedural loophole that would give the government the ability to not even attempt to answer a question by providing an explanation of why an answer has not been provided. In the House of Commons, all questions are given an answer within their 45-day time frame. The Senate should be no different. In fact, this morning, when asked if the 45 days could be accommodated for the Senate questions process that is being proposed in the amendment, the answer was yes, it can be

accommodated. Therefore, I don't understand why we would vote for time allocation before the committee transcripts are not officially published to give you time to reflect.

Colleagues, on the issue of 60 days versus 45 days, it's about ensuring that all members of Parliament are equal. Having a 60-day deadline means that the House of Commons will receive a prioritization because they have a more strict deadline. The PCO said the following:

. . . Without a deadline, there is always a risk that where there is one in the House of Commons, these questions might be prioritized, given the volume. . . .

Lastly, the PCO said:

The responses from the Senate — when we assign the questions, we indicate in our assignment form that they should be responded to within a reasonable time. We interpret that as being as close as possible to what we use in the House of Commons.

I close my comments by noting that in an access to information and privacy, or ATIP, request on how government prioritizes Senate written questions, that ATIP document revealed that, "Since this is a Senate Question, deadlines are flexible if other urgencies take priority."

Senators, I think we need to change this culture. This is a small step in that direction by ensuring that we, as parliamentarians, have a similar rule as in the other place. My fear is that, as parliamentarians and senators, we are not taken seriously with our own inaction of adopting step-by-step measures, such as what I am proposing, which doesn't take away from the rule changes at all. Those measures, in fact, put us on the footing of becoming more recognized as parliamentarians.

I thank you for listening.

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

Hon. Senators: Question.

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

Some Hon. Senators: No.

Some Hon. Senators: Yes.

The Hon. the Speaker pro tempore: All those in favour of the motion will please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker pro tempore: All those opposed to the motion will please say "nay."

Some Hon. Senators: Nay.

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

And two honourable senators having risen:

The Hon. the Speaker pro tempore: Call in the senators for a vote at 5:33 p.m.

• (1730)

Motion agreed to on the following division:

YEAS
THE HONOURABLE SENATORS

Al Zaibak	LaBoucane-Benson
Arnot	Lankin
Aucoin	Loffreda
Audette	MacAdam
Boniface	Massicotte
Burey	McBean
Busson	McCallum
Cardozo	McNair
Clement	Mégie
Cordy	Miville-Dechêne
Cotter	Moncion
Coyle	Moodie
Dalphond	Omidvar
Dasko	Osler
Deacon (<i>Nova Scotia</i>)	Oudar
Deacon (<i>Ontario</i>)	Petitclerc
Dean	Petten
Downe	Ravalia
Forest	Ringuette
Francis	Robinson
Gerba	Ross
Gold	Saint-Germain
Greene	Sorensen
Greenwood	Tannas
Harder	Varone
Jaffer	Verner
Kingston	White
Klyne	Woo
Kutcher	Yussuff—58

NAYS
THE HONOURABLE SENATORS

Ataullahjan	Pate
Batters	Patterson
Black	Plett
Brazeau	Poirier
Carignan	Quinn
Housakos	Richards
MacDonald	Seidman
Marshall	Smith

Martin
Oh

Wallin
Wells—20

ABSTENTION
THE HONOURABLE SENATOR

Galvez—1

• (1740)

MOTION TO AMEND THE *RULES OF THE SENATE*—MOTION IN
AMENDMENT NEGATIVED

On the Order:

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

That the *Rules of the Senate* be amended:

- by replacing the words “Leader of the Government” by the words “Leader or Representative of the Government” in rules 2-4(2), 3-6(2), 4-3(1), 4-8(1)(a), 5-7(m), 6-5(1)(b), 12-5(a), 12-23(2) and (3), and 14-1(2);
- in rules 3-3(1) and (2), 4-2(8)(b), and 7-4(2), by replacing the words “6 p.m.” by the words “7 p.m.” in the marginal notes, as appropriate, and the text of the rules;
- in rule 4-2(2), by replacing the number 15 by the number 18 in the marginal note and the text of the rule;
- in rule 4-2(8)(a), by replacing the words “At the request of a whip or the designated representative of a recognized parliamentary group” by the words “At the request of a whip, liaison, or the designated representative of a recognized party or recognized parliamentary group”;
- by:
 - replacing rules 4-9 and 4-10 by the following:

“Delayed Answers and Written Questions

Delayed answers to oral questions

4-9. (1) When responding to an oral question during Question Period, a Senator may indicate that a delayed answer will be provided in writing pursuant to the terms of this rule.

Written questions

4-9. (2) Subject to subsection (5), a Senator may submit a written question to the Government relating to public affairs by sending it in writing to the Clerk if either:

- a written answer is requested; or

(b) the question seeks statistical information or other information not readily available.

Publication of written questions

4-9. (3) Upon receipt of a written question, the Clerk shall have it published in the *Order Paper and Notice Paper* on the day following receipt and subsequently on the first sitting day of each week until the earlier of the following:

- (a) an answer is tabled;
- (b) a written explanation why an answer has not been provided is tabled;
- (c) the question is withdrawn; or
- (d) the expiration of the 60-day period provided for in this rule for an answer or explanation.

Withdrawal of a written question

4-9. (4) The Senator who submitted a written question may subsequently withdraw it by writing to the Clerk, who shall have a note to that effect included in the *Order Paper and Notice Paper* the next time the question would have been published there.

Limit on number of written questions

4-9. (5) A Senator shall not submit a written question if they already have four such questions that are to be published in the *Order Paper and Notice Paper* under the provisions of subsection (3).

Answer within 60 days

4-9. (6) Within 60 calendar days of the Leader or Representative of the Government, or a Senator who is a minister, indicating that a delayed answer will be provided to an oral question pursuant to the terms of this rule, or of a written question first appearing in the *Order Paper and Notice Paper*, the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government, shall table either the Government's answer to the question or a written explanation why an answer has not been provided.

Tabling

4-9. (7) An answer or explanation to be provided under this rule may be tabled either during Delayed Answers, which shall be called at the end of Question Period, or by being deposited with the Clerk. A copy of any such tabled document shall be provided to the Senator who asked the question, and the delayed answer to an oral question shall be printed in the *Debates of the Senate* of the date the tabling is recorded in the *Journals of the Senate*.

Failure to respond or provide explanation

4-9. (8) If the Government has tabled neither an answer nor an explanation of why an answer has not been provided within the 60-day period provided for under this rule, the absence of an answer shall be

deemed referred to the Standing Committee on Rules, Procedures and the Rights of Parliament for consideration and report, with this referral being recorded in the *Journals of the Senate* as soon as possible thereafter.”; and

- (b) renumbering current rules 4-11 to 4-16 as rules 4-10 to 4-15;
- 6. in current rule 4-13(3), by replacing the words “such sequence as the Leader or the Deputy Leader of the Government shall determine” by the words “such sequence as the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government shall determine”;
- 7. by replacing rule 6-3(1) by the following:

“Time limits for speakers

6-3. (1) Except as otherwise provided:

Certain Leaders and Facilitators

(a) the Leader or Representative of the Government, the Leader of the Opposition, and the leader or facilitator of the recognized party or recognized parliamentary group with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs, shall be allowed unlimited time for debate;

Other Leaders and Facilitators

(b) leaders and facilitators, other than those provided for in paragraph (a), shall be allowed up to 45 minutes for debate;

Sponsor of bill

(c) the sponsor of a bill, if not one of the Senators provided for in paragraph (a), shall be allowed up to 45 minutes for debate at second and third reading;

Critic of bill

(d) the critic of a bill, if not one of the Senators provided for in paragraph (a), shall be allowed up to 45 minutes for debate at second and third reading;

Designated Senators

(e) one other Senator designated separately by the leader or facilitator of each recognized party or recognized parliamentary group, except for the recognized party or recognized parliamentary group of the sponsor and critic, shall be allowed up to 45 minutes for debate at second and third reading; and

Others

(f) other Senators shall speak for no more than 15 minutes in debate.”;

- 8. by replacing rules 7-1(1) and (2) by the following:

“Agreement to allocate time

7-1. (1) At any time during a sitting, the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government may state that they have reached an agreement with the representatives of the recognized parties and the recognized parliamentary groups to allocate a specified number of days or hours either:

(a) for one or more stages of consideration of a government bill, including the committee stage; or

(b) for consideration of another item of Government Business by the Senate or a committee.

Motion on agreement to allocate time

7-1. (2) The Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government may then, without notice, propose a motion based on the agreement.”;

9. by replacing rules 7-2(1) and (2) by the following:

“No agreement to allocate time

7-2. (1) At any time during a sitting, the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government may state that they have failed to reach an agreement with the representatives of the recognized parties and the recognized parliamentary groups to allocate time to conclude an adjourned debate on either:

(a) any stage of consideration of a government bill, including the committee stage; or

(b) another item of Government Business.

Notice of motion to allocate time

7-2. (2) After stating that there is no agreement on time allocation, the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government may give notice of a motion to allocate time for the adjourned debate, including the committee stage of a bill. The motion shall specify the number of days or hours to be allocated.”;

10. by replacing rule 7-3(1)(f) by the following:

“(f) Senators may speak for a maximum of 10 minutes each, provided that the Leader or Representative of the Government, the Leader of the Opposition, and the leader or facilitator of any other recognized party or recognized parliamentary group may each speak for up to 20 minutes;”;

11. in rule 7-3(2), by deleting the words “at 6 p.m.” and the words “at 8 p.m.”;

12. in rule 7-4(5)(d), by replacing the words “the Government Whip” by the words “the Government Whip or Liaison”;

13. by replacing rules 9-5(1) to (3) by the following:

“(1) The Speaker shall ask the Government Whip or Liaison, the Opposition Whip, and the whips or liaisons of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Government Whip or Liaison, or the Opposition Whip belongs, if there is an agreement on the length of time the bells shall ring. If a whip or liaison is absent, that whip or liaison’s leader or facilitator may designate a Senator to act for this purpose.

(2) The time agreed to shall not be more than 60 minutes.

(3) With leave of the Senate, this agreement on the length of the bells shall constitute an order to sound the bells for that length of time.”;

14. by replacing rule 9-10(1) by the following:

“Deferral of standing vote

9-10. (1) Except as provided in subsection (5) and elsewhere in these Rules, when a standing vote has been requested on a question that is debatable, the Government Whip or Liaison, the Opposition Whip, or the whip or liaison of any of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Government Whip or Liaison, or the Opposition Whip belongs, may defer the vote.”;

15. by replacing rule 9-10(4) by the following:

“Vote deferred to Friday

9-10. (4) Except as otherwise provided, if a vote has been deferred to a Friday:

(a) the Government Whip or Liaison may, at any time during a sitting, further defer the vote to 5:30 p.m. on the next sitting day if it is on an item of Government Business; and

(b) the Government Whip or Liaison, the Opposition Whip, or the whip or liaison of any of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Government Whip or Liaison, or the Opposition Whip belongs, may, at any time during a sitting, further defer the vote to 5:30 p.m. on the next sitting day if it is on an item of Other Business.”;

16. by replacing rule 10-11(2)(a) by the following:

“(a) by the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government, at any time during a sitting; or”;

17. by:

(a) replacing rule 12-3(3) by the following:

“Ex officio members

12-3. (3) In addition to the membership provided for in subsections (1) and (2), and subject to the provisions of subsection (4), the Leader or Representative of the Government, the Leader of the Opposition, and the leaders or facilitators of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs, are ex officio members of all committees except the Standing Committee on Ethics and Conflict of Interest for Senators, the Standing Committee on Audit and Oversight, and the joint committees. For the purposes of this provision, in case of absence, the Leader or Representative of the Government is replaced by the Deputy Leader or Legislative Deputy of the Government, the Leader of the Opposition is replaced by the Deputy Leader of the Opposition, and the leader or facilitator of any other recognized party or recognized parliamentary group is replaced by that Senator’s deputy leader or deputy facilitator.

Ex officio members voting

12-3. (4) Of the ex officio members of committees provided for in subsection (3), only the Leader or Representative of the Government, and the Leader of the Opposition, or, in their absence, their respective deputies, shall have the right to vote.”; and

(b) renumbering current rule 12-3(4) as rule 12-3(5);

18. by replacing rule 12-8(2) by the following:

“Service fee proposal

12-8. (2) When the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government tables a service fee proposal, it is deemed referred to the standing or special committee designated by them following consultations with the Leader or Deputy Leader of the Opposition, and the leader or facilitator of any other recognized party or recognized parliamentary group, or the designate of such a leader or facilitator.”;

19. by replacing rule 12-18(2) by the following:

“Meetings on days the Senate is adjourned

12-18. (2) Except as provided in subsection (3) and elsewhere in these Rules, a Senate committee may meet:

(a) when the Senate is adjourned for more than a day but less than a week, provided that notice was given to the members of the committee one day before the Senate adjourned;

(b) on a Monday the Senate does not sit that precedes a Tuesday on which the Senate is scheduled to sit; or

(c) during other periods the Senate is adjourned and that are not covered by the above provisions, provided that the meeting was either:

(i) by order of the Senate, or

(ii) with the agreement, in response to a request from the chair and deputy chair, of a majority of the following Senators, or their designates: the Leader or Representative of the Government, the Leader of the Opposition, and the leaders or facilitators of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs.”;

20. by replacing rule 12-26(1) by the following:

“Appointment of committee

12-26. (1) As soon as practicable at the beginning of each session, the Leader or Representative of the Government shall move a motion, seconded by the Leader of the Opposition, and the leader or facilitator of the recognized party or recognized parliamentary group with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs, on the membership of the Standing Committee on Ethics and Conflict of Interest for Senators. This motion shall be deemed adopted without debate or vote, and a similar motion shall be moved for any substitutions in the membership of the committee.”;

21. in rule 14-1(1), by replacing the words “Leader or Deputy Leader of the Government” by the words “Leader or Representative of the Government, or Deputy Leader or Legislative Deputy of the Government”;

22. in rule 16-1(8), by replacing the words “Leader or Deputy Leader of the Government” by the words “Leader or Representative of the Government, or Deputy Leader or Legislative Deputy of the Government”, both times they appear; and

23. in Appendix I:

(a) in the definition of “Critic of a bill”, by replacing the words “Leader or Deputy Leader of the Government” by the words “Leader or Representative of the Government, or Deputy Leader or Legislative Deputy of the Government”;

- (b) by replacing the definition of “Deputy Leader of the Government” by the following:

“Deputy Leader or Legislative Deputy of the Government

The Senator who acts as the second to the Leader or Representative of the Government and who is normally responsible for the management of Government business on the floor of the Senate. The Deputy Leader or Legislative Deputy is also generally responsible for negotiating the daily agenda of business with the Opposition and other recognized parties and recognized parliamentary groups. In the absence of the Deputy Leader or Legislative Deputy, the Government Leader or Government Representative may designate another Senator to perform the role. The full title is “Deputy Leader of the Government in the Senate” or “Legislative Deputy to the Government Representative in the Senate”. (*Leader adjoint ou coordonnateur législatif du gouvernement*);

- (c) in the definition of “Evening suspension”, by replacing the words “between 6 and 8 p.m.” by the words “between 7 and 8 p.m.”;

- (d) in the definition of “Government Business”, by replacing the words “Leader of the Government or the Deputy Leader” by the words “Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government”;

- (e) by replacing the definition of “Government Leader” by the following:

“Government Leader

See “Leader or Representative of the Government”. (*Leader du gouvernement*);

- (f) by replacing the definition of “Government Whip” by the following:

“Government Whip or Liaison

The Senator responsible for ensuring the presence of an adequate number of Senators of the Government party in the Senate for purposes such as quorum and the taking of votes, and to whom the Leader or Representative of the Government normally delegates responsibility for managing the substitution of

Government members on committees as appropriate. The Government Whip or Liaison may be responsible for outreach on Government Business in the Senate. (*Whip ou agent de liaison du gouvernement*);

- (g) by replacing the definition of “Leader of the Government, or Government Leader” by the following:

“Leader or Representative of the Government

The Senator who acts as the head of the Senators belonging to the Government party, or who is appointed by the Government to represent the Government in the Senate without affiliation to a Government party. In modern practice, the Leader or Representative of the Government is normally sworn in as a member of the King’s Privy Council for Canada and can be a member of Cabinet. The full title is “Leader of the Government in the Senate” or “Government Representative in the Senate”. (*Leader ou représentant du gouvernement*);

- (h) by replacing the definition of “Ordinary procedure for determining the duration of bells” by the following:

“Ordinary procedure for determining duration of bells

The Speaker asks the Government Whip or Liaison, the Opposition Whip, and the whips or liaisons of the three largest recognized parties or recognized parliamentary groups, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Government Whip or Liaison, or the Opposition Whip belongs, if there is an agreement on the length of time, not to exceed 60 minutes, the bells shall ring. With leave of the Senate, this agreement constitutes an order to sound the bells for the agreed length of time, but in the absence of either agreement or leave, the bells ring for 60 minutes. In some cases provided for in the Rules, this procedure is not followed, with the bells ringing for shorter periods of time. (*Procédure ordinaire pour déterminer la durée de la sonnerie*);

- (i) in the definition of “Public bill”, under “Bill”, by replacing the words “(introduced by a Cabinet Minister or in a Minister’s name) or a non-Government bill (one introduced by a Senator who is not a Cabinet Minister)” by the words “(introduced by a Cabinet Minister, in a Minister’s name, or by or on behalf of the Leader or Representative of the Government if that Senator is not a minister) or a non-Government bill (one that is not a Government bill)”;

- (j) by replacing the definition of “Senator who is a minister” by the following:

“Senator who is a minister

A Senator who is a member of the Cabinet. The Leader or Representative of the Government is generally sworn in as a member of the King’s Privy Council for Canada and may be a member of Cabinet. (*Sénateur-ministre*);

- (k) in the definition of “Sponsor of a bill”, by replacing the words “the sponsor will typically be a government member” by the words “the sponsor is designated by the Leader or Representative of the Government”; and

- (l) by adding the following new definitions in alphabetical order:

(i) **“Deputy Leader or Deputy Facilitator**

The Senator who acts as the second to the leader or facilitator of a recognized party or recognized parliamentary group, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs. (*Leader adjoint ou facilitateur adjoint*);

(ii) **“Government Liaison**

See “Government Whip or Liaison”. (*Agent de liaison du gouvernement*);

(iii) **“Government Representative**

See “Leader or Representative of the Government”. (*Représentant du gouvernement*);

(iv) **“Leader of the Government**

See “Leader or Representative of the Government”. (*Leader du gouvernement*);

(v) **“Legislative Deputy of the Government**

See “Deputy Leader or Legislative Deputy of the Government”. (*Coordonateur législatif du gouvernement*); and

(vi) **“Representative of the Government**

See “Leader or Representative of the Government”. (*Représentant du gouvernement*);

That all cross references and lists of exceptions in the Rules be updated as required by these changes, but otherwise remain unchanged;

That, in relation to the amendments to current rules 4-9 and 4-10, provided for in point 5 above:

1. new rule 4-9(5) not apply to any written question submitted before the adoption of this motion, so that only written questions submitted after the adoption of this motion are counted as if subject to that provision;

2. the provisions of the new rules have effect from the time of the adoption of this motion in relation to questions arising from that time forward, subject to point 3 below; and

3. the provisions of the new rules relating to the 60-day period for answering written questions, tabling, and a failure to respond or provide an explanation take effect, in relation to written questions submitted before the adoption of this motion, on the date that is six months after the adoption of this motion as if that were the date on which these questions were submitted, provided that if the current session ends before the expiration of this six month period, these elements of the new rules take effect on the last day of the current session; and

That, within 30 days that the Senate sits after the adoption of this motion, the Standing Committee on Ethics and Conflict of Interest for Senators present a report to the Senate proposing changes to the *Ethics and Conflict of Interest Code for Senators* to take account of the amendments to rule 12-26(1) provided for in point 20 above.

And on the motion in amendment of the Honourable Senator Quinn, seconded by the Honourable Senator Smith:

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

1. by replacing proposed new rules 4-9(3)(b) to (d) by the following:

“(b) the question is withdrawn; or

(c) the expiration of the 45-day period provided for in this rule for an answer.”;

2. in proposed new rule 4-9(6), by:
 - (a) changing the number 60 to 45 everywhere it appears, including in the marginal note; and
 - (b) replacing the words “either the Government’s answer to the question or a written explanation why an answer has not been provided” by the words “the Government’s answer to the question”;

3. in proposed new rule 4-9(8), by replacing the words “tabled neither an answer nor an explanation of why an answer has not been provided within the 60-day period” by the words “not tabled an answer within the 45-day period”; and

4. in point 3 of the paragraph beginning with the words “That, in relation to the amendments to current rules 4-9 and 4-10”, by replacing the words “the provisions of the new rules relating to the 60-day period for answering written questions, tabling, and a failure to respond or provide an explanation take effect” by the words “the provisions of the new rules

relating to the 45-day period for answering written questions, tabling, and a failure to respond take effect”.

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, as our deputy leader said, I have to keep this speech to less than six hours because that’s what we’re limited to, so fasten your seat belts and let’s be here for a while.

Colleagues, what we just voted on is not something that is going to help the government at this point. It’s not a piece of legislation that we’re passing that will make a difference to Canadians.

My microphone is on, senators. Once I get warmed up, trust me, they will be able to turn the microphone off and you’ll be able to hear me. It just takes me a while to get ramped up. Usually, it’s not when I see democracy being usurped as badly as I just saw a minute ago.

Senator Gold has decided that he wanted to be the first leader — Senator Housakos has said this a few times — in 157 years, he wanted to be the first Leader of the Government in the Senate to use a government motion to run over the opposition and ram through changes to the *Rules of the Senate of Canada*. That will now be part of his legacy. We are all going to have to decide what will be part of our legacies, and maybe I won’t be any prouder of mine than I suspect Senator Gold will be of his with this motion.

History will show that Senator Gold refused to have the Rules Committee study changes that they should have studied and then brought to the chamber. But to be sure, colleagues, his legacy will be even more tainted: He is using closure to push for these changes after only a few hours of debate and, as I said earlier, after two speakers of the opposition spoke.

I have been known here to be a little rough on Senator Gold at times during Question Period and some of my speeches and even earlier today. I know that Senator Gold is a decent man; he is a good man. But for a reason that I cannot understand, he has accepted and decided to act as a bully on behalf of Justin Trudeau, which is a position that several senators refused, by the way.

There are a few things I don’t understand. I don’t want to name and shame people, although I do occasionally. I don’t mind doing that to the government, but there have been a lot of things said here in the last few days that simply aren’t telling the whole story. I saw senators who tried to make a difference in changing Rules and reforming the Senate well before this supposed independent Senate of Justin Trudeau came along. Our good friend and colleague Senator Greene was part of the Modernization Committee. Former senator Tom McInnis was chair of that committee, and Senator Greene was part of the Conservative team at that time, named by a Conservative prime minister. They brought some reasonable suggestions forward.

Senator Tannas, in one way or another, tried to bring some of those changes forward. Senator Tannas likes to say that he has been elected by some 300,000 Albertans. Well, Senator Tannas was appointed the same way each one of us was — on the advice of the Prime Minister — but when he ran an election, he

promised Albertans that he was running as a Conservative. Senator Tannas will still say that he is, in many ways, a Conservative, and yet he votes for Liberal budgets and for closure. I can understand that Senators Greene, Tannas and others might vote even for the motion at the end — because they believe that. I understand that.

But for them to stand and vote for closure — that is the essence of what they had preached against when they were part of the Modernization Committee. They were upset with the Conservative Party for being heavy-handed and not letting things go at the speed they wanted things to go. Now, they vote in favour of a closure motion to which two members of the opposition have had the opportunity to speak. Somehow, they say that is what modernization is all about; that is what the democratic process is all about.

I’m sorry, colleagues, but it is not.

We had a question last week to Senator Saint-Germain as to Senator Lankin’s involvement in this process, and she was asked whether Senator Lankin was part of the ISG. “No, she isn’t. She’s not part of the ISG.” And I said, “Well, did Senator Lankin not come forward with a press release saying, ‘I’m leaving the ISG to do this, and when I’m done this, I’m going back to the ISG?’”

The answer to my question of Senator Saint-Germain was that she’s not part of the ISG. Well, I’m very curious how long it will be before Senator Lankin will be part of the ISG.

This is a concerted and concentrated effort to kill the Conservative Party of Canada in this chamber. Let’s at least all admit that. That is the intent of this motion, and that is the intent of the draconian vote that we just had. Why, colleagues, could we not —

Listen, we have six hours of debate coming. I will certainly not take nearly all of it. I won’t take more than 30 minutes, so we’ll have five and a half hours left. Senator Lankin and other senators, if you do want to enter the debate, please feel free. Senator Gold, who now has something to say, did not even have something to say on his own motion. Now he has all kinds of things to say when he’s not speaking to the rest of us.

I’ll get on with it, senator, when I’m good and ready. I do have five and a half hours, so don’t tempt me.

• (1750)

Let me get back to this. I’m curious when Senator Lankin will be part of the second government caucus that we are trying to form because let’s at least call a spade a spade. Let’s admit what we’re doing. When we vote for a Liberal budget, let’s at least accept the fact that we’re at least half Liberal. We cannot vote for Liberal budgets and say, “But we are Conservative. We believe in fiscal responsibility. We do not believe in the flagrant wasting of taxpayers’ dollars, but we will vote for their budget.” It doesn’t work, Senator Lankin.

The Leader of the Government in the Senate enjoys what is, I think, probably the biggest majority in the history of the Senate. Eighty-one senators have been appointed. Eighty-one in this chamber have been appointed by one Prime Minister. We have — are we 12 or 13?

Senator Martin: Thirteen.

Senator Plett: Thank you. We are dropping so fast I can't keep up. We are a month away from having 12. We are going to, nevertheless, continue to fight the good fight. I think we are punching well above our weight, and we will continue to do that — and that frustrates so many senators here. “How can you, a caucus of 13, actually prevent us from moving things forward? How dare you? You are 13 members. You speak for 7 million, but you're 13. And how dare you prevent us from moving legislation at the pace that we want to move it?” That is what this is about.

Now, the sad part of that is that it's not going to stop us. I want every Canadian who is watching and listening — and believe me, they are starting to watch and listen. I don't need to brag on what I have done, but I made a speech here not that long ago on the scandals that this inept government has had over the last 15 years. It has had 750,000 views, colleagues. People in this country care. People in this country email me. “Thank you, senator, for speaking up for us because the other side isn't.” People care, and people are paying attention.

If you think this is going to stop us, it will not. And the fact that you are creating another government caucus — which is what you're doing, clearly — will not prevent us from doing our job. It will make it a little more difficult for Pierre Poilievre, who will probably have the largest majority government in Canadian history over in the other place in a year or a year and a half from now. So he's going to have some problems when he has two opposition caucuses here. I understand that. For the life of me, I don't know why Senator Dalphond and Senator Tannas's group — any of them — would support this because you're getting nothing out of this. We're not having anything taken away. Senator Saint-Germain and her 40-plus are getting some benefits, but the Progressive Senate Group, or PSG, and the Canadian Senators Group, or CSG, are getting nothing.

Now, fortunately there are some CSG members who appreciate that and say, “Hey, where are we? Why are we being treated the way we are?” But not the leader. Their own leader says, “This is good stuff.” I can't understand that.

Governments are never fond of having to deal with opposition. That's fairly common. I mean, opposition is a bit of a pain for most governments. Liberal governments even less so because Liberals basically believe that it's a God-given right for them to govern.

Typically, Liberals, when they lose a government or when they lose a vote, they immediately the next day say, “Canadians made a mistake yesterday, and if we could somehow have that vote again today, they probably realized overnight they made a mistake and if they had the opportunity to rethink that, they would rethink that.” Senator Downe knows well about that. He's been in the upper echelons of the Liberal Party, and he knows that.

Conservatives have a bit of a different mentality. When we lose a government — and we've lost more than we've won — we spend the next four years, two years or whatever trying to find a way of getting the confidence of the people back because we actually believe that in order to govern you should have the confidence of the people.

The Liberal government doesn't believe that, which is why they have the tail wagging the dog over there right now and have had for how long. Jagmeet Singh is the de facto leader, and he is keeping this terribly inept government alive long enough for Senator Gold to try to kill the opposition in this place. When they lose the government in the next election, then at least they will have this house that they can count on.

Senator Carignan and I were discussing that coming down the elevator. Senator Carignan is a lot younger than I, even though I have more hair than he does. I don't know what happened, but Senator Carignan is going to be here for a few years, and he promised me that in four or five years from now he would remind you of what Senator Plett said. I won't be here to do that, and I'm sure those of you who will be here are happy about that.

Motion No. 165 is another example of our Prime Minister's complete disdain and disregard for Parliament and for anyone who does not think the way he does.

When Senator Batters asked him a question last week, Senator Gold himself admitted that Motion No. 165 had received the seal of approval from the Prime Minister's Office. That would seem to me that he is, then, simply doing what his boss over in the Prime Minister's Office wants him to do. He is doing his job, as unpleasant as that must be. I understand that. I've been there. I've occasionally had to do things that are unpleasant for me as well, and that is what Senator Gold is doing.

We know the frustration that Senator Gold has at Question Period when we ask him questions that he doesn't appreciate those questions because we really are a little bit beneath what the Liberal mentality is and, “How dare you ask us those questions and keep our feet to the fire?” So he shows his disdain and frustration. I don't believe it's a personal thing to me but certainly to my party and my leader. And at least one thing we share and have as a commonality: We have about the same amount of regard for each other's leaders. I think my frustration is a little worse than Senator Gold.

Hon. Ratna Omidvar: I have a question or a point of order.

Senator Plett: Is it a question or a point of order?

Senator Omidvar: On a point of order.

The Order Paper says we are not debating Motion No. 165 at this point. We're debating the amendment that Senator Quinn put forward. I give Senator Plett a lot of latitude, as we all do, but I have not heard Senator Plett speak to the amendment. Instead, he is rehashing the arguments that we heard last Thursday on the motion as he has already spoken to the main motion.

Your Honour, I ask if this is allowed under the rules.

The Hon. the Speaker: Senators, we usually give senators leeway to introduce the subject that is being debated, so I will certainly let Senator Plett continue debating the motion in amendment.

Senator Plett: Thank you, Your Honour.

• (1800)

I'm a little astounded that now we're not even supposed to debate what we clearly have in front of us, and we're losing time.

I have been completely thrown off my speaking notes here. I like to use my speaking notes, but I'm not sure where I was. I will try to catch up.

What I found somewhat disconcerting last week was the enthusiasm shown by Trudeau senators in beating on the opposition. That was a bit shocking. It is one thing to do the government's bidding when you are a government senator; I understand that. It is one thing to not like a political adversary; that is also understandable. But it is quite another to come here and hear people cheer on someone who spends his entire 15 minutes talking about a one-party Senate — a one-party Parliament. I find that strange. That is what this has come to. The individual almost received a standing ovation from senators when he says we really shouldn't have this opposition or even have the right to call ourselves an opposition. That is, in essence, what this has come to.

That is clearly, Senator Omidvar, part of the amendment, the motion and the time allocation — part of all those things.

We have a senator saying, "You don't have the right to call yourselves the opposition. Who decided you were the opposition?" I would say the electorate did when we lost the election. If we had won, we would have been the government.

This incident made me question the depth of the democratic sense of some of my colleagues. I hope this was only because senators were very tired at the end of the day. It was a long, long day, and we are at the start of another one.

I hope at 10 minutes or 4 minutes to 12 a.m., someone doesn't insist on an hour-long bell, because having an hour-long bell when there are only 4 minutes left in the sitting is going a little bit overboard. Nevertheless, that is what we had on Thursday. Some of us didn't get a lot of sleep before we had to board an airplane.

I hope that is not a sign of things to come for the next year, while colleagues continue to be inebriated by the strength of their majority in this place.

Mostly, I hope that this is not a sign that the Pierre Poilievre common-sense Conservative agenda will be met here with aggression and rancour after the next election. Let's make no mistake: There will be a Pierre Poilievre majority government after the next election.

On Friday, *The Globe and Mail* published commentary from Konrad Yakabuski on Motion No. 165. This was not the Conservative Party but a *Globe and Mail* journalist. He said:

After all, there is nothing to prevent future Liberal opposition in the House of Commons from turning to Mr. Trudeau's Senate appointees to frustrate a Tory government's ability to get legislation through Parliament. The temptation to do so will be great. And the rule changes Mr. Gold has proposed will make it much easier for ISG and PSG members to delay government bills.

I would hope it would be just the Independent Senators Group, or ISG, and the Progressive Senate Group, or PSG, and not the Canadian Senators Group, or CSG, as well. He left you out for whatever reason. He has as much faith as I do that you will see the light of day.

This is exactly what we are saying about Senator Gold's plan. To some senators who have accused me of espousing conspiracy theories about the real objectives of Motion No. 165 — well, *The Globe and Mail* also espouses those so-called conspiracy theories. Again, I truly do hope that I am wrong and the Trudeau senators will accept the verdict of the Canadian voters on their leader and the Liberals. I hope the Senate will respect the will of the elected members after the next election. I will be watching carefully.

Will the Trudeau senators keep up their record of voting with the government 96% of the time after the next election, when there will be a Conservative government? You can bet I will keep track.

As Yakabuski said in closing his column, "The true test of Trudeau's 'independent' Senate may be yet to come."

In closing, let me repeat the issues I have with Motion No. 165 and the process chosen by Senator Gold.

First, he should not have used a government motion to change the Rules. He broke our traditions and opened the door for future government leaders who are enjoying a majority to do the same. That will be Senator Gold's legacy, and that will be Justin Trudeau's legacy.

Senator Gold's use of time allocation provisions of the Rules after only a few hours of debate on a non-urgent matter such as changes to the *Rules of the Senate* is a perversion of the concept of time allocation. Senator Gold is creating a bad precedent that will be part of his and Justin Trudeau's legacies.

Colleagues, you can say all you want that the Conservatives do not want government legislation to pass — and you would be right, because we have been put here for a purpose, as have all of you. But it is democratic, and you are preventing democracy from taking its course. You are preventing us from doing our job by stifling us and telling us, "You don't have a right. You are only 13 and we are 96," or whatever the number is. "You have no right to prevent this from going forward."

These changes should have been studied at the Rules Committee. In the Senate, changes to the Rules have traditionally been made with consensus. I have been quoting some Liberal

senators today. Let me quote another one: David Smith. David Smith was a great Liberal and a wonderful individual. David and I had so much in common — other than our political alliances. David was a campaign chair for many Liberal governments. At the Rules Committee on June 3, 2014, Senator David Smith said:

I hear the points that Senator Martin makes, and some of them I agree with. Having said that, I think we have to bear in mind the culture of this committee, and the culture of the Rules Committee has been for some years that you don't change the rules unless you have a consensus on both sides. You don't have to have total unanimity. I'm not into this one person veto stuff, but I think you at least want a consensus on both the government side and the opposition. Until you get that, I think you kind of have to keep working at it because, if you just slam it through, that can trigger other things that are undesirable, to say the least.

Senator Martin: Wise words.

Senator Plett: Wise words — chastising my deputy leader.

In the same Rules Committee, on June 10, 2014, Senator Cools — another wise senator who worked for years as an unaffiliated, independent senator, and who had much to contribute and did so — said this.

• (1810)

Senator Cools said:

What I want to be clear about is that the history of this place and the history of rule changes has always been that rule changes should not be foisted or forced by some upon the others. There are huge traditions here that are long forgotten because there have been such changes in membership, but one of those rule change notions has always been that if some feel strongly about doing something, a debate begins in the Senate to gather the house, to gather the opinion of the senators in the house. At the conclusion of all that, then the committee may be sent a reference.

During that very same meeting, Senator Fraser —

An Hon. Senator: All Trudeau appointees.

Senator Plett: A Trudeau appointee, yes; you are right. That was the wiser Trudeau — the adult Trudeau.

During that same meeting, Senator Fraser added this:

I think it is absolutely essential that the basic structure with which we operate be one that both sides agree is, at the very least, livable and, ideally, desirable because we're all going to be here, some of us longer than others, for some time yet. We have to bear in mind that the rules we're talking about are going to apply not only to the present dynamic, the present situation where the government has a majority, but when times change.

The Conservative opposition, colleagues, did not invent this notion that changes to the Rules should be based on consensus. The fact that some senators are now trying to rewrite the history of the Senate to suit their argument is irrelevant. This is how it has been done since Confederation. The Trudeau government has decided to change the Senate on that aspect, too.

On this side, we can only take notice and make sure we remember for when we have the majority back.

Justin Trudeau had every right to make 81 appointments. Many of you told me exactly what Justin Trudeau asked you to do when he informed you that he would promote you to the Governor General of Canada for an appointment to the Senate. I have not heard one senator here tell me that Justin Trudeau said, "Change the Rules in the Senate."

Maybe he told you that. I don't think he did, but that is what you are doing here. You are changing the Rules in the Senate, and it is okay that you want to do that. It is also okay that you are frustrated that we know how to use the Rules.

What is not okay, colleagues, is to ram this through — well, by now we might have had four or five hours of debate, but basically the notice of motion came when two Conservative senators had spoken. Today, after an hour and a half or two hours of debate, with only a few Conservatives speaking, you overwhelmingly voted here to shut down democracy. It is okay to believe that this Motion No. 165 should pass. I don't agree with it, but we can have differences of opinion.

You are creating a one-party state, and we are having colleagues support that on the time allocation — not on the motion, but on the time allocation. "We don't want to hear from you."

Senator Gold is saying, "We do not want you to vote on whether this should just be for this session of Parliament — a sessional order." Senator Gold does not even want you to vote on whether we should have a two-hour supper break. Senator Gold does not want you to have proper debate on an amendment that states, "You should have 45 days to give us an answer as opposed to 60 days." Senator Gold does not even want you to debate those simple issues.

Colleagues, when you go home this week, please ask yourself at least this question: "Having rammed this through in the few days that we had, did that make one Canadian's life better, including my own, or would it have been just as good if this had happened at the end of May or the beginning of June?" Ask yourself that question, because what difference did it make?

We asked for simple amendments. I told Senator Gold, "Four amendments, and we will not filibuster."

He said, "No, I don't want to hear from you."

Well, actually, what he said was, “Yes, you can present your four amendments as long as you do it all in one day, and we ram it all through, because I’m coming along with my motion.” And then he says it is democratic.

I would, at least, challenge you to please ask yourself this question over the course of the next week: “What have I done to make Canada better this week? Oh, I stopped those Conservatives from having their way and insisting we have a two-hour supper break, because Trudeau told me that one hour from 7 p.m. to 8 p.m. is enough, but from 6 p.m. to 8 p.m. is unacceptable. Boy, have I saved the country.” Shake your head all you want. That is what it is when he says, “No, I won’t allow you to bring that amendment forward,” because that is what I asked for.

I didn’t tell Senator Gold, “Let’s wait until September to pass this.” I didn’t tell Senator Lankin, “Let’s wait until September to pass this.”

Trust me; I’m being very careful.

An Hon. Senator: Overly cautious.

Senator Plett: A thorough review at committee would have allowed us to carefully wordsmith the new Rules and debate possible amendments. Sadly, with the process imposed by Senator Gold — and now with time allocation — we will be unable to debate the amendments. I have already mentioned the amendments, but since somebody took the time to type these up for me, I will mention them again, because I have a lot of time:

To keep the evening suspension as is. Or at least, give the whips the ability to ask for an extended period to allow for caucus meetings.

We really do use those. They are not frivolous. If you had caucuses, you would also use them. The next amendment reads:

Change the duration of the debate on a motion to allocate time on a matter to allow more dissenting voices to be heard.

That sounds reasonable. The next amendment reads:

Not having non-voting ex officios count against the quorum for committee meetings.

That is a clear overreach, again. The next amendment reads:

Clarify that committee meetings on Mondays may not be held on a holiday, and that only committees regularly sitting on Mondays can sit and only during their regular time slot.

I believe it would have been more prudent to have these changes part of a sessional order — I have said that — so we could do a road test on them first. If they work fine over the next year and a half, we could continue with it. Trust me; you will still have the majority in this chamber the day after Pierre Poilievre wins government, and you could put all of these in place immediately after. This would have been more respectful of the fact that we are a year or a year and a half, maybe, away from the end of this Parliament.

Finally, as I said in my speech, and as *The Globe and Mail* put it, these changes are designed to help Trudeau senators frustrate the will of the Canadian voters after the next election.

This is wrong, colleagues, and this is very dangerous for the future of this august chamber.

• (1820)

The Liberals will lose the next election. I predict that. The Liberals will lose the next election. The will of Canadians is already clear and will become abundantly clearer over the next year to a year and a half. We cannot have a Senate that acts as a chamber of confidence and goes against the will of Canadians.

I have no illusion on the final outcome of this Motion No. 165 when it will come to a vote, and we never did. However, we wanted our points made. You took that away from us. You took that away from us, and you took that away from Canadians. Remember that. This is not about Don Plett and his cabal of 12 cohorts. You took this away from Canadians. That is what you did, and that is shameful.

An Hon. Senator: Not a cabal.

Senator Plett: A group, a caucus.

An Hon. Senator: We are a caucus.

Senator Plett: Let me tell you this: Senator Manning came to me last week Monday. I need to share this. He came to me at about midnight. He said, “Don, I have good news, and I have bad news.” I said, “What is the bad news, Fabian?” He said, “Don, we only have five senators in the chamber.” Then I said, “What is the good news, Fabian?” He said, “We have half of our caucus in the chamber.”

We used to have a sign in my village of Landmark — when you drove into my village — and we only had 500 people living in the village. My grandfather on one side of my family lived at one end of Landmark, and my great-grandfather lived at the other end of Landmark. They founded the community, and it grew together. Now it is a fair-sized village. My dad then became one of the supposed founders, and we had a sign at each end of our village: “Our town is small, but our spirit is great.” That is how I feel about my friends here in this chamber.

Some Hon. Senators: Hear, hear.

Senator Plett: Our group is small, but our spirit is great. I can only hope that a few Trudeau senators — just to make a point — will find the courage to vote against this motion.

I especially hope that at least all Conservative-minded people — or great democrats — will find the courage to vote against this —

An Hon. Senator: Support the amendment.

Senator Plett: — support the amendment and vote against the final motion. I’m sorry. I’m getting a little mixed up here with the speed with which we have had to go. I have had to look at which speech I am making now. As you said earlier, Senator

Martin, I have three times that I can speak. I need to know which one. I do not think that I have any more times, and once I sit down now, I will be done until I stand at least twice.

An Hon. Senator: More, more.

Senator Plett: Nevertheless, colleagues, let me make a prediction. This is not going to work in the long run for you.

An Hon. Senator: Well, it might.

Senator Plett: No, it won't. It will work for the next year and a half and maybe even for the next two and a half years. But we have an absolutely great leader — a common-sense Conservative leader — in Pierre Poilievre. Pierre Poilievre will win the next election. Pierre Poilievre will govern, and he will change Rules. He will repeal some of the asinine bills that this chamber has helped.

I hope, colleagues, that at least then you will have the courage to say it is the democratic will of the House over there to repeal Bill C-21, a horrible piece of legislation. I hope you will say that. I do. I see people nodding. I hope that you are not nodding and falling asleep but that you are nodding and saying yes. Because I will check. I will be up in the gallery occasionally whether you want me there or not. I might be ruled out of order from up there.

Colleagues, I will stop there. Thank you for your attention. I really hope that we will support the very common-sense — and I will leave it there — amendment that Senator Quinn has brought forward. It is a good amendment. It needs to be passed. Then, we need to try to find a way, unfortunately, of defeating the rest of it because there are other amendments that should come forward.

Thank you, colleagues.

Hon. Denise Batters: Honourable senators, I rise today to speak to Senator Quinn's amendment on the proposed rule changes regarding written and delayed answers in Government Motion No. 165. I wanted to correct the record on some of the debate we've heard on this amendment so far. In particular, I am compelled to address some of the errors in Senator Saint-Germain's remarks on this matter.

Last week, I rose to ask her for clarification after her speech, and she refused to answer my question. This is regrettable, given that it has long been the tradition in the Senate to accept questions from other senators after speaking. The Senate is a political institution, and the back and forth of parliamentary debate is designed to challenge and test arguments on legislation to arrive at the best possible version for all Canadians.

But a trend has developed with Prime Minister Trudeau's new independent senators: an intolerance of debate. We're a long way from the times of former senators Serge Joyal and George Baker. Senator Coyle wants debate to be over shortly after it starts. Senator Woo calls having to listen to speeches on this massive overhaul of the Senate rules "tedious." Senator Saint-Germain was even dismissive of Senator Quinn's very reasonable amendment on written questions, belittling it as a "distraction" from the main motion. Democracy is not a distraction,

colleagues. If you feel that debate in this parliamentary chamber is a waste of your time, you just might be in the wrong line of work.

Let's remember that under the Senate rule changes proposed in this motion, the Independent Senators Group leader will be given unlimited time to speak and answer questions. Was last Thursday a foreshadowing of how she will use that time — refusing to answer the questions of her colleagues in the Senate Chamber? At least Senator Gold recognizes he has a responsibility to attempt to answer questions, even if his answers are not always satisfactory — well, other than today. Why is that? It is because as Senate government leader, he has a role and a parliamentary purpose under the Westminster system, unlike the third group in the Senate.

When the Independent Senators Group leader refused to answer my question on Senator Quinn's amendment, she said, "I believe my speech is comprehensive, and I won't accept any questions." However, there were several errors in Senator Saint-Germain's speech, which I think could leave a mistaken impression for senators, especially new senators who are looking to be well informed before they vote. Therefore, allow me now to correct the record regarding this amendment so that senators might have a broader view of the issues involved and have a full understanding of what they will be voting on.

First, contrary to Senator Saint-Germain's comment, Senator Quinn's amendment is not a distraction. His amendment is reasonable, precise and well-thought-out. He did not come up with this amendment on the fly as a means of delaying debate or votes on this issue. Senator Quinn proposed this idea — requiring the government to respond to senators' questions within 45 days — one year ago. He proposed it to the Rules Committee, where such proposals to change the Rules belong — news flash, Senator Gold. However, Senator Saint-Germain dismissed Senator Quinn's past work on this issue, saying, ". . . the world didn't begin the day you came to the committee on this question." Well then.

Further, Senator Saint-Germain's reference to my position on removing the government's ability to give excuses confused the issue. I certainly was not in agreement with Senator Saint-Germain's stance on this matter. I was criticizing the Trudeau government giving itself the power to dodge accountability by responding to a written question with an excuse.

The government cannot evade answering questions by providing excuses for either House of Commons written questions or access-to-information requests. They still have the obligation to respond within a set time period. I don't know why the Senate would or should accept anything less. For this reason, I support Senator Quinn's amendment as it is written. Giving the government the ability to make an excuse does not bolster accountability. That is a bizarre argument to make, particularly here in the chamber of sober second thought.

Senator Saint-Germain described Motion No. 165 as bringing ". . . great progress from our current situation . . ." — meaning by implementing any time limit on government responses to Senate written and delayed answers. She said, ". . . it is not worth spoiling for such an ill-advised amendment" — such as Senator

Quinn's. Senator Saint-Germain is essentially telling us to be satisfied with the divine benevolence of the Trudeau government, to take the scraps they throw to us and be grateful. No, thank you.

With Motion No. 165, this Trudeau government is treating the Senate like a poor cousin. The Senate is supposed to be an equal and complementary chamber to the House of Commons, and we have an equal right to get an answer.

• (1830)

Honourable senators, I'm sure you're aware of how long it takes the government to respond to our written and delayed questions. Just last week, Senator LaBoucane-Benson finally returned several answers to questions from November 2021. The Trudeau government is so benevolent that it took them two and a half years to respond. Even when this government does finally return responses to written and delayed questions, many of their answers are of poor quality.

In September 2022, I asked a question in Question Period about the horrific James Smith Cree Nation mass murders earlier that month in northern Saskatchewan. I received the Trudeau government's response five months later. This answer had already been publicly disclosed by the RCMP in a press conference four months earlier, so why the delay in returning the information to me?

Another delayed answer I recently received from the government came 14 months after my initial request. I had asked about the number of Canada Revenue Agency employees who had been fired for inappropriately claiming the government's Canada Emergency Response Benefit, or CERB. The answer I received had, again, already been released publicly in a media article four months earlier. This answer also contained a number that was out of date. A second news article from a couple of months ago quoted information from the government giving an even higher number, yet the response Senator Gold returned to me contained the old and incorrect number of those fired. It really is posterous.

Other senators have had similar experiences. Two and a half years ago, Senator Housakos asked questions to Senator Gold regarding the Senate appointment process. Last week, the government returned a one-sentence answer to Senator Housakos that still didn't answer his questions and essentially said nothing.

I want to correct a couple of other errors in Senator Saint-Germain's response on this amendment. First, I want to assure her and other senators that Senator Gold is not the sole person toiling away to answer Senate written and delayed answers. He has a \$1.5-million office budget and a massive staff to assist him.

Second, the answers to the questions — as we heard today at the Rules Committee — are actually coordinated by the large Privy Council Office after being prepared by the relevant government departments or agencies and then approved and released by the appropriate ministers. Senator Gold's office then returns that information to the senator who initially raised the question.

Senator Saint-Germain, fear not: Senator Gold has the weight of the entire Trudeau government at his disposal. It's serious that the Trudeau government does not give Senator Gold and the Senate the respect we deserve, but that's a separate issue. This is why answers to questions asked by senators routinely wait months, and sometimes even years, to be returned.

There is an easy solution to cut down on Senator Gold's workload: The Trudeau government should prioritize briefing Senator Gold properly, like a minister of the Crown, so he can more readily answer questions directly during Senate Question Period. This would cut down the number of delayed answers in the queue altogether. During Prime Minister Harper's mandate, when Senator LeBreton and Senator Carignan served as Senate government leaders, they would bring huge briefing binders into the chamber every day for Senate Question Period because they knew they had to answer for the government. This occurred even though Senate Government Leader Carignan was not in cabinet. He was still a sworn privy councillor — like Senator Gold — and was expected to answer questions from other senators on the government's behalf. The information in those briefing binders would come from his office coordinating with the government on key issues of the day.

The only time Senator Gold seems to give full answers in Question Period occurs when independent senators ask questions and give him prior warning as to the content. Then he pulls out an 8.5-inch by 14-inch page to read out the prepared answer. It is not a requirement under the Senate Rules to tell the government leader what the questions will be in advance, nor should it be. Question Period is supposed to be without notice, on demand. Senator Gold should be briefed well enough to be able to answer almost all questions on the floor of our Senate.

Senator Saint-Germain suggested that the government needs a longer time — 60 days as opposed to the House of Commons' 45 days — because of the superior comprehensiveness of Senate questions. She said that Senator Quinn's amendment to reduce the deadline for a response from 60 to 45 days “. . . doesn't take into consideration the nature and complexity of questions often asked to the government by senators.”

This is hardly the case. Perhaps Senator Saint-Germain needs to spend some time reviewing written questions in the House of Commons. I can assure her that MP questions are just as complex as those asked by senators. Frankly, to suggest otherwise is erroneous, not to mention condescending.

Senator Saint-Germain referred to the process for responding to written and delayed questions in Motion No. 165 as “. . . more robust and clearer than the one in the House of Commons.” Again, I have to wonder, has she reviewed the House of Commons process? Unanswered questions in the House of Commons are referred to the relevant standing committee, which can call witnesses on the matter, including the parliamentary secretary or departmental officials. When MPs don't get an adequate answer in Question Period, they can request to speak during adjournment proceedings, also known as the “late show.” I can tell you, I'd be a frequent guest on the late show if we had such a thing here. The late show allows MPs an opportunity to press the government on their questions in the House of Commons chamber and continue to publicly hold the government to account.

Compare that with the proposed Senate process outlined in Motion No. 165. Senator Saint-Germain calls it a “sanction,” but there is no sanction, really. Under this motion, if a question is unanswered after the time limit, the question would go to the Rules Committee. Why? What is the Rules Committee going to do about it? It will have nothing to do with getting answers on the content of the question. Is the Rules Committee going to delve into issues of foreign interference, the cost of the Prime Minister’s latest luxury vacation or giving lucrative contracts to their buddies? Of course not. It’s just another example of this government using the Senate Rules Committee as a dumping ground for its various failures.

This is like how Senator Gold now wants the Rules Committee to study the role of non-affiliated senators because the government failed to address their concerns in this motion. The Trudeau government didn’t even use the term “non-affiliated senators” once in eight pages of major proposed rule changes.

Senator Saint-Germain said sending unanswered written questions to the Rules Committee would be a “. . . question of privilege . . .” This is absolutely false. Motion No. 165 does not mention anything about a question of privilege. This would need to be expressly stated, but the motion says only:

. . . the absence of an answer shall be deemed referred to the Standing Committee on Rules, Procedures and the Rights of Parliament for consideration and report . . .

When a question of privilege is studied at the Rules Committee under the Senate Rules, it takes precedence over all other matters before the committee. Motion No. 165 certainly doesn’t stipulate that this would be the case. Even if it did, it would be totally unworkable because our Rules Committee would do nothing but deal with the unanswered questions that it can’t do anything about. It’s ridiculous.

Honourable senators, if we are going to so profoundly change the *Rules of the Senate of Canada*, we have an obligation to inform ourselves about the current Rules and the reasons why they exist. We should not discard the Rules simply due to an eagerness to change. There will be significant unintended consequences for not proceeding with a high degree of caution. While some of these changes may seem like a great idea from where you sit right now, just know that one day — maybe one day soon — you will be on the opposite side. Will the changes you’re advocating for now still seem fair from that vantage point?

Placing a limit on the time the government has to respond to senators’ questions is reasonable. It is unfortunate that this Trudeau government has chosen to roll it into an omnibus motion with measures designed to disable and dismantle the opposition in this place.

Senator Quinn’s amendment is a thoughtful and sensible attempt to introduce better accountability into the process that this government is proposing for unanswered questions. It would reduce the number of days the government would have to respond from 60 to 45, in line with the House of Commons. It would eliminate a loophole for the government to avoid accountability with excuses.

Senators deserve to get answers from this government on behalf of Canadians, and we deserve to get these answers with the same respect afforded to MPs in the House of Commons. For these reasons, I hope you will join me in voting “yes” to Senator Quinn’s amendment. Thank you.

[Translation]

Hon. Claude Carignan: Honourable senators, I’ll be brief.

I read Senator Gold’s Motion No. 165 very carefully. Although I have much to say about the motion’s overt and covert intentions, I’ll limit my remarks to one problematic aspect of the motion.

Normally, we would have been able to do our job properly and amend the motion to correct this shortcoming. However, we are being deprived of the opportunity to correct this series of changes to the *Rules of the Senate* because the government’s time allocation motion is muzzling us.

I’d like to outline the very reasonable and sensible amendment I wanted to move because I want to show you that Motion No. 165, in addition to being totally illegitimate, has an obvious flaw that we’ll be forced to adopt. This is important, because there are others. Since the Leader of the Government, who answers to Justin Trudeau, has decided to limit our speaking time, amending his motion will be impossible. The leader has a monopoly on the truth.

• (1840)

I’d like to draw your attention to section 17 of Motion No. 165, which amends the Rule that deals with Senate committees. Rule 12-3(3) states, and I quote:

. . . the Leader of the Government and the Leader of the Opposition or, in the absence of either, their respective Deputy Leaders are ex officio members of all committees except the Standing Committee on Ethics and Conflict of Interest for Senators, the Standing Committee on Audit and Oversight, and the joint committees.

As ex officio members of committees, the Leader of the Government and the Leader of the Opposition also have the right to vote.

However, section 17 of Motion No. 165 would have the effect of ensuring that the leaders or facilitators of other parliamentary groups recognized in the Senate and having the most members would also sit as ex officio members, but without voting rights. The intention behind this part of the amendment, which is to not give voting rights to the three other leaders, is to avoid throwing committee votes off balance. However, there is no mention in this amendment of the quorum required for committees to sit. Under section 17 as it currently stands, the leaders of the five groups could be taken into account in establishing the quorum, which is four members according to rule 12-6(1).

To illustrate the flaw in that amendment, let’s consider a hypothetical situation. A standing committee is convened to consider a government bill clause by clause, but only the Leader of the Government, who has the right to vote, attends, along with the leaders of the Canadian Senators Group, the Progressive

Senate Group and the Independent Senators Group, none of whom have the right to vote. No other member of the standing committee attends. The quorum of four would nevertheless be reached, and all votes would be one to zero. It just doesn't make sense.

My example is obviously an extreme one, but it clearly illustrates the inconsistency of section 17 if we don't take into account, in its current wording, the quorum of committees and the participation of new ex officio members that it provides. To correct this obvious problem, I would have proposed amending the new rule 12-3(4) of the Senate Rules proposed in the motion as follows. First, I would have added the words "and quorum" to the marginal note of this new rule so that it would read, "Ex officio members voting and quorum." Second, in the text of rule 12-3(4), I would have replaced the words "their respective deputies, shall have the right to vote" with the words "their respective deputies, shall: (a) have the right to vote; (b) be taken into account for the purposes of determining whether a quorum is present." Third, I would have added a reference to new rule 12-3(4) in the list of exceptions that follows rule 12-6(1).

Colleagues, essentially this amendment would have established that the five leaders or facilitators recognized parliamentary groups would henceforth be ex officio members of the standing committees, excluding the three previously named committees, but that only the government leaders and the Leader of the Opposition would be entitled to vote, as is the current practice, and that they be the only ones, in addition to regular committee members, to be taken into account in establishing quorum. However, honourable senators, I cannot do it. I cannot even propose this "common-sense" change. The Senate cannot even study it because the Leader of the Government decided that he was master of the game, supported in this by so-called independent senators who abdicated their responsibility to study the rules and their amendments. It is sad, honourable colleagues, but that is the situation. I'm sorry, but we are going to have to live with that.

Thank you.

[*English*]

The Hon. the Speaker: As a reminder, we are debating the motion in amendment of the Honourable Senator Quinn.

Hon. Leo Housakos: Honourable senators, this is part 2 of the remarks I made in part 1, which are essentially to remind everyone that democracy is only exercised in our function as parliamentarians and that there is a distinguished difference between parliamentary functions and government.

Senators are summoned here to not only exercise our titles, our privileges and perks and to support the government, but we're also here to challenge the government. We're here constitutionally to ensure that we fulfill our role in representing the interests of our regions.

It is imperative to understand the implications of the motion before us. Earlier in my remarks, I said that I'm torn. While I stand on the opposition side of this chamber, I find these rules abhorrent in the fact that the government unilaterally forced them upon this institution. We're seeing, for the first time in the

history of Confederation, the use of such draconian tools as time allocation to pass changes in our rules, procedures and rights of Parliament — the most fundamental rights that we have.

If I were sitting on the other side, on the governing side — which I was once upon a time, for the first seven years of my career after being summoned here — I like some of these changes, by the way, colleagues. I suspect that some of us on this side — who might be over on the other side in a few months — will embrace these. Many of you who will still be here in two, four or six years will regret today and that you let the toothpaste out of the tube. There is no way of getting it back in. In our parliamentary system, when you create a precedent, governments take full advantage of it. I've seen this during my 40 years in political life.

Let me provide a hypothetical — a very possible and, I predict, a very probable hypothetical. You will have a prime minister elected in the next election who, in two, four or six years, will have appointed 70 or 80 new senators. By the way, it happens. I was here when a guy named Stephen Harper appointed 70 or 75 senators, and now we've seen Justin Trudeau appoint over 80. There is a good likelihood that the next prime minister will do the same.

Keep in mind the scenario where you have a dozen government representatives, a Conservative governing caucus of 12 — not 3, but 12 because they will want to have a larger caucus. What might sprout out of the next couple of Parliaments are two new groups. One of them could be the ICG group and the other could be the ITG group. They will have their own leadership. They will demand their status in this new independent institution. The ICG is going to be the "Independent Conservative Group," with 38 or 39 senators, and the ITG will have another 36 or 37. "ITG" is the "Independent Tory Group." So you'll have a total of 75 to 80 Pierre Poilievre-elected senators in this chamber who will feel empowered by the fact that there are precedents. They are the majority in this chamber, and they deserve to change the rules, procedures and rights of Parliament to fit their shape and size and what they determine to be right.

By the way, many of the changes they won't have to make because you're making them now with Motion No. 165. The argument from the new leader of the ICG will be, "We're the largest group after the government, so we should have unlimited speaking time. We should have ex officio representation on committees."

The ITG group will say, "Wait a second. What's good for the goose is good for the gander. We deserve the same thing. By the way, we deserve the same budgetary and financing allocations that other groups have, like the Independent Senators Group."

They will have a legitimate claim. Who in the world would argue otherwise? You'll have a wonderful situation where you have three groups — a governing group and two other groups who will be the majority in this place — and their argument will be, "We want the right to speak on behalf of the things that are important to us."

Essentially, you will have three groups speaking on behalf of the government. Do you see the problem with that? You don't today, but I guarantee that you will in a few years. I'll be sitting on that side, using your arguments and laughing.

Let me tell you that when I came to the Senate, I learned from some giants of Parliament like Serge Joyal, Jim Cowan and David Smith. Even when I was Speaker, appointed by order-in-council, they used to tell me all the time, "Mr. Speaker, you will only be judged by the way you treat the minority in this chamber." The majority has all the tools, votes, rights and privileges. They will ultimately do whatever they want, but democracy only functions when the minority voices are treated with deference. The moment that the government stops treating the minority groups and minority representations with deference, democracy dies. And there are no rules that can save it because democracy functions on the premise that the government respects the principles. When you unilaterally change the rules of an institution just because you have the numbers, that institution has gone to hell in a handbasket. That, colleagues, is the reality, and there is no way around it.

• (1850)

I call upon you — senators — who will take the time to reflect on this for the sake of democracy, and for the sake of a number of years from now when future governments are using the tools you're putting into place to trample and reduce the megaphone of opposition voices. You don't want to be in a situation where your children and grandchildren ask you, "Where in the world were you when this was going on?" and you say, "I was acquiescing to the government." Again, I appreciate it; we've all been there: You always dance with the one who brought you.

Democracy flourishes when you have the courage to push back and tell any government, even one that has appointed you to the Senate, "This is a line, Mr. Prime Minister or government leader, that we won't let you cross. There are other lines you may cross. There is other legislation that I wasn't thrilled about, but I was reminded that my main job here is to make sure we support the government."

We all know that this government has bankrupted the country over the last eight years, and yet you were obliged to vote for supply bills and budget bills that — deep down — you knew were a catastrophe, but you supported them anyway because you do not want to question the will of the democratic chamber. We're not a house of confidence. But we are a house of principle. We are a house where if we — each and every one of us — feel compelled and strongly about something when the government goes too far, on behalf of our region, constituents or various groups we represent, such as French, English and everyone in between, this is the place to be heard and counted. It saddens me that we passed a draconian motion in order to force rule changes and procedures without a whimper in this place, and nobody seemed concerned.

Senator Quinn, who is always tempered and reasonable, has an amendment here that is essentially calling upon senators to preserve our rights and privileges compared to the other place — nothing more, nothing less. Again, let's go back to what our privileges are here; Senator Batters alluded to it. We have the same rights and privileges as the members of the House of

Commons. The difference is that we're not elected nor are we a house of confidence. Why in the world would you accept changes that diminish your role? Even if it doesn't sound like a big deal — 60 days over 45 days — why is a question from a member of the House of Commons more important, or more compelling, than a senator who represents Alberta, Quebec or wherever? If anything, being the upper chamber, we should demand that the government give these answers within 30 days. That's what we should be doing. We shouldn't allow the government off the hook when it comes to things like this.

It's bad enough that we accepted the will of the electorate in 2015. By the way, none of you can take credit for this new independent Senate. When the history books are written in Canada, there is not a single one of you who is going to say, "I showed up in Ottawa after being appointed in 2015, and I decided to be independent." The decision was taken even before the election of 2015 when Justin Trudeau unilaterally threw out members of his caucus, and we know the reasons behind it. Ultimately, he put it in his electoral program for political expediency and, based on that election, forced the discombobulated changes that we've seen over the last eight and a half years upon this institution.

We accepted those in principle because — again — it was the will of the electorate. But nowhere did he say in his program that he was going to stick his nose into the institution to such a degree that he was going to change the Rules and procedures of the institution unilaterally using his government leader, a government motion and closure on that motion. That is a precedent, colleagues, that we're going to have to live with for many years, because I guarantee that future governments are going to use it. Why wouldn't they? I will be the first to defend the future government using it because I see many senators in this institution telling me that it's more than fine.

That hypothetical scenario that I put on the table, colleagues, will become reality; trust me. I'm not clairvoyant or Nostradamus, but I've been around politics long enough to know that when you put a tool on the table, a politician will use it, especially when in the Prime Minister's Office. Justin Trudeau used to talk about the virtues of the opposition when he was in the opposition. He doesn't extol those virtues anymore, and, in eight and a half years, he hasn't once said, "We have to give more power to the Senate or the House of Commons." It's quite the contrary.

The other element that also needs to be highlighted, my dear friends, is that we've spent hours and hours with a government that is so obsessed with changing the Rules because they want to limit the voice of the opposition and limit criticism at all lengths. They want to make sure that, at the end of the day — because it's always a public relations show — when anything bad is said about this government — you know what it is — you're being partisan. It's code for "Don't criticize the government." Again, it's our role. When you're summoned here, your job is to criticize the government and policies — nothing more, nothing less.

All of a sudden, Senator Gold, it seems that your government's number one preoccupation over the last week, or couple of weeks, is that rule changes and procedural changes in the Senate are more important than the fact that we have historic deficits, historic debt, a historic cost of living and a generation of

Canadians who have been relegated to living in the basement of their parents' home because they can't afford to buy a house. Crime is skyrocketing. That's a reality. For the first time, as Canadians, every last penny of our GST that is collected is being sent to pay the interest on the debt in this country. More is being paid toward the interest on debt in Canada right now than transfer payments in health care — no worries there. There are 6 million Canadians without doctors, but what we need to debate is Senator Quinn's amendment on Motion No. 165 because that is critical — right, Senator Plett?

Canadians across this country don't want the Senate and all their senators here working on any other possible problems, but they want us to consider the Rules and procedures about lunchtime and giving a Trudeau-appointed group and their leader unlimited time to speak so that their time can be used to tell us what a great job the Prime Minister and his government are doing. All the problems I just highlighted are a figment of my imagination and that of 40 million Canadians. That is what this government thinks is more important, and what Canadians are calling on their parliamentarians to focus on.

In short, colleagues, I thoroughly support Senator Quinn's amendment, and all of you should be standing up to support it as well, because this is the first time we have a truly independent senator asking the government to stop muzzling and neutering this place. It's bad enough that they have called you to Ottawa to speak on behalf of your regions, but they throw you out of the governing national caucus. You can't go there on a weekly basis because they don't want to hear complaints from their senators about their regions and how things are going. The truth is that if you were sitting in the national caucus, and if all of you were getting up every Wednesday morning to tell the Prime Minister what you're hearing from your friends, neighbours and citizens, you would be telling him, "Hey, buddy, change your ways and change them quickly."

They don't want to hear that from you guys, so they neutered you by throwing you out of the caucus. They told you that you're independent, which basically means, "Don't criticize the government," and now you're basically being told that you're also second-class parliamentarians compared to members of the House of Commons. Their level of importance is significantly higher.

Colleagues, for all those reasons, I support Senator Quinn's amendment, and I call on anyone with any common sense to do the same. Thank you very much.

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I rise for the second time today to speak to Senator Quinn's amendment to Motion No. 165.

I believe that Senator Quinn's amendment is an important one for our chamber and for all Canadians.

As parliamentarians, we are the voice of our constituents, organizations, stakeholders and Canadians from coast to coast. In both houses of Parliament, we rise during Question Period and ask the government leader questions that matter to Canadians.

[Senator Housakos]

As deputy leader of the official opposition, I have asked questions to the government leader on numerous occasions. As a proud B.C. senator, I have asked many questions that address the issues that affect British Columbia. Like many parliamentarians, I have become an advocate and voice in the Senate Chamber for many organizations, including ones serving Korean War veterans, the deafblind community and small businesses, to name a few. I have, on occasion, asked questions to support these organizations, defend their rights and hold the government to account for hard-working Canadians. Often, these questions are not answered directly by the leader at the time they are asked. We then wait for the answers to come in the form of delayed answers. Answers to questions about veterans' issues, the housing crisis, the dangerous decriminalization of drugs, health care and other important issues that directly affect Canadians must be given in a timely manner.

• (1900)

Colleagues, while Question Period's purpose has sometimes been questioned and taken for granted, let us not forget the essential role that both oral and written questions play in our parliamentary system and democracy. Question Period is an important means to hold the government accountable and receive more information on certain issues. Written questions can be especially useful for receiving more detailed answers on data, statistics, funding, et cetera.

While the government says it wants to be open and transparent, the current status of the Access to Information and Privacy, or ATIP, Office is anything but open. It is mired in a culture of delay when Canadians and parliamentarians want crucial information on government spending. During Question Period both here and in the other chamber, the government would rather read off talking points instead of giving clear, accurate answers. As for written questions, it is quite remarkable that the first question submitted during this Parliament, on November 23, 2021, is still on the Order Paper, unanswered. The system is clearly broken with such a delay — not one of days, weeks or months, but years.

In that context, written questions for senators are purposeful and important. Senator Quinn's amendment would better align our practice with that of the House of Commons. Why should our questions be subject to a limit of 60 days instead of 45 days, like in the House of Commons?

Senator Housakos: Or two years.

Senator Martin: Yes — or two years. It is not logical to have two sets of rules for written questions within one Parliament.

We have heard other senators refer to the House of Commons and this 45-day limit. Senator Plett said:

... I don't see why the government should have more time to answer questions than the questions of the members of the House of Commons.

I say “members of the House of Commons” as compared to “MPs” because I agree with Senator Quinn. We are all MPs. We are all members of Parliament. I don’t really see how letting the government not answer our questions by simply tabling a document saying they cannot answer the question is any good.

Senator Quinn stated:

I want to start by saying that members of the House of Commons and senators are, in fact, members of Parliament. We should be treated equally when it comes to receiving a response to written questions and delayed answers. When a valid question isn’t responded to in a satisfactory manner, there is a mechanism on the other side known as the Adjournment Proceedings

Colleagues, I have had the honour of serving as Deputy Leader of the Government and Deputy Leader of the Opposition. I take pride in these roles. I have a deep respect for the Senate as an institution and the importance of upholding the Westminster system and the *Rules of the Senate*. The original motion by Senator Gold does propose to add a time frame for the government’s answers to written questions but why he chose not to align it with the House of Commons practice is baffling. It further demonstrates that we cannot as a chamber vote on the motion right now. Further debate and consultation are needed, not just on this one line item, but also various others in this broad, sweeping motion.

But here we find ourselves in this time-allocated debate.

It is no secret that we, the Conservative opposition in the Senate, are against Motion No. 165 in its entirety. But why is the government so afraid of further consultation and debate? Instead, they move time allocation to within a matter of days, to stifle debate and ram the motion through.

While I support Senator Quinn’s amendment to Motion No. 165, I do not support Motion No. 165 in its entirety. Thank you.

Senator Plett: Hear, hear.

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

Hon. Senators: Question.

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

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker: All those in favour of the motion will please say “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed to the motion will please say “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion the “nays” have it.

And two honourable senators having risen:

The Hon. the Speaker: I see two senators standing.

Is there agreement on the length of the bell? An hour? Call in the senators for a vote at 8:05 p.m.

• (2000)

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

YEAS
THE HONOURABLE SENATORS

Ataullahjan	Osler
Aucoin	Patterson
Batters	Plett
Black	Poirier
Carignan	Quinn
Deacon (<i>Nova Scotia</i>)	Ravalia
Downe	Richards
Greene	Robinson
Housakos	Ross
MacDonald	Seidman
Marshall	Smith
Martin	Verner
McCallum	Wallin
Oh	Wells—28

NAYS
THE HONOURABLE SENATORS

Arnot	LaBoucane-Benson
Audette	Lankin
Boniface	Loffreda
Burey	MacAdam
Busson	McBean
Clement	McNair
Cordy	Mégie
Cotter	Miville-Dechêne
Coyle	Moncion
Dalphond	Moodie
Dasko	Omidvar
Deacon (<i>Ontario</i>)	Oudar
Dean	Pate
Forest	Petitclerc
Francis	Petten
Galvez	Ringuette
Gerba	Saint-Germain

Gold	Simons
Greenwood	Sorensen
Harder	Tannas
Jaffer	Varone
Kingston	White
Klyne	Woo
Kutcher	Yussuff—48

ABSTENTION
THE HONOURABLE SENATOR

Al Zaibak—1

• (2010)

MOTION TO AMEND THE *RULES OF THE SENATE*—
VOTE DEFERRED

On the Order:

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

That the *Rules of the Senate* be amended:

1. by replacing the words “Leader of the Government” by the words “Leader or Representative of the Government” in rules 2-4(2), 3-6(2), 4-3(1), 4-8(1)(a), 5-7(m), 6-5(1)(b), 12-5(a), 12-23(2) and (3), and 14-1(2);
2. in rules 3-3(1) and (2), 4-2(8)(b), and 7-4(2), by replacing the words “6 p.m.” by the words “7 p.m.” in the marginal notes, as appropriate, and the text of the rules;
3. in rule 4-2(2), by replacing the number 15 by the number 18 in the marginal note and the text of the rule;
4. in rule 4-2(8)(a), by replacing the words “At the request of a whip or the designated representative of a recognized parliamentary group” by the words “At the request of a whip, liaison, or the designated representative of a recognized party or recognized parliamentary group”;
5. by:
 - (a) replacing rules 4-9 and 4-10 by the following:

“Delayed Answers and Written Questions

Delayed answers to oral questions

4-9. (1) When responding to an oral question during Question Period, a Senator may indicate that a delayed answer will be provided in writing pursuant to the terms of this rule.

Written questions

4-9. (2) Subject to subsection (5), a Senator may submit a written question to the Government relating to public affairs by sending it in writing to the Clerk if either:

- (a) a written answer is requested; or
- (b) the question seeks statistical information or other information not readily available.

Publication of written questions

4-9. (3) Upon receipt of a written question, the Clerk shall have it published in the *Order Paper and Notice Paper* on the day following receipt and subsequently on the first sitting day of each week until the earlier of the following:

- (a) an answer is tabled;
- (b) a written explanation why an answer has not been provided is tabled;
- (c) the question is withdrawn; or
- (d) the expiration of the 60-day period provided for in this rule for an answer or explanation.

Withdrawal of a written question

4-9. (4) The Senator who submitted a written question may subsequently withdraw it by writing to the Clerk, who shall have a note to that effect included in the *Order Paper and Notice Paper* the next time the question would have been published there.

Limit on number of written questions

4-9. (5) A Senator shall not submit a written question if they already have four such questions that are to be published in the *Order Paper and Notice Paper* under the provisions of subsection (3).

Answer within 60 days

4-9. (6) Within 60 calendar days of the Leader or Representative of the Government, or a Senator who is a minister, indicating that a delayed answer will be provided to an oral question pursuant to the terms of this rule, or of a written question first appearing in the *Order Paper and Notice Paper*, the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government, shall table either the Government’s answer to the question or a written explanation why an answer has not been provided.

Tabling

4-9. (7) An answer or explanation to be provided under this rule may be tabled either during Delayed Answers, which shall be called at the end of Question Period, or by being deposited with the Clerk. A copy of any such tabled document shall be provided to the Senator who asked the question, and the

delayed answer to an oral question shall be printed in the *Debates of the Senate* of the date the tabling is recorded in the *Journals of the Senate*.

Failure to respond or provide explanation

4-9. (8) If the Government has tabled neither an answer nor an explanation of why an answer has not been provided within the 60-day period provided for under this rule, the absence of an answer shall be deemed referred to the Standing Committee on Rules, Procedures and the Rights of Parliament for consideration and report, with this referral being recorded in the *Journals of the Senate* as soon as possible thereafter.”; and

(b) renumbering current rules 4-11 to 4-16 as rules 4-10 to 4-15;

6. in current rule 4-13(3), by replacing the words “such sequence as the Leader or the Deputy Leader of the Government shall determine” by the words “such sequence as the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government shall determine”;

7. by replacing rule 6-3(1) by the following:

“Time limits for speakers

6-3. (1) Except as otherwise provided:

Certain Leaders and Facilitators

(a) the Leader or Representative of the Government, the Leader of the Opposition, and the leader or facilitator of the recognized party or recognized parliamentary group with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs, shall be allowed unlimited time for debate;

Other Leaders and Facilitators

(b) leaders and facilitators, other than those provided for in paragraph (a), shall be allowed up to 45 minutes for debate;

Sponsor of bill

(c) the sponsor of a bill, if not one of the Senators provided for in paragraph (a), shall be allowed up to 45 minutes for debate at second and third reading;

Critic of bill

(d) the critic of a bill, if not one of the Senators provided for in paragraph (a), shall be allowed up to 45 minutes for debate at second and third reading;

Designated Senators

(e) one other Senator designated separately by the leader or facilitator of each recognized party or recognized parliamentary group, except for the recognized party or recognized parliamentary group

of the sponsor and critic, shall be allowed up to 45 minutes for debate at second and third reading; and

Others

(f) other Senators shall speak for no more than 15 minutes in debate.”;

8. by replacing rules 7-1(1) and (2) by the following:

“Agreement to allocate time

7-1. (1) At any time during a sitting, the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government may state that they have reached an agreement with the representatives of the recognized parties and the recognized parliamentary groups to allocate a specified number of days or hours either:

(a) for one or more stages of consideration of a government bill, including the committee stage; or

(b) for consideration of another item of Government Business by the Senate or a committee.

Motion on agreement to allocate time

7-1. (2) The Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government may then, without notice, propose a motion based on the agreement.”;

9. by replacing rules 7-2(1) and (2) by the following:

“No agreement to allocate time

7-2. (1) At any time during a sitting, the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government may state that they have failed to reach an agreement with the representatives of the recognized parties and the recognized parliamentary groups to allocate time to conclude an adjourned debate on either:

(a) any stage of consideration of a government bill, including the committee stage; or

(b) another item of Government Business.

Notice of motion to allocate time

7-2. (2) After stating that there is no agreement on time allocation, the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government may give notice of a motion to allocate time for the adjourned debate, including the committee stage of a bill. The motion shall specify the number of days or hours to be allocated.”;

10. by replacing rule 7-3(1)(f) by the following:

“(f) Senators may speak for a maximum of 10 minutes each, provided that the Leader or Representative of the Government, the Leader of the Opposition, and the leader or facilitator of any other recognized party or recognized parliamentary group may each speak for up to 20 minutes.”;

11. in rule 7-3(2), by deleting the words “at 6 p.m.” and the words “at 8 p.m.”;
12. in rule 7-4(5)(d), by replacing the words “the Government Whip” by the words “the Government Whip or Liaison”;
13. by replacing rules 9-5(1) to (3) by the following:
- “(1) The Speaker shall ask the Government Whip or Liaison, the Opposition Whip, and the whips or liaisons of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Government Whip or Liaison, or the Opposition Whip belongs, if there is an agreement on the length of time the bells shall ring. If a whip or liaison is absent, that whip or liaison’s leader or facilitator may designate a Senator to act for this purpose.
- (2) The time agreed to shall not be more than 60 minutes.
- (3) With leave of the Senate, this agreement on the length of the bells shall constitute an order to sound the bells for that length of time.”;
14. by replacing rule 9-10(1) by the following:
- “Deferral of standing vote
9-10. (1) Except as provided in subsection (5) and elsewhere in these Rules, when a standing vote has been requested on a question that is debatable, the Government Whip or Liaison, the Opposition Whip, or the whip or liaison of any of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Government Whip or Liaison, or the Opposition Whip belongs, may defer the vote.”;
15. by replacing rule 9-10(4) by the following:
- “Vote deferred to Friday
9-10. (4) Except as otherwise provided, if a vote has been deferred to a Friday:
- (a) the Government Whip or Liaison may, at any time during a sitting, further defer the vote to 5:30 p.m. on the next sitting day if it is on an item of Government Business; and
- (b) the Government Whip or Liaison, the Opposition Whip, or the whip or liaison of any of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Government Whip or Liaison, or the Opposition Whip belongs, may, at any time during a sitting, further defer the vote to 5:30 p.m. on the next sitting day if it is on an item of Other Business.”;
16. by replacing rule 10-11(2)(a) by the following:
- “(a) by the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government, at any time during a sitting; or”;
17. by:
- (a) replacing rule 12-3(3) by the following:
- “Ex officio members
12-3. (3) In addition to the membership provided for in subsections (1) and (2), and subject to the provisions of subsection (4), the Leader or Representative of the Government, the Leader of the Opposition, and the leaders or facilitators of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs, are ex officio members of all committees except the Standing Committee on Ethics and Conflict of Interest for Senators, the Standing Committee on Audit and Oversight, and the joint committees. For the purposes of this provision, in case of absence, the Leader or Representative of the Government is replaced by the Deputy Leader or Legislative Deputy of the Government, the Leader of the Opposition is replaced by the Deputy Leader of the Opposition, and the leader or facilitator of any other recognized party or recognized parliamentary group is replaced by that Senator’s deputy leader or deputy facilitator.
- Ex officio members voting
12-3. (4) Of the ex officio members of committees provided for in subsection (3), only the Leader or Representative of the Government, and the Leader of the Opposition, or, in their absence, their respective deputies, shall have the right to vote.”; and
- (b) renumbering current rule 12-3(4) as rule 12-3(5);
18. by replacing rule 12-8(2) by the following:
- “Service fee proposal
12-8. (2) When the Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government tables a service fee proposal, it is deemed referred to the standing or special committee designated by them following consultations with the Leader or Deputy Leader of the Opposition, and the leader or facilitator of any other recognized party or recognized parliamentary group, or the designate of such a leader or facilitator.”;
19. by replacing rule 12-18(2) by the following:
- “Meetings on days the Senate is adjourned

12-18. (2) Except as provided in subsection (3) and elsewhere in these Rules, a Senate committee may meet:

(a) when the Senate is adjourned for more than a day but less than a week, provided that notice was given to the members of the committee one day before the Senate adjourned;

(b) on a Monday the Senate does not sit that precedes a Tuesday on which the Senate is scheduled to sit; or

(c) during other periods the Senate is adjourned and that are not covered by the above provisions, provided that the meeting was either:

(i) by order of the Senate, or

(ii) with the agreement, in response to a request from the chair and deputy chair, of a majority of the following Senators, or their designates: the Leader or Representative of the Government, the Leader of the Opposition, and the leaders or facilitators of the three recognized parties or recognized parliamentary groups with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs.”;

20. by replacing rule 12-26(1) by the following:

“Appointment of committee

12-26. (1) As soon as practicable at the beginning of each session, the Leader or Representative of the Government shall move a motion, seconded by the Leader of the Opposition, and the leader or facilitator of the recognized party or recognized parliamentary group with the most members, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs, on the membership of the Standing Committee on Ethics and Conflict of Interest for Senators. This motion shall be deemed adopted without debate or vote, and a similar motion shall be moved for any substitutions in the membership of the committee.”;

21. in rule 14-1(1), by replacing the words “Leader or Deputy Leader of the Government” by the words “Leader or Representative of the Government, or Deputy Leader or Legislative Deputy of the Government”;

22. in rule 16-1(8), by replacing the words “Leader or Deputy Leader of the Government” by the words “Leader or Representative of the Government, or Deputy Leader or Legislative Deputy of the Government”, both times they appear; and

23. in Appendix I:

(a) in the definition of “Critic of a bill”, by replacing the words “Leader or Deputy Leader of the Government” by the words “Leader or Representative of the Government, or Deputy Leader or Legislative Deputy of the Government”;

(b) by replacing the definition of “Deputy Leader of the Government” by the following:

“Deputy Leader or Legislative Deputy of the Government

The Senator who acts as the second to the Leader or Representative of the Government and who is normally responsible for the management of Government business on the floor of the Senate. The Deputy Leader or Legislative Deputy is also generally responsible for negotiating the daily agenda of business with the Opposition and other recognized parties and recognized parliamentary groups. In the absence of the Deputy Leader or Legislative Deputy, the Government Leader or Government Representative may designate another Senator to perform the role. The full title is “Deputy Leader of the Government in the Senate” or “Legislative Deputy to the Government Representative in the Senate”. (*Leader adjoint ou coordonnateur législatif du gouvernement*)”;

(c) in the definition of “Evening suspension”, by replacing the words “between 6 and 8 p.m.” by the words “between 7 and 8 p.m.”;

(d) in the definition of “Government Business”, by replacing the words “Leader of the Government or the Deputy Leader” by the words “Leader or Representative of the Government, or the Deputy Leader or Legislative Deputy of the Government”;

(e) by replacing the definition of “Government Leader” by the following:

“Government Leader

See “Leader or Representative of the Government”. (*Leader du gouvernement*)”;

(f) by replacing the definition of “Government Whip” by the following:

“Government Whip or Liaison

The Senator responsible for ensuring the presence of an adequate number of Senators of the Government party in the Senate for purposes such as quorum and the taking of votes, and to whom the Leader or Representative of the Government normally delegates responsibility for managing the substitution of Government members on committees as

appropriate. The Government Whip or Liaison may be responsible for outreach on Government Business in the Senate. (*Whip ou agent de liaison du gouvernement*);

- (g) by replacing the definition of “Leader of the Government, or Government Leader” by the following:

“Leader or Representative of the Government

The Senator who acts as the head of the Senators belonging to the Government party, or who is appointed by the Government to represent the Government in the Senate without affiliation to a Government party. In modern practice, the Leader or Representative of the Government is normally sworn in as a member of the King’s Privy Council for Canada and can be a member of Cabinet. The full title is “Leader of the Government in the Senate” or “Government Representative in the Senate”. (*Leader ou représentant du gouvernement*);

- (h) by replacing the definition of “Ordinary procedure for determining the duration of bells” by the following:

“Ordinary procedure for determining duration of bells

The Speaker asks the Government Whip or Liaison, the Opposition Whip, and the whips or liaisons of the three largest recognized parties or recognized parliamentary groups, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Government Whip or Liaison, or the Opposition Whip belongs, if there is an agreement on the length of time, not to exceed 60 minutes, the bells shall ring. With leave of the Senate, this agreement constitutes an order to sound the bells for the agreed length of time, but in the absence of either agreement or leave, the bells ring for 60 minutes. In some cases provided for in the Rules, this procedure is not followed, with the bells ringing for shorter periods of time. (*Procédure ordinaire pour déterminer la durée de la sonnerie*);

- (i) in the definition of “Public bill”, under “Bill”, by replacing the words “(introduced by a Cabinet Minister or in a Minister’s name) or a non-Government bill (one introduced by a Senator who is not a Cabinet Minister)” by the words “(introduced by a Cabinet Minister, in a Minister’s name, or by or on behalf of the Leader or Representative of the Government if that Senator is not a minister) or a non-Government bill (one that is not a Government bill)”;

- (j) by replacing the definition of “Senator who is a minister” by the following:

“Senator who is a minister

A Senator who is a member of the Cabinet. The Leader or Representative of the Government is generally sworn in as a member of the King’s Privy Council for Canada and may be a member of Cabinet. (*Sénateur-ministre*);

- (k) in the definition of “Sponsor of a bill”, by replacing the words “the sponsor will typically be a government member” by the words “the sponsor is designated by the Leader or Representative of the Government”; and

- (l) by adding the following new definitions in alphabetical order:

(i) **“Deputy Leader or Deputy Facilitator**

The Senator who acts as the second to the leader or facilitator of a recognized party or recognized parliamentary group, other than, if applicable, the recognized parties or recognized parliamentary groups to which either the Leader or Representative of the Government, or the Leader of the Opposition belongs. (*Leader adjoint ou facilitateur adjoint*);

(ii) **“Government Liaison**

See “Government Whip or Liaison”. (*Agent de liaison du gouvernement*);

(iii) **“Government Representative**

See “Leader or Representative of the Government”. (*Représentant du gouvernement*);

(iv) **“Leader of the Government**

See “Leader or Representative of the Government”. (*Leader du gouvernement*);

(v) **“Legislative Deputy of the Government**

See “Deputy Leader or Legislative Deputy of the Government”. (*Coordonateur législatif du gouvernement*); and

(vi) **“Representative of the Government**

See “Leader or Representative of the Government”. (*Représentant du gouvernement*);

That all cross references and lists of exceptions in the Rules be updated as required by these changes, but otherwise remain unchanged;

That, in relation to the amendments to current rules 4-9 and 4-10, provided for in point 5 above:

1. new rule 4-9(5) not apply to any written question submitted before the adoption of this motion, so that only written questions submitted after the adoption of this motion are counted as if subject to that provision;
2. the provisions of the new rules have effect from the time of the adoption of this motion in relation to questions arising from that time forward, subject to point 3 below; and
3. the provisions of the new rules relating to the 60-day period for answering written questions, tabling, and a failure to respond or provide an explanation take effect, in relation to written questions submitted before the adoption of this motion, on the date that is six months after the adoption of this motion as if that were the date on which these questions were submitted, provided that if the current session ends before the expiration of this six month period, these elements of the new rules take effect on the last day of the current session; and

That, within 30 days that the Senate sits after the adoption of this motion, the Standing Committee on Ethics and Conflict of Interest for Senators present a report to the Senate proposing changes to the *Ethics and Conflict of Interest Code for Senators* to take account of the amendments to rule 12-26(1) provided for in point 20 above.

Hon. Scott Tannas: Honourable senators, first let me thank Senator Quinn for standing for his amendment, for seeing it through. I supported the other side of it.

It is funny. Senator Plett is the only leader here who wins every argument in his group. But I made the argument because I believed it, because I believed that the only opportunity that we would have to vote on this particular issue is if the government brought it forward. We would still have some motion such as the one that Senator Woo had and I had languishing on the back of the Order Paper. We would have a report from the Rules Committee that would be sitting there, ignored, all the way along.

The original meeting of Senate reform was the survey that was initiated by Senator Massicotte and Senator Greene nine years ago. There were a number of people from the Liberals and the Conservatives — a slightly larger number of Liberals than Conservatives, but that was fine. We met in October, the month of the election, and had what I thought was a tremendous full-day-and-a-half session talking about what we needed to do to reform the Senate.

This was informed by a lot of information that was out there — including the Supreme Court reference that dealt with a lot of Prime Minister Harper's desires for reforming the Senate, and essentially dashed them — and a growing feeling amongst Liberals and Conservatives that the traditional model was

indefensible. The public opinion was crystal clear on how they felt the Senate was doing and that there was an inertia that what we were doing was just fine.

It wasn't just fine. Many of us knew it wasn't just fine. That led to the Modernization Committee's first and second reports, obstruction all over the place at every turn to try to get rules changed.

This motion provides a very small measure — but a measure nonetheless — of equity and recognition for the reality of the Senate as it is composed today.

You have heard that rule changes in Motion No. 165 have been proposed and studied for years. I am here, living proof, that that is the case.

It takes nothing away from the opposition, their tools or the government tools. It just simply levels the playing field for what is the reality of multiple groups: partisan, independent, non-partisan, whatever you want to call them. Multiple groups beyond Liberals and Conservatives in this place.

I dislike time allocation immensely, but in this particular case I believed it was the only possible way, after nine years of discussion, that we were going to move forward and establish a set of rules that reflects the reality as it is today and as it will be for many years to come.

Time allocation has hardly been used in the Trudeau era. The credit for that goes to the opposition. It also goes to Senator Harder and later to Senator Gold. But even in the majority years, when opposition was in the majority here, there were good faith negotiations and every single government bill passed. Maybe it didn't pass as fast as the government would have liked, but it passed. We gave it scrutiny. We dealt with it properly.

I want to take a minute and talk about opposition. There is a saying that I have heard — and I believe it to be so true — that the worst day in government is still miles better than the best day in opposition. This is a difficult job. It is a necessary and important job in this chamber. I believe it is a fallacy to think that we could get along and be efficient and true to what Canadians want without a functioning opposition that got up every morning to try figure out how to poke holes in what was being sold to us by the government.

When I arrived here in 2013, I witnessed the previous opposition near the end, at about the same amount of time in opposition as this opposition. They were dispirited. They were hostile. They were obstructionist. They were tired of doing the job. But they were united in the hope that the future was going to be better and better soon. I recognize those same qualities in our colleagues here.

When I first came here, the Liberal opposition, in spite of all of that, did their work. They did it with dignity, with passion and they served the Senate and Canadians well. I want to give my respect to my colleagues right now. They are doing exactly what they should be doing in the way that they should be doing it. I don't always like to hear about it, but there is no way I want to be

in a place where I don't hear about it, where I don't hear criticism. If you get up and fight and lose every single day for seven years, then maybe we'll earn the right to criticize.

• (2020)

I'll go back to the motion.

The Conservatives have laid out that this motion will hurt the opposition and help the government, except they've warned us that it will help the government and hurt the opposition when they are on the other side — fair enough.

There is a narrative going around right now that the motion is a plot to create a multi-pronged opposition to repeal legislation. This is one I that I saw today in a fundraising email from Alberta: It will start when the Poilievre government goes to repeal Bill C-69 and this scheme will be unveiled, and we will all work diligently to prevent the repeal of Bill C-69.

I have more faith in this Senate, with these people, than that. I think most of you do as well. I believe we will continue to do the job.

We have some evidence on our side. Every single government bill has passed here and not been rejected. It has been done with only two closure motions. We now have the third closure motion of the last nine years, and it is on a motion. However, we have also amended 25% of all the government legislation that has come through here.

What do we have from the previous 10 years to compare that to, before 2015 and the so-called independent Senate?

In the 10 years prior to 2015, 7% of government bills were amended and closure happened 28 times, including 6 times on motions. Senator Martin mentioned that there were no motions; there were, in fact, six closure motions on motions.

I agree with something that Senator Plett quoted from an article in *The Globe and Mail*, which is that the true test of the independent Senate is yet to come. I believe that to be the case; I agree. However, with a mix of partisan groups and non-partisan independent groups — whatever you want to call them — a makeup that involves more than government and opposition, I believe we will continue to be effective, serve Canadians and observe what the majority of Canadians have given as a mandate to the duly elected house.

Based upon how effective we've been so far and how effective I believe we will be, I am confident that we will continue to serve Canadians even if and when a government of a different stripe is sending us legislation.

Let's get on with this and pass this motion. Thank you.

Some Hon. Senators: Hear, hear.

Hon. Chantal Petitclerc: Honourable senators, I also want to add my voice briefly to this important debate.

The time for these necessary changes is now. What we have in front of us, I believe, is the culmination of many efforts, thoughts and reflections that have happened over the last many years. I look around this chamber with gratitude for the work of Senators Greene, Massicotte, Sinclair, Dalphond, Tannas and Woo.

[*Translation*]

I also thank Senator Bellemare, chair of the Standing Committee on Rules, Procedures and the Rights of Parliament, as well as all of the committee's members. They deliberated over the course of seven meetings, and for nine hours, and in their fifth report, they presented us with a number of changes on group equity, which Senator Gold included in Motion No. 165.

I'd also like to acknowledge Senator Gold's commitment to ensuring that our Rules reflect the current transition from a bipartite to a multipartite chamber. We are now considering this proposal, which is actually the sum of our collective efforts over several years.

[*English*]

Does it go far enough? It's enough for now, I would say. Basically, I remain in agreement with the essence of this motion.

We heard a number of arguments up until now and, like many of you, colleagues, I reflected upon them in preparation for tonight. We heard that it was too quick, forced upon this chamber and unprecedented. That is not the case. We heard that this motion would take away the ability of the opposition to do its job. It will not. We heard it is a betrayal of the traditions of the Westminster system. It is not.

[*Translation*]

Here we are with this motion, which I support.

This isn't the first time we've made changes to our Rules, nor will it be the last.

[*English*]

In preparation for this speech, I was made aware of several debates that preceded the adoption of substantial amendments to our Rules. The 1991 amendments to the *Rules of the Senate* caught my attention, and I believe that they brought perspective to what we have in front of us.

[*Translation*]

I won't dwell at length on Senator Dalphond's eloquent reminder that the substantial 1991 amendments were agreed to by a vote of 40 for and 30 against, and that the report of the Standing Committee on Rules, Procedures and the Rights of Parliament was not unanimous. Let's not forget that it was drafted in the absence of Liberal senators, who boycotted all committee work on these amendments.

[*English*]

Colleagues, if you take the time to read the *Debates of the Senate* between June 11 to 18, 1991, I suspect that you, too, will find that they clearly illustrate how the 1991 process is far from

comparable to the work that preceded the introduction of this motion before us, which is the sum of several interventions and initiatives. It has been a step-by-step process to get to this point.

Of course, we can certainly aspire to reach consensus but — let's be honest — it is rarely feasible in any group of this size and nature. What we see in the Rules Committee report is a strong majority supporting the changes in front of us, and that is key. Furthermore, some colleagues on the Rules Committee chose to work by consensus, only to realize at the end of the study that this, perhaps, was not the best avenue.

Let me refer to the following words from Senator Ringuette on February 7, 2023:

I'm really disappointed. In hindsight, I would not have agreed to move forward on consensus. . . .

. . . This committee had a mandate to move on equity between parties and groups. We have not achieved that goal. . . . If we had not agreed on consensus, we would have. That is something to bear in mind for certain colleagues.

It is my view that when they embark upon their important work regarding the non-affiliated senators, the honourable members of the Rules Committee should take some time to clearly articulate what they want and what they mean by consensus. Certainly, the definition calls for more than a simple majority, but it does not mean unanimity.

[*Translation*]

We've also heard in this chamber that equity between recognized parties and groups could dilute the partisan opposition, thereby preventing it from playing its role to the fullest. I didn't find that argument convincing.

It's clear to me that this motion would not prevent the partisan opposition from doing what it is already doing — and doing very well — or would like to do in the future.

In his April 10, 2019, speech on the 13th report of the Special Senate Committee on Senate Modernization, Senator Greene, who is to be applauded for his perseverance in pushing for change, made the following remarks, which justified the relevance of that motion on equity entirely:

[*English*]

The influx of unaligned senators has shown that opposition can come from anywhere. We were a bipolar house once upon a time, but we are presently multipolar. The result is we have become more relevant. We amend more, and the cries for abolition have receded. But we need a set of rules that recognizes our multipolar nature and that encourages opposition from any corner of the Senate to form around any piece of legislation.

• (2030)

[*Translation*]

Of course, being a senator also means holding the government to account, keeping its feet to the fire, scrutinizing its decisions and questioning its actions. This is part of our responsibilities, and I would say that many people in every corner of this chamber exercise this privilege with a great sense of responsibility.

[*English*]

As we know, the Senate is a historic compromise that was not designed by the Fathers of Confederation to be a replica of the House of Commons, the ultimate place of partisan competition. By the original distribution and the non-elected method of selection of its members, the Senate was not originally designed to be a partisan environment. The Supreme Court emphasized this principle in its 2014 ruling on the Senate reform.

In a speech during the debates on the Confederation of the United Province of Canada in 1865, Sir John A. Macdonald, then a member of the Legislative Assembly and Attorney General of Canada West, said about the future of the Senate that:

There would be no use of an Upper House, if it did not exercise, when it thought proper, the right of opposing or amending or postponing the legislation of the Lower House.

[*Translation*]

Each of us, in our own way, style and purpose, shares a common understanding of why we're here. Many observers increasingly agree that we are fulfilling these responsibilities very well.

[*English*]

Nelson Wiseman, a political science professor emeritus at the University of Toronto, told CTV News just a few weeks ago that:

. . . this Senate is the best Senate we've had . . . certainly in the history of the last, I would say 90 to 100 years. And that's because we actually have people that are acting more independently.

[*Translation*]

Colleagues, I respect the objective of this motion, which is to take nothing away from the opposition. However, I will say that I was personally very comfortable with the proposals of Senators Woo and Tannas, which notably consisted in granting the same 45 minutes of speaking time to all leaders and facilitators. However, something else is being proposed to us. I took note of the arguments in support of this proposal, and I can live with them. I also wonder a little about the decision to grant ex officio status to the other leaders and facilitators without voting rights. This could result in situations where a leader or facilitator introduces a motion but can't vote on their own motion. In my view, that points to a certain lack of consistency. I can live with that too, in the spirit of this motion, which, as we saw and as was shown, takes nothing away from the opposition.

[English]

This brings me to my final point, namely, whether the principle of equity sought by most senators would compromise our commitment to the Westminster parliamentary system.

The twelfth report of the Special Senate Committee on Senate Modernization, dedicated to this issue, is very enlightening on the diverse and very flexible nature of the Westminster system. According to Professor Philippe Lagassé, presented in that report as an expert in parliamentary democracy, Westminster is not a fixed, immutable system so much as a set of principles: “You have the liberty to move away from that if you so choose and still call it Westminster.”

Professor David Docherty is even more specific when he states:

. . . I think we failed to recognize just how flexible and adaptable the Westminster parliamentary system is. They are much smaller, but we have two Westminster governments in Canada in two of the territories, and they don't have parties. They're elected as independents and they vote for who's going to be in cabinet, and that seems to work out fine.

The example of Nunavut and Northwest Territories mentioned by Professor Docherty shows that the adversarial mode associated with the Westminster system is not always partisan.

Honourable colleagues, I've been here for eight and a half years now, and in that time I've certainly not become an expert on the Westminster system, and I won't pretend to be one. I have, however, read and heard enough to realize a few things. When it comes to the Westminster system, you can have three people with the same level of expertise, competence and knowledge, and they will come to three different conclusions, all with the same level of confidence. My humble conclusion? There are several models of the Westminster system. It's flexible, evolving, multi-faceted.

[Translation]

It's worth noting that there hasn't always been symmetry or concordance between His Majesty's official opposition and the opposition in the Senate. The Bloc Québécois and the NDP, which have never had a senator, have been the official opposition in the House of Commons. In his February 21, 2001, ruling, Speaker Hays stated that our parliamentary system continued to function even though the Senate had an opposition that did not match the official opposition in the House of Commons, because they are independent, autonomous bodies performing roles that are complementary to each other.

Before concluding, allow me to make one final point. As others have said, and I agree, it is an indisputable fact that not all senators in this chamber are treated equally. As such, we must continue to work toward greater fairness for our non-affiliated colleagues. That's also what an independent Senate is all about. Choosing whether or not to belong to a group should not limit a senator's ability to exercise their duties.

[Senator Petitcherc]

[English]

For the sake of fairness, we the senators who do not have a political platform to propose or promote in this chamber are entitled to demand more space and tools to properly discharge our responsibilities.

Only the future will tell us whether it's possible to achieve a complete non-partisan Senate, but for now what we have control over is working toward equitable cohabitation between those who proudly belong to a political party, as is their right, those who choose to represent the government of the day and those of us who are without political affiliation as non-partisan. This is what we are asked to do as we vote on this motion — nothing more, nothing less. Thank you, *meegwetch*.

Hon. Colin Deacon: Honourable senators, listening to the debate on Motion No. 165, I have come away really puzzled by some of the claims that were made about the proposed changes to the *Rules of the Senate*. Let me focus on three questions that have arisen for me.

First, is it reasonable to claim that these rule changes are being “rammed and jammed” through the Senate when changes have been discussed for almost nine years? I'll quote Deputy Chair of the Rules Committee Senator Batters:

These rule changes . . . previously tried and failed to be forced through before . . .

. . . Now, 18 months later, the Trudeau government is bringing this draconian omnibus motion in this chamber.

Now, we are the chamber of sober second thought. As a result, things commonly move very slowly around here, but discussion and debate surrounding these rule changes have been going on for almost nine years. I believe that we have finally reached the point where we can stop “sober-second-thought-ing” and make a decision. As Yogi Berra might advise: We've been sitting at a fork in the road, so let's finally take it.

• (2040)

I was a member of the Independent Senators Group when I was asked to join the Rules Committee. I only lasted one meeting. I truly commend my colleagues who sit on that committee. In that two-hour meeting, debate focused on whether the Clerk should read out every item on our Order Paper at every Senate sitting. Those in favour of this change noted that the scroll meeting occurs just a few hours before the sitting each day, and if no speaker is identified — and generally, no speaker is identified for 90% of the items — why read out every item?

For the handful of people who may be watching this at home, our “scroll” is simply our agenda. To be clear, every time we meet in the chamber, every item of business is considered for debate whether or not a senator intends to speak.

Let's contemplate the results of this supposedly radical change. If not every item on our Order Paper was read out at every sitting, a senator who wanted to speak on an item not on the scroll would only have to stand once debate on the previous item concluded and ask Her Honour if they can rise on debate on the item of their choice. Yet changing this outdated tradition was

deemed to be highly inappropriate and possibly contrary to our parliamentary privilege. As a result, this productivity-diminishing practice will remain even when the proposed rule changes are implemented.

So, honourable colleagues, we will continue to reliably hear “stand” repeated countless times at every sitting, just so things don’t move too swiftly around here.

Returning to my point, no, I don’t think that these changes are being “rammed and jammed” through the Senate. Changes that reflect the new reality in the Senate have been discussed for almost nine years.

Second, are these long-proposed, Senate-created rule changes being thrust on us by Prime Minister Trudeau? I’ll quote Senator Plett, who last week said, “Justin Trudeau wants those changes, and what Justin Trudeau wants, his senators have to deliver. . . .”

Senator Plett’s claim runs contrary to the fact that the work that led to the ultimate development of the proposed rule changes began in late 2015 with the formation of a Special Senate Committee on Senate Modernization, as we were reminded earlier.

That committee was dominated by a majority of members appointed by Conservative former prime minister Stephen Harper. These members included Senator Greene as chair of the committee, as well as Senators Brazeau, Frum, McInnis, Maltais, Mockler, Stewart Olsen, Verner and Wells.

The committee’s final report was enthusiastically tabled by Senator Greene on April 10, 2019 — more than four years ago. I don’t know how many of you remember being there, but he did a great job. The job of modernizing the Senate Rules was then handed to the Rules Committee — four years ago. The suggestion that Prime Minister Trudeau is thrusting these rule changes upon the Senate when the intention to modernize the *Rules of the Senate* first originated in a Conservative-dominated Senate, with work being completed by a Conservative-dominated committee, is cockamamie.

Therefore, in addition to the work of the Conservative-dominated Senate Modernization Committee, the facts before us regarding the proposed rule changes are that they have been discussed in the Standing Senate Committee on Rules for over five years; were twice before tabled in the Senate, first by a senator appointed by Prime Minister Trudeau and next by a senator appointed by former Prime Minister Harper; and are now supported by the Government Representative in the Senate.

My third and final question is a puzzling one: Why are these proposed changes being fought against so vigorously by the Conservative caucus? As Senator Plett clarified and corrected last week, the Conservatives are currently 21 points ahead of the Liberals in the polls.

Senator Plett: It is 22 points.

Senator C. Deacon: I’m sorry — 22 points. I’m behind the times. It’s hard to keep up.

Those same polls suggest that the Prime Minister is out of favour with the vast majority of Canadians. So, it appears that Senator Plett may be entirely justified in believing that the Conservatives will form the next government.

At the same time, it’s also claimed that these rule changes dilute the opposition’s powers to do their rightful job of simply delaying the implementation of Government legislation. However, the ability to be oppositional in the Senate remains unchanged, as evidenced last Thursday. There were six motions to adjourn the Senate, each with an hour bell. The first motion to adjourn was moved before 4 p.m. and the last at 11:57 p.m., three minutes before the Senate must adjourn, the result being that the Senate actually adjourned after 1 a.m. In addition, there was a two-hour dinner break, so there were eight hours of oppositional protest last Thursday. It was a Senate version of a sit-in.

Now, I have a dominant Scottish gene, as I’ve mentioned before, and hate waste. Senator Plett speaks to a concern about waste quite often as well. So, the waste of eight hours of Senate time is frustrating, especially when we have important and long-awaited private members’ bills that need our attention — like Bill C-280, to support fruit and vegetable farmers, and Bill C-294, regarding the right to repair, among others.

Considering all the effort Senator Plett is investing to try to convince us that these rule changes will somehow hamper the opposition when we have a Conservative government potentially about to be elected, perhaps people are protesting too much. Perhaps these rule changes will weaken the opposition’s power, but given where the Conservatives sit in the polls, these changes will soon be to their benefit, as Senator Housakos pointed out quite eloquently.

Senator Plett, you may have made a bit of a strategic error over the last couple of years, because you forced our attendance at many memorable and highly extended training sessions on delay tactics. I think some have been paying attention — job well done.

To wrap up, I know it is often claimed that Trudeau-appointed senators receive phone calls from the Prime Minister. I must admit that I, like others here, have also received a phone call from the Prime Minister. It only happened once, however, in June 2018, and it was a highly memorable because he called to offer me a Senate appointment. During that call, he made one very clear and specific request: that I “challenge the government.” I try to do so respectfully and collegially. Others may have received other requests or phone calls, but I have not.

I see my role as not simply opposing or delaying government legislation and motions but finding ways to improve them. I believe the Senate should act independently but not be antagonistic to legislation proposed by a duly elected government. Our job is to be fully engaged in hearing concerns that may not have been previously considered and, where appropriate, to propose amendments intended to improve government legislation.

Senator Tannas previously commented that our role in the Senate is not to simply be an “. . . off-Broadway version of the House of Commons.” Colleagues, that captures my vision of the Senate.

I hope that these rule changes will help to maintain a degree of independence for the Senate. As such, I look forward to finally voting in favour of these rule changes that we've discussed for many years. Thank you, colleagues.

Hon. Donna Dasko: Honourable senators, I rise today to speak very briefly in support of Motion No. 165, which I view as an extremely positive step in the evolution toward the independent Senate that Canadians have clearly indicated that they want and support.

First, I want to thank Senator Gold in particular for this initiative and for moving this initiative forward. Truly, I have been here every day and I've seen the reaction and the response. I've seen how you've been spoken to, and sometimes I don't know how you do it, but I'm very grateful that you've taken this forward.

As we've heard from Senators Gold, Saint-Germain, Woo, Dalphond and Tannas and other honourable senators, this initiative has been very long in development. We have been reminded of the 13 reports of the Modernization Committee, motions by individual senators and, later, the work of the Rules Committee in their efforts to bring forward rule changes.

As noted by Senator Saint-Germain, 147 meetings have been held between the Senate Modernization Committee and the Rules Committee since 2016, all of which included elements of today's motion. As Senator Deacon just said, the claim that the rule changes embedded in the motion before us today are somehow a rushed or last-minute effort to force changes couldn't be further from the truth.

Today's motion also flows from the framework legislation passed by both chambers in 2022 in the form of changes to the Parliament of Canada Act. The goal is simply to move toward a more equitable Senate which recognizes the changes in the composition of this chamber. Independent senators, who make up the majority, are not second-class participants in this chamber.

Some Hon. Senators: Hear, hear!

Senator Dasko: Thank you, colleagues. This motion includes rule changes which recognize that.

• (2050)

Today, my goal is to speak briefly about this evolving Senate, and about how Canadians view our upper chamber.

During my 35-year career in the public opinion research business, I have had the opportunity to consult Canadians on the many proposals that were advanced to achieve Senate reform. In 1987, the Meech Lake Accord included, in its short list of provisions, a clause giving the provinces the ability to submit names to the Prime Minister to fill Senate spots. That accord died in 1990.

In 1992, the Charlottetown Accord included, in its very long list of provisions, clauses to implement a "Triple-E" Senate — a Senate of Canada that would be elected, equal and effective. That accord died on the heels of a national referendum, which failed that year.

In 2011, former prime minister Stephen Harper introduced legislation with term limits for senators and proposals to allow the provinces to hold Senate elections. That reform also died when the Supreme Court of Canada ruled in the 2014 reference that such changes would require constitutional amendments. Mr. Harper knew then — as we still know now — how difficult it is to change the Constitution.

In fact, a 2022 Environics poll shows that only 35% of Canadians would reopen the Constitution for the purpose of making changes to the Senate. Colleagues, we would need a lot more public support than that for this country to go down that road again.

In my lifetime, the only major Senate reform that has truly succeeded among all these efforts has been Prime Minister Trudeau's initiative toward creating an independent Senate.

I want to make a few observations about public opinion. Since 2019, I have been taking periodic soundings of public opinion on the Senate of Canada, and it's fair to say that we still have challenges with the way the public views our institution. The bad news is that Canadians still, by a bare majority, have negative views of the Senate, but the good news is that these negative perceptions have declined significantly from the dark days of early 2016 when the Senate scandals still dominated public perceptions. Positive views are also moving upward.

When it comes to the independent Senate in particular, we see significant positive feedback from Canadians. There is widespread approval of the new Senate appointment process that has been in place since 2016. The vast majority of Canadians think it's a good thing — a good change — that new senators sit as independents, and are not active in a political party. A large majority thinks it is a good development to have an open application process, and that applications for the Senate are reviewed by an independent board. All of these are seen as positive developments for the Senate.

Most importantly, the public wants future governments to keep building an independent Senate. The vast majority of Canadians are calling for future governments to keep these changes to the appointment process, and almost no one wants to return to the previous ways of appointing senators.

We've heard, over the last few days, about how Mr. Poilievre, the Leader of the Conservative Party of Canada, gained some prominence last week with his comments in the House of Commons and also with his statements about the notwithstanding clause. I came across something else that caught my attention — it's an article that he published in the *National Post* just a few days ago on May 3. In the article, Mr. Poilievre describes how he

will approach public policy. He urged business leaders — in fact, he urged all Canadians who want policy change — to do the following:

If you do have a policy proposal, don't tell me about it. Convince Canadians that it's good for them. Communicate your policy's benefits directly to workers, consumers and retirees.

I thank him for his definitive statement that the views of Canadians should be — and will be — the determinant of public policy, should he form government.

We can see that this is especially important when it comes to the topic at hand — the new Senate. Canadians are telling us clearly that the move toward an independent Senate, where senators are not active in a political party and do not sit in a partisan caucus, is a good development for Canada. They are telling us that future governments must continue with these changes, and must not return to the previous ways of appointing senators.

Colleagues, in closing, we still have work to do. We must keep building awareness of the Senate's unique role in governance, and we must build awareness of the move toward independence and non-partisanship. When awareness of the independent Senate increases, positive attitudes increase. The rule changes included in Motion No. 165 are an important and vital step toward recognizing our independent Senate, and I will be voting "yes."

Thank you.

Hon. John M. McNair: Honourable senators, I rise today to speak to Motion No. 165, like a number of other senators have done tonight.

Although I am relatively new to this place, I am learning that nothing moves particularly fast, and sometimes that might be a good thing. This is especially true when it comes to implementing significant reforms to this institution. Change takes time. It takes time for consideration, consultation and negotiation.

As we've heard, this package of amendments is the result of eight years — almost nine years — of working on reforms to this place. The Government Representative in the Senate took us through the history of these efforts. There were 13 reports produced by the Special Senate Committee on Senate Modernization, countless studies at the Standing Committee on Rules, Procedures and the Rights of Parliament and the individual efforts of a number of senators.

Here, I am singling out Senator Tannas, Senator Woo, Senator Greene and Senator Massicotte. I congratulate those senators on their collaboration and, quite frankly, their perseverance. These collective efforts were made in the face of strong opposition from detractors who would like to see the Senate remain exactly as it was.

The point I am making is that this motion did not come out of a vacuum. Motion No. 165 was not sprung on us. It was the result of years of careful consideration and hard work.

The Supreme Court of Canada *Reference re Senate Reform* made it clear that any changes to the structure of the Senate would require support from seven of the provinces representing 50% of the population. We all know how that story went, so Prime Minister Trudeau used the steps he had available to him to try to make the Senate more independent and less partisan.

Change needs to come from the inside, and, if we do not support these changes, nothing stops us from returning to the days of partisan duopoly, as Senator Woo pointed out.

A May 1 editorial in *The Hill Times* entitled "The Senate shouldn't stand in the way of its own progress" recently commented on our current deliberations:

Although a strict reading of the party affiliations of Canadian prime ministers throughout history would have observers thinking differently, citizens of this country aren't actually staunchly divided along two political lines.

This is why the Senate's current growing pains are fascinating and frustrating in equal measure.

The editorial goes on to state:

Senator Marc Gold's Motion 165 clocks in at more than 3,700 words, proposing a suite of changes that include—most contentiously, for some—expanding the Chamber's two-party powers to other recognized groups.

Conservative Senators, who still enjoy the title of opposition in the Senate despite being the fourth-largest group, called Gold's motion "draconian" and "unilateral," and accused him of "ramming it through," despite it being based on dust-gathering changes sought by other Senators over the years.

• (2100)

The Senate isn't perfect, but it is made up of people who want the best for Canada. That shouldn't be overshadowed by a death grip on rules and a structure that no longer reflects the best of the country.

The Senate of today may not be the Senate of tomorrow, but creating a framework that supports the removal of partisan strictures without the whole place devolving into *Lord of the Flies* is as good a model for Canadian society as any. And as purported leaders, all Senators should embrace that.

Senators, most Canadians are not in the habit of following our work closely. As we have seen time and again, when the Senate ends up in the news, it's often not a positive story. My sense is most Canadians simply want a Senate that is going to work in their best interests regardless of partisan leaning. Yes, we are appointed, but we always need to remember to respect of provinces and territories whom we represent and serve. We owe it to them to do the best we can do.

I believe Motion No. 165 is a positive step forward in the ever-evolving Senate reform process, and I will support its passage. Thank you. *Meegwetch.*

Hon. Mary Jane McCallum: Honourable senators, during the course of debate on Motion No. 165, we have heard about the problems and consternation that this motion would create. I will situate my speech in what the Senate and being a senator means to me and the countless others like me, and why the ability to sustain deep and meaningful modernization is so important to that vision of equality.

I would like to take this time to thank Prime Minister Trudeau for giving me the opportunity to become a senator for this was a very unique opportunity for people like me — people who have been racialized their whole lifetime — to finally be allowed to enter the doors of this Red Chamber. As I had no political affiliation, and as that was previously and historically the only way to enter this chamber, the gravity of the privilege I hold is not lost on me.

The opportunity for me to take my seat in the Senate came at a time when discussion on the oppressive existence of First Nations was not a priority. However, there continued to exist a dire need for consideration of all that we, as First Nations, have overcome and will continue to achieve in the name of justice. This unique opportunity made me realize who I was as a First Nations citizen on Turtle Island, living on my own land and still able to imagine a society in which all citizens are genuinely regarded as equals who enjoy the same rights and privileges.

I am able to maintain this vision not due to politics, but despite politics. After all, that vision of seeing First Nations as equals who enjoy the same rights and privileges as other Canadians is not aligned with the society that John A. Macdonald intended for me, my ancestors and my descendants. This was made clear when Macdonald stated that a person is anyone, just not an Indian, and created policies to reflect this.

Colleagues, becoming a senator was ultimately about hope, dreams, idealism and realizing that what had been beyond reach need not stay — nor could it stay — beyond reach. The importance of being a senator transcends the rights and privileges we enjoy. It is also about the hope that we can offer to others. The hope that all of humanity with all its differences and diversity — and not just partisan citizens — can look to a future in which every individual will be treated as someone of value and worth, as part of a community of his or her choosing and, ultimately, as part of the only race that matters — the human race. That is the function of sober second thought in this august chamber, and that is something we should always hold onto as we undertake our senatorial duties.

While the First Nations thrived on Turtle Island before contact, the last 150-plus years have featured a dominant view that Canada was meant to be a place set aside for a specific and narrowly defined group or race of people, one that did not include me. These people were exclusively the descendants of Western Europeans. All others — including the original peoples who have lived on this land since time immemorial — were to be excluded or, worse, assimilated. We were marginalized and classified as inferior. The story of Canada became one threaded with a sustained attempt to dehumanize us while simultaneously being a story of privilege for the few on the inside, including those who were historically allowed to contribute as members of this Red Chamber.

However, the story of Canada is changing, as is the narrative within the Senate of Canada. These stories are reflective of the First Nations' story: a narrative of hope over despair and of unflinching spirit that just won't die despite the historical violence and the emerging threat of identity theft and fraud — our new colonizers today. First Nations do indeed live in a state of perpetual violence.

Honourable senators, when I came into the Senate, my motivating force was to bring the stories of the people I represent for in this retelling, we not only keep history alive but we also remember those who have lost opportunities and those who fought for a different way of an existence they were never allowed to lead because others held that power.

I make special mention today of the missing and murdered Indigenous women and girls as well as the missing and murdered Indigenous men and boys who have perished needlessly without having the chance to fulfill their purpose simply because of race, a construct brought here by others. In retelling our stories, we raise the virulent strains of racism that have not disappeared. Through these stories, I remember all those who suffered but who never lost hope. In the retelling of these stories, we uphold those who had never given up the fight to be different and equal, for that is what they always were.

In our collective history of sharing a land together, a Canada exists that some felt needed to be reimagined, and so multiculturalism was born. But how can we possibly talk about the future of the good without also acknowledging the evil that happened in this country? If we don't talk about the entire story of land and cultural dispossession, genocide and racism, we forget that not all people on this land were welcomed on that path towards multiculturalism. Other cultures were welcomed and included while the cultures of Canada's First Peoples continued — and continues still — to be erased and attacked.

Why, then, would we as First Nations continue to be involved in our own genocide as we embrace a multiculturalism that considers everyone but us?

When I came to the Senate, it was an opportunity that allowed me to dream of what so many of my ancestors would have thought impossible — a place and time where race did not impact one's eligibility to become a senator. With that, I entered this place believing I was an equal. Where my ancestors were once unable to physically enter the grounds of Parliament, I now have the great privilege of taking a seat in Canada's upper chamber. With that truth comes immense responsibility. This responsibility is what drives me to be such a relentless advocate for First Nations.

• (2110)

Through my work as a senator, which was only made possible through a continually modernizing Senate, I make it clear that I did not enter the Red Chamber as a token Indian. I am here to speak for the people I serve, not to be used by or speak on behalf of that system. In that sense, I won't allow myself to be tokenized as an Indian or as a woman.

As such, colleagues — and coming full circle to the motion at hand — I initially entered this chamber believing I had the same rights as every other senator. Why, then, do I now have to be given “less than” because I’m sitting as a truly independent, truly non-affiliated senator? Why am I asked to deliberate on and support a motion that was never intended to include me as an equitable member of this august chamber?

In the face of continued second-class treatment, I still choose to hold the belief that we can have a Senate made up of elders who do not play games of partisanship but who truly support a Canada that will be successful. The Senate is capable of this. Do we as senators continue to live, because of a tradition, in the same stagnant institution that came into effect over 150 years ago? Or do we move forward to a time of hope and change, to a vision that is as radically diverse as humanity itself, a chamber that aims to be a reflection of humanity in its entirety and represents a country in which all its members are equal and enjoying the same privileges and entitlements of shared citizenship — a vision that we as senators represent regardless of the perspective from the hyper-partisan other place?

Honourable senators, as we regard the motion before us, we should be treating this moment more as a point of departure from the status quo than as a faithful continuation of the past. If we do not challenge it, then we become the status quo. It is time for a new beginning, armed with the lessons of the various histories that we bring here — a vision in which everyone matters, everyone is represented, no one is left behind and we learn from our history wherein a society divided represents a country divided.

Colleagues, modernizing the Senate is not to be feared. It is to be embraced as a logical continuation of the positive evolution our country has undergone over its history. The challenge before us, which these amendments do not reflect, is the need to ensure equality for all senators without leaving any behind, such as your non-affiliated colleagues. If the Senate continues to represent inequity and inequality, what modernization are we truly achieving?

Kinanâskomitin. Thank you.

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I rise once again to speak on Senator Gold’s Motion No. 165 to amend the *Rules of the Senate*.

First of all, Senator Tannas, I stand corrected: I did move time allocation on government motions. However, none of those motions was an omnibus motion with a suite of rule changes for the chamber. I do stand corrected on that point.

This omnibus motion is comprised of a number of complicated and intricate elements, each of which require careful thought and consideration individually. This motion should have been reviewed in committee so that we could fully understand the consequences, both intended and unintended, to our parliamentary system. Sadly, the government has decided to skip the committee process, skip fulsome debate on the motion and force this chamber to restrict debate on such an important issue.

I am certain that over the next few years, we will realize that the government and its majority are being short-sighted, and more careful wording and thorough consideration of the unintended consequences should have been done. It is for these reasons that we have the Rules Committee. This committee is not there just for senators to talk endlessly about ideas, concepts and notions. It is, first and foremost, to carefully wordsmith the Rules.

Because I have limited time, I will focus on one element of this omnibus motion, namely, the one that proposes to create a new role: the designated senator, who will have the ability to speak for 45 minutes during debate on bills. As a senator who has had the privilege to serve as the opposition critic for several important pieces of legislation, this is an issue I care deeply about.

First, I must say that I am relieved that the government leader did not follow what was in previous motions on changes to the Rules and is not eliminating the function of critic of a bill. This was a direct hit on the opposition and, wisely, the government has decided to backtrack on this.

The debate on Motion No. 165 is a great opportunity to reflect on the history of our parliamentary institution and remind ourselves of its long and distinguished traditions which, though they have evolved with the times, have remained faithful to their origins for over 150 years.

Since Confederation, Canada’s Parliament has been divided into two bodies: a government and an opposition. Despite this division, the two bodies have always been bound by a common purpose: working together in pursuit of the common good. The duties of the government and the opposition complement one another. One introduces new policies while the other examines them carefully, finding not only flaws but providing a critique of their underlying philosophies and ideologies.

In his book titled *Across the Aisle: Opposition in Canadian Politics*, author David E. Smith writes:

Parliament’s purpose is to generate . . . agreement on policy by using the procedure of successive readings, committee examination of bills, and voting in two chambers Parliamentary debate is a great leveller of conflicting interests as well as a calming influence on intense feeling. The product achieved through inter-party compromise and, more typically, intra-party discipline is public policy deemed in the interests of the nation.

The key to understanding the purpose of the official opposition lies within the very nature of our democratic governing system, which functions according to historical, well-understood principles and practice. In fact, the existence of an official opposition predates Confederation. Before the provinces of Canada — Ontario, Quebec, Nova Scotia and New Brunswick — united to form our nation, they each possessed their own individual systems of governance comprised of both legislative assemblies and upper houses. After all these years, the role of the official opposition has remained the same: to provide Canadians with alternative policy options to those proposed by the government. This is a critical role that keeps our government accountable and fundamentally protects our political democracy.

The role of the opposition is simple. It is not meant to hinder the government from its purpose to legislate and create policies for the public or stifle important debate. It is meant to be calm and vigilant as it keeps the government accountable.

One of our greatest parliamentarians the Right Honourable John Diefenbaker, put it best in an address to the Empire Club of Canada in 1949. John Diefenbaker, then just a backbench member of Parliament from Saskatchewan, told his audience:

If Parliament is to be preserved as a living institution His Majesty's Loyal Opposition must fearlessly perform its functions. When it properly discharges them the preservation of our freedom is assured. The reading of history proves that freedom always dies when criticism ends.

Some believe that there is no room for an opposition within the Senate. The senator's role would not be to present, in conjunction with colleagues in the House, a coherent alternative to the government. They see the Senate, first and foremost, as a debate club where senators will sometimes fine-tune government legislation to correct mistakes made by the Department of Justice.

• (2120)

We must remember that the Senate is a crucial component of our parliamentary system and that its purpose is not to be subservient to the government but, rather, to be fearless in reviewing legislation, offering criticism when necessary, providing a counterweight opinion and, most importantly, giving voice to regions and their minority groups. And, yes, senators should be able to adhere to the idea that the government in place should be replaced.

The smooth operation of Parliament depends not only upon the success of the House of Commons but also that of the Senate. After Motion No. 165 is adopted, we must still have a functional Senate. That is why it is imperative to review the motion that has been presented to us, particularly section 7, which proposes to create the role of "designated senator."

In the *Rules of the Senate of Canada*, the critic of a bill is defined as follows:

The lead Senator responding to the sponsor of the bill. The critic is designated by the Leader or Deputy Leader of the Government (if the sponsor is not a government member) or the Leader or Deputy Leader of the Opposition (if the sponsor is a government member). . . .

In addition to the sponsor and critic of a bill, Senator Gold's motion adds designated senators to the list of senators who can speak for 45 minutes to the bill at hand.

On the surface, this proposal seems simple: It adds a limited number of senators who have more time to speak to a bill. In our current Senate, a maximum of three senators could be given the role of designated senator on each bill. However, this addition to our Rules has two major practical implications.

First, Senator Gold's motion retains the current process to appoint the critic of a bill. In Appendix I of our Rules, in the definition of the term, it is said that:

The critic is designated by the Leader or Deputy Leader of the Government (if the sponsor is not a government member) or Leader or Deputy Leader of the Opposition (if the sponsor is a government member). . . .

In our current Senate, several bills are sponsored by senators who are neither official members of the government nor the opposition.

In its current practice, for bills sponsored by any senator other than a Conservative, it is the opposition leader who appoints the critic. This should have been made clear in the motion, but it was not. Again, this is something that the Rules Committee would have caught and amended at committee. With Senator Gold's decision to skip the committee process, the opportunity to change the definition of "critic of a bill" to reflect the current structure of our Parliament is lost.

Now that it is time allocated, I can no longer put forward an amendment to correct this. With the decision to invoke closure on debate, we can no longer amend Senator Gold's motion, and another opportunity is lost.

The second issue with the creation of the role of designated senator is in relation to what Senator Quinn asked Senator Gold last week: Will these designated senators be treated like a critic and receive a special briefing?

Senator Gold could not answer this question. Most senators, other than members of the opposition caucus, may not have been the critic of a government bill or received a critic's briefing. These briefings are an essential part of what a critic needs in order to serve as the critic of the bill. However, they are difficult to organize because of senators' schedules and the challenge of gathering in the same room several officials, sometimes from several departments and, at times, more than one ministry. Imagine the burden of organizing three additional briefings, if requested by each designated senator for each bill, which he or she may be entitled to do. To be clear, our critic's briefings will remain solely for our critics, as there are strategic elements that may be discussed or inferred from the discussion at the briefing.

Honourable colleagues, change is inevitable. We would be hopeless to resist it. Over the course of a century, we have witnessed parliamentary practices, traditions and customs evolve to reflect the needs of our growing and diverse nation. However, we cannot be casual observers as attempts to change the very core of our parliamentary system are made as though it were as simple as flicking a switch.

Where is our sober second thought? These proposed changes should have been studied by the Senate Standing Committee on Rules, Procedures and the Rights of Parliament. I understand the history of what has happened in this chamber, but whether it is five years, nine years or more, the process is such that an omnibus motion such as the one before us — now time allocated — should have first gone to the Rules Committee so that the wordsmithing and other amendments and such could

have been carefully considered. Senators should have been given the opportunity to fully debate and amend the motion where needed.

Honourable colleagues, let us once again reflect on the words of former prime minister John Diefenbaker, who said:

... Parliament must continue to be the custodian of freedom. To that end it must constantly change its procedure to meet the changing needs of a modern world but must be changeless in its concept and tradition. . . .

I regret that Senator Gold has decided, with his government motion and the process he chose for its adoption, not to follow our traditions. Thank you.

Hon. Leo Housakos: Honourable senators, listening to some of the debate here from my colleagues tonight, I get the impression that the words “Senate reform” and “evolution and change in the Senate” only began when Justin Trudeau came down from the mountains like Moses, parted the Red Sea and freed us from the shackles of this terrible old Senate, which was such a disaster and a terrible place; that we never made any changes or evolved before Senator Harder, Senator Lankin and all those appointed by Justin Trudeau to this chamber saved this institution from itself; and that Senate reform is something we’d never heard about and has nothing to do with people like Preston Manning, who was elected many years ago and came to Ottawa with his plate of Senate reform proposals. In fact, Senate reform is a debate that started in 1867, hours after John A. Macdonald appointed this place.

Senator Tannas, I agree with many of the thoughts you shared with the chamber today, but I disagree with some. You make the argument that it has somehow been an arduous process to arrive at the changes that we have evolved into today, and that we needed to allow or encourage the government to move a government motion — which even you say that you are not excited by — or time allocation, which you confirmed is not something you necessarily think is ideal, but claim was necessary because we weren’t moving quickly enough over the last nine years.

The truth is that when you analyze things — as you said in your own remarks — the government had no difficulty whatsoever doing its core business here. This is in large part, as you appropriately pointed out, because of a very cooperative opposition.

However, you forgot to highlight in your argument that the opposition was not only cooperative in ensuring that the democratic house was respected, but also cooperative between 2015 and 2019, when we were the majority in this place, and would work together to find a compromise in order to make some of the proposed changes that the Prime Minister was imposing upon the institution work. You were part of that.

I go back more than 9 or 10 years; I go back a number of years before. Change in this place is not something that began in 2015. We worked to ensure we were more accountable and transparent. We brought in broadcasting so that the public could see the work we do. We were the ones who instituted change in the Standing Committee on Internal Economy, Budgets and Administration to

make this place more accountable and transparent in the eyes of the public. We were the ones who brought in public disclosure of expenses of senators, and so on.

I do not want to go into all those changes; however, I do want to address changes since 2015. Today, we have the Canadian Senators Group, or CSG — and you are the leader of that group — and the Independent Senators Group, or ISG, because we were amenable to these changes. I was Chair of the Standing Committee on Internal Economy, Budgets and Administration when we were allocating budgets, as a majority opposition in this chamber, to allow for these reforms, evolutions and changes to take place.

I take exception when it is purported that we were dragged kicking and screaming into the Senate of today. We didn’t like some of the changes. We may have had vigorous debate on some of the changes, but we certainly embraced them and tried to make them work through cooperation and negotiation.

• (2130)

I’ve been here long enough to remember when Senator Greene and Senator Massicotte struck and initiated the reform proposals, and their objectives were very precise. Their objectives were trying to reduce the strength and presence of government in this institution and give more authority to independent, non-affiliated senators. Correct, Senator Tannas? They succeeded in some areas and failed in others because, you’re right, the process here is very cumbersome; it’s called democracy.

Over the last 9 years and going back the last 15 years, when some of the things were thwarted at the Rules Committee — of which I was a participant as well — it wasn’t always because of one side or another. It wasn’t always the Conservatives who agreed or disagreed in a homogenous way in regard to things. Very often, things failed in the last five or seven years at Rules because there wasn’t consensus even among the independent senators, putting aside the Conservative opposition. Again, colleagues, that is called democracy. There is a reason why in parliamentary institutions rules don’t change very easily — because they’re there for a reason. The Constitution doesn’t change very easily at the whim of someone.

If Prime Minister Trudeau wants to appoint like-minded individuals to vet candidates and appoint them to the Senate, good for him. If other prime ministers want to consult their dead cat, good for them.

The fact of the matter is that whatever you say in the debate, it doesn’t take away from the fact that in the Parliament of Canada Act, the prerogative to name a senator rests with the Prime Minister. It did before this process, it is now under this process, and it will continue to unless we find a consensus to change the Constitution. If we find a consensus, do that. By all means, I encourage you, write to the Prime Minister and have him open the Constitution. Let’s talk about real Senate reform at that point in time.

Senator Deacon brought up the fact that even in our scroll we have some cumbersome elements, which, in my opinion, makes this chamber unique. It makes it more democratic than any other. When we hear “stand, stand, stand” to the point the Speaker gets

tired saying it, it might sound cumbersome and asinine to the general public watching it, but it is the ultimate privilege each and every one of us has, regardless of what leadership decide at scroll every morning.

We all know how powerful leadership is in this chamber. When Senator Massicotte and Senator Greene started talking about reform 15 years ago, it was because they wanted to reduce the strength and the omnipresence of leadership on both sides of the chamber and give more authority and flexibility to independent, non-affiliated senators. That was their objective.

Well, that “stand” that we all say, that is the ultimate privilege. On any given evening, you reserve the right to get up on the scroll, despite what Senator Plett and Senator Gold think, and you can speak on any issue. No one can deny you that right, and that should never be taken away. I’ll be happy to have that discussion and that debate with anyone at Rules or anyone else, by all means.

Is it frustrating or cumbersome for some of us because there is a given week when we’re not interested in what’s on the scroll and we want to get up and go home? Too bad, get up and go home. I don’t want my right or Senator MacDonald’s right to speak on any item on the agenda to be denied.

Senator Deacon was right on one thing in his comments: At the end of the day, once this motion passes — because all of you are obviously convinced that this is the way to go — I will be a very happy senator in a few months when I’m in government. This is a motion that strengthens government. I will be very happy, but I’m not opposing this motion for me while I’m in government. I’m opposing it for each and every one of you because maybe down the line some of you will decide you don’t want to be independent anymore and you want to be part of the opposition or part of government. When that decision happens and this toothpaste has left the tube, it will be too late. You’re not putting it back in. There will be a number of us, if we are sitting on the government side, who will find this very appealing.

Prime Minister Harper gave the incoming Trudeau government a gift: It was 23 vacancies. Many of you have become beneficiaries of that gift. I can tell you Justin Trudeau, with Motion No. 165, has given this side a gift. Thank you very much. I’m not going to enjoy it in the next 18 months, but I will going forward; I can assure you.

Senator Petitclerc, this debate tonight is not about voting for or against government legislation or being independent or not independent, not at all. The whole debate tonight is about granting powers and authorities to a caucus group that has been appointed by the sitting Prime Minister the same rights and authorities that the official opposition holds. Any constitutional parliamentary evaluator or professor who will look at this will scratch their head and ask, “Why would a vast majority group of independent senators appointed by the government, by the sitting Prime Minister, demand the same rights and privileges and tools in the tool box that the opposition has?” They’ll all come to the conclusion it is because they want to water down the strength of the opposition.

Colleagues, I’ll just end on the following: Motion No. 165 has nothing to do with the reform discussions that we’ve had in this institution since I’ve arrived and before I arrived. I’m not that arrogant to believe that reform started when I got here. I just continued a process, and we’re continuing a process of evolution that started many years ago.

But let’s be clear. All of you in your heart of hearts know this. Motion No. 165 was crafted by people in the Prime Minister’s Office, people in the Leader of the Government’s office, and I’ll tell you why — because there’s nothing in this motion that strengthens independence, independent senators or the opposition.

The only thing it does is it maintains the same strengths, privileges, rights and tools in the political tool box the government has always had, dilutes a little bit the authority of the opposition, gives absolutely no consideration to the truly non-affiliated, none. The only people who gave consideration to the truly non-affiliated were on this side, where we fought for them to get spaces on committees, where we gave up our spots to let them get on committees. Since they arrived in 2015, in the last nine years of great reform, ever since Moses came down from the hill, I haven’t seen any non-affiliated senators having any more authority than they had before.

On the contrary, Senator Tannas, if you remember, we didn’t move as a government when we had a majority without the acquiescence of the non-affiliated senators. There were a handful. And Senator Carignan, the first people he went to consult were them.

Honourable senators, I know this motion is a foregone conclusion, but I wanted to express my views on this. Clearly, I assure you — and I’m not being clairvoyant — we are going to have these debates in five or six years, and I want to be clear on the record that this is all because you thought this was a good idea. Thank you.

Hon. Frances Lankin: Honourable senators, I am not going to take a long time, and I’m not speaking like former Senator Baker, who would then go on to take a long time.

I don’t want to engage in the content debate that has gone on. A lot of senators have put a lot of effort and thought into their speeches. We have heard a wide variety of views. I take great exception to some of the things I’ve heard that I don’t think are accurate. We’ve had and heard and we can move to make a decision at this point in time.

What I want to do, though, is thank everybody who has contributed to this. Many people have gone back in history and thanked some of the people who have been, in the more recent years, the movers and shakers around thinking about Senate reform. I don’t go back as far as Senator Housakos, so he will know more names, but I know that when I arrived here, there was much work under way already.

I know that people referred to and thanked Senator Massicotte and Senator Greene for their efforts. I want to do the same. I sat on the Modernization and Rules committees as the first two committees I joined. I appreciated the tutelage of Senator McInnis and Senator Fraser during those periods of time. I

worked and had long discussions with Senator Frum as a colleague on the Rules Committee, and we didn't agree on some things, but they were respectful debates.

• (2140)

I believe that we can have a discussion in this place about how to continue down the road of making it more reflective of an institution that brings added value, and not an institution that — I won't say ever that we've only reflected what goes on in the other place, but that it is predominated by what goes on in the other place.

When I say that, I have to say honestly — and I've expressed this to senators across the way, but I won't name names because I might provoke them — that I believe there is a role for an organized, structured and effective opposition. I believe we need that.

When I hear senators stand and say, "There are many in this chamber who don't think that there should be an opposition," to me that's not reflective of the discussions I've had. I know that there are a few who think that. They are the minority, and I don't share that view. Quite frankly, I'm a little bit tired of being told all the time — by some people — about what I think, and what I'm committed to, or what I do, and that I am a closet Liberal because I was appointed by a Liberal. To me, all of that is nonsense and noise, but the noise is okay.

What I would like to see us do, though, is aspire to have conversations with the tone that we have now finally reached at the end of these discussions tonight, which lets us discuss what could enhance the value added to Canadians of this chamber — bringing independent voices to bear in a structure where there is an effective government representation and an effective opposition representation. Those things shouldn't be lost, but we should be augmenting it. We should be using this opportunity to augment.

I believe very strongly, and, in fact, I might even be bringing a motion forward to suggest that we have a collaborative process of re-establishing the kind of orientation that — may she rest in peace — Senator McCoy spent so much time and effort on. I learned a lot. You will see that despite the allegations from some that I am some kind of puppet being controlled by the other place, I am someone who believes strongly that we are not competitive with the other place, and that it is not the place of the Senate to defeat government legislation — unless, within the 2014 constitutional reference, it is not constitutional, it is not Charter compliant, or it has untold and unrealized regional impacts, or impacts on Indigenous peoples, on minority populations or on gender minority populations.

I really believe that, and, in my first days here, I watched this opposition stand up half of their majority caucus in this place on a budget vote — I watched Senator Plett, who was the whip at the time, count the numbers as it was going on, and then signal to the others who then stood and abstained so that they didn't defeat. That's responsible opposition. I think a lot of rhetoric is irresponsible sometimes, but I can live with that. I've been in opposition and in government in a provincial legislature, so I understand it.

But it's thanks to people like the Massicotte-Greene effort, like the Senate Modernization Committee and people like — before I arrived here — Senator Ringuette. I mentioned Senator McCoy already and Senator Wallace who were charting the way — in their own way — of leading partisan caucuses before many of the rest of us arrived here. I think there are lots of people to thank.

I want to thank Senator Harder and the Government Representative Office who worked to start populating some ideas. I think the idea of a programming committee has devolved to leaders, and that works sometimes, but sometimes it doesn't. I think we can talk about structuring our debates in a way that we can have good, thoughtful debates so that we can move through. I think there are so many positive ideas.

I want to end by saying thank you for the honour of being asked to come and work on a time-limited, seconded basis — I know secondments don't exist here, but I insisted on that word to make it very clear. I wanted to be part of this effort, and I want to thank those with whom I had the opportunity to talk with their groups, or with their leadership or those in committee leadership roles, to consult about what a consensus could be. Bringing that consensus forward is something that I feel pride in, but I feel honour more than anything to be asked to do that; I truly appreciate that.

I want to say thank you to the efforts of the Government Representative Office stepping me out of here. The staff secretariat and their work has been so exemplary and so respectful. I think people won't believe it, but it's respectful of the role of the opposition, as well as the time required and the need to ensure to not bring forward things that others — when we did the consultation — wanted to see included. It's not everybody; there was disagreement. But it's very respectful of the role of the opposition. You may not believe that. I see the look of doubt on my good friend in the back row over there with whom I have worked on a couple of different committees. However, I want to tell you there is no one more forceful in defending that than the two senators who are in the Government Representative Office. The work that — she has not been mentioned at all — Senator LaBoucane-Benson has done on this is tremendous as well.

I want to thank Senator Gold. There has been a lot of impugning of motive and insinuating — I don't want to go into a negative space here. I have worked side by side with a senator who I have always respected, but whose behaviour has commanded in me an even greater respect, and I want to thank him for that.

I want to thank all of you for this nature of debate, and plead with you that we leave this and move on to the next stage to have some meaningful discussions about how we accomplish the goals of the opposition to ensure that — even when it's someone else other than you, if that's where we end up — there's an effective, structured opposition that can take advantage of the tremendous talent and desire to bring different and representative thinking that's not just in a duopoly, and that allows for a broader debate, and also allows for not just polarized debate, but also discourse that moves us toward integrative thinking. It's not just about compromise, but also building breakthrough solutions on things for the benefit of all Canadians.

It's an honour to be in this institution, and it's an honour to have worked on this package. I know that there are hard feelings that come from this, but I think that we can rise above that, and we can do some good work going forward. I make my plea to all of you to be a constructive part of that on a go-forward basis. Thank you very much.

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

Hon. Senators: Question.

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

Some Hon. Senators: Nay.

Some Hon. Senators: Yea.

The Hon. the Speaker: All those in favour of the motion will please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed to the motion will please say "nay."

Some Hon. Senators: Nay.

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

And two honourable senators having risen:

The Hon. the Speaker: I see two senators rising.

Pursuant to rule 7-4(5)(c) and the order adopted on September 21, 2022, the vote is deferred to 4:15 p.m. tomorrow with the bells to ring at 4 p.m.

[*Translation*]

Hon. Claude Carignan: I move the adjournment of the Senate.

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

Some Hon. Senators: No.

Some Hon. Senators: Yes.

[*English*]

The Hon. the Speaker: Is leave granted?

An Hon. Senator: No.

The Hon. the Speaker: I'll ask again. Is leave granted?

• (2150)

I'm sorry, but Senator Carignan is asking for leave to adjourn the Senate. Is leave granted?

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker: Leave is not granted.

[*Translation*]

A Clerk at the Table: Bills, third reading.

ADJOURNMENT

Hon. Claude Carignan moved:

That the Senate do now adjourn.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(*At 9:52 p.m., pursuant to the order adopted by the Senate earlier this day, the Senate adjourned until 2 p.m., tomorrow.*)

CONTENTS

Tuesday, May 7, 2024

	PAGE		PAGE
Clerk of the Senate		Telecommunications Act (Bill C-288)	
Appointment of Shaila Anwar		Bill to Amend—Eighth Report of Transport and Communications Committee Presented	
Hon. Marc Gold	6159	Hon. Leo Housakos	6165
Hon. Donald Neil Plett	6159	Future of CBC/Radio-Canada	
Hon. Raymonde Saint-Germain	6160	Notice of Inquiry	
Hon. Scott Tannas	6160	Hon. Andrew Cardozo	6165
Hon. Pierre J. Dalphond	6160		
Visitors in the Gallery		<hr/>	
The Hon. the Speaker	6161	QUESTION PERIOD	
<hr/>		Global Affairs	
SENATORS' STATEMENTS		Foreign Interference	
Canada Post—Services Provided to Rural Communities		Hon. Donald Neil Plett	6165
Hon. Pamela Wallin	6161	Hon. Marc Gold	6165
Visitors in the Gallery		Hon. Leo Housakos	6166
The Hon. the Speaker	6161	Employment and Social Development	
Children's Healthcare Canada		Canada Disability Benefit	
Hon. Rosemary Moodie	6161	Hon. Kim Pate	6166
Visitors in the Gallery		Hon. Marc Gold	6166
The Hon. the Speaker	6162	Health	
Science Meets Parliament		Mental Health	
Hon. Rosa Galvez	6162	Hon. Iris G. Petten	6167
Visitors in the Gallery		Hon. Marc Gold	6167
The Hon. the Speaker	6162	Environment and Climate Change	
Moose Hide Campaign		Carbon Tax	
Hon. Michèle Audette	6162	Hon. David Richards	6167
Visitors in the Gallery		Hon. Marc Gold	6167
The Hon. the Speaker	6163	Canadian Heritage	
The Late Peter Showler, C.M.		RCMP Heritage Centre	
Hon. Ratna Omidvar	6163	Hon. Marty Klyne	6168
Mental Health Week		Hon. Marc Gold	6168
Hon. Tony Loffreda	6164	Public Safety	
Visitors in the Gallery		Humanitarian Aid	
The Hon. the Speaker	6164	Hon. Salma Ataullahjan	6168
<hr/>		Hon. Marc Gold	6168
ROUTINE PROCEEDINGS		Canadian Heritage	
National Strategy Respecting Environmental Racism and Environmental Justice Bill (Bill C-226)		Official Languages	
Seventh Report of Energy, the Environment and Natural Resources Committee Presented		Hon. Claude Carignan	6169
Hon. Paul J. Massicotte	6164	Hon. Marc Gold	6169
		Employment and Social Development	
		Funding for Academic Institutions	
		Hon. Paula Simons	6169
		Hon. Marc Gold	6169
		Justice	
		Conditional Sentences	
		Hon. Yonah Martin	6169
		Hon. Marc Gold	6169

CONTENTS

Tuesday, May 7, 2024

	PAGE		PAGE
Global Affairs		Hon. Donald Neil Plett	6171
Foreign Interference		Hon. Denise Batters	6173
Hon. Donald Neil Plett	6170	Hon. Claude Carignan.	6175
Hon. Marc Gold	6170	Hon. Rose-May Poirier	6176
Health		Hon. Leo Housakos	6177
Decriminalization of Drugs		Hon. Salma Ataullahjan.	6179
Hon. Yonah Martin	6170	Hon. Yonah Martin	6179
Hon. Marc Gold	6170	Hon. Jim Quinn	6181
Agriculture and Forestry		Motion to Amend the <i>Rules of the Senate</i> —Motion in Amendment Negatived	
Committee Authorized to Meet During Sitting of the Senate		Hon. Donald Neil Plett	6188
Hon. Robert Black.	6171	Hon. Ratna Omidvar	6189
Transport and Communications		Hon. Denise Batters	6193
Budget and Authorization to Engage Services and Travel— Study on the Impacts of Climate Change on Critical Infrastructure in the Transportation and Communications Sectors—Seventh Report of Committee Adopted		Hon. Claude Carignan.	6195
Hon. Leo Housakos	6171	Hon. Leo Housakos	6196
		Hon. Yonah Martin	6198
		Motion to Amend the <i>Rules of the Senate</i> —Vote Deferred	
		Hon. Scott Tannas	6205
		Hon. Chantal Petitclerc	6206
		Hon. Colin Deacon	6208
		Hon. Donna Dasko	6210
		Hon. John M. McNair	6211
		Hon. Mary Jane McCallum.	6212
		Hon. Yonah Martin	6213
		Hon. Leo Housakos	6215
		Hon. Frances Lankin	6216
		Hon. Claude Carignan.	6218
		A Clerk at the Table.	6218
ORDERS OF THE DAY		Adjournment (Bill S-16)	
Business of the Senate		Hon. Claude Carignan.	6218
Hon. Patti LaBoucane-Benson	6171		
Rules, Procedures and the Rights of Parliament			
Time Allocation—Motion Adopted			
Hon. Marc Gold	6171		