



DEBATES OF THE SENATE

1st SESSION



44th PARLIAMENT



VOLUME 153



NUMBER 228

OFFICIAL REPORT
(HANSARD)

Thursday, October 10, 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

Thursday, October 10, 2024

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

Prayers.

[*Translation*]

SENATORS' STATEMENTS

TRIBUTES

THE HONOURABLE DIANE BELLEMARE

Hon. Pierre J. Dalphond: Honourable senators, our colleague Diane is turning 75 on Saturday. In Quebec, we often celebrate birthdays by singing, so I thought about giving my speech in song, like when Senator Jean Lapointe left the Senate.

Then I remembered what Sister Florida told me when I was in grade four: "You, the tall boy in the back row, just mouth along."

With that in mind, I will just sing a few words: "Happy birthday, dear Diane, happy birthday to you."

I know that there's a lot of love for you here in this chamber. Throughout your time here, certain characteristics have become your hallmark. First of all, you're very independent minded, which meant that you always took a stand based on what you thought, not based on the party or group line.

Second, you're a hard worker. A lot of careful preparation went into your speeches in the Senate and your outside projects, one of which just successfully resulted in a new reform at the Bank of Canada.

Third, you have a sincere desire to bring people together and build consensus, rather than provoke confrontation. Reaching out to others is how you approach everything, and your bills were no exception.

You enthusiastically embraced the Senate reform project and agreed to be an active participant in the Government Representative's office, the Independent Senators Group and the Progressive Senate Group. The independent senators of the Progressive Senate Group willingly chose you to chair the Standing Committee on Rules, Procedures and the Rights of Parliament and to work with others to reform the Rules just this past spring. You certainly played an important role in getting the most recent changes adopted as part of the ongoing Senate reform.

You also worked to break the duopoly present in our chamber until 2015. As you said last April, you wanted to create a group of independent senators modelled on the 184 cross-benchers who sit in the House of Lords alongside the groups associated with Britain's three main political parties. You said you even talked

about it with Brian Mulroney, who told you it was a good idea but recommended waiting until the Harper government left office.

Dear Diane, I wish you a happy retirement with your beloved Victor, who's here with us today, and the rest of your beautiful family, whom I've met a few times. Also, over the next few weeks, you'll be able to catch up on all the *Game of Thrones* episodes you missed.

Today our colleagues are losing a renowned economist, but I know that I will continue to see a friend from my neck of the woods.

Thank you, and congratulations, Diane.

Hon. Senators: Hear, hear!

Hon. Marc Gold (Government Representative in the Senate): Senators, I have the privilege of rising today to honour our esteemed colleague, Diane Bellemare, for her illustrious career both here in the Senate and in the course of her many past duties.

Diane, from one teacher to another, I have always admired your passion for education and academia. Your research on economic solutions for achieving social justice is deeply appreciated and made an indelible mark, although I must admit that I haven't started reading your 800-page doctoral thesis on economic insecurity yet. I may take advantage of the Thanksgiving holiday to get started on that.

As though being a professor at the Université du Québec à Montréal for almost 25 years were not enough, Senator Bellemare also sat on the Economic Council of Canada and the National Statistics Council and participated in creating the Forum pour l'emploi.

It was therefore entirely appropriate that Senator Bellemare's first speech after her appointment to this chamber in 2012 took place on International Workers' Day and focused on the ability of each individual to hold paid employment in a field of their choice.

Not long after, Senator Bellemare made it clear that she would not hesitate to take strong positions on the issues that matter the most to her and to speak out if policies went against the interests of her province.

Senator Bellemare's independence and commitment to her core values could not have been clearer when she opposed Bill C-377 during the Forty-first Parliament. That focus on independence continued when Senator Bellemare joined the Government Representative Office in 2016 as the first Legislative Deputy to the Government Representative. In that role, Senator Bellemare, along with Senators Harder and Mitchell, spearheaded the shift toward a more independent Senate, ensuring that all legislation is given adequate consideration in a non-partisan way.

Diane, on behalf of the Government Representative Office, thank you for all the work you have done to modernize this chamber and make this nation a better place, and thank you for being so friendly toward me and my wife Nancy from my very first days here.

I wish you every success and happiness with your family and loved ones in this next chapter of your life. We'll miss you.

Hon. Senators: Hear, hear!

• (1410)

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I rise today to pay tribute to our colleague, the Honourable Diane Bellemare, who is preparing to officially retire from the Senate on October 13, 2024.

[*English*]

Prior to her journey in the Senate, Diane Bellemare was a professor at the Université du Québec for 25 years. As a former educator myself, I know the important role that Senator Bellemare must have played in shaping the lives of so many bright students eager to make their mark on the world. Senator Bellemare is also a respected economist and has served on various councils and boards in Quebec.

Appointed to the Senate in 2012, Senator Bellemare has served on various committees including as Chair of the Standing Senate Committee on Rules, Procedures and the Rights of Parliament and as a member of the Standing Senate Committee on Banking, Commerce and the Economy, to name two. In the Senate Chamber, Senator Bellemare has worked diligently to serve Canadians and represent her *belle province* of Quebec.

Senator Bellemare and I had an opportunity to build a special working relationship as deputy leaders when we were still in Centre Block — that building from long ago — sitting around the scroll table to negotiate the legislative agenda of the day, going up and down the stairs as her office was on the second floor and mine was on the third. Determining the orders of the day were simpler in those days, weren't they, Senator Bellemare? We have also worked on committees together, and I have seen first-hand the passion and dedication that you put into your work as a senator.

I would also like to acknowledge Senator Bellemare's family for their love and support throughout her years as a senator.

[*Translation*]

Senator Bellemare, thank you for your service to our country and for your work in the Senate. On behalf of the Conservative caucus, I wish you good health and prosperity as you embark on the next chapter of your life.

Hon. Senators: Hear, hear!

Hon. Chantal Petitclerc: Senator Bellemare has completed a PhD in economics at McGill University, worked as a professor in the economics department at the Université du Québec à Montréal and as an associate fellow at the inter-university

research institute CIRANO, served as vice-president of research and chief economist at the Conseil du Patronat du Québec and worked as a political adviser, author, TV journalist and senator.

Dear Senator Bellemare, you have had a distinguished and varied career. Today, it is a pleasure to pay tribute to you on behalf of the Independent Senators Group.

You are a brilliant woman, of course, but also a caring one. I would like to begin by reading what Senator Saint-Germain had to say about you. She said, and I quote:

Many members of the first cohorts of independent senators, like me, will remember the warm welcome we received from Senator Bellemare and how she was always available to help us settle in. We are very grateful to her for that.

I completely agree with our facilitator's statement.

[*English*]

Senator Bellemare, when it comes to the principle of independence, it's fair to say that you walk the talk. Whether it concerns your position, work in the chamber or in committee, changes to the Rules or fairness and equity among senators, your contribution is always constructive, original and assertive.

[*Translation*]

When I asked some colleagues what words best describe you, there were plenty of suggestions: free-thinking, thorough, intelligent, sensitive, open-minded and kind. I, for one, admire your passion for the issues you care about and your ability to stay focused on your goals.

Like many colleagues, I have benefited from your talents as an educator. Your ability to dissect complex economic bills has been extremely useful. Your analytical speeches explained things in a clear, articulate and educational way. For those of us who are not economists, you have been a gold mine of information, sharing your knowledge with confidence while also respecting differing opinions.

Senator Bellemare, Diane, my dear friend, the chances were pretty slim that an athlete and an economist would have chemistry. Yet, as soon as I arrived in the Senate, we clicked. We share a love of good food, good wine and long conversations. I'm going to miss our chats and our partnership. I'd even go so far as to say that I'm going to miss the way you would burst into an impassioned speech on full employment or the UN 2030 Agenda for Sustainable Development in the middle of a meal.

That said, I'm not too worried. I know where to find you.

Dearest Senator Bellemare, on behalf of all the senators in the Independent Senators Group, thank you for your contribution to a more independent, less partisan Senate. We will miss you, Senator Bellemare. I wish you all the best in your well-deserved retirement.

Hon. Senators: Hear, hear!

Hon. Josée Verner: Honourable senators, I want to take a few minutes to pay tribute to my colleague and friend, the Honourable Senator Bellemare.

She is leaving us for a well-deserved retirement following a long career in which she left her mark on Quebec and this chamber. She taught labour economics at the Université du Québec à Montréal for just over 20 years before her career took a unique turn that gave her a chance to apply her vast academic experience while maintaining her independent spirit.

Senator Bellemare held several important roles with organizations like the Fédération des travailleurs et travailleuses du Québec and the Conseil du patronat du Québec, which often take very different positions.

What stands out about her time in this chamber since her appointment in 2012? She and a few other senators started a bit of a quiet revolution in the Senate when, in March 2016, they laid the foundation for the first group of senators unaffiliated with a political party.

Her contribution to modernizing our institution did not stop there. She participated in the work of the Special Senate Committee on Senate Modernization and the Standing Committee on Rules, Procedures and the Rights of Parliament in an effort to make our rules and practices less partisan.

Just between us, I would also add that she joined Senator Greene, Senator Massicotte and me for friendly, informal meetings over oysters at The Shore Club. We had lively conversations about reinventing the Senate, and sometimes even the world. I'll treasure my memories of those times, and I hope she will too.

As the first female labour economist appointed to the Senate, she has brought labour market and employment issues to the fore throughout her tenure. Her hard work culminated with the Senate's passage of her Bill S-244, a bill to establish the Employment Insurance Council, on June 18.

On a more personal note, I myself will never forget her heartfelt support when I had to battle cancer in 2015 and 2016. The day after each of my many treatments, I would get a phone call from my colleague, Diane, with a genuine message of encouragement and optimism. Those moments will always have a special place in my memory and my heart.

In closing, I'm sure our colleague will be pursuing lots of projects over the next few years. However, family is the most precious thing we have, so my greatest wish for her is to spend quality time with her loved ones. 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 Victor Altmejd, spouse of the Honourable Senator Bellemare, their children Simon, Bliss and Sarah, as well as Marie-Soraya Ouerdane, Mathieu, Hannah and Arielle Desforges, and Rénald Bellemare.

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

Hon. Senators: Hear, hear!

• (1420)

THE HONOURABLE DIANE BELLEMARE

EXPRESSION OF THANKS

Hon. Diane Bellemare: Thank you, everyone. I also gratefully recognize that we are gathered here today on the unceded ancestral lands of the Algonquin Anishinaabe people, and I am extremely proud to be here with many senators from across the country, including Indigenous senators. I also thank my group, the one I am ending this adventure with in the Senate of Canada.

Naturally, I am feeling quite emotional, so I will read from my notes because I worked hard on them, and even though I feel up to debating, I want to stay on topic.

As you know, leaving the Senate after 12 years of adrenaline-filled days is not easy. This is the first time in my career that I have been the oldest person in the room. I was always the youngest for a long time, but now I'm the oldest. As my mother would often say, "I'm the oldest one around here." So I'm going to indulge myself and talk to you about what I've learned in 12 years. It's a fact that I've changed my affiliation a few times, but I always stayed true to my oath of office and always followed my conscience.

As Senator Lankin remarked last Tuesday, all the senators here are top-notch, and that is the first thing people notice as soon as they arrive in the Senate. They think, "Well, that's interesting."

In my case, as our former colleague, the Honourable André Pratte, wrote in his book on the Senate — and as many have pointed out — I am, first and foremost, an intellectual. That's how I gain knowledge. We are supposed to learn through experience but, in my case, experience came later. First, I was a professor. I taught public policy. Then I took on an important internship with the Quebec government. The minister told me that if I wanted to do this, I needed to run for office, so I decided to jump into the world of collective action and politics. Now I am here, in the Senate, which was a better job for me.

My adventure in the Senate was not part of my career plan. I didn't decide to become a senator. At the time, people were appointed. When someone approached me in 2012 to gauge my interest, I was flattered, obviously, but I was in the midst of writing a book, *Créer et partager la prospérité : sortir l'économie canadienne de l'impasse*, and trying to get used to the idea of retiring. I was 63. I'm glad I accepted this honour and privilege, though I didn't comprehend the full extent of it when Senator Carignan, whom I didn't know very well, called to let me know that my name was on a short list and to ask whether I was interested. I was appointed to the Senate in September 2012 by the Right Honourable Stephen Harper, and I thank him for putting his trust in me.

Around that time, the Senate was going through an existential crisis that began in 2013 with what the media was calling the “Senate expenses scandal.” It came up every time I watched the news. All senators, especially the newly appointed ones, were traumatized by the experience. However, this crisis brought to light a reality described by Justice Charles Vaillancourt, in his decision exonerating former Senator Duffy, concerning the stranglehold that the Prime Minister’s Office had on Senate affairs.

Many political scientists have described how easy it is for a prime minister to control the Senate when it’s a two-party chamber, in other words, made up of two caucuses, and when it’s the Prime Minister who chooses who to appoint.

Since Confederation, the reality is that the Prime Minister’s Office has always made sure it got a majority of votes in both chambers. The party in power just had to impose its party line in the Senate through an informal system of reward and punishment, and that was that. However, I must say that sometimes, some senators, often those in the opposition, found ways to effectively oppose things when necessary. Just because there is a party line does not mean that the opposition always remains silent.

Colleagues, particularly those of you who have just been appointed to the Senate, don’t be surprised if you occasionally find yourself wondering what planet you’re on. That happened to me too. That is why, when I was first appointed, I did a bit of research on senates around the world. As a trained economist, I worked with my adviser at the time, Étienne Gabrysz-Forget, to create numerous statistical tables on senates in the world to get answers to our questions.

Is the bicameral system in good health? Is it progressing or regressing on the world stage? I wanted to know whether senators are usually appointed or elected. What is the scope of their mandate and power? Where else has a two-party senate like Canada’s? Are there any independent senates?

This research still exists. It’s dated, but it would be worth updating. That said, I can tell you that two-party senates are few and far between. Apart from the United States and a few small Commonwealth island countries, there are few senates in the world where there are only two groups or caucuses.

Back when Canada had a two-party Senate, senators were appointed to serve until the age of 75, and this is still the case today. However, the majority of the world’s senators are elected. This has both advantages and disadvantages.

Thanks to this comparative study and other readings, I quickly realized that, to ensure the institutional independence of the Senate, there had to be at least three groups or caucuses. That way, it would be hard for one group to obtain an absolute majority and have the ruling party control the Senate.

Following that study and my readings, with the times being what they were and the crisis we were going through then, I started saying, whenever I had the opportunity, that the two-party model needed to go. The cross-benchers in the House of Lords seemed like a feasible model for the Senate of Canada to follow.

I would like to give you a few more details about the anecdote that Senator Dalphond alluded to. Back in the summer of 2015, I was still affiliated with the Conservative caucus, and several Liberal and Conservative senators had questions about the future of the Senate. Senators Greene and Massicotte organized a summit on the topic and conducted a survey to find out where senators stood on various issues. I argued for the importance of organizing senators into groups, but I wasn’t sure how far I could go in my role as a senator who belonged to a caucus.

Thanks to the ingenuity of my adviser at the time, Natasha Entwistle, who was working in my office, I secured a one-on-one meeting with the Right Honourable Brian Mulroney. As I was telling him about my existential qualms and explaining my solutions, he interrupted me to say:

Obviously, the Senate needs more than two groups in order to undercut the dominance of the Prime Minister’s Office.

He had been prime minister, and he knew the dynamics. He confirmed that my analysis was correct and that things needed to change. As for my plan to work on creating a third group, he added, “You might want to hold off until after the election,” meaning the election that would be held in the fall of 2015.

I took the Right Honourable Brian Mulroney’s advice, and on March 8, 2016, a few months after the election, I became an independent or non-affiliated senator, along with other non-affiliated senators, including Senator Ringuette, who suggested setting up regional caucuses. She too had come to the conclusion that there needed to be more than two caucuses, and we were the only two at the time who created the Independent Senators Group. At first, the group was informal, because it did not meet the conditions set out in the Rules for being officially recognized.

• (1430)

Let me go back to my experience with the Conservative Party. I learned a lot, and it made me think about other issues. I wondered how I would make decisions about bills that came before the Senate if I didn’t want to toe the party line. If I wasn’t going to toe the party line, I would have to have good reasons for objecting to bills from the other place that are generally passed by the other place. I asked myself what objective criteria a bill passed by the House of Commons would have to meet to get my vote. Those are the criteria I used.

That’s how I came to move a motion in the Senate in 2016 known as Motion No. 89. The purpose was to amend the Rules to require committees considering bills to include, in the reports they table here, observations consisting of answers to a series of important questions that could justify passing or rejecting a bill, especially a bill sponsored by a senator or an MP.

For example, does the bill respect the Constitution, the Charter of Rights, Indigenous treaties, international agreements and privacy? Did any individuals or groups present strong objections in committee? If so, what were they? Was there a consultation process? What is the regional impact of the bill, if any, and is there cause for concern? Are there any errors in the bill? Do the English and French versions match?

I thought this list of questions would be useful for people who don't sit on the committee and don't have time to read all the testimony. As I said, the purpose of this motion was to provide a succinct summary of the necessary information to all senators who were not participating in the study so that they could better understand the debates and form their own opinions. It also provided a framework for the use of our veto power over bills passed in the other chamber with the support of all or almost all parties.

I decided that I didn't have the right to object to a bill just because I didn't like it. I don't think we really have the right, even if we do have the power, to refuse to pass a bill that has the clear support of the other chamber. To do so is to play a political game we have no right to play. As I see it, we don't have the political standing to be arrogant. As a chamber, we must rise above that kind of thing.

As you know, Motion No. 89 was not adopted. It was discussed during the work of the Senate Modernization Committee, and we can find traces of these discussions in the committee's reports. Personally, I use these criteria when I'm analyzing a bill, and even more so with private member's bills introduced by MPs and senators, especially when it's a bill I don't like. I look at my list, and I may not like the bill, but if it meets all my criteria, then I vote in favour of it. All of this enables me to judge a bill passed by the other place without letting my personal preferences get in the way. After all, no one can fully understand a situation from every angle, no matter how brilliant they are. It would be far too complex.

The motion was not adopted, but perhaps you will consider another similar motion one day.

In May 2016, I accepted the invitation of Senator Harder, who was the first Government Representative in the Senate, to play the role of legislative deputy — which, as the opposition knows, is a made-up title. Senator Grant Mitchell became the first government liaison at the same time. That was a very intense period in my Senate career, especially since I had no practical experience with the Rules of the Senate. I didn't know them off the top of my head like some of my opposition colleagues did. It's one thing to read the Rules, but quite another to have to put them into practice. I am very proud that I was able to work with Senators Harder and Mitchell, for whom I have a lot of respect.

At the time, there were never any guarantees that government bills would be passed. There were times when a single vote made the difference in government bills being given Royal Assent. That happened with a bill that I was sponsoring, the critic for which was the formidable, yet kind, Conservative Senator Tannas, but we managed to pass it. It was the bill that repealed several bills that were considered anti-union by many people, including myself.

I'd like to share a little anecdote about the first budget. At the time, the Conservative senators formed the opposition, and they had the majority of seats. Certain Liberal senators were not always willing to cooperate with the Trudeau government in the wake of the events that put an end to the Liberals' national caucus. The budget passed by one vote — yes, the budget, one vote — because a very specific number of Conservative senators

were absent from the chamber during the vote. The leader of the official opposition at the time, Claude Carignan, knew how to count. I have to tell you that Peter, Grant and I broke out in a cold sweat. After the vote, as you can imagine, we burst out laughing to relieve the tension.

Many know the rest of my story. In the fall of 2019, I joined the Independent Senators Group, which I left in 2021 to join the Progressive Senate Group, the PSG, with which I had and still have a special affinity.

My dear colleagues and friends, know that I respect all senators regardless of their affiliation. I changed groups over a dispute. With the ISG, it was a dispute over a different vision of an independent Senate. With all due respect to my colleagues in the ISG, I would like to talk about the nature of the dispute that led to my departure. I have to say that, in my opinion, I did it to protect the new multi-party system in the Senate of Canada. The dispute was over committee portability.

Allow me to explain for our new senators, because this is an important thing to learn. According to the Rules, a senator who leaves a group remains a member of the committee to which they were assigned at the beginning of the session until the end of the session, which may occur when Parliament is prorogued or an election is called. Rule 12-2(2) dates back to time immemorial. It was codified in the Rules at the end of the 1960s. The wording we're familiar with, which is a little more restrictive than the 1960 version, has been around since 1972. That's a long time. This rule can also be found in other senates around the world that have multi-party systems.

However, in recent years, this rule has been suspended so that any senator who leaves a group or caucus also has to leave the committees they were serving on. This is still a rule of the Senate, but it was suspended for this session by a motion adopted at the beginning of the session. I am against that way of doing things because, in my opinion, that rule upholds the independence of the Senate. It ensures balance and keeps things fair between groups and between senators.

I think it is a sound rule. It protects a fundamental principle, that of ensuring that every senator has the opportunity to continue their work in committee, with all of the privileges that go along with being an official committee member. This rule is good for senators and for the Senate. For those who are familiar with the philosophical principles of John Rawls, I am sure this rule was adopted by fair and rational individuals from behind a veil of ignorance. If senators would like more information about the principles of John Rawls, I won't be here anymore, but my neighbour, Senator Gold, who is also a law professor, is very familiar with them.

I speak of this rule with conviction because it promotes healthy mobility between groups of senators. In 2015, this rule enabled any senators who were interested in becoming non-affiliated to do so, while still allowing them to carry out their constitutional duties in the Senate. Requiring a senator to leave their assigned committee if they leave a group punishes senators for following their conscience and detracts from the Senate's independence.

• (1440)

Colleagues, before we get to the expressions of thanks, rest assured that the Senate is an important institution and that our work is equally important. When we first arrive, we may have the impression that the Senate is a mere formality on the way to Royal Assent. Today, I know that this is not the case. It won't be long before you learn that. The Senate is a political institution with tremendous powers that differ from those of the House of Commons. Our role isn't to govern but to serve as a bulwark for protecting democracy, as Senator Joyal underscored in the title of his book. We ensure that democratic choices expressed during elections serve the well-being of all Canadians and Indigenous peoples. To use a sports metaphor, we are essentially the defence.

To remain relevant and appreciated by Canadians, the Senate has to rise above partisan politics, respect democratic choices and exercise restraint, as Senator Shugart aptly said. Although our job is primarily to protect democracy, we can also provide vision and insight into medium- to long-term public policy issues. We have an opportunity and a duty to do so.

I wish I had had more time to talk to you about social dialogue, dialogue between governments and socio-economic groups, and the latest Policy Horizons Canada report, entitled *Disruptions on the Horizon*, in an inquiry that is on the *Order Paper and Notice Paper*. This will not be possible.

Nevertheless, I'd like to draw your attention to this document, which lists 35 probable major disruptions that could affect the well-being of Canadians in the medium term. They include Canada having demographic problems, immigration, artificial intelligence running wild, downward mobility becoming the norm, food becoming scarce, men of all ages being in crisis, people being unable to tell what's true and what's not, values-based clashes dividing society, energy becoming scarce, household debt reaching a tipping point, and more. Policy Horizons Canada calls on public bodies, departments, governments and political parties to take these potential disruptions into account in their plans and their work. I believe that the Senate is the chamber of Parliament that has a duty to reflect on these issues, particularly in committee, in order to fulfill its role as the chamber of sober second thought. I urge you to read this report. Policy Horizons Canada is a foresight organization that falls under the Department of Employment and Social Development.

I would like to share with you my belief that Canada must establish an institutionalized dialogue between governments and socio-economic groups. I believe that we are experiencing a crisis of governance in this country in terms of the public policies needed to work together on solutions to looming challenges and disruptions. You've undoubtedly seen for yourselves that we have a number of private members' and senators' bills that seek to fill a void but lack coordination and scope. As you know, it can be more difficult to bring about coordinated collective action in free and democratic societies than in authoritarian ones, but coordinated collective action is exactly what we need. Other countries have strengthened and institutionalized dialogue between governments and socio-economic partners, and Canada must follow suit, because the invisible hand of the market is not enough. Senators can stimulate and promote that dialogue. We have the power and the opportunity. I'd just like to plug the last

chapter written by a group of senators during the pandemic. Chaired by Senator Harder, we examined what we had to do. We heard from Canadian and international witnesses. It was very interesting. We met twice a week. We knew what to do. Everyone knows it. The point is not to know what we need to do, but how to do it, especially in Canada's confederal system. It's very complicated.

Colleagues, in conclusion, your work is important. Take it seriously. At the same time, don't take yourselves too seriously. Sometimes, when we face adversity, it's hard to not take ourselves too seriously.

Now I want to say my thank-yous, dear colleagues. Many thanks to the Senate team, who look after our material well-being and physical safety; all the staff who transport us from one building to another and who give us such a beautiful, clean, bright place to work in; and all the officers who protect us as well. Special thanks to Greg Peters, the Usher of the Black Rod. I also want to thank all the staff who work behind the scenes every day so that we can accomplish the job Canadians expect us to do. I want to thank the interpreters, without whom we could not communicate with one another; all the audiovisual technicians, who give Canadians a way to judge our work; all the pages, who see to our comfort every day; and all the clerks, who support us and ensure that we are well informed and that the Senate sittings and committee meetings run smoothly. Thank you all very much.

I have the utmost admiration for the Speaker of the Senate, who always listens to us and does exemplary work, as well as the Speaker pro tempore, who manages our work so adroitly.

I want to thank everyone who worked with me in my office over the years and who helped me to carry out my role as a senator and made me look good, as Senator Dawson often says. I'm thinking of Anaida Galindo, who helped me to learn the ropes in my first years in the Senate. I'm also thinking of Nassim Derdouri and the late Étienne Gabrysz-Forget, whom I mentioned before. Thank you to Natasha Entwistle, Véronique Valenti, Alexis Fafard, Eline Hu and all those who worked in the Government Representative Office.

Special thanks go to Amélie Crosson and Marty McKendry, who were always available to advise me. A very special thank-you to the kind and clever Julie Labelle-Morissette, with whom I had the pleasure of working and who supported me for six years. I also want to thank Ermioni Tomaras, an experienced lawyer who was very good about supporting me at the Standing Committee on Rules, Procedures and the Rights of Parliament and helping me draft Bill S-244 and move it forward. I also want to thank Jeremy Soucy and Alexandre Mattard-Michaud. I worked with them for only a few months, but I have fond memories of them.

My time in the Senate would not have been the same without the constant support of an outstanding labour economist and friend I've worked with many times over the course of my life. I'm referring to Michel Cournoyer, who supported me throughout my journey as a senator and well before that, back when I was a senior civil servant in the Quebec government.

Before I get into my personal thanks, I would like to thank Anne Allard, who has been working in my office for almost two years. Without her, the final years of my career here in the Senate would have been chaotic. I would like to thank her for her dedication, for always being there for me, and for being such a wonderful person.

I would like to take a moment to acknowledge absent friends. One is Lise Poulin-Simon, my soulmate. We wrote several books together, and she died far too soon. The other is Professor Jack Weldon. In my mind, they both support my bold ideas and great ambitions to this day.

I would also like to thank all the colleagues who know how to listen and all those with whom I have had important conversations over the years. You know who you are. In particular, I would like to thank all the members of the Progressive Senate Group for their warmth and friendship. Dear friends, I love you.

Last, but not least, my family and friends. Special thanks to my husband, Victor Altmejd, an immigrant who came to Canada in 1969 as a Polish Jewish refugee, the love of my life and the father of my two children, Simon and Bliss, whom I adore and who keep me young at heart.

• (1450)

Victor came into my life as I was turning forty — so let that reassure anyone who considers herself an “old spinster.” He came complete with two lovely and wonderful teenagers, David and Sarah, whom I love as if they were my own children. He gave me the chance to have a bigger family than I expected and grandchildren. I am grateful to him for offering me the chance to experience motherhood, for his unfailing encouragement in everything I did, and for the ambition he had for me. I would not be here without him. Thank you, Victor, and thank you Bliss, Simon, Sarah, David and grandchildren Arielle, Élie, Isaac and Hannah, who are all here. I have every intention of sharing some good times with each of you more often. I also want to thank my brother and sister-in-law, my sisters and my parents, who are no longer with us, for all they did for me. Lastly, I thank all my friends for having kept in touch with me during these 12 years, when I had less time to spare. We’ve got some catching up to do.

I loved my life in the Senate. Colleagues, I’m going to miss you. I’ll keep up with your news from a distance. So I will not say goodbye, but see you next time, and who knows, we may meet again one day for another adventure! Thank you.

Hon. Senators: Hear, hear.

TRIBUTES

Hon. Pierrette Ringuette: Honourable senators, Diane, I can’t begin my speech without telling you that you may be the oldest today, since you might be looking at the number 75 as an economist, but as far as I am concerned, and I believe all your colleagues would agree, you’re nowhere near 75. Judging by your energy level, you’re closer to 50.

[Senator Bellemare]

It is bittersweet for me to rise today to mark the retirement of Senator Bellemare, who was appointed to the Senate in 2012 by Prime Minister Harper.

Since her arrival in the Senate, Senator Bellemare has earned the respect of her peers through her enlightened speeches and the many years she dedicated to socio-economic issues and policies to support full employment as the foundation of our economy and an element of social justice. She never wavered from these principles, which reflect who she is and are at the heart of her professional life.

In March 2016, after much reflection, she joined me and Senators Wallace, Rivard, Demers and McCoy to step on the road to independence for the Senate and senators. It was certainly a very difficult time, particularly for Diane, as the Conservative caucus not only removed her from the committees on which she sat, but also tried to take away her office.

The fact is that 2016 is not exactly yesterday. Ongoing efforts were crucial to establishing a core group dedicated to independence so as to chart a course toward the future, where appointing independent senators would become the norm. Now, some eight years later, 80% of senators are independent, Diane.

I would like to take this opportunity to thank Diane for her fortitude, which remains as strong and steady today as it was in 2016.

Active in all the forums on Senate modernization, she was always studying different chambers around the world to see if there were any options that could serve as inspiration for us.

You could say Diane has a soft spot for the crossbenchers model. I’m not a fan of this model quite yet, so the debate must continue.

Hats off to Diane for Bill S-244, which amends management and integrates social dialogue into the Employment Insurance Act. Well done, Diane. Public dialogue is at the heart of all your initiatives, and you have succeeded in enshrining it in this bill.

Diane, I wish you a happy retirement. I know very well that you are not the type to rest when there are still challenges to be met. I’ll always be here for you.

Hon. senators: Hear, hear.

[English]

Hon. Peter Harder: Honourable senators, it is with great pride and deep gratitude that I rise to say a few words of thanks to my dear colleague.

I don’t need to describe her career or embellish regarding her intelligence or contributions to this place, but I do need to publicly acknowledge the deep service she provided in establishing the Government Representative Office and beginning to provide the framework for how a less partisan, more independent Senate would work.

When I arrived in this chamber in April 2016, it was rather lonely sitting amidst all of the empty chairs as the Government Representative in the Senate. I was determined to seek out, for a team, somebody who had roots in a Conservative tradition and somebody who had roots in a Liberal tradition. That wasn't as easy a task as I thought it would be, but it was made easier when I spoke with Diane and asked whether she would join me in this work. She said, "Well, I don't really know the rules, but I'm an economist." I was obviously attracted to the personality that you see here today and have come to know.

I am deeply blessed and feel thankful, Diane, because you took that gamble of reputation and circumstance.

I can't tell you how lovely it was every morning, very early — though Diane was always a little late — to have coffee with Grant Mitchell and talk a little bit about what we could possibly expect over the course of the day. I think it's important for those of you who have come in the last few years to be reminded that the institution we are today is not the one we were eight years ago. In large measure, the changes have their roots in the intellectual framework that Diane provided.

So I want to publicly acknowledge your contribution and your friendship. You're the only seatmate I've had, and now I've got to get a second partner.

Thank you.

Hon. Senators: Hear, hear.

Hon. Mary Coyle: Honourable senators, I rise today on the lands of the Anishinaabe Algonquin Nation to sing the praises of, thank sincerely and bid farewell to our beloved and ever-so-stylish colleague Senator Diane Bellemare. A brilliant economist and ambitious, accomplished, compassionate, incredibly focused and hard-working leader, Diane has been a role model for me and many others in this chamber.

Appointed to the Senate by Prime Minister Harper in 2012, Diane has been an independent leader in this chamber ever since. In everything she has done and accomplished, both in the Senate and before coming here, Senator Diane Bellemare has brought her values, which are reflected in the areas she has chosen to prioritize.

[*Translation*]

Diane is very compassionate, welcoming and rigorous. She values cooperation. She supports and promotes equity issues and human rights, and she cares a lot about transgender rights. She is concerned about climate change and is a member of the Senators for Climate Solutions group. Thank you for your support, Diane. She is interested in how to create prosperity, while also being aware of the need to share it.

• (1500)

Senator Bellemare looks after workers, young people, the labour force, jobs, unemployment, income security, skills and training.

Diane Bellemare is a champion of social dialogue and believes in the power of bringing together government, unions, employers and businesses.

She gave her inaugural speech in the Senate on May 1, International Workers' Day. I would like to quote a few excerpts from that speech. She said the following:

. . . I rise . . . to speak to you about a subject that is dear to my heart and that is also important to you, and that is the opportunity for everyone to be able to hold a paid job in the field of his or her choice.

Jobs are the cornerstone of economic and social development. Indeed, development happens through jobs.

She concluded by saying:

Honourable senators, I invite each and every one of you to put jobs at the top of your list of concerns, for that is how, as a society, we will achieve the goal that we are all so committed to: prosperity for all.

[*English*]

Honourable colleagues, today we have heard about all the important work Senator Bellemare did before she joined the Senate and about her many roles, accomplishments and impacts here in the Senate. I believe the best way we can thank and honour Senator Bellemare is to carry forward her work on shared prosperity for all Canadians.

[*Translation*]

Happy retirement, Diane. You are so dear to me. Thank you so much.

Hon. Amina Gerba: Honourable senators, I rise today to pay tribute to an exceptional parliamentarian, a great Quebecer and a great Canadian, Senator Diane Bellemare.

As many of us have already pointed out, her exemplary career is a source of respect and inspiration. As someone who has always campaigned throughout my career to free women from imposter syndrome, I was very impressed, when I was appointed to the Senate, to sit near her in this chamber, with the Progressive Senate Group.

Whether in her career as a professor and renowned economist or in her passionate advocacy for social and institutional dialogue or still her promotion of the beautiful province we both represent, Quebec, Senator Diane Bellemare has always brilliantly defended her ideas and convictions.

I also remember Senator Bellemare's great esteem for the role of parliamentarian, as she explained earlier, and the rigour and dedication she attaches to it. She once said the following, and I quote:

The Senate is an institution that has been underestimated, unloved and, at times, the object of much criticism. There are reasons for that, but we shouldn't throw the baby out with the bathwater.

She added that our role is to make sure that bicameralism works well in Canada, and that Canadians can be proud of their Senate.

In my opinion, it is undeniable that Senator Bellemare has contributed to making our institution a source of pride for our constituents.

My dear Diane, you have been a true inspiration to me, and I feel privileged to have you as my friend and mentor forever.

After so many magnificent years of service to Canadians, it is high time that you took a well-deserved break with your better half, Victor, who must be looking forward to having you by his side even when the Senate is sitting. You will always be together.

I wish you the happiest retirement, and I look forward to sharing a meal with you at an African buffet in Montreal.

Hon. Marilou McPhedran: Dear Senator Bellemare, what can be said about you?

Those of us who knew you and worked with you in the unique institutional environment of a university are familiar with the special joys and challenges that such a privilege brings.

It may be poetically appropriate that Senator Bellemare, who spent her formative years in an academic setting, also spent the last few years of her career in another, equally special institution, the Senate of Canada. It gave her one more opportunity to share her expertise with a new, but older, batch of students.

Tell us, senator, which group of students was the best?

[*English*]

I have sometimes wondered where your empathy and capacity to respect multiple perspectives came from, but, of course, you are more than an academic; you are more than a senator. Your influence extended beyond these spheres. For example, you were instrumental in founding the Forum pour l'emploi, a non-profit association aimed at promoting employment by bringing together key decision makers from various sectors.

You are a connector, an innovator and, above all, a gentlewoman with a huge capacity for respect and inclusion. I know this because we are both proud mothers of beautiful, queer human beings.

Although you are undoubtedly a member of the ruling class in this chamber, you have genuinely tried to bring truth to the unrealized principle that all senators are equal by using your authority as the Chair of the Senate Rules Committee to address the issues directly.

Dear Diane, as senators we have the privilege to sit in this chamber for a considerable length of time. Longevity offers us the opportunity to follow subjects with greater consistency, comprehension and depth, to delve into the bigger picture and consider generational change as opposed to immediate pressures. It gives us the chance to dive deep and provides a stable counterpoint to the other place, where rapid change is often the norm.

[Senator Gerba]

It also provides us the incredible privilege, sometimes over the course of years and years, to deepen our relationships, to observe one another and witness the character, integrity and sincerity of our colleagues in word and in action.

It has been an honour to observe you in this way. These inevitable goodbyes are bittersweet. We are saying farewell to a grande dame.

[*Translation*]

Senator Bellemare, I will miss you. Thank you for being the person you are.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Daniel Baker. He is the guest of the Honourable Senator Aucoin.

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

Hon. Senators: Hear, hear!

DANIEL BAKER

CONGRATULATIONS ON CABOT TRAIL ACHIEVEMENT

Hon. Réjean Aucoin: Honourable senators, I wish Senator Bellemare all the best and a happy retirement.

Honourable senators, we all have our idols and our champions. The Olympians who represent Canada around the world deserve our praise and admiration for their courage, tenacity, endurance and humanity. We have two examples here in the Senate: Senators McBean and Petitclerc.

Today, I want to tell you about an ordinary person who has accomplished the extraordinary and earned my admiration — something he didn't even know until today.

The Cabot Trail is a scenic route that criss-crosses 300 kilometres of Cape Breton Island, carved between sea and mountains, and dotted with small villages nestled along the coast, including my village of Chéticamp. The view from your car is nice, but the view from a bike is breathtaking.

• (1510)

For the past 15 years, as soon as the snow melts, I've been training to conquer the French, North, MacKenzie and South mountains. The Cabot Trail is the second most popular cycling destination in North America. Amateur cyclists come from all over to ride this trail, even though there's no bike lane and the road isn't dedicated solely to cycling. It is a 300-kilometre circuit and the first day involves crossing three mountains with altitudes of more than 1,950 metres over 95 kilometres and a 14% grade on North Mountain.

I am proud of myself because, in 2024, I once again managed to successfully climb North Mountain without stopping, a four-kilometre climb with grades between 9% and 14%. I use the term “climb” because if I went more slowly, I would fall off my bicycle. It took all of my physical and mental energy to accomplish this.

I know some very good cyclists who manage to do it in one day and I admire them. As I told you, I think I’m doing well with my 20-speed carbon bike. However, a few years ago, a seemingly regular guy showed up and joined our group, the “Cyclepaths,” organized by John Gainer and John Grant. Some bad sports call us the “Psychopaths.” Daniel Baker came over from Ottawa with his basic, one-speed bicycle. We all looked at each another and said, “That’s not possible, who does he think he is?” Then, without making noise, without making waves, and without slowing us down or complaining, Daniel Baker conquered the Cabot Trail in three days with his one-speed bike.

[English]

I do not know what his friends and family call him in Ottawa. I assume it is by his name Daniel Baker, but to me and to cyclists around the Cabot Trail, he is known as “One Gear Dan.”

[Translation]

My champion, Daniel Baker!

[English]

ROUTINE PROCEEDINGS

STUDY ON VETERANS AFFAIRS

SEVENTH REPORT OF NATIONAL SECURITY, DEFENCE
AND VETERANS AFFAIRS COMMITTEE—
GOVERNMENT RESPONSE TABLED

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, the government response to the seventh report of the Standing Senate Committee on National Security, Defence and Veterans Affairs, entitled *The Time is Now: Granting equitable access to psychedelic-assisted therapies*, deposited with the Clerk of the Senate on November 8, 2023.

(Pursuant to rule 12-23(4), this response and the original report are deemed referred to the Standing Senate Committee on National Security, Defence and Veterans Affairs.)

UKRAINIAN HERITAGE MONTH BILL

TWENTY-SIXTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND
TECHNOLOGY COMMITTEE PRESENTED

Hon. Ratna Omidvar, Chair of the Standing Senate Committee on Social Affairs, Science and Technology, presented the following report:

Thursday, October 10, 2024

The Standing Senate Committee on Social Affairs, Science and Technology has the honour to present its

TWENTY-SIXTH REPORT

Your committee, to which was referred Bill S-276, An Act respecting Ukrainian Heritage Month, has, in obedience to the order of reference of May 9, 2024, examined the said bill and now reports the same without amendment.

Respectfully submitted,

RATNA OMIDVAR

Chair

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

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

ETHICS AND CONFLICT OF INTEREST FOR SENATORS

FOURTH REPORT OF COMMITTEE TABLED

Hon. Judith G. Seidman: Honourable senators, I have the honour to table, in both official languages, the fourth report (interim) of the Standing Committee on Ethics and Conflict of Interest for Senators, entitled *Interim Report on the Senate’s Order of Reference of December 7, 2023*.

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

[Translation]

NATIONAL CAPITAL ACT

BILL TO AMEND—FIRST READING

Hon. Rosa Galvez introduced Bill S-289, An Act to amend the National Capital Act (Gatineau Park).

(Bill read first time.)

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

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

[English]

THE SENATE

NOTICE OF MOTION TO CALL ON GOVERNMENT TO SUPPORT TAIWAN'S PARTICIPATION IN THE UNITED NATIONS

Hon. Leo Housakos: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Senate take note that:

- (a) United Nations (UN) Resolution 2758 of 1971 addresses the diplomatic status of the People's Republic of China, but does not rule that the People's Republic of China enjoys sovereignty over Taiwan, nor does it make any judgment on the future participation of Taiwan in the United Nations or other international organizations;
- (b) this resolution is being used by the People's Republic of China to block Taiwan's meaningful representation;
- (c) Canada also has an interest in Taiwan's meaningful representation in organizations such as the International Civil Aviation Organization and the World Health Organization, and allowing such meaningful representation of Taiwan need not be an obstacle to Canada's one-China policy; and
- (d) among others, France and Australia have decided not to follow the new interpretation used by the People's Republic of China; and

That the Senate call on the Government of Canada:

1. to recognize that UN Resolution 2758 does not make any judgment on Taiwan's future participation in the UN or other international organizations;
2. to actively promote this during the General Assembly of the United Nations; and
3. to advocate for Taiwan's meaningful representation in the aforementioned UN organizations.

Honourable senators, appropriately, I move this on October 10, Taiwan's national day.

Some Hon. Senators: Hear, hear.

QUESTION PERIOD

FINANCE

COST OF LIVING

Hon. Donald Neil Plett (Leader of the Opposition): Government leader, fellow Canadians will once again struggle to put food on the table this Thanksgiving. The cost of living crisis, fuelled by the carbon tax, is still hurting families.

This morning, the Parliamentary Budget Officer, or PBO, released yet another report which shows the carbon tax costs Canadians more than they get back from the NDP-Liberals, contrary to what you say all the time, leader. The third paragraph states:

In 2030-31, taking into consideration both fiscal and economic impacts, we estimate that the average household in each of the backstop provinces will see a net cost . . .

I know you think it is partisan when we, the Conservatives, care about hurting families, leader. The Conservatives care about what is happening. Again, leader, this information is coming from the non-partisan PBO. Do you dispute his findings? Yes or no?

• (1520)

Hon. Marc Gold (Government Representative in the Senate): I don't dispute his findings, and I consider questions of this kind — as I've deemed in other circumstances — to be regrettable, if not hyper-partisan.

I think you are being a bit selective in your quotes from the Parliamentary Budget Officer, or PBO. It is true that, after correcting an error, the PBO affirmed that in Canadian households — as I have been saying — 8 out of 10 will receive more than they actually pay. The PBO then made estimates and projections about what additional costs might accrue as a result of the price on pollution or impact on investment. Indeed, that is what they concluded. But absent from their report — and I don't criticize them for this — was any calculation of the costs of inaction or any calculation of what removing or axing the tax, to be fairly simplistic about it, would impose on Canadians. We only have to look at the cost of environmental degradation and cost to our economy and society to see that it is an incomplete analysis.

Senator Plett: Twist yourself into every pretzel you want, leader.

What's changed for the better in Canada since last Thanksgiving? Food bank usage is at a record high. Rent is still too high. Crime is rampant. Anti-Semitism has become worse. We've seen more corruption and more waste from this incompetent NDP-Liberal regime. I could go on and on. Leader, is it not time for a carbon tax election?

Senator Gold: What clearly has not gotten better is the quality of sloganeering and facile — As we approach an American election, it sounds like you're channelling is a kind of a maple-flavoured version of MAGA. It does not do anything for this chamber.

ENVIRONMENT AND CLIMATE CHANGE

CARBON TAX

Hon. Leo Housakos: Senator Gold, recently the Canadian Trucking Alliance called on the federal parties to cut red tape and tax and to restore fairness for truckers. Their number one ask was to end the carbon tax. It's not coming from us, Senator Gold. It is not talking points. It's not sloganeering. It is coming directly from them. They are the men and women who work day and night often away from their own families in order to provide our families food, clothing, et cetera.

In their report, they stated that this year alone, the Trudeau carbon tax will add almost \$2 billion annually to trucking costs. By 2030, those additional costs will be \$4 billion. Over the 12-year phase-in of the Trudeau carbon tax, it will cost the trucking industry a total of an additional \$26 billion.

Senator Gold, we already see razor-thin margins for these hard-working Canadians, and they are passing those costs along to consumers. Why won't you admit that this is a cash grab — nothing more — is not fighting climate change and is pummelling the hard-working middle class?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. This is not a cash grab. Yes, a price on pollution is a price on pollution and has a cost. It has a cost in order to cause a change in behaviour. It remains the case, Senator Housakos, and with your business background I assume you know — although it is perhaps an inconvenient truth, if I may gesture towards another domain — it is a fact that any alternative, none of which have been presented for our consideration, to addressing climate change would cost more whether it is a regulatory regime or the like. This remains what mainstream Conservative economists recognize is the most market sensitive, cost-effective and effective tool. The PBO would not disagree with that.

Senator Housakos: Senator Gold, all I know from my business experience is that this carbon tax is pummelling working-class Canadians because the costs are trickling down to them. It is going directly from the truckers to the customers at the grocery stores. That's what happening with your carbon tax. I know your government, Prime Minister Trudeau and some independent senators are not particularly fond of the trucking industry, but I am because they are the lifeblood of this country. They put food and medicine on our tables. It's simple what you need to do: Axe the tax and remove the pressure from middle-class Canadians.

Senator Gold: It's amazing how you can look into the hearts and minds of independent senators. You have accused us for seven and a half years of not being truly independent. You don't

know what we think. I assume that every senator in this place has respect for hard-working Canadians and for the difficult times that many of us are going through.

CROWN-INDIGENOUS RELATIONS

WHITECAP DAKOTA NATION / WAPAHA SKA DAKOTA OYATE

Hon. David M. Arnot: Senator Gold, I was Treaty Commissioner in Saskatchewan 20 years ago during the embryonic discussions between the Whitecap Dakota First Nation and the Government of Canada about adhering to Treaty 6.

Following the recent passing of Bill C-51, I reminded both parties that in order for this relationship to flourish, two principles have to be in place: the honour of the Crown and the honour of the First Nations. No one can call into question the honour of the First Nations in getting to this place now. It will be up to the minister to ensure the honour of the Crown and the honour of federal officials.

Senator Gold, would you please ask the government to continue to uphold the honour of the Crown by expediting a mandate for negotiations to begin as soon as possible on the modern treaty?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, senator, and for your past involvement and your continued advocacy on this.

My office raised this concern with the minister after yesterday's Question Period. I'm still awaiting an answer, but I will continue to raise it with the minister. This government is committed to doing the right thing in discharging its obligations and to be an honourable partner in a nation-to-nation relationship. I will continue to press and raise this with the minister at every opportunity.

Senator Arnot: Senator Gold, the Whitecap Dakota First Nation has been ready to negotiate for years. Time is of the essence. The Whitecap Dakota are losing patience. Expectations are high. Promises have been made. Immediate action is required. Will the Government of Canada have a mandate to begin negotiating by November 15, 2024?

Senator Gold: Thank you for the question. I'm not in a position to comment on any possible timelines, but I repeat that the government is committed to working alongside the Whitecap Dakota to advance their shared priorities, and the government supports their vision of a better future for their community.

GLOBAL AFFAIRS

SUPPORT FOR UKRAINE

Hon. Donna Dasko: Senator Gold, with the ongoing and increasing attacks on Ukrainian civilians and critical infrastructure by Russian forces, many in the international community are gravely concerned about the limitations placed on Ukraine's use of American-made weapons by the United States. While the U.S. has permitted limited strikes by Ukraine earlier this year, Russia's escalation calls for a reassessment of existing limitations. Ukraine has asked for and must be allowed to carry out targeted strikes on Russia's airfields and weapon depots, where Russian strikes originate. Canada has no restrictions on the use of weaponry that Canada has provided. But has this country made representations with the United States about lifting their restrictions? What more can be done to convince Americans to lift their restrictions and allow Ukraine to carry out these necessary targeted strikes? Thank you.

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, senator, and for your continuing advocacy on behalf of Ukraine. This government has been very clear that Ukrainians are in the best position to know how to best defend their homeland, and the government remains committed in all respects to support their capacity to do so.

That is why — as you correctly pointed out — that Canada has not placed any geographical restrictions on the use of military equipment that Canada has donated to Ukraine. I can assure this chamber that Canada will continue to work with its allies, including and notably the United States, to ensure that Ukraine is supported completely as a whole including financially, militarily and, of course, from a humanitarian perspective.

Senator Dasko: Senator Gold, do we have any expectations that the United States will loosen its restrictions against Ukraine soon such that Ukraine's hands will not be tied? Thank you.

Senator Gold: Thank you for your question. I'm simply not in a position to speculate as to any future decisions by the United States with regard to geographical limitations. I will certainly bring this concern to the attention of the minister and his department, who are in regular contact with their counterparts.

• (1530)

[*Translation*]

TRANSPORT

AIR PASSENGER RIGHTS

Hon. Jean-Guy Dagenais: Senator Gold, the Supreme Court of Canada unanimously rejected the challenge to federal rules governing airline passenger indemnification, which Air Canada and 17 other airlines were trying to avoid. That these rules concerning delays, cancellations or overbooking should finally be recognized is good news, but the bad news is that to obtain a

reimbursement or payment, Canadian travellers have to go through the Canadian Transportation Agency, or CTA. The CTA has a backlog of about 79,000 cases waiting to be processed.

Following the passport issues, the ArriveCAN app and the immigration situation, are we facing yet another Liberal snafu? It seems like the Liberals always fail when it comes to providing Canadians with fast, effective service.

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. The delays are unfortunate, and the government is doing everything it can to reduce those delays and to provide the necessary resources so that Canadians can get an answer more quickly.

Senator Dagenais: Do you at least recognize that having to wait four years for compensation for flight delays or lost luggage is unacceptable in a country like Canada, or will you have to hire even more public servants to deal with these claims?

Senator Gold: There's no denying that four years is a really long time. I don't know all of the factors that contributed to these delays, but I will bring the issue up with the minister.

[*English*]

CROWN-INDIGENOUS RELATIONS

WHITECAP DAKOTA NATION / WAPAHA SKA DAKOTA OYATE

Hon. Marty Klyne: Senator Gold, last year, Whitecap Dakota Nation celebrated Parliament's unanimous and long overdue passage of Bill C-51, giving effect to a treaty recognizing their nation's right to self-government within the meaning of section 35 of the Constitution. The ancestors of this proud Dakota community located near Saskatoon were crucial allies of the British during the War of 1812. However, all these many years they were treated as a second-class First Nation, subjected to the same attempted assimilation, while deprived of treaty rights, including equitable lands and other benefits.

Senator Gold, a year has expired since the new treaty became law. However, the government has not entered into negotiations with Whitecap Dakota to put them on an equal footing with treaty First Nations. Will the government commit to doing the right thing?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for your advocacy as well. I'm afraid I don't have an answer to provide to you that's any different than that I've provided to our colleague senator on that. I have raised the question as recently as yesterday — indeed, as recently as this morning, because I repeated it, understanding the importance of this question, and I have yet to receive a response. Of course, I will continue to use my best efforts to obtain an answer as quickly as possible.

Senator Klyne: Senator Gold, justice delayed is justice denied. Will the government commit to a timeline to enter long overdue negotiations with the Whitecap Dakota Nation to fulfill the commitments of Bill C-51 to realize equitable lands and other benefits for Canada's treaty partner?

That's the right thing for our government to do.

Senator Gold: Again, I appreciate the follow-up question, but, again, I'm not in a position to comment on timelines. I do commit to continue to bring this to the minister's attention. It's an important question, but I don't have an answer for you at this juncture.

FINANCE

COST OF LIVING

Hon. Yonah Martin (Deputy Leader of the Opposition): Leader, as we gather with our loved ones to celebrate Thanksgiving, we must remember that life remains simply unaffordable for families all across Canada. In addition to a report on the carbon tax released earlier today, the Parliamentary Budget Officer, or PBO, released a separate report on Tuesday that looked at the purchasing power of Canadian households. The report shows inflation and high interest rates have eroded the power of Canadians' paycheques over the last two years. This is especially true for low-income households. The richest households, however, saw their wealth grow.

Leader, what is your response to this PBO report? Do you dispute its findings?

Senator Housakos: Give people a break.

Hon. Marc Gold (Government Representative in the Senate): That Canadians — and too many Canadians — are still struggling is something we all deplore and regret. Inflation does take its toll. Happily and fortunately, inflation has come down dramatically, and we anticipate that the impact of inflation — now that it has come well within acceptable levels, if that's the correct term, or at least predictable levels — will not further erode purchasing power.

With regard to other questions that have been raised in this chamber, and quite properly, about the cost of housing, the cost of food and the cost of other necessities of life, this government continues to provide support to Canadians and continues to work assiduously and responsibly to address the challenges Canadians still face.

Senator Martin: Regardless of what you may say, leader, I know that Canadians know the PBO's report is correct.

In September, Food Banks BC said that for the first time ever, it served 100,000 users in a single month.

Some Hon. Senators: Shame.

Senator Martin: The top three reasons people give for needing this help is the high cost of food and housing and low wages.

Leader, this is a consequence of the NDP-Liberal government's inflationary spending and taxes, isn't it?

Senator Housakos: Axe the tax.

Senator Gold: The short answer, with great respect, is no. It's not to deny that prices are too high for many people, but it is to deny — and I will deny it with no hesitation — that these things can all be attributed to "the government's inflationary spending," or whatever the phrase Hansard will reveal that you used. This is simply not true. It's not good economics, and it doesn't produce good social policy, though fantastic sound bites, it appears.

PUBLIC SAFETY

FOREIGN INTERFERENCE

Hon. Denise Batters: Senator Gold, former public safety minister Bill Blair claims his chief of staff didn't show him a Canadian Security Intelligence Service, or CSIS, warrant request to monitor Liberal Party contacts with the Chinese Communist Party agents for 54 days, yet he continued to employ that chief of staff for another two years after that. Senior officials, including his own deputy minister, testified this week at the foreign interference inquiry that then-Public Safety Minister Blair liked to work from home and did not read classified material.

Senator Housakos: Unbelievable.

Senator Batters: He relied "exclusively on verbal briefings." Minister Blair is one of the few Canadians with access to extremely sensitive intelligence on foreign interference, and he couldn't be bothered to read it. Blair should have been fired immediately, but, instead, Prime Minister Trudeau promoted him to Minister of National Defence, where he is now in charge of even more crucially sensitive information.

Why is this minister still employed if he refuses to read critical information about threats to Canadian democracy?

Senator Housakos: Because we have an incompetent prime minister.

Hon. Marc Gold (Government Representative in the Senate): The issues surrounding the delay are being, as you pointed out, properly examined and discussed before the Hogue commission, which is an appropriate place for these important and sensitive issues to be raised.

With regard to the rest of your question, it's my understanding that the government continues to have confidence in Minister Blair, who has served this country honourably.

Senator Batters: So it's fine that he doesn't read. Senator Gold, I don't envy you having to stand up and defend the Trudeau government's staggering incompetence every day, but it's tough for even you to justify this one. Public Safety Minister Blair wouldn't even read classified briefings, so the Prime Minister then makes him Canada's Minister of Defence? When will Minister Blair be fired?

Senator Gold: Thank you for your expression of solicitude for my situation. I have to confess, I do rather envy you the ability to — or at least the support you have in transmitting statements from the other place into this chamber.

The government has confidence in Minister Blair, as I stated in my previous answer.

GLOBAL AFFAIRS

HUMAN RIGHTS IN AFGHANISTAN

Hon. Ratna Omidvar: Senator Gold, I do have a question, but I will start with a commendation. I wish to congratulate the Government of Canada for joining hands last week with Australia, Germany and the Netherlands at the United Nations General Assembly in their position to take the Taliban to the International Court of Justice for its treatment of women and girls — an appropriate action for a feminist government.

• (1540)

My question, though, is what resources, diplomatic strategies and actions Canada will take to implement and ensure the success of this effort and to uphold the principles outlined in CEDAW, which is the Convention on the Elimination of All Forms of Discrimination against Women.

Hon. Marc Gold (Government Representative in the Senate): Thank you, senator, for your question and your comments but, most importantly, for your continued advocacy on this important matter.

My understanding is that Canada's Special Representative for Afghanistan, based in Doha, coordinates with our international partners and the international community on a joint response to the crisis in Afghanistan. Indeed, in response to the growing human rights violations perpetrated by the Taliban on its population — notably, women and girls — Canada continues to advocate for an internationally coordinated movement to press the Taliban to respect international humanitarian law, to uphold human rights, in particular, the rights of ethnic minorities, women and girls.

I've been informed as well that these priorities are also being advanced by Canada through our sustained engagement across high-level international forums, including the G7 and the United Nations.

CONFLICT IN SUDAN

Hon. Ratna Omidvar: Thank you, Senator Gold. On a related matter, I want to cast our eyes to forgotten places in the world, the forgotten wars in the Democratic Republic of the Congo and

in Sudan. Hundreds of thousands of people are displaced with no medical help, no protection from sexual violence amid violent conflicts involving multiple armed groups and government forces. What actions are being taken by the Canadian government to —

Hon. Marc Gold (Government Representative in the Senate): Thank you, senator. My understanding is that the Democratic Republic of the Congo is, in fact, the sixth-largest recipient of Canadian development assistance. A significant portion of that is in the form of humanitarian assistance delivered to people affected by the conflict and the disasters in that country.

Regarding Sudan, Canada continues to provide international assistance, including humanitarian aid, to meet the life-saving needs of this tragically crisis-affected population.

INTERNATIONAL TRADE

SUPPLY MANAGEMENT

Hon. Pierrette Ringuette: Senator Gold, yesterday we heard from the Chair of the Standing Senate Committee on Foreign Affairs and International Trade regarding the committee's work plan on Bill C-282. Senator Boehm informed the chamber that he anticipates the committee will conduct another four meetings with witnesses and move to clause-by-clause consideration during the first week of November. That's what he stated in the chamber.

Senator Gold, I'm a strong believer in committees' responsible self-government. Given that the bill was referred to the committee in April of this year and in light of rigorous public debate on this bill, the expectation of Canadian stakeholders and the overwhelming support it has from the other place, what is the government's view on the timeline?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. As a matter of principle, this government supports the timely study and the consideration of any legislation that comes before it, especially that which was passed by a majority of elected officials in the other place. I don't think it's open for debate — I should hope it's not — that the Senate should prioritize private members' bills duly voted on and passed by the House of Commons.

As you pointed out, this bill was adopted more than a year ago. It's the government's expectation that the committee seized with it will complete the study of this bill in a timely fashion. I certainly agree with what I think is implicit in your comment, namely, that it would be beneficial if this bill were returned to this chamber in a timely fashion for third-reading debate so that all senators can vote on it. Thank you.

Senator Ringuette: Senator Gold, it is my understanding also that the steering committee has rejected an offer from Minister Ng, the Minister of Export Promotion, International Trade and Economic Development, to appear before the committee on this bill.

Senator Gold, can you confirm if that is correct? If so, what is the government's position on this bill?

Senator Gold: Thank you. I was disappointed that the minister's offer to appear was not accepted by the steering committee of the Foreign Affairs Committee. Indeed, allow me to suggest that I found it rather odd for the committee to have heard from bureaucrats and civil servants who are responsible for the implementation of government trade policy but not from the political policy-makers to whom they are accountable and to whom they report. Last time I checked, our elected leaders establish the trade policy direction of the country. Why shouldn't we hear —

INDIGENOUS SERVICES

FIRST NATIONS CHILD AND FAMILY SERVICES

Hon. Paul J. Prosper: Senator Gold, from September 10 to 12, 2024, the Canadian Human Rights Tribunal held hearings on the Caring Society's non-compliance motion. This motion pointed to Canada's chronic failure to adhere to the tribunal's orders by not effectively processing Jordan's Principle requests. In fact, Canada has admitted it had not opened or processed between 40,000 and 80,000 cases.

Two weeks ago, Johnson Redhead, a little boy with autism and other special needs, wandered away from his school in Shamattawa First Nation. He was found dead from exposure a few days later. He was waiting for support from Jordan's Principle.

Senator, what specific steps will Canada take to resolve the backlogs and ensure children in urgent need are provided the protection and care they need?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, senator. First and foremost, I want to offer my condolences, my heartfelt sympathies, to the family and friends of Johnson Redhead. A tragedy like this should never have happened. Unfortunately, this is not a new issue, colleagues. For generations, First Nations families and people have suffered tremendously from discriminatory and systematically racist child welfare practices by the Government of Canada.

The government recently committed to an infusion of \$1.6 billion, which will help ensure First Nations children receive the support they need under Jordan's Principle. The government remains committed to the work of long-term reform of First Nations Child and Family Services and Jordan's Principle so that children and families do not face this kind of discrimination and the horrible consequences of it ever again.

Senator Prosper: Senator Gold, An Act respecting First Nations, Inuit and Métis children, youth and families mandates predictable, sustainable and needs-based funding to obtain substantive equality.

What steps has the government taken to ensure that funding for First Nations, such as the Neqotkuk First Nation in New Brunswick, is needs-based and not relying on the Indian Registry System population-based per capita models?

Senator Gold: Thank you. The government is committed to removing systemic barriers that preclude and prevent Indigenous children and youth from accessing the services and supports they need. The government made a historic investment, in addition to the one I mentioned, of \$1.3 billion to support Canada's continued efforts to work with Indigenous communities in the implementation of An Act respecting First Nations, Inuit and Métis children, youth and families. That's a start. Much more needs to be done.

GLOBAL AFFAIRS

ISLAMIC REVOLUTIONARY GUARD CORPS

Hon. Donald Neil Plett (Leader of the Opposition): Leader, a year ago, I asked you about a man who lost his wife and daughter on Flight PS752. In an interview with Global News, he revealed the RCMP said they couldn't protect him from threats from the Iranian regime.

Last week, leader, the Hogue inquiry released an interview with the Deputy Commissioner of the RCMP in which he confirmed, "Iran targets Canada-based relatives of Flight PS752 victims to discourage them from criticizing the state."

It took six years, leader, for the incompetent NDP-Liberal government to list the Islamic Revolutionary Guard Corps, the IRGC, as a terrorist entity. The Iranian regime targeting these grieving families is a direct consequence of that inaction, isn't it, leader?

Hon. Marc Gold (Government Representative in the Senate): Thank you. I don't agree with the premise or the conclusion, but I certainly do agree that it is totally unacceptable for any regime, especially Iran, which is a recognized fomentor and supporter of terror not only in its region but around the world. The government's sanctioning of individuals and, more recently, the listing of the IRGC are examples of the steps the government has taken and will continue to take.

• (1550)

More needs to be done, and more robust engagement of all Canadians, law enforcement, the federal government and others needs to continually be upgraded because we face tremendous threats from bad actors like Iran.

Senator Plett: Leader, almost a year ago, I also asked you about a B.C. lawyer who compiled a list of 700 IRGC agents who committed crimes against their own people, yet now they live in freedom right here in our country.

Over the past year, how many of these 700 agents have been kicked out of Canada? What's the number?

Senator Gold: I'm not in a position to comment on individual cases or on any investigations toward actions that may, in fact, be taking place.

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 4-12(3), I would like to inform the Senate that as we proceed with Government Business, the Senate will address the items in the following order: third reading of Bill C-64, followed by second reading of Bill C-40, followed by all remaining items in the order that they appear on the Order Paper.

PHARMACARE BILL

THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Pate, seconded by the Honourable Senator Moodie, for the third reading of Bill C-64, An Act respecting pharmacare.

Hon. Marilou McPhedran: Honourable senators, I will quickly summarize and then proceed with the remainder of my speech.

As long as financial coverage across Canada remains inconsistent, people must rely on networks of advocacy organizations, such as Action Canada, for trustworthy evidence-based information on the available forms of contraception in their respective provinces and territories and be empowered to make the choices that are right for their health.

This bill is essential because Canada's patchwork of access to contraception is unsustainable. For example, all provinces and territories have expanded prescribing authority to a wider network of health professionals, including pharmacists, midwives and registered nurses, but only 46% provide financial coverage for all their population. A cross-sectoral, interdisciplinary research project led by the European Parliamentary Forum for Sexual & Reproductive Rights with Action Canada and University of British Columbia, or UBC, researchers produced the Global Contraception Policy Atlas to monitor countries on contraceptive policy, education and access.

Per this comparative atlas, British Columbia ranks highest in Canada while Newfoundland and Labrador ranks lowest, close to my own province, Manitoba, in tenth place. Bill C-64 intends that Canadians will have access to a comprehensive suite of contraceptive drugs and devices, meaning that some 9 million Canadians of reproductive age will gain reproductive autonomy, bringing down the cost barrier that is unevenly borne by women and gender-diverse Canadians.

According to UBC researchers, contraception medications can cost more than \$19,000 over the course of a woman's life. The Canadian Patented Medicine Prices Review Board, or PMPRB, which is mandated to track and monitor that drug prices are not excessive, has stated that Canada currently has the third-highest prices globally and that we also spend more per capita on drugs than any OECD country other than the U.S.

Pharmacare opponents concerned about a national bulk purchasing strategy often try to downplay this excessive financial burden by citing that Canadian drug prices are simply the median of OECD countries. This is misinformation. Yes, Canada's prices are at the median of the seven OECD countries that the PMPRB uses as comparisons, but these countries represent collectively the highest drug prices in the world.

While we are examining cost, allow me to be frank: The costs in Bill C-64 are going to be less than the costs of doing nothing. Studies show us over and over that free contraception programs save by reducing costs associated with birthing and abortions, in addition to the high rates of care needed for postpartum mothers and babies.

Opponents of Bill C-64 suggest that universal coverage is unnecessary, claiming that only 3% of Canadians are ineligible for insurance that would cover the cost of prescription medication. This argument comes from an industry-funded report based on data provided by the principal insurance industry lobby in this country that defined this as technically eligible private or public drug coverage with high deductibles or costly premiums that many cannot afford.

The Conference Board of Canada and other witnesses before the Social Affairs Committee noted that the lobby's 3% figure does not account for the reality of exorbitant drug pricing that makes procuring medications a financial impossibility for upward of 30% of Canadian households, regardless of whether they are technically eligible for coverage.

The UBC Contraception and Abortion Research Team found that 70% face access barriers to contraception. Genuine access to contraception is more than simply a health issue — more than a women's issue. This is about reproductive injustice. From a generation much younger than mine, Meghan Doherty, Co-Director of Global Policy and Advocacy at Action Canada for

Sexual health and Rights — the civil society partner of the Canadian Association of Parliamentarians on Population and Development — gave me this commentary to share with you today:

When we think about the root causes of the injustice related to gender and sexuality and reproduction, we're really looking at some of the same root causes, which can be understood in terms of patriarchal gender norms entrenched in all parts of our social, economic and cultural lives and manifest in laws, policies and budgets. At their hearts, what they are designated to do is to create a situation where gender is used to subjugate, exclude and marginalize particular people based on their gender and really elevate and prioritize men, all of the norms associated with masculinity. The idea that all sexuality should be about reproduction, and that translates into real human rights violations, blocking access to sexual and reproductive care that many people need.

Colleagues, the health, economic, social and equity impact of free contraception cannot be overstated and benefits everyone. In keeping with Senator Cardozo's helpful historical notes to this debate, I wish to close with a quote from Canada's own esteemed Stephen Lewis, who served in many high-level, multilateral posts, including as our ambassador to the UN and as a member of the World Health Organization Commission on the Social Determinants of Health. It was 30 years ago when he said:

A woman's economic well-being, her own health and her children's, her aspirations, her hopes for family betterment, the level of her education, the realistic options for employment or child care, the wholesomeness of available shelter, food and water, all these and many more . . . factors will enter into her reproductive choices. . . . A woman's reproductive choice lies at the core of a thousand influences and pressures. She is palpably the one best equipped to make flexible decisions.

Honourable colleagues, let's vote now to support universal pharmacare and to support this bill as a pathway to achieving that goal for all Canadians and a stronger Canada.

Thank you. *Meegwetch*.

Hon. Hassan Yussuff: Honourable senators, I also rise to speak on this very important piece of legislation. I was struggling over the last number of days, trying to figure out what I would say in regard to this debate.

• (1600)

In the end, I didn't read another statistic or data published many times before. I decided to tell my own story — how I got here and why.

In 2017, in my previous life as President of the Canadian Labour Congress, or CLC, the convention passed a resolution saying the CLC should conduct a campaign to get our country to adopt national pharmacare. As in any process after you pass a resolution, we went back to the organization headquarters. I

assumed that it was not so simple. I was not convinced we had a problem, and how was I going to know if we had a problem unless we talked to our members?

So I embarked across the country on a 30-city tour. I went to large cities and small cities. I thought, of course, being in the labour movement, we were very good at representing our members, bargaining for them and ensuring they have proper coverage, so I assumed I certainly was not going to hear from our members that they had a problem. What I heard shocked me because the stories they were telling me were not about whether they had coverage. If you read the collective agreement, they said, "Yes, we do have coverage." A single mother told me that under her collective agreement, she was supposed to be able to access the medication, but before she could do so, she had to pay a deductible of \$700. She said that if she had had \$700, she would have bought the medication. She asked, "How do I explain this to my child?" I didn't have an answer.

I know her union, in their best efforts, did not put a deductible in the collective agreement because they were stupid. It was part of the bargaining process to at least establish a floor to access benefits. Of course, it was a deterrent; the majority of members did not have high-paying jobs and could not access the medication.

I heard from individuals who had coverage under their current job and were leaving to go to another job. During that of 60 or 90 days in which they completed their probation period, they received no medication. So they wondered, long before they left their initial job, how they could stretch the medication they had to cover that period.

Of course, not taking the medication they were required to take in proper doses destroyed their health. Their health is now worse than before. At the end of the day, they are asking, "Why is this happening?"

When I finished the 30-city tour, I returned to my office. On many occasions, I cried at the events we were holding. I could not believe, in a country as rich as ours, this is how we treat so many of our citizens.

I say this to you because I'm speaking as somebody who, from the age of 18 and up until today, has always had full access to medication whenever I needed it because I had good collective agreements and coverage. In all these years, I have never had to take a medication for my health. I'm fortunate. But my good fortune should not be my guide as to what we do.

Now, here we are, a country that is 157 years old. I said a long time ago that nation building is never easy, and that's what we are involved here, my friends: nation building for all our country's citizens. Those who are wealthy enough will never need to be covered by a plan, and those who are poor enough should never have to worry, should they get sick, whether they can access their medication.

I'm fully aware that as I travel the country, the provinces and territories in this federation, things are not always the same. If you live in Quebec, they have different rules. Is it perfect there? By no stretch of the imagination. If you live in British Columbia, it is different. Provincial programs across the country are all different.

But here is the sad reality: If you get sick and go to a hospital in this country, they will give you every drug necessary to get you better — until they kick your ass out the door. Then you are on your own because you no longer have access to that medication unless you have coverage or the wealth to purchase it. How is that possible? When you are sick, they will look after you, but the minute they kick you out the hospital door, at the end of the day, you have no access to medication. This is not right, my friends.

I know we are having a debate. I want to start by thanking the Standing Senate Committee on Social Affairs, Science and Technology for the work they have done and all the witnesses who came to testify, both those in support of and those who criticize the bill. This is part of what democracy is about.

I want to thank Senator Pate for her diligent, hard work in sponsoring this bill. Colleagues, I know we will not all be of the same mind today as we get to the end and vote on this bill.

However, I have reflected on this in many ways. I had a good friend who had a heart attack in Windsor. I went to visit him in hospital. As he was lying in his hospital bed, he was told his company had just declared bankruptcy. He is fifty something years of age. Two things happened when the company went bankrupt: His pension was not fully funded, and he didn't have super-priority for pensions in bankruptcy, so he was not going to get the pension he was promised. He was lying in a hospital bed from a heart attack. He was also told, while lying in that bed, that 30 days from that day, his coverage for medication would cease. He looked at me and asked what he should do, how he should provide for his family and how he would take care of himself when he left that hospital. With my good friend, I was honest; I told him I didn't know and did not have the answers.

I was fortunate to be here. Thanks to my friend Senator Plett and his colleagues, we passed a bill and changed the law on bankruptcy so that, should a company go bankrupt, workers will get super-priority to ensure their pensions will be fully funded in the future.

However, we didn't fix the other part of the problem: What about his medication? His medication came from his contractual agreement. When a company goes bankrupt, there is no longer a contractual agreement.

I will conclude my comments. I watched Dr. Hoskins when he made his report and travelled the country with his team. I thought they put together a very good report for our nation. Our provinces and territories are trying with their best effort to figure out how to help their citizens. However, the reality is we have a patchwork in this great nation of ours. We must recognize we can do better.

[Senator Yussuff]

If you live in New Zealand, you can buy Lipitor, a drug we produce in this country, cheaper than you can purchase it in Canada. How is that possible? I think we are in the process of trying to build a better system using bulk purchases to buy some of the best medication we can.

But as I conclude my remarks, I want to reflect on two important things. My mom of 100 years this May had never had drug coverage. She was never rich enough and never worked for an employer who would provide her with drug coverage. She turned 100. Next year she will be 101. Despite all that, she has done all right.

This is about how we make change. I hope in the next 100 years, my young, 16-year-old daughter, who will soon become an adult, will not have to wait 100 years like her grandmother did to be sure she is going to have drug coverage.

This bill provides the foundation of how we can build a better system working with the provinces and territories across the country while at the same time working with private employers regarding their responsibility. Much has been said about private employers. Are they going to get rid of the coverage because of this? I have represented workers my whole life. Yes, some might try to do that. However, as you know, a contractual agreement does not give an employer the right to take something away from workers unless the workers agree to it. For all the hype we have heard about workers losing their coverage, the labour movement has been at the forefront, arguing for this bill to come into place and supporting the expansion. In provinces where they are able to articulate and support the government, the government has said, "You need to expand your coverage."

• (1610)

I know we can do better, colleagues, but I think we need to reflect upon this. Just because you have a privilege, it doesn't mean you don't think about your fellow citizens who don't have that privilege. I hope the privilege that I have had in my life becomes a right for every citizen in this country. I think this bill is the foundation to get there.

Thank you.

Hon. Mary Jane McCallum: Honourable senators, I rise today to put on record concerns regarding the impacts of this pharmacare program on the Non-Insured Health Benefits, or NIHB, program currently available to First Nations and Inuit beneficiaries.

There were concerns brought up by the Onion Lake Cree Nation during the Standing Senate Committee on Social Affairs, Science and Technology's deliberations on the national pharmacare program. Although Onion Lake officials were unable to appear as witnesses at the committee despite their request, they still submitted a briefing document for members to consider. In this submission, they requested that Onion Lake Cree Nation not be included under this legislation because of its eschewing of the spirit and intent of the medicine chest clause in Treaty 6.

In response to these concerns, I sent correspondence to Minister Holland on October 8, which was marked as time-sensitive given the very truncated third reading timeline we are facing for this bill. This letter reinforced the concerns of Onion Lake Cree Nation and sought to clarify how Bill C-64 may impact the existing pharmacare program that First Nations and Inuit peoples have access to and what the government would do to address any such potential impacts that may arise. I also asked how the provisions of this bill might negatively impact First Nations' and Inuit peoples' inherent and treaty rights more generally. While I had received an informal response from the minister's office yesterday that included an indication that a formal reply would be issued by this morning, I have not received that reply from the minister at the present time.

Colleagues, Indigenous Services Canada's NIHB program is a national program that provides First Nations and Inuit peoples with coverage for a range of medically necessary health benefits. Those benefits are not otherwise covered through private, provincial or territorial health insurance plans or via social programs. Will this pharmacare plan be considered an insurance plan or a social program? That remains unclear, which is concerning.

Honourable senators, in my role as the Regional Dental Officer for the Manitoba region from 1996 to 2000, I worked with the pharmacy and dental databases to oversee the dental program. As such, I am familiar with how fluid these changes to benefits and payments for these benefits are for First Nations and Inuit peoples and how concerning that was then. This concern remains present today. I remain unable to see what the pharmacare program under Bill C-64 will look like, what the fees will be and how the NIHB and the pharmacare programs will interact.

Will First Nations NIHB program benefits be included or considered in this pharmacare program? How will these two different programs be delivered, and how do they differ? What are the negotiated fees, and who was involved in those negotiations?

References to or the use of "dispensing fee," "usual and customary dispensing fee," or any variations thereof are subject to reimbursement up to the regional maximum of the program. Pharmacy providers in Quebec should refer to the agreement between Indigenous Services Canada and their representatives. Are these dispensing costs considered in the program, and, if not, who will absorb the cost?

It is the pharmacist's responsibility to verify benefit eligibility for the client at the time of dispensing to ensure that no limitations under the program will be exceeded and to ensure compliance with benefit criteria and policies.

We have different programs in different provinces: you have pharmacare, you have non-insured benefits and you have social programs. It will be a difficult role for the pharmacist. I know this because the same thing happened with the dental program. Is that how this program is anticipated to work?

Clients of the NIHB program do not pay deductibles or copayments if the negotiated fees are too low. Every year they are too low, and a lot of providers opt not to provide the program. Is that also a function of this program?

Decisions on drug and pharmacy benefits are based on the judgment of recognized health professionals, consistent with the best practices of health services delivery and evidence-based standards of care. Will that be the same for this program?

You will remember it was Revenue Canada that initially ran the dental program, which was a major concern.

What are the benefits in the drug benefit list? As you know, there are a lot of medications that are used to treat diabetes. Will there be exceptions, with prior approval, under special circumstances? What would that process entail, and how long would it take?

When I did benefit exceptions and I had my patients, I would go in at the beginning of the week. By the end of the week, as I was leaving, I didn't get that benefit exception. There was no response.

There may be special circumstances when the prescription is for a recognized clinical indication and dose that is supported by published evidence or authoritative opinion and there is significant evidence that the requested product is superior to products already listed in program benefits. When new drugs would become available for diabetes and they were not put on the formulary, people had to ask for benefit exceptions. It could also happen when a client has experienced an adverse reaction with a best-price alternative product and a higher-cost alternative is requested by the prescriber.

Patients who are diabetic and qualify under pharmacare may be at the end of life. What does that formulary look like? Will they require supplemental benefits? Will these be included on the drug benefit list?

Honourable senators, when the NIHB Drug Exception Centre is informed that a client requires end-of-life care, an end-of-life care formulary application form is generated and faxed to the prescriber. For example, this happens to patients on dialysis. In First Nations, there are many people on dialysis.

People who have not taken medications for their Type 2 diabetes because they couldn't afford them can already have various health problems such as heart disease, kidney disease and stroke. It is important to ask what diabetes medications this program covers.

Once this end-of-life care formulary application form is completed and submitted, the client will be eligible — and this under non-insured benefits — for all products on the end-of-life care formulary if the following criteria are met: The client is not

receiving care in a provincially covered hospital or long-term care facility, and the client has been diagnosed with a terminal illness or disease related to their diabetes that is expected to be the primary cause of death within six months or less.

• (1620)

Under NIHB, once approved, the client will be eligible for all products on the end-of-life formulary for six months, without the need for further prior approval. If coverage is required beyond the initial six months, an additional six months may be granted upon receipt of a new end-of-life care formulary application form request.

Colleagues, who absorbs the cost when there is a refusal to fill the dispensing fee — for every medication we have, there is a dispensing fee, and at this time, I think it's about \$7 per prescription — especially in the provinces of B.C., Saskatchewan and Manitoba when a drug has been deemed not to be in the best interest of the client?

There are many other considerations that remain unclear to me with this proposed program, including around the reversals for prescribed products not picked up by the client — in the database on that, there were patients who did not pick up their prescriptions. Under the NIHB program, when a client has not picked up a prescription within 30 days, the original paid claim must be reversed and resubmitted for payment of only the dispensing fee. The submission of a claim for a dispensing fee where the client has not picked up a prescribed product which can be reinserted to inventory only applies to products with a dispensing fee dollar value. This is not a problem when reinsertion is not possible.

What is this process under Bill C-64's program?

There are also questions around the coordination of benefits under this new program. You can see what Non-Insured Health Benefits provide for First Nations and why it is of concern to them that these questions have not been addressed. People eligible for benefits under NIHB are required to access other public or private health plans, or provincial or territorial programs for which they are eligible, before accessing NIHB benefits.

Pharmacy providers must confirm with each client whether other coverage exists, and a claim must be submitted to the other party first for processing. Once this party processes the claim, the provider may then submit any remaining balance to NIHB.

In this instance, who will be the payer of last resort in these programs? When you look at our plan under Canada Life, they also say they are the payer of last resort. We often used to have this problem. Who is going to pay, and who will get caught in the crosshairs?

Under the Ontario Drug Benefit program, claims cannot be coordinated. They may access drug coverage from either NIHB or, if they are eligible, through the OHIP+ program.

When an eligible client indicates that they no longer have benefits coverage through another private or public health care plan or social program, the provider or client is asked to communicate this to the NIHB program so that the client's file can be updated.

How will this pharmacy plan affect First Nations and other clients? Are First Nations and Inuit peoples effectively exempt or excluded from this program due to their superior coverage through the NIHB program? Conversely, under this plan, how will the providers verify that the individual is eligible for benefits under Indigenous Services Canada's NIHB program and identify any other benefits coverage available to the client, if applicable?

Honourable senators, as a result of the different programs that overlap, and possibly conflict, the providers will have to be well versed as to who is eligible under what programs. As a result, there must be a robust appeal process in place. What will this appeal process entail? Will it be online? If so, this poses accessibility issues for multiple vulnerable populations.

A final concern is whether this program's prevalence will facilitate a delisting of benefits for First Nations who, again, have access to greater coverage than offered by this proposed program.

Colleagues, although I understand the benefit this program will yield, I hope it is clear from my remarks that many fundamental questions remain unanswered for me as they pertain to the bill before us, both with regard to the program itself as well as how this program will interact — or interfere — with the prevailing NIHB program.

Kinanâskomitin. Thank you.

The Hon. the Speaker pro tempore: Senator Osler wishes to ask a question, but we ran out of time. Senator McCallum, are you asking for more time?

No, time has been denied. On debate.

Hon. Frances Lankin: Honourable senators, it seems I stand up at a point in time when the honourable senator across from me just denied the opportunity for someone to have additional time before they asked for additional time. The rules are hard-and-fast by some people's thinking, though for some of us, circumstances give rise to consideration at any given time.

Honourable senators, I thought long and hard about whether I would enter this debate, and I intend to do so for just a few minutes. I am so happy and proud to be here today, when, I believe, if all goes as has been agreed to, we will be taking a vote on this important bill and there will be a historic moment in the continuation of the journey for the universality of health care supports and benefits, as well as the building of a healthier Canadian population.

My father was a lifelong Progressive Conservative voter. He, along with my mother, instilled in me a set of values at a young age, to question, understand and make my own determinations. He planted seeds. I look back and — long story short — he travelled on the road from Monday to Friday. When he came home on the weekends, our dinner conversations would often focus on current events — things happening around the world, but also in Canada. He also instilled in me a practice of watching the news on television with him on Friday, Saturday and Sunday nights.

At a very early age, when I didn't know what politics was or who politicians were, whenever Tommy Douglas came onto the screen, either being reported on or interviewed, my father would say, "You know, Frances Louise —" my mom was Frances, so I was Frances Louise — "if that man were the leader of any other political party, he would be Prime Minister of this country." Well, thanks, Dad. I didn't know why that was important or what it meant.

But my parents instilled values in me that, interestingly and surprisingly enough, guided my life. As all of you know, when I became active in politics, I became active as a devotee of the wonderful, recognized-as-the-greatest-Canadian Tommy Douglas and, of course, the New Democratic Party. That's where I began my life in politics as an independent.

But through those years, the journey of medicare, dental care and pharmacare has been a driving force. I had the opportunity and honour to serve as Minister of Health in Ontario at a time of recession, large deficits and a need to get budgets under control. The biggest booming ministerial expenditures in budgets were those of the Ministry of Health, largely fuelled by increasing drug costs. I had very interesting relationships with both the brand-name pharmaceutical industry and the generic pharmaceutical industry, in particular the late Barry Sherman. When I was at the United Way, I would go and make appeals to him, and he would sit and talk to me about health care. He was always generous. That's where his focus was. This issue of how we move in difficult, constrained fiscal times to ensure a greater coverage and a greater access to life-preserving, health-promoting medicines, procedures and services remains a preoccupation of mine.

• (1630)

In the Province of Ontario — and not dissimilarly, in the Province of Quebec — the population bases were so large that drug formularies — how they operate and constraining costs, yet increasing access — was a preoccupation of ministers of health, of course, but of entire cabinets. When introducing the programs I had the opportunity to work on, in a time of a deficit, to try to ensure what we called in Ontario "catastrophic drug coverage" — those medicines that were beyond what health plans, if you had access to a health plan, would cover, which were beyond the capability of the vast majority of Ontarians. It was a critical part of our thinking and a big cost. At the same time, it was completely focused on trying to move resources within a constrained budget from illness treatment to illness prevention, to health and well-being promotion and to the social

determinants of health writ large across government. These all tie together, and come to a moment now with this bill that I see as an historic next step.

I thank Senator Cardozo for reminding us about how long it has taken, and the journey is not over with respect to ensuring medicare. The patchwork of access to services and supports, in particular, philosophies, principles and budgetary assignments against those for our medicare program continues to evolve. It's only beginning on dental care, and it's just taking its first tentative steps with respect to pharmacare.

I thank those senators. Not all of us agree on this, but I think those senators whom I have heard largely — in terms of the speeches that have been delivered — really recognize that this is a base and has said there are all sorts of shortcomings. I think that Senator McCallum's recitation of the kinds of questions that need to be answered is instructive. Print it off, keep it and as this evolves, keep coming back to those questions. Those are important questions.

I think the senators who have said in many speeches that this doesn't go far enough, this is not universal, this is not, et cetera, but have said that this is important and I will support this bill. I read the room, in majority, that when we take the vote today — I can't predict — I believe this bill will be passed. I will be here for the vote and for Royal Assent. It's important.

I want to say to the witnesses who came, and in particular to the group of academics who, at one point as this has unfolded in the Senate review, issued a statement that there are so many problems with this and so many unanswered questions that this is worse than doing nothing at all. It will bake in problems that we will have to have legislation to fix, we don't have adequate definitions, on and on — this is worse than doing nothing at all. I understand the concerns that brought them to profess that point of view. I think maybe they have moved from that, but let me say that I understand.

I agree with the concerns at the base of it. I disagree profoundly with the conclusion that they arrived at. This is not in any way to be disrespectful. This is to say that we all have different jobs in looking at legislation and policy that comes forward. We all have different expertise to provide advice on. I think that the perceptions and the positions that were taken by that group lack the understanding of the political process of building consensus and moving forward on major public policy interventions in this country. It lacks the understanding of federal-provincial relations. It lacks the understanding of province to province and the interprovincial issues with the patchwork that is there. It lacks the understanding of the fiscal frameworks that we have to take our decisions in. It ignores the urgency of other issues that are also on the table that we are dealing with at the same time. And it doesn't get politics.

I don't say that as a criticism levelled at those individuals. I say that as a reflection of my perception of what they said and my perception of the reality that I've worked in as a former health minister, as a predecessor minister with a couple in

between before Dr. Eric Hoskins became Minister of Health in Ontario and as a person who followed his task force and their recommendations — I understand how this has evolved and unfolded.

I understand that this is not a toe in the water. This is bigger than that. This is jumping off the end of the dock into cold water and not knowing exactly what you will find down there, she says where she lives with the muskies down there below the docks. All of the questions that are being raised that need to be worked through and to be answered are important.

Why the focus on just the two? Senator McPhedran, I'm glad to have been here to listen to your presentation around issues of reproductive and sexual health and all of the connections. As you know, I'm a long-time friend and devotee of Stephen Lewis as well. I love to hear his quotes. I appreciate that.

I've also done a lot of work with respect to access to diabetes drugs. I know the extraordinary financial burden with a disease that can be controlled, mitigated and give the room and space for people to take life decisions with guidance, support and the right medication to turn around those situations and be able to continue to live a healthy life.

For me, this is a foundation stone of moving to the concept of a pan-Canadian approach. There is lots to work out. This is not universality, but it is the first step towards universality. It is an incredibly important first step.

Colleagues, as I said, I read the room that we will come together and, in a majority, we will support this. I believe the thoughtful presentation of "we must do this," but we must also address these other issues that remain outstanding that will be guidance for policy-makers about the intersection between policy and politics in the future. I welcome watching that.

I appreciate the opportunity to have addressed this. I appreciate the work that Senator Pate has put in, the leadership that she has provided in this chamber and in working with people from all points of view and various communities to bring this forward. I appreciate her own acceptance of this is as a step and a foundational step. This is from a woman who is — like my other senator friend over there — a warrior to move as far as possible when we know what the right answer is. I admire that. I'm not making too big of a deal of it here, but I truly do because coming to terms with this as people who are really anxious to get the right thing done, I understand. I am an idealist. I've also learned to be a pragmatist. This is the amazing first step to realize the ideal, and it is a pragmatic first step that will allow us to build into the future and to get there.

If you weren't going to vote in favour, I implore you to reconsider, but I hope that we see this pass today and Royal Assent given, and that we all get down to work on the next steps that will be required. Thank you very much.

[Senator Lankin]

Hon. Judith G. Seidman: Honourable senators, I rise today as opposition critic to speak at third reading to Bill C-64, An Act respecting pharmacare.

First, I would like to thank our chair, the sponsor, Senator Pate and committee colleagues for all of their efforts to listen and respond to the testimony of experts, stakeholders and those with lived experience on a challenging piece of legislation. Today, I will seek to explore what "universal" might mean given that the term has many different definitions.

• (1640)

In the context of pharmacare, there are well-known international examples. I will then revisit some key questions that I raised in my second-reading speech, questions I had hoped committee hearings might shed more light on. Finally, I will share some issues raised by provincial and territorial governments with regard to jurisdictional respect.

To begin, honourable senators, let us assess the assertion that Canada is the only country in the world with universal health care that does not provide universal coverage for prescription drugs. When parliamentarians repeat this remark, we should be explicit in identifying what we mean by the term "universal."

In the Canadian health care context, we often speak of universal coverage as if it must mean single-payer coverage; however, *A Prescription for Canada: Achieving Pharmacare for All*, the 2019 Final Report of the Advisory Council on the Implementation of National Pharmacare — sometimes referred to as the Hoskins report — notes that a statutory multi-payer insurance approach is used in a number of countries of the Organisation for Economic Co-operation and Development, or OECD, including France, Germany and the Netherlands, to ". . . provide universal health insurance (including drug coverage) to their residents."

Annex 5 of the report summarizes key characteristics of the pharmacare systems in these and other comparator countries. This annex makes it clear that universal pharmacare coverage does not mean that the state is exclusively responsible for prescription drug costs, nor does it mean that the plan must be publicly administered.

The Australian system of universal, comprehensive public pharmacare coverage has copayments equal to the lesser of \$37 or the full cost of the drug. Copayments are reduced to \$6 once a household has paid \$1,425 in copayments during the calendar year. About half of adults have voluntary complementary private insurance.

France has universal, comprehensive statutory insurance coverage. The plan pays for as little as 15% and as much as 100% of prescription costs, depending on the medicine's clinical benefit. More than 90% of residents have voluntary complementary private insurance.

The German system of universal, comprehensive statutory insurance requires copayments of approximately \$7 to \$15 and allows residents earning over \$90,000 a year to opt to purchase substitutive private health insurance.

The Dutch system of universal statutory insurance coverage requires an annual deductible of \$584, and more than 80% of residents have voluntary complementary private insurance.

Universal coverage and single-payer coverage are not synonymous. Many of our peer countries have statutory multi-payer pharmacare systems that have much more in common with the Quebec model than with the model proposed in Bill C-64. As a reminder here, I will quote the Hoskins report directly:

Quebec is the only Canadian jurisdiction that has achieved universal drug coverage and it did so by making drug insurance mandatory for all residents. Employers that provide health benefits to their employees are required to provide prescription drug coverage that meets or exceeds the level of coverage provided by the province's public drug plan. Residents who are not eligible for private insurance through their employer or occupation are required to enrol in, and pay premiums for, the provincial drug plan (some vulnerable groups, such as low-income seniors, are exempted from paying premiums).

Adopting the Quebec model would meet the objective of providing Canadians with universal pharmacare coverage, but in Bill C-64, the government instead proposes a much more expensive plan that will decrease choice for Canadians.

Further, Bill C-64 appears designed to confuse Canadians. Neither the bill's summary nor its purpose makes mention of prescription drugs intended for contraception or the treatment of diabetes. It speaks of "national universal pharmacare."

As I noted at second reading, Bill C-64 seems to propose two policies: a conceptual, so-called universal program for the government to work toward and, second, the structure and processes for the implementation of a fill-in-the-gaps coverage for "... specific prescription drugs and related products intended for contraception or the treatment of diabetes."

Why do I say, "fill-in-the-gaps"? This might have been the intent because clause 6(1) states clearly that the minister must "... make payments to the province or territory ... to increase any existing public pharmacare coverage ..."

In fact, the Prince Edward Island demonstration project that preceded this bill was a fill-in-the-gaps model. Are you confused yet? Canadians deserve legislation that is transparent. Bill C-64 is not.

Colleagues, I will provide an overview of the main questions I raised at second reading of Bill C-64 and how these were addressed — or not — at committee.

At second reading, I asked whether national, universal, single-payer pharmacare may have a negative impact on pharmacists' practice. At committee, Dr. Shelita Dattani from the Neighbourhood Pharmacy Association of Canada recalled the challenges of implementing OHIP+ in Ontario. She said:

... in 2018, the OHIP+ program in Ontario sought to provide comprehensive medication coverage to Ontarians under the age of 25 whether they had existing coverage or not, based on the Ontario provincial drug formulary. This was well intentioned to ensure no youth was left behind, but in reality, the government paid millions more than needed for medications Ontarians were already accessing. Many of these young adults faced a disruption when their coverage changed or the medication ... was not now covered by the provincial formulary. ...

Dr. Danielle Paes, the Chief Pharmacist Officer at the Canadian Pharmacists Association, also shared her perspective as a pharmacist who is on the front line:

I think a lot of what pharmacists do is behind the scenes. We are on the phone with insurance plans. ... It is not just a list. It is a matter of making sure that everything aligns so that the actual drug gets into the hands of the patients. ...

On the potential financial implications of Bill C-64, Dr. Benoit Morin of the Association québécoise des pharmaciens propriétaires warned that some Quebec pharmacies will not survive if they can only charge one dispensing fee which has been set by the province or territory. Private plans pay higher dispensing fees; therefore, pharmacies' finances depend upon a combination of fees from prescriptions filled on the public plan and prescriptions filled on the private plans. He said:

It is precisely this flexibility that allows Quebec pharmacies to grow, to be present in all regions and to offer a multitude of services to patients. Without this flexibility, the financial health of the pharmacy network would be undermined with even greater repercussions in remote regions.

Dr. Dattani from the Neighbourhood Pharmacy Association underscored this point when she said, "... an unintended consequence of single-payer Pharmacare could very well be a reduction in pharmacy services and medication access."

At second reading, I asked, "Can we, in our current health care ecosystem, afford to jeopardize the success of our pharmacies and pharmacists?" It seems that the federal government is poised to do so.

At second reading, I voiced the concern that national, universal, single-payer pharmacare could erode access to drugs and exacerbate drug shortages. At the Standing Senate Committee on Social Affairs, Science and Technology, Ms. Joelle Walker of the Canadian Pharmacists Association addressed this concern:

Pharmacists spend about 20% of their time managing drug shortages. . . . The concept that if you bulk buy a lot of drugs, you save money is perhaps accurate in the pure sense, but it also has a lot of consequences. We're most vulnerable in Canada when we only have one particular medication for something. . . .

Ms. Walker also noted that there is a common misconception that governments buy drugs. She said:

Pharmacies buy drugs, and then they are reimbursed by governments for those drugs. Bulk purchasing is . . . predicated on a concept, which is that you have to buy one particular drug in bulk, and that's what makes us vulnerable to drug shortages. . . .

• (1650)

Angelique Berg, President and CEO of the Canadian Association for Pharmacy Distribution Management, told the Social Affairs, Science and Technology Committee that an unintended consequence of Bill C-64 is that it could exacerbate drug shortages and result in contracted availability of drugs on pharmacy shelves. She cautioned that a restrictive national formulary and bulk purchasing agreement could disrupt Canada's drug supply. The potential for disruption:

. . . can already be seen with the proposed national pharmacare list of diabetes drugs, which only includes half of the drugs on the market today. Affected Canadians would be forced to switch from their current therapy to something on the list, which has a domino effect on the supply chain. As distributors' buffer stock is depleted and manufacturers of drugs not listed on the list leave the market, over time, the drug supply will be more vulnerable to shortages.

Jim Keon, the President of the Canadian Generic Pharmaceutical Association, noted that the term "bulk purchasing" is not defined in Bill C-64, and it is therefore unclear what it will mean. He reminded the committee that Canadian governments already combine their purchasing power to negotiate internationally competitive drug prices for Canadians through the pan-Canadian Pharmaceutical Alliance, or pCPA. He said:

It is critical that the pharmacare regime respects the existing pharmaceutical pricing infrastructure to ensure stability of the Canadian drug supply.

Any further pressure on generic drug pricing will lead to additional drug shortages, the number of which are already unfortunately high.

. . . limiting the number of suppliers for a given medicine . . . increases the risk of drug shortages. If the chosen supplier or suppliers have production or other issues, there could be few, if any, alternatives to meet patient needs.

At second reading, I asked whether costs for a national, universal, single-payer pharmacare program could far exceed current estimates. The Parliamentary Budget Officer, or PBO, estimated that the first phase of national universal pharmacare would increase federal program spending by \$1.9 billion over five years.

Budget 2024, meanwhile, committed \$1.5 billion over five years to Health Canada to support the launch of a national pharmacare plan. Therefore, the committee knew, before hearings even started, that pharmacare was underfunded by at least \$400 million. But the PBO's estimate assumed that any medications that are currently covered by provincial and territorial governments, as well as private insurance providers, would remain covered on the same terms. In other words, he presumed a fill-in-the-gaps pharmacare program — he read the bill also. If drugs that are currently covered by provincial and territorial governments and private insurance providers do not remain covered on the same terms, the program would cost \$5.7 billion over five years, not \$1.5 billion.

I was concerned whether employers would continue to provide their employees with their existing insurance coverage for drugs if those drugs were fully covered by the government. When the Parliamentary Budget Officer appeared before the Social Affairs Committee, I asked him whether there is a market-based incentive for private insurers to reduce or eliminate their coverage for drugs that would be covered under a universal public plan. Mr. Giroux, the PBO, responded:

Absolutely. If the government is providing a regime that covers 100% of prescription drugs for diabetes and contraceptives, whereas private plans have to incur these costs, there is obviously an incentive for [employers] to say that they're removing it through collective bargaining, for example, and to tell employees [that if you] go to the federal government to get the 20% that is not covered; you might as well go for 100%. . . . That is such an incentive that I am talking about and that you are referring to in your question. . . .

On September 27, less than a week before clause-by-clause consideration, the Chair of the Social Affairs, Science and Technology Committee, Senator Omidvar, received a letter from Minister Mark Holland that was then distributed to the full committee. In his letter, the minister wrote:

For additional clarity, this standard of coverage means that all residents of a participating province or territory will be eligible to receive free access, without co-pay or deductible,

to a range of contraception and diabetes medications. Under this program, the cost of these medications will be paid for and administered through the public plan, rather than through a mix of public and private payers.

Hmm. Now are we even more confused?

It would seem, then, that medications that are currently covered by private insurance providers will not remain covered on the same terms. The Parliamentary Budget Officer anticipated \$2.5 billion in cost recovery due to private drug plan coverage. Without that cost recovery, this phase of pharmacare is estimated to cost \$4.4 billion and is, therefore, underfunded by approximately \$2.9 billion.

At second reading, I observed that the proposed list of diabetes drugs is very restricted. On February 29, 2024, on the same day that Bill C-64 was tabled in the other place, Health Canada published a backgrounder on its website with lists of the contraceptives and diabetes medications to be discussed with the provinces and territories as bilateral agreements are negotiated. By my count, the list includes 70 birth control drugs and devices but 18 diabetes drugs.

In a brief to the Social Affairs Committee, the Canadian Life and Health Insurance Association shared an analysis of the lists in the Health Canada backgrounder. They wrote that in 2023, workplace benefit plans covered approximately \$1.7 billion in diabetes medications. Per their analysis, 85% of those costs would not be covered under the formulary in the Health Canada backgrounder. Regarding contraception, they wrote that in 2023, workplace benefit plans covered approximately \$217 million in contraceptives, and only 21% of those costs would not be covered under the formulary in the Health Canada backgrounder.

You can see that organizations advocating for contraception coverage were pleased with the list. However, organizations representing Canadians with diabetes found the list most inadequate.

Monica Kocsmaros, the Chief External Relations Officer at the Juvenile Diabetes Research Foundation, told the Social Affairs Committee:

. . . based on consultations with health care providers and those living with Type 1 . . . we would like to see the ultimate list that is developed reflect what is in the clinical practice guidelines established by Diabetes Canada. It is important that physicians have therapeutic options to address the wide variations in individual patient responses to and tolerance of any particular drug [and] that patients can access these, as one insulin may work well for one person and not another. It is very individualized care. And as health care providers refer to these clinical practice guidelines, the insulin listed on them should be available for patient care across the board.

Laura Syron from Diabetes Canada noted:

The limited formulary makes individualized care nearly impossible and may negatively impact our health-care system and the health of people living with diabetes by offering sub-optimal therapies . . . Also, a national pharmacare program with a limited formulary has the potential to impact choice; health-care providers may look to the formulary as a definitive list without collaborating with the person living with diabetes and discussing all therapeutic options.

In a brief to the Social Affairs Committee, the Canadian Generic Pharmaceutical Association expressed concern about the limited formulary. They wrote the following:

CGPA and its Biosimilars Canada division are concerned that the limited list of drugs covered under the pharmacare plan will lead to sub-optimal prescribing to the medicines made available to the public for free, leading to sub-optimal health outcomes for patients. We are also concerned that the lack of a comprehensive approach to universal coverage may provide a disincentive for public drug plan formularies to continue their coverage of a broad range of prescription medicines, and provide a disincentive to expand coverage to include new drugs in the future. These same concerns also apply to employer-sponsored drug plans.

• (1700)

At committee, I asked Mr. Keon the following:

What happens to a diabetes patient, for example, who has tried maybe 10 different drugs? None have been very effective, and then they try the eleventh drug, it's effective and they want to stay on that drug. But then they go to the universal plan, and that drug is not in that formulary.

Mr. Keon replied, "We would be concerned that they wouldn't have full coverage."

A huge potential unintended consequence is that employers may stop providing coverage for diabetes and contraceptive drugs in their workplace benefit plans. Ms. Syron from Diabetes Canada used herself as an example. She said:

I'm on two drugs to manage my diabetes. One is on the current formulary attached to this legislation and one is not. Right now, the one that is not covered is covered by my private insurance.

If my private insurance decided to stop covering that, then I would have to pick up that cost myself.

The unintended consequences would be that, financially, people may actually be worse off in terms of being able to afford the drugs. The very purpose of this bill is to get more people on the right drugs, but the unintended consequence could be that fewer people are on the right drug . . .

Stephen Frank, the President and CEO of the Canadian Life and Health Insurance Association, said:

For the majority of Canadians, this legislation as it is currently written will eliminate existing prescription drug coverage paid by employers for these medications. It will limit choice. It will use scarce federal dollars to replace existing coverage, and it will leave a huge gap of uninsured Canadians who rely on other medications beyond diabetes drugs and contraceptives.

When I asked the minister about this concern, he said, “On the idea that people would lose coverage, I don’t see that. People have a choice.”

I replied:

. . . they might not have a choice because their private insurer might say, “Sorry, we don’t cover it any longer. Go to the province or the feds and get covered.”

That is the point. You’re saying that I, as an individual — for example, I have private insurance — have the choice to stay with my private insurer or go to the public insurer, meaning the federal government and the provincial arrangement. However, my private insurer might no longer cover me. In fact, it might start to be a gradual process of loss of private insurance.

The minister insisted that this would not happen. However, his eleventh hour letter to the Chair of the Standing Senate Committee on Social Affairs, Science and Technology on Friday, September 27 indicates that Canadians with private insurance are already on track to lose their coverage for diabetes and contraceptive drugs.

At second reading, I pointed out that Bill C-64 includes few definitions of important concepts in this program, which has led to unnecessary confusion.

Indeed, the Standing Senate Committee on Social Affairs, Science and Technology heard from almost all our witnesses that Bill C-64 would have been a much better bill had it included important definitions to add clarity instead of maintaining confusion. Even the key terms of “universal,” “single-payer” and “first-dollar” have not been defined. Suggestions were made to broaden the definition of “pharmacare” to include the critical role of pharmacy services, which have been completely omitted.

When asked whether a bill that limits drug coverage to those who have no coverage would go against the principle of universality, the Parliamentary Budget Officer, Mr. Giroux, responded, “That’s a good question. It depends on how you define universality.”

Professor Matthew Herder, the Director of the Dalhousie Health Justice Institute at Dalhousie University, has studied and written extensively on the issue of pharmacare. He called this bill “. . . fundamentally ambiguous.”

Asked by the chair whether this bill, ambiguities and all, is better than no bill at all, Professor Steven Morgan, an economist and professor of health care policy at the University of British Columbia, said:

As the legislation is currently written, I think no legislation is better than this legislation. I say that as someone who has spent 30 years working on this file in Canada.

Confronted with the same question, Professor Marc-André Gagnon, a political economist with Carleton University’s School of Public Policy and Administration, replied, “Sadly, I don’t know.”

This bill’s lack of definitions only adds to its opacity and ambiguity.

At second reading, I raised the concern that the national universal pharmacare policy envisioned by Bill C-64 infringes on provincial jurisdiction and complicates or interferes with programs that the provinces and territories already have in place.

In a press release issued at the close of the Council of the Federation meetings in Halifax in July, Canada’s premiers reiterated their wish for the federal government to stay in its lane. They said:

Federal engagement with provinces and territories has become increasingly limited and inconsistent, as the federal government seeks to unilaterally advance programs in areas of provincial and territorial jurisdiction.

Our federation works best when all orders of government respect constitutional authority. In recent years, federal actions have repeatedly encroached on provincial/territorial jurisdiction without adequate consultation, collaboration or funding. When the federal government unilaterally overreaches through legislation, regulation, selective investments and taxation in areas of provincial and territorial responsibility, Canadians end up with ill-suited one-size-fits-all programs that are underfunded and do not meet the needs of residents in all regions of the country. . . .

At a press conference at the close of their summer meeting, Premier François Legault of Quebec observed:

Federal interference in provincial jurisdictions is a problem which is becoming worse and worse from budget to budget. . . . These intrusions create management problems. They double the size of bureaucracy. This is not desirable.

Premier Dennis King of Prince Edward Island lamented what he called “jurisdictional creep.” He said:

I think every Canadian would expect that all of their levels of government should try to pitch in and do everything they can to make their lives a little bit easier, but it gets . . . a little bit frustrating with the duplication and the overstepping . . . of the federal government.

In an interview with CPAC, Newfoundland and Labrador Premier Andrew Furey said:

If the federal government decides that it wants to have an impact on what could arguably be provincial jurisdiction . . . tell us how we can be partners. But to wake up one morning and hear that, you know, there's potential pharmacare or potential dental care, which is . . . provincial jurisdiction, with no consultation or collaboration . . . I mean, that's where I have concern about the shape-shifting of the Constitution.

In an interview with the New Brunswick *Telegraph-Journal*, Premier Blaine Higgs said the following of the federal-provincial relationship:

Things are strained to say the least And I would say that it's dysfunctional in many ways.

Premier Higgs added that there hasn't been a general meeting between the premiers and the Prime Minister for years. Their last meeting, in February 2023, dealt solely with health care.

B.C. Premier David Eby echoed the call for a meeting between the premiers and the Prime Minister. He told reporters:

It's not about money. It's not about additional funding, it's about, can we co-ordinate nationally on these areas of shared interest?

Premier Eby continued, "And that is where it sometimes feels like we're just beating our head against a wall"

And at the Standing Senate Committee on Social Affairs, Science and Technology, Alberta's Minister of Health, Adriana LaGrange, said:

• (1710)

The federal government continues to bring forward health initiatives as a way of pursuing its own political goals when its actual responsibility is to act as a good partner on the long-term sustainability of health initiatives and improved health outcomes. Provinces and territories have exclusive jurisdiction over the planning, organization and management of our health care systems. . . .

. . . The federal government must respect provincial and territorial jurisdiction and the decisions we make. Federal initiatives, such as pharmacare, must be developed in a way that is truly collaborative, aligns with provincial and territorial priorities, and respects jurisdictions.

On Tuesday, in this chamber, when Senator Gignac spoke to this bill, he said, ". . . Ottawa should be less critical and show some humility before encroaching on provincial jurisdiction with new initiatives." I agree.

There are also other outstanding concerns regarding Bill C-64, such as the administration of pharmacare, the composition of the committee of experts and the powers, functions and governance structures of the Canadian Drug Agency. I thank my colleague Senator Osler for capably reminding us of these weaknesses in the legislation.

In conclusion, colleagues, I am not convinced that Bill C-64's approach to pharmacare is prudent, not fiscally nor as policy. I would have fully supported a bill that ensured pharmacare coverage for the most vulnerable — those who have no insurance or who are underinsured. But with this bill, the government will spend at least half of its pharmacare budget for Canadians who already have comprehensive coverage with their own private plans. The Parliamentary Budget Officer made this point decisively in his testimony before the Social Affairs Committee.

It is relevant here to remember my earlier point about universality. Universal pharmacare coverage does not mean that the state is exclusively responsible for prescription drug costs, nor does it mean that the plan must be publicly administered. France, Germany and the Netherlands have universal, statutory, multi-payer pharmacare systems that have more in common with the Quebec model than with the model proposed in Bill C-64.

The Social Affairs Committee heard persuasive evidence that Bill C-64 could result in the erosion of private insurance, leaving many Canadians worse off than they are today — with a very restricted formulary, drug shortages and reduced pharmacy services.

Frankly, for myself, colleagues, it could not be clearer: I cannot support Bill C-64 as it is currently written. Thank you.

Some Hon. Senators: Hear, hear.

Hon. Leo Housakos: Would Senator Seidman take a question?

Senator Seidman: Of course I will.

Senator Housakos: Thank you, Senator Seidman, for your very thoughtful speech. It is evidently clear that this is a bill that is a lot more aspirational than it is logical, pretty much like I guess the Trudeau government in general.

Yesterday, we had a colleague invoking the founders of medicare in this chamber, Tommy Douglas, Prime Minister Diefenbaker and Pearson. I was wondering: What do you think the founders of medicare would have to say about the fact that today we have a government over the last nine and a half years that not a single fiscal year did they transfer over funds that were equitable to what the provinces spend in providing health care? If anything, they have been reducing the transfer payments to health care considerably over the last nine years, and, of course, not respecting the Canada Health Act, which has a number of fundamental principles including being comprehensive, accessible and, most importantly, universal.

With more than 6 million Canadians and families without doctors today, in 2024, what would Tommy Douglas, Prime Minister Diefenbaker and Prime Minister Pearson have to say about the state of health care?

Senator Seidman: Thank you. That's a big question. I have to tell you that probably they would say what all of us say, and that is that the health system is failing us badly. I think finally Canadians are getting the courage to say that the system isn't working. How many of us have family members, friends and neighbours who struggle with the health system? They don't have general practitioners, for example. I know countless numbers of people who go to clinics and don't have any continuity of care as a result. We all hear it and read it. I think we are gradually recognizing that the system is failing us.

We have been very sensitive about our health system. We have praised it, loved it and there is no question that the concept was excellent. But if we look around to the rest of the world now, we'll see that a lot of countries that started with the same system as Canada started with have moved beyond it and have found other ways of ensuring their population receives the kind of care they need.

Hon. Flordeliz (Gigi) Osler: Senator Seidman, during the Standing Senate Committee on Social Affairs, Science and Technology's study of Bill C-64, we received briefs from the Canadian Organization for Rare Disorders and the Canadian Forum for Rare Disease Innovators. They outlined the concerns that implementation of a national pharmacare program could further delay the implementation of the National Strategy for Drugs for Rare Diseases, which is referenced in clause 5 of Bill C-64. Have you reviewed the briefs, met with any of the groups and can you share any of your thoughts or concerns about delaying the implementation of the rare disease strategy?

Senator Seidman: Actually, yes, I can say that I have read the briefs, but I also did meet with representatives of the Canadian Organization for Rare Disorders, Dr. Durhane Wong-Rieger, who is the president of that organization. I do say that I noted at second reading that the government announced investment of up to \$1.5 billion over three years in support of the National Strategy for Drugs for Rare Diseases. That was in March of 2023. And \$1.4 billion of that \$1.5 billion was to be allocated through bilateral agreements. The rare disease community really celebrated, they were very excited about that. But it has been more than a year and a half and only one bilateral agreement has been signed.

In the other place, Dr. Durhane Wong-Rieger, the President and CEO of the Canadian Organization for Rare Disorders, warned the Standing Committee on Health that given the lack of promised progress on rare diseases, what does it say in terms of the prospects for the success of the pharmacare legislation? In fact, she said it is unconscionable and unethical to introduce a program designed to transform and save lives and then fail to execute on it.

I have to say I totally agree that the government has to follow through on its commitments to the rare disease community and ensure that the bilateral agreements for rare disease drug funding are not overshadowed by this new situation where they now have to negotiate bilateral agreements because of Bill C-64.

Hon. Donald Neil Plett (Leader of the Opposition): Thank you, Senator Seidman, for that great speech and letting us hear some of the concerns clearly with Bill C-64. I have just a few words to say. Yesterday, Senator Cardozo seemed to think what couldn't be said in 15 minutes isn't worth saying, and that may well be correct except when you have an audience that isn't paying attention you sometimes have to go a little longer.

As you may recall, I spoke to this bill at second reading and, not surprisingly, my concerns were validated during the study of the bill at committee. This has already been pointed out as another misguided piece of legislation by this government, which Canadians should be very concerned about.

The Senate received Bill C-64 on June 4 of this year after the NDP-Liberal government cut off debate in the other House and limited any real debate at committee stage and third reading. This allowed the government to get away with minimum scrutiny on this legislation. That, colleagues, is regrettable.

• (1720)

In my second reading speech, I highlighted that this bill was first and foremost a cynical move by Justin Trudeau to bow to Jagmeet Singh's demands for a pharmacare bill just to hold on to power a little bit longer.

But I also asked this question: Is this bill a nothing burger that will only disappoint the supporters of a single-payer universal plan, or is it a Trojan Horse to take away private coverage enjoyed by millions of Canadians?

The government managed to, as they often do, speak out of both sides of their mouth for quite a while, claiming that Bill C-64 was neither: It would establish a universal plan, but that plan would not be for everyone; and it would be a single-payer plan, but insurance companies could also be the payer. This is Liberal logic at its finest.

Last June, I said that this bill would be nothing more than legislation requiring the health minister to invite his provincial and territorial counterparts to a conference to discuss an issue with the knowledge that something may or may not happen. It only took the NDP-Liberal coalition a few months to prove me right.

Sure enough, on September 12, less than a week before his appearance at the Social Affairs Committee, Minister of Health Mark Holland announced a memorandum of understanding for select contraception and diabetes medications with the free-falling NDP Premier of British Columbia, who was at risk of losing the next provincial election.

Talk about great timing for Mark Holland to present himself at the committee with what he said was a deal struck with British Columbia, when, in fact, it was just a PR stunt. In his opening remarks, the Minister showed his hand, saying:

Senators, one of the reasons I thought having a memorandum of understanding with British Columbia was so important was to help the Senate — because I know there were a lot of questions — and show what this would look like. . . .

According to the minister's quote, the memorandum of understanding was purposefully signed and published as a PR stunt to attempt to show that this bill is real. But in reality, what they signed with British Columbia is nothing more than an understanding between two parties to eventually agree to come to an agreement.

It was another attempt by the Liberals to deceive Canadians. Stephen Frank from the Canadian Life and Health Insurance Association confirmed this when he said:

That memorandum of understanding has not been signed yet, and that program is not real yet. There was an announcement of an intent to do that if this legislation passes. That kind of announcement precipitates questions from employers that we are fielding today. . . .

So I was somewhat reassured. I thought that Bill C-64 was indeed a nothing burger — just another one of those PR exercises the Liberals are so fond of.

On June 1, I also questioned how the government came up with this legislation at this time.

We now know that it was the NDP holding the pen. During his appearance at committee, Minister Holland did not hide how the NDP and Liberals came to agree on Bill C-64. Even after Jagmeet “ripped up” the agreement with the Liberal government, Mark Holland was proud of the work it took to agree to Bill C-64 with the NDP. He freely admitted to it in committee, saying:

This is, by far — and I've been involved in a lot of complex things — the most difficult bit of business I've ever been in. Every syllable and word in this bill was debated and argued over. It is the result of really important collaboration. It was not one political party but two, with two very different views, finding a way to find common ground.

Colleagues, you would think that when speaking about such an important bill that touches the health of every single Canadian, the focus of the minister would not be on how they argued every syllable and word with another political party, but rather on how the legislation is based on decades of research and tons of data. You would think that the bill would be the result of years of consultations, research and reflection by experts, not the product of backroom negotiation between politicians on syllables and words.

You would think that the goal of the bill would be to deliver what is important for Canadians, not what is important for Justin Trudeau to remain in power.

Steve Morgan from the University of British Columbia said it clearly at committee:

It's fair to say that the supply and confidence agreement was coming to an end; in fact, it had been extended during the negotiations last fall into the February-March window. Both parties wishing to extend the life of this current government came to a hastily agreed-upon final recommendation. As the minister testified, every word was argued over.

Even though the NDP-Liberal coalition has supposedly fallen apart, the NDP will still be involved in the implementation of this bill. When Minister Holland was asked in committee about the appointment of the committee of experts and the risk of conflicts of interest, the minister could not be clearer. Again, these are his words:

We've had very good and easy conversations on that with the NDP, who, in this instance, would be the ones we would be selecting that committee with. Therefore, I don't believe there's going to be a problem in terms of a conflict of interest. It's not what we're looking for.

It raises the question of how the appointments will be made. Will they be merit-based, or will they be political favours?

It gives me no comfort that it is the NDP-Liberal coalition, not the minister, who will appoint a committee of experts who will make recommendations on the operation and financing of the pharmacare scheme. We already know the conclusion of the committee. It will provide its report no later than October 10, 2025, and, to no one's surprise, the recommendations will all be toward implementing the NDP-Liberal ideology, which will continue the erosion of private health insurance.

This left me more than a little alarmed. If the NDP is driving the bus, you can be certain that the destination is somewhere far out in left field.

As I said earlier, the minister was ambivalent about the program at first and insisted that Canadians would continue to have a choice between their private plans and the public plan. But finally, at the last minute, the cat was let out of the bag when Minister Holland revealed that the policy objective of Bill C-64 was to take away private health coverage from Canadians.

This is a classic example of being blinded by ideology and unable to see the real-world consequences of your actions. The NDP-Liberal government appears willing to tear up the current system in order to push their ideological agenda. It is the only explanation for why the NDP-Liberal government would want to jeopardize the health coverage of 27 million Canadians.

Let me repeat that Bill C-64 was crafted in such a way it was meant to promise everything to everyone. It was a way for Justin Trudeau to keep the NDP-Liberal coalition in power while not scaring away the middle class. Thanks to our work in the Senate, we now know the truth.

Bill C-64 is indeed a Trojan Horse. I said during my second reading speech that was what I feared. It was made clear by Minister Holland when he confirmed in writing to the committee that the ultimate goal of the bill is to have the federal government assume the charge for all medications in Canada, effectively shutting the door on private health care for millions and millions of Canadians.

• (1730)

He wrote:

Under this program, the cost of these medications will be paid for and administered through the public plan, rather than through a mix of public and private payers.

When he was in the Health Committee at the House of Commons, Minister Holland said no Canadian should lose workplace drug coverage under a national pharmacare plan. Then he said, “Nobody is going to lose coverage” from existing plans. “We’re making sure that people have choice”

Those, colleagues, are simply blatant lies.

The minister’s letter to the Senate committee is simply the opposite of what he said in the House of Commons. A typical Liberal approach: one message for one audience, another message for another audience. The problem is that Canadians have access to the work of both chambers of Parliament and can see for themselves that Mark Holland is misleading them.

This flip-flop by Minister Holland confirms the outcome feared by most: a publicly administered pharmacare that would first erode and then kill private health insurance, all this without knowing how it will all work and at what cost.

The Parliamentary Budget Officer, or PBO, estimated that the cost to the federal government for Bill C-64 would be \$1.9 billion a year. This is just to cover the cost of diabetes medications and contraceptives.

Imagine when the supporters of Bill C-64 have completed their work of destruction on our existing health plans, and the government covers everything for everyone — or rather it will pretend it does. What will be the cost of this? Taxes will have to be increased by how much? Because taxes will be increased. How else could a federal government with a \$40-billion deficit and a trillion dollars in debt fund this experiment? It has to be through taxes.

The last meeting of the Social Affairs, Science and Technology Committee demonstrated the consequences that Canadians can expect from Bill C-64. Stakeholders representing various sectors, such as health insurance with the Canadian Life and Health

Insurance Association; the Canadian Chamber of Commerce for employers; and a few representing the pharmaceutical sector, like Innovative Medicines Canada, all agreed: The uncertainty around Bill C-64 will negatively impact medication coverage in Canada.

We now have Canadians who rely on their private health care coverage to deliver their daily medications wondering what will happen to their coverage. On the other hand, we have employers who provide coverage to their employees wondering what will happen to the provided coverage.

Allow me, colleagues, to share a few highlights from the committee meetings.

On what would happen to current prescription drug coverage, Stephen Frank from the Canadian Life and Health Insurance Association provided the following:

For the majority of Canadians, this legislation as it is currently written will eliminate existing prescription drug coverage paid by employers for these medications. It will limit choice. It will use scarce federal dollars to replace existing coverage, and it will leave a huge gap of uninsured Canadians who rely on other medications beyond diabetes drugs and contraceptives.

Bettina Hamelin, President of Innovative Medicines Canada, shared the following on the real potential of Bill C-64:

The first observation is to build on Canada’s existing drug coverage, rather than replacing it with limited, one-size-fits-all public formularies. The current bill has the real potential to decrease Canadians’ access to the medicines they need and the medicines they already have access to.

Finally, on whether Canadians are better off with Bill C- 64, Kathy Megyery from the Canadian Chamber of Commerce stated the following:

There is no need to completely undo a system that provides a majority of Canadians with the coverage they need and appreciate. A single-payer, universal pharmacare would actually leave most Canadians worse off. Currently, the majority of Canadians are covered through their employers. These Canadians have access to medicines in half the time as those on public plans and to three times more new innovative drugs approved by Health Canada.

As you can see, colleagues, there would be ripple effects from this bill, like drug shortages, reduced access and reduced investments for innovative medications.

The Canadian Chamber of Commerce shared their concern about the potential loss of productivity due to a less healthy population — all in the name of the NDP-Liberal government ideology shared by their supporters in the Senate.

In a survey conducted by Canadian Health Care and Health Insurance, the following question was asked: “What should Conservatives do with the national pharmacare plan if they win the next election?” I would prefer it to say, “. . . when they win the next election.” Seventy-four per cent of Canadians said they want a different approach. Let me be clear, colleagues: Thankfully, that is not in the too-distant future. Their wish will be granted.

The NDP-Liberal coalition believes they know what the provinces need better than the provinces themselves. They have only disregard and disdain for provincial jurisdictions. They’ve inserted themselves time after time into provincial matters, causing chaos and havoc, and, quite frankly, many premiers have had enough. Quebec and Alberta have signalled their intention to not participate in the program, urging the federal government to stay in its lane.

Senator Seidman already referred to Adriana LaGrange, Minister of Health for Alberta, who was clear:

The federal government continues to bring forward health initiatives as a way of pursuing its own political goals when its actual responsibility is to act as a good partner on the long-term sustainability of health initiatives and improved health outcomes. Provinces and territories have exclusive jurisdiction over the planning, organization and management of our health care systems. . . .

That’s the major problem with Bill C-64: The Liberal government continues to infringe on provincial jurisdiction in order to achieve its own political goals.

Instead of fixing what’s broken, the NDP-Liberal coalition would rather break down what’s working to force their ideology on Canadians. It will cost Canadian taxpayers more money by introducing more uncertainty in the pharmaceutical and insurance sectors, which need stability to thrive and meet the needs of Canadians.

Bill C-64 symbolizes everything the Conservatives have said is wrong with the Trudeau government since day one. It is a government that is focused on photo ops instead of real policies. It is a government that will never let facts get in the way of their ideological fixations. It is a government that believes Ottawa knows what’s best for everyone and has no regard for provincial jurisdictions. It is a government that has no respect for the public purse. It is a government that is willing to use lies and deceit to advance its priorities.

Pharmacare is hopefully the last experiment of Justin Trudeau, “the sorcerer’s apprentice.” I do not exaggerate when I say that it could precipitate the breakdown of our pharmaceutical supply chain and signal the end of private health care coverage in Canada. The pharmaceuticals could be the latest industry to pack up and leave the country, victims of the Trudeau government’s radical agenda.

• (1740)

Whether it is food, heating, housing or medications, all Canadians should have their basic needs met. The Trudeau government broke Canada, and, for more and more Canadians those basic needs are not covered. Homelessness is on the rise. Food insecurity is increasing. Heating homes is more and more expensive. Now access to medications is under threat. Let me be clear: Canadians will not lose their coverage at the stroke of a pen by the Governor General. Like all other basic needs, it is over time that we will see the damage inflicted by Justin Trudeau.

Instead of focusing on areas of imminent need in our health care system — such as waiting times and the lack of doctors, nurses and beds — the NDP-Liberal coalition decided to spend billions of dollars on people who already have coverage. While there is no doubt that not all Canadians have access to the medications they need, the one-size-fits-all approach proposed by Bill C-64 will only make things worse.

The evidence before us is overwhelmingly against Bill C-64 and the shift towards a first-payer model of publicly administered pharmacare. The common-sense approach is clear: Protect the private health insurance enjoyed by Canadians by voting against Bill C-64.

There is no doubt that the government can help the minority of Canadians who have no coverage and can’t afford to pay out of pocket, but the one-size-fits-all approach is a very bad solution. Sixty-seven percent of Canadians have drug insurance coverage through their work, associations or private care, and another one in five are covered by existing government plans. They will lose this with the NDP-Liberal plan.

Among the biggest losers under Bill C-64, Senator Yussuff, will be unionized workers, those who fought hard to get the coverage they have now. These plans will disappear if this NDP-Liberal coalition has its way. Senator Yussuff, you should be supporting us, not this plan.

Employers see drug insurance as a means of attracting and retaining employees. With Bill C-64, they will no longer have an incentive to offer better coverage. Everyone in Canada will be at the same level, having access only to the minimum coverage offered by the state. This is another example, colleagues, of the gap between the NDP and the Liberals and the working class. These two parties no longer defend workers; they defend their ideology.

Canadians need concrete, affordable, common-sense solutions to our health care crisis. A functioning Canadian federation is one in which the federal government works with the provinces to find solutions rather than imposing its will on them. By working together, Canadians can solve complex problems and improve the quality of life for generations to come. That’s the Canada I remember, and that’s the Canada to which we will return when this NDP-Liberal coalition is over and a common-sense Conservative government is back in charge of this country, working with the provinces and working with Canadians to make a better life for all of us.

Colleagues, I want you to know that our Conservative caucus unanimously opposes Bill C-64. We will not subject anybody here to an hour-long bell. We know the fix is in. We know this will not happen, so we want to register our unanimous vote against this very harmful piece of legislation.

Quite frankly, I hope there will be two other senators who will rise to vote against this, and we will be happy to stand with them. Thank you, colleagues.

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: No.

Some Hon. Senators: Yes.

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.

An Hon. Senator: On division.

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

MISCARRIAGE OF JUSTICE REVIEW COMMISSION BILL (DAVID AND JOYCE MILGAARD’S LAW)

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Arnot, seconded by the Honourable Senator Clement, for the second reading of Bill C-40, An Act to amend the Criminal Code, to make consequential amendments to other Acts and to repeal a regulation (miscarriage of justice reviews).

Hon. Kim Pate: Honourable senators, today I am thinking of my friend David, his sisters and his mum, who advocated, without rest, from the time of his arrest at age 16 and throughout his wrongful conviction for rape and murder and his 23 years of being held captive in prison.

David was introduced to me by another friend, Donald Marshall Jr. They both remained haunted even after their exonerations. Both, but especially David Milgaard, were devoted to redressing the miscarriages of justice experienced by others.

In our last communication before his death in 2022, David implored me to step up our fight for mutual friends, especially the 12 Indigenous women who are still awaiting exoneration.

Canada needs a commission that can independently investigate miscarriages of justice, so we must ensure that this bill bearing David’s name is worthy of his legacy and capable of delivering justice, including, and especially for, the Indigenous women and others who are most marginalized for whom David Milgaard was still fighting right up until his last days.

We must remedy the inadequacies of Bill C-40 so that it does not repeat the mistakes of the current ministerial review system in terms of not addressing and, indeed, too often becoming another instance of systemic sexism, racism and colonial violence. The 2022 report to the Department of Justice by Justices Harry LaForme and Juanita Westmoreland-Traoré, entitled *A Miscarriages of Justice Commission*, reveals the systemic racism and misogyny that Bill C-40 must overcome.

As of July 2024, 200 people have applied for miscarriage of justice reviews. Only 30 were permitted to return to court for a retrial, and a mere 24 were successful. Most were White men. Only seven, mostly reviewed in the last few years, were racialized men. Not one was a woman.

Justices LaForme and Westmoreland-Traoré call Bill C-40 “. . . an unnecessarily inadequate . . .” response to their consultations and careful and considered recommendations.

The Legal Committee must interrogate gaps identified by the justices and many other experts and advocates. These include the commission’s limited mandate and remedial options, inadequate resourcing and lack of measures to safeguard diversity on and of the commission. In particular, the lived experiences of Indigenous women, who represent more than half of those in federal prisons, need to be addressed.

In this regard, Bill C-40’s lack of group-review processes and sentence reviews is particularly troubling. In 2022, we issued a report providing a clear and cogent rationale for an en bloc review of the cases of 12 Indigenous women. The miscarriages of justice that they continue to experience arise from systemic discriminatory failures of the criminal legal and prison systems to adequately recognize, contextualize or address inequities occasioned by racism, sexism, violence and ongoing trauma.

Contextualizing women’s stories alongside one another helps ensure more fulsome identification and analysis of the intersection and patterns of systemic inequality, discrimination and violence.

To provide this crucial context, as I will only have time to speak about one or two women today, I ask leave of the Senate, pursuant to rule 14-1(4), to table in both official languages a document entitled *Injustices and Miscarriages of Justice Experienced by 12 Indigenous Women*.

The Hon. the Speaker: Is leave granted?

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker: I hear a “no.” Leave is not granted.

Senator Pate: Like many others, the 12 women in this report embody the intergenerational impact of forcible removal from land, home, family and community, not to mention the consequent lack of economic, social, health and other supports. Each was victimized before being criminalized and left more likely to be persecuted than protected by state systems. Most faced ongoing and pervasive violence and danger.

• (1750)

Too many are deputized and abandoned to accept responsibility for protecting themselves and those in their care, but then swiftly and disproportionately charged and criminalized if and when they are forced to respond, especially if the response is characterized as violent.

Carol Daniels, 1 of the 12 women, died without ever seeing justice. She was a survivor of childhood sexual assault and still a teenager when she used force defensively, resulting in the death of a woman who procured her for sexual exploitation by a man known for abusing young Indigenous women and documenting the sexual assaults that he perpetrated in videos and photos.

Carol did not disclose, even to her lawyers, the childhood trauma that she experienced. She was ashamed. Her lawyers failed to inquire and consequently failed to adequately defend her or contextualize how Carol’s experiences of racism, sexism and violence affected her actions in trying to defend herself and other young women from further predation.

How many judges or lawyers can imagine trying to protect themselves because state actors may not intervene to keep them safe or, worse yet, may intervene to perpetrate violence?

Carol was convicted of second-degree murder. She was sentenced to a mandatory minimum penalty of life imprisonment with no parole for 10 years. The Saskatchewan Court of Appeal was not asked to consider whether Carol should have even been considered criminally responsible for trying to escape her predators. Instead, counsel focused only on whether being transferred across the country to the Prison for Women in Kingston — at the time, the only federal prison for women —

would violate her Charter rights. As a result, in addition to her wrongful conviction, Carol was sent, at the outset, to serve her sentence in isolation in a prison for men in Saskatchewan.

Another woman, 19-year-old Jamie Gladue, was pregnant with her second child when she stabbed her abusive common-law partner. He had previously moved them away from her community of support in Calgary to Nanaimo. Concerned about her safety, her father, a single dad, followed Jamie and Reuben to B.C. and lived in a neighbouring unit.

The night Jamie stabbed him, Reuben had first beaten her, then broken into her father’s house through a bedroom window and raped her sister. He then returned, bragged to Jamie about it, beat her again and attempted to return to the unit where her sibling and father lived. Jamie stabbed him as he attempted to gain entry through the front door of the unit.

This context was never discussed in open court. Worse yet, the racist and misogynist interpretation and treatment of Jamie meant her actions were not described as in defence of herself or her sister. Instead, in the case record, and therefore Canadian law, she was described as a jealous wife who killed Reuben because he was having an affair.

Jamie Gladue’s case represented the first time that the Supreme Court of Canada was asked to interpret section 718.2(e) of the Criminal Code, and therefore stands for the principle that courts must consider Indigenous history and alternatives to prison during sentencing. Unfortunately, the court did not interrogate whether the charges should have been prosecuted or laid at all, or why possible defences of self-defence or defence of other were never explored. Worse yet, neither Jamie nor too many other Indigenous women since have benefited from section 718.2(e). So many Indigenous women with a defence, but facing an automatic life sentence if that defence fails, are almost inevitably offered the option to plead guilty to a lesser charge and sentence, and almost inevitably, colleagues, they do.

As our former colleague the Honourable Murray Sinclair described in the 1991 Manitoba Aboriginal Justice Inquiry, wrongful plea bargains are the product of a legal system that has no faith in Indigenous Peoples’ truth telling.

In 1997, the federal government’s *Self Defence Review* further highlighted decisions by women to plead guilty. In addition to the concerns raised by then-Justice Sinclair, Justice Ratushny underscored an added disadvantage for battered women. Because of societal and legal resistance to trusting the accounts of women and children who are abused, raising defences of self or other in these contexts generally requires additional witnesses, as the victim’s perspective is too often not believed. Often, the only eyewitnesses are children, and most women are loath to subject their children to the trauma of testifying in court, so many abandon defences and enter plea bargains.

Some Indigenous women lack access to legal counsel. In many cases, however, even experienced lawyers struggle to recognize the relevance of, and centre defences on, experiences of violence, colonialism and misogyny in ways that meaningfully counter those still-too-common myths and stereotypes underscored again most publicly by the Mass Casualty Commission.

The National Inquiry into Missing and Murdered Indigenous Women and Girls describes the injustices that result from failing to contextualize women's lived experiences as follows:

The Canadian justice system criminalizes acts that are a direct result of survival for many Indigenous women. This repeats patterns of colonialism because it places the blame and responsibility on Indigenous women and their choices, and ignores the systemic injustices that they experience which often lead them to commit crimes.

A new addition to Bill C-40 at committee in the other place provides the independent conviction review commission with the option of making recommendations to “. . . address systemic issues that may lead to miscarriages of justice to relevant public authorities and bodies”

This process still, however, appears to rely on being able to identify, from an individual case, underlying patterns of oppression of Indigenous women, something the criminal legal system has repeatedly failed to do adequately or consistently, if at all.

Without a group review process to put multiple cases side by side and throw their underlying patterns into sharp relief, we risk turning the review process into just another compounding layer of inequality and injustice.

A second glaring omission in Bill C-40 is the lack of measures permitting the independent commission to review unjust sentences. Justices LaForme and Westmoreland-Traoré recommended that Canada's system allow for sentence review like its English, Scottish, New Zealand and Norwegian counterparts. The justices note that David Milgaard was adamant we must never close the door on anyone who has experienced injustices. They report that Indigenous peoples and Black Canadians are particularly likely to be sentenced on inaccurate facts or without adequate consideration of all relevant facts.

For Carol Daniels, we have discussed how lawyers failed to defend her by contextualizing her actions as a survivor of childhood abuse and someone who was trying to escape a sexual predator. The mandatory life sentence flowing from her wrongful conviction then meant the court could not consider alternatives to imprisonment.

For Jamie Gladue, the risk of a mandatory life sentence meant she was induced to plead guilty. The full facts of her case and the glaring injustice of her prosecution and conviction were never explored. The question of whether the conviction was never discussed in court and, therefore, never answered by a judge.

Especially as courts continue to strike down mandatory minimum penalties as unfair and unconstitutional, we must acknowledge the reality of unjust sentences. Challenging a sentence, not only a conviction, as a miscarriage of justice could be particularly important given the sense of responsibility too often pushed onto Indigenous women in particular. Their reasonable responses to unreasonable violence are rarely contextualized, and too many police officers, lawyers and judges fail to inquire further when they hear someone take responsibility, whether for personal, familial, community or cultural reasons. Too many consequently face barriers to grounded claims of factual innocence and are thus often rejected by lawyers and organizations, not to mention the Department of Justice, when they seek to challenge a wrongful conviction in the current system.

As Justice Greckol noted in the *Naslund* case:

. . . a woman subjected to 27 years of egregious abuse may be accustomed to seeing herself as worthy only of harsh punishment. That does not mean the justice system should follow suit.

David Milgaard advocated a review body to remedy unjust convictions and sentences. Let's fix this bill so that we may honour his dream.

Meegwetch, thank you.

Hon. Denise Batters: Honourable senators, I rise today as opposition critic to speak to second reading of Bill C-40, the miscarriage of justice review commission act, which would create a body to review and investigate potential wrongful convictions.

Before I begin discussing the substance of the legislation, I wanted to address how difficult it has been to get answers from the Trudeau government about this bill. I asked Department of Justice officials questions at my critic's briefing on this bill three weeks ago and still have not received full answers to some of them. I received only a couple of minimal answers by email.

I asked the sponsor of Bill C-40, Senator Arnot, questions after his relatively brief speech three weeks ago, but I finally received those just a few hours ago today. Unfortunately, these answers are not especially responsive. I am certain that is not the fault of Senator Arnot; instead, it is the fault of the Trudeau government, which is supposed to provide him with those answers.

• (1800)

Additionally, this fake feminist Trudeau government lauds itself for providing a Gender-Based Analysis Plus, or GBA+, document for every bill, but this government document has not been posted online on the government's website, on the

parliamentary legislation portal nor was it provided as part of the government's briefing to senators on this issue. I had to request a copy from Senator Arnot, and I do thank him for ensuring I received that earlier this week.

But all of this illustrates a larger problem in Trudeau's independent Senate: There is no connection between senators sponsoring government bills and the government caucus. The Government Representative in the Senate is allowed unlimited time to present a significant, detailed speech prepared by the government to give senators an opportunity to hear the rationale behind the major policy supporting the legislation. Sadly, it has become commonplace for the Senate government leader and his Trudeau government Senate caucus to refuse to speak on government legislation before the Senate. Senator Gold has not given any second or third reading speeches yet since we returned last month. Therefore, senators also do not have the opportunity to ask questions to the government about these government bills. Instead, senators are left to only ask questions to an independent senator sponsoring the bill.

Too many times, no answers are given to even basic questions about a bill. There is also no real accountability process for us to get the answers from bill sponsors.

Independent senators too often make merely brief sponsor speeches at second and third reading. The speeches are sometimes so lacking in details that senators cannot extract enough for robust debate.

There was a time in the not-so-distant past when the Senate had significant and substantive debate on government legislation. Now, we usually see sponsors' speeches that are 15 minutes at most. One government bill sponsor last week spoke only for seven minutes at second reading and only three minutes at third reading, yet the government demanded the Senate pass the bill in only two days from introduction to Royal Assent.

Independent senators sponsoring government legislation have even delivered their speeches in the chamber before they've been briefed on the bill. Some sponsors have refused to answer questions. Meanwhile, critics of bills are told we need to hurry up and give our speeches so we can get the bill into committee and passed.

That is not good governance, that is not good parliamentary debate and that is not sober second thought to ensure that bills are tested and well considered to be the best they can be for the benefit of Canadians.

Turning to the substance of this bill then, Bill C-40 creates an independent commission to review and investigate alleged miscarriages of justice. The commission will have the ability to refer the matter back to the courts for a new trial. The commission will take the place of the minister's current role to review an application and order an appeal based on a potential miscarriage of justice. Bill C-40 broadens and clarifies potential applicants, including those convicted under the Young Offenders Act and the Youth Criminal Justice Act, those not criminally responsible and those who have received pardons or an absolute or conditional discharge.

The bill ensures that the applicant and the relevant provincial attorney general are both notified of the admissibility of an application. Further, in the interests of transparency, the bill stipulates that the commission must publish its decisions online.

The short title of this bill is "David and Joyce Milgaard's Law." I'm sure most Canadians will know the reference to the Milgaard case. David Milgaard was a 16-year-old from Winnipeg, wrongfully convicted of the 1969 rape and murder of Gail Miller, a nursing aide, in Saskatoon. Milgaard spent more than 22 years in prison for crimes he didn't commit. He steadfastly maintained his innocence, even though he recognized that, without an admission of guilt, parole was unlikely. Violently abused in prison, Milgaard made several suicide attempts. He escaped twice. For more than 22 years, his mother, Joyce, advocated tirelessly for the overturning of David's conviction. She rallied others in support of her son's cause, mounting a public crusade for her son's innocence.

The Milgaards applied to justice minister Kim Campbell for a wrongful conviction review in 1988. In 1991, Joyce Milgaard even spoke briefly with Prime Minister Brian Mulroney on a street in Winnipeg to plead her son's case. I remember that well as that meeting happened when I was just beginning my first year of law school at the University of Saskatchewan in Saskatoon. We even studied the Milgaard case in my first year criminal law class that semester.

Justice minister Kim Campbell eventually referred the Milgaard matter to the Supreme Court of Canada. The Supreme Court recommended setting his conviction aside, and Milgaard was released from prison in 1992. Minister Campbell ordered a new trial. However, the Saskatchewan government did not do this. Instead, it stayed the proceedings against Milgaard without proclaiming his innocence.

Joyce and David Milgaard continued their fight to clear David's name. In 1997, DNA evidence from the clothing of murder victim, Gail Miller, was tested. It exonerated Milgaard and led police to convicted rapist Larry Fisher. Fisher was charged with and stood trial for Gail Miller's rape and murder. My husband, Dave Batters, attended part of the Fisher trial in Yorkton, Saskatchewan, where Al Johnston so expertly led the prosecution of Fisher. A jury convicted Larry Fisher of Miller's rape and murder in 1999, 30 years later.

In 2003, the Saskatchewan government initiated a formal inquiry into David Milgaard's wrongful conviction. Years later, I worked as the chief of staff to Saskatchewan justice minister Don Morgan, and I served in that position in the fall of 2008 when Minister Morgan released the results of that Milgaard Inquiry. I even had the honour of meeting Joyce Milgaard before the press conference that day.

One of the recommendations of the Milgaard inquiry was the creation of an independent commission to review wrongful convictions, similar to the entity proposed in Bill C-40 before us today. The creation of a criminal case review commission was contained in former Trudeau justice minister David Lametti's 2019 and 2021 mandate letters. In March 2021, Minister Lametti announced the appointment of two retired judges, the Honourable Harry S. LaForme and the Honourable Juanita Westmoreland-Traoré, to conduct consultations on the creation of a criminal case review commission. They released a report at the end of that process containing recommendations for the structure and function of an independent commission.

The Trudeau government failed to follow several of the report's recommendations, but I will address that in more detail later. First, let's review the structure of the commission that Bill C-40 would establish in this bill.

Under this new regime, the miscarriage of justice review commission would consist of a full-time chief commissioner and four to eight other full- or part-time commissioners appointed by the Governor-in-Council on the advice of the Minister of Justice. No less than one third of the commissioners, including the chief commissioner, but no more than half of the commissioners, must be lawyers with at least 10 years' experience in criminal law. Bill C-40 mandates that the other half of the commissioners must not, if possible, be criminal lawyers with 10 years' experience.

I must say that I find the insistence on non-lawyers really surprising for a justice review commission with investigative powers that can refer cases back to the courts for an appeal or a new trial.

In this chamber Tuesday night, Senator Dalphond confirmed that, under the current system, the Criminal Conviction Review Group within the Department of Justice Canada that reviews those cases sent to the Minister of Justice are, in fact, all lawyers. This is important given the severity of what we are dealing with here.

One reason the Trudeau government gives for its new commission structure is, ostensibly, to address overrepresentation of certain groups in the criminal justice system. Yet, I also note that Bill C-40 does not include the recommendation from the judges' report that one third of the commissioners should be drawn from those populations, including Indigenous peoples and Black peoples. The bill only says the minister must "take into account" factors such as overrepresentation, gender diversity considerations, et cetera, when considering appointments to the commission.

In any case, the commissioners serve up to rather lengthy seven-year terms, which can also be renewed. The bill states commissioners can be removed "for cause," a high standard, and it fails to detail precisely how that process would work. Quorum consists of half the commission's members, but Bill C-40 does not state whether that quorum would need to include the chief commissioner or even any lawyer commissioners.

In fact, Bill C-40 leaves quite a few details undefined. For example, the bill mandates that the timeline for the commission to handle applications is "as expeditiously as possible," but it fails to define any parameters for what that means. Second, the bill states that applicants must be updated on their applications "on a regular basis." Again, the bill does not define the term "regular basis," which may lead to confusion.

Bill C-40 creates the position of a victims services coordinator but doesn't indicate whether that will be a full- or part-time employee or a contracted position. It also does not stipulate the pay of the chief commissioner and the other commissioners, only indicating the compensation will be "fixed by the Governor in Council," that is, cabinet.

• (1810)

Earlier today, I finally received the following minimally responsive government-prepared answer to the question on compensation that I asked Senator Arnot three weeks ago. It states:

The salary range minimum is between \$180,500 (minimum) and the maximum is \$464,800. The salary range for the other four to eight commissioners will use the same "2024-25 Compensation for GC Group," but beginning and ending at lower levels.

This is a range of \$284,000.

Bill C-40 does not indicate how many commissioners should be bilingual or hear cases in both official languages. While the bill indicates all Canadians should have easy access to the commission, it doesn't provide details or resources for facilitating communication with Canadians from northern and remote communities. Furthermore, the bill does not provide details on how the commission is to refer questions regarding an application to a court of appeal for a decision or what the commission is to do with the court's response.

Here is another so-called answer prepared by the Trudeau government that I received today — three weeks later. My questions to Senator Arnot were the following:

How long will it take before this commission can start its work? Will it be months? Will it be years? What's the anticipated time frame?

The government-prepared answer states:

After the passage of Bill C-40, initial start-up will require the hiring of the chief commissioners, commissioners, staff and the establishment of building(s) or a base(s) of operation. As well, the commission will need to establish internal policies, practices and engage with stakeholders to establish protocols.

No time frame was stated. You would think if the government is going to take three weeks to send an answer to the Senate critic of their bill, they could at least try to respond to the question.

To return to my other concerns with the bill, while the commission can suggest an appeal to court, it does not have the power to refer an applicant for a pardon or record suspension, as the original judges' report had recommended. Bill C-40 states that the minister must take into account "the overrepresentation of certain groups in the criminal justice system," but it only specifically names Indigenous and Black offenders.

The Charter Statement that the government provided on this bill is fairly scant, as is its Gender-based Analysis Plus document. Oddly, the Gender-based Analysis Plus document doesn't even have much to say about women. The document is silent on even basic statistics about the number of women who are victims of crime, even though it lists similar numbers for other specific groups.

Senator Arnot stated in his second reading speech that of the 30 out of 200 cases over the last 20 years that were referred back to the courts for wrongful convictions, none were women. He noted that this meant women as a group were being underserved by the current wrongful conviction system. The Gender-based Analysis Plus document doesn't even mention how many women are convicted in Canada. Honourable senators, even a quick Google search determines that, in fact, women comprise only 6% of federal offenders in Canada. So how many applications would we expect from that group?

The factors that bring vulnerable Canadians in contact with the criminal justice system are many, varied and complex. Especially given that it is Mental Illness Awareness Week and given that today is World Mental Health Day, I particularly want to draw this chamber's attention to the dismissive wording of the Trudeau government's GBA Plus analysis about Canadians with mental illness. It states:

According to the 2012 Canadian Community Health Survey, Canadians with a mental health or substance use issue are ten times more likely to come into contact with police for problems with their emotions, mental health or substance use, and four times more likely to be arrested than Canadians without such an issue.

Problems with their emotions and mental health? And more likely to be arrested? This language trivializes the experience of people with mental illness and promotes harmful stereotypes linking mental illness with criminality — a stigmatizing trope I have fought against for years as a mental health advocate.

In many ways, this bill creates a host of new questions. Why, for example, did the Trudeau government opt to lower the threshold required for a finding of a miscarriage of justice? Currently, the Minister of Justice may order a remedy if he or she is "... satisfied that there is a reasonable basis to conclude that a miscarriage of justice likely occurred" Bill C-40 contains a much lower standard where the commission will have to determine if they have:

. . . reasonable grounds to conclude that a miscarriage of justice may have occurred and considers that it is in the interests of justice to do so

Again, the bill fails to define the "interests of justice," nor does it indicate what possible situations might require an appeal due to a possible miscarriage of justice but would not serve the interests of justice.

Furthermore, Bill C-40 was originally drafted to require that all appeals must be exhausted. However, Liberal government MPs at the House of Commons Standing Committee on Justice and Human Rights amended the provision so that, in fact, this commission would no longer be a last resort and that all appeals do not necessarily have to be exhausted. Applicants could apply directly to the commission if they receive a court outcome they don't like rather than having to apply to the court of appeal — it's likely a more expensive route for an accused.

After promising a commission on wrongful convictions since 2019, after years of consideration, the government drafted Bill C-40 to require exhausting all appeals. Former justice minister David Lametti spoke in favour of that requirement during his second reading speech. He stated unequivocally:

It is important to note that the miscarriage of justice review process is not an alternative to the judicial system, nor is it another level of appeal. Rather, it provides a post-appeal mechanism to review and investigate new information or evidence that was not previously considered by the courts.

His successor, Minister Virani, also testified in favour of the requirement at the House of Commons Standing Committee on Justice and Human Rights. When asked if he was concerned that this bill would "open the floodgates" of new and unwarranted applications, Minister Virani replied:

. . . there are built-in factors to avoid them getting all the way through the floodgates. You still need to meet the threshold criteria. You need to have exhausted your appeals, at least to a court of appeal or, in some instances, all the way to the Supreme Court of Canada.

If the requirement to exhaust appeals were a safeguard against frivolous or baseless applications, why would the government remove it? The Trudeau government and its justice minister will need to justify that.

In his speech to the House of Commons, former justice minister Lametti said that from 2003 to 2023 — a period of 20 years — the justice minister received only 187 applications in total. Under the miscarriage of justice review commission created by this bill, the Trudeau government anticipates 250 applications per year. That will be a huge jump.

If the commission doesn't grant one of the only two possible remedies — either a new trial or hearing or referring the case to a court of appeal — then the commission must dismiss the application. Again, Bill C-40 contains no provision allowing the commission to recommend a pardon or record suspension.

This miscarriage of justice review commission should remain an extraordinary remedy. If this commission recommends many new trials before cases have completed all available appeals, the Trudeau government's court delay crisis will only be worsened by a deluge of cases in the system. Compounding this problem, the Trudeau government has been utterly negligent in appointing judges in Canada. I've sounded the alarm on this for the last eight and a half years. These appointments are solely under the control of the Trudeau government, yet they still can't get a handle on this. The number of judicial vacancies peaked to outrageous levels under former justice minister Lametti, but the number continues to be stubbornly high. This month, it is still at 52.

Last year, Chief Justice Richard Wagner of the Supreme Court of Canada even took the extraordinary measure of writing to Prime Minister Trudeau, calling the current situation "untenable." He warned that judicial vacancies are contributing to the court delay crisis that can lead to the release of dangerous criminals and undermine confidence in the justice system. He said:

We are seriously concerned that, without concrete efforts to remedy the situation, we will soon reach a point of no return in several jurisdictions. The consequences will generate headlines and will be serious for our democracy and all Canadians

If the Trudeau government truly wants to prevent the miscarriage of justice in this country, they should begin appointing judges to fill courtrooms and ensure that justice can be served.

In closing, Bill C-40 gives the commission the power that currently belongs to the Minister of Justice, with the objective of making the process faster and more efficient. This is a laudable aim, particularly when we consider the immense suffering of people like David Milgaard — people who have been deprived of their freedom and potentially spend decades of their lives wrongfully imprisoned for crimes they did not commit. No one wants to see innocent people found guilty. Clearly, Canada has a duty to rectify these situations as expeditiously as possible.

My major concern with this legislation is that Bill C-40 is short on details and leaves many questions unanswered. Further, I find the Trudeau government's lowering of the threshold for determining a wrongful conviction to be ill-considered. It may ultimately lead to a host of problems the government has failed to anticipate.

• (1820)

Clearly, Bill C-40 will require close scrutiny in committee, and as the Deputy Chair of the Senate Legal Committee, I intend to make sure it gets it. Our goal in the Senate should be to make bills the best that they can be. Thus, I hope all senators will join me in carefully reviewing this legislation before passing it through this chamber. Thank you.

[Senator Batters]

Some Hon. Senators: Hear, hear.

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

Hon. Senators: Yes.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

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

REFERRED TO COMMITTEE

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

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

[*Translation*]

**BILL TO AMEND THE CRIMINAL CODE AND
THE WILD ANIMAL AND PLANT PROTECTION AND
REGULATION OF INTERNATIONAL AND
INTERPROVINCIAL TRADE ACT**

TWENTY-FIFTH REPORT OF LEGAL AND CONSTITUTIONAL
AFFAIRS COMMITTEE—POINT OF ORDER—SPEAKER'S RULING—
ORDER WITHDRAWN

On the Order:

Resuming debate on the motion of the Honourable Senator Cotter, seconded by the Honourable Senator Woo, for the adoption of the twenty-fifth report of the Standing Senate Committee on Legal and Constitutional Affairs (*Bill S-15, An Act to amend the Criminal Code and the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act, with amendments and observations*), presented in the Senate on June 20, 2024.

The Hon. the Speaker: Honourable senators, I am prepared to rule on the point of order raised by Senator Plett on October 3, 2024, concerning the receivability of certain amendments proposed to Bill S-15, An Act to amend the Criminal Code and the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act, in the 25th report of the Standing Senate Committee on Legal and Constitutional Affairs.

The Leader of the Opposition argued that amendments moved by Senator Klyne, the bill's sponsor, in the committee, and contained in the report, exceed the scope of the bill as agreed to by the Senate at second reading. If so, they cannot be properly before the Senate. Senator Klyne, on the other hand, felt that the amendments he proposed should continue before the Senate. I thank both senators, as well as Senator Batters who also participated in the consideration of the point of order, for their thoughtful input on an important matter.

As senators know, amendments to a bill must respect the principle of the bill, be within its scope, and be relevant to it. As noted in a ruling of December 9, 2009:

It may generally be helpful to view the principle as the intention underlying a bill. The scope of the bill would then be related to the parameters the bill sets in reaching any goals or objectives that it contains, or the general mechanisms it envisions to fulfil its intentions. Finally, relevancy takes into account how an amendment relates to the scope or principle of the bill under examination.

As indicated at page 141 of *Senate Procedure in Practice*, this means that:

Amendments must ... be in some way related to the bill before the committee, and cannot introduce elements or factors alien to the proposed legislation or destructive to its original goals. In addition, amendments must respect the objectives of the bill. In dealing with these issues, it may be necessary to perform the delicate task of trying to identify the fundamental policy and goals behind the bill. In so doing, factors such as the long title of the bill, its content and debate at second reading may be taken into account.

Senators' understanding of the bill, as outlined in debate at second reading can thus be considered in this analysis. As set out in rule 10-4, the principle of the bill is under consideration at this stage. All subsequent proceedings may be restricted by the decision on principle — and flowing from it the matters of scope and relevancy — taken when the Senate agrees to a bill at this stage. No one senator can determine whether amendments can go beyond these parameters.

The fact that a committee adopts an amendment that does not respect the principle and scope of a bill, or is not relevant to it, does not protect the amendment from being challenged in the Senate. While committees are often said to be masters of their own proceedings, they must operate within the rules and practices of the Senate. Although rare, there have been cases where an amendment made in committee has been challenged while the report was under consideration in the Senate. Once the report is adopted, of course, such a challenge would no longer be possible, since it would involve questioning a decision of the Senate itself.

So, while it is possible for a committee to propose quite substantial changes to a bill, the committee must do this within the Senate's framework of rules and practices, including respect for principle, relevancy and scope.

During consideration of the point of order, concerns were expressed that finding the contested amendments to be out of order might unduly restrict the flexibility needed by the Senate and its committees. On this matter, it must be emphasized that these rules assist in ensuring a structure and orderliness to proceedings, and they are not unduly burdensome. Unless a colleague raises a point of order, debate will almost always go ahead. Even if a point of order is raised, it is quite possible that the amendments would be found to be in order. The Senate has not chosen to impose upon itself a rigid system of pre-verification or validation of amendments and, in practice, this issue only comes up quite rarely, and only if a senator raises it.

In the current case, such a concern has, of course, been raised. The contents of Bill S-15 are clearly structured around issues relating to elephants and great apes. That is what the bill deals with. During debate at second reading, senators focused on these issues. It is also noteworthy that a clear distinction was drawn by some senators between Bill S-15 and Bill S-241, An Act to amend the Criminal Code and the Wild Animal and Plant Protection and Regulation of International and interprovincial Trade Act (great apes, elephants and certain other animals). While Bill S-15 was portrayed as generally fitting within Bill S-241, it was recognized to have a much narrower scope, to take into account concerns that had been noted during consideration of the latter bill.

To transform a proposal dealing with two types of exotic animals, developed for specific purposes in light of our constitutional regime, into a measure possibly capturing an open-ended list of species, based on decisions of the Governor in Council and going far beyond just elephants and great apes, would be a surprising development. The goal may or may not be desirable — that is for individual colleagues to decide — but such a transformation cannot be supported by the framework of Bill S-15 as introduced or the understanding of its goals and structure that were evident at second reading debate. The amendments challenged in the point of order are therefore not in order, to the extent they go beyond the bill's original focus on elephants and great apes.

This analysis does not, however, resolve the issue, since the question of an appropriate remedy must also be considered. In our recent cases involving committee reports containing amendments that were beyond the scope of the bill, all the amendments were involved. The content of the report could thus be evacuated, and the bills proceeded to third reading without amendment. Since some of the amendments contained in the report before us were not challenged, this option does not seem appropriate in this case.

The chair thus sees three possible options available. First, the Senate could continue with debate on the report, with the restriction that the question cannot be put with the report in its current form. A senator would have to move an amendment to remove the proposals that are beyond the scope of the bill. This approach could lead to confusion as to what exactly the Senate is dealing with and whether such changes are sufficient to ensure respect for the scope.

Another approach — which reflects how the House of Commons has dealt with this issue — would be for the Speaker to direct that the relevant elements be struck from the report. This approach would, however, not be in keeping with the culture of our institution, where senators are generally responsible for our work, assisted by the Speaker in the orderly conduct of business. In addition, it should be noted that some elements in the report appear to contain provisions that are out of order and others that are not. As such, the chair is reluctant to arrogate to itself such a role in relation to a lengthy and complex report.

On balance, it would appear that the most appropriate approach, in this particular case, would be for the report and the bill to be returned to the committee. This would allow the committee, which has the expertise, to correct the report by removing the elements that are beyond scope. The committee would be best placed to decide on any complex cases in light of its previous work on the bill. While the committee would be able to decide how it wishes to proceed, this work could be relatively limited, with the committee only having to review the report, remove provisions that were challenged in the point of order, make necessary adjustments and adopt a new report on the bill for presentation to the Senate. It would not be necessary for the committee to redo clause-by-clause consideration of the bill, unless it decides to proceed in that way.

The ruling is therefore, that the amendments challenged in the point of order are not properly before the Senate. To allow the committee to correct this situation, the report is to be struck from the Orders of the Day, and it and the bill be returned to the Standing Senate Committee on Legal and Constitutional Affairs, so that it can make the requisite corrections and present a new report that respects the scope of the bill. That new report could, of course, be challenged in turn if a colleague were to develop strong arguments that the result is still beyond the bill's scope.

• (1830)

[English]

Hon. Marty Klyne: Your Honour, I appreciate the work that went into this and must respect your ruling. I will have this, as you suggested in your closing remarks, struck from the Orders of the Day. We will return it back to the committee for corrections and then bring it back in a corrected form.

(Accordingly, the twenty-fifth report of the Standing Senate Committee on Legal and Constitutional Affairs was struck from the Orders of the Day and, together with Bill S-15, An Act to amend the Criminal Code and the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act, was returned to the committee.)

BUSINESS OF THE SENATE

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(k), I move:

That the sitting be suspended to await the announcement of Royal Assent, to reassemble at the call of the chair with a five-minute bell.

[The Hon. the Speaker]

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

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(The sitting of the Senate was suspended.)

[Translation]

(The sitting of the Senate was resumed.)

• (1850)

ROYAL ASSENT

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

RIDEAU HALL

October 10, 2024

Madam Speaker,

I have the honour to inform you that the Right Honourable Mary May Simon, Governor General of Canada, signified royal assent by written declaration to the bills listed in the Schedule to this letter on the 10th day of October, 2024, at 6:26 p.m.

Yours sincerely,

Ken MacKillop

Secretary to the Governor General

The Honourable
The Speaker of the Senate
Ottawa

Bills Assented to Thursday, October 10, 2024:

An Act to amend the Criminal Code and to make consequential amendments to another Act (interim release and domestic violence recognizance orders) (*Bill S-205, Chapter 22, 2024*)

An Act to amend the Criminal Code and to make consequential amendments to other Acts (child sexual abuse and exploitation material) (*Bill C-291, Chapter 23, 2024*)

An Act respecting pharmacare (*Bill C-64, Chapter 24, 2024*)

[English]

ADJOURNMENT

MOTION ADOPTED

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(g), I move:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, October 22, 2024, at 2 p.m.

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

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

BANKING, COMMERCE AND THE ECONOMY

COMMITTEE AUTHORIZED TO STUDY CANADA'S MONETARY POLICY FRAMEWORK

Leave having been given to proceed to Motions, Order No. 223:

Hon. Tony Loffreda, pursuant to notice of October 1, 2024, moved:

That the Standing Senate Committee on Banking, Commerce and the Economy be authorized to examine and report on Canada's monetary policy framework, including but not limited to potential updates to the Bank of Canada's:

(a) legislative and public mandate,

(b) operational inflation target, and

(c) preferred measures of inflation

that may be considered as part of its upcoming monetary policy framework agreement renewal in 2026;

That the Committee report its findings to the Senate from time to time, but no later than June 30, 2025;

That the committee retain all powers necessary to publicize its findings for 180 days after the tabling of the final report; and

That the committee be permitted, notwithstanding usual practices, to deposit reports on this study with the Clerk of the Senate, if the Senate is not then sitting, and that the reports be deemed to have been tabled in the Senate.

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

Hon. Senators: Agreed.

(Motion agreed to.)

Hon. Donald Neil Plett (Leader of the Opposition) moved:

That the Senate do now adjourn.

He said: Your Honour, it has been a long day and a long week. Thanksgiving is upon us. Some turkeys are already waiting in the wings. With that, Your Honour, I would respectfully move 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 6:59 p.m., pursuant to the order adopted by the Senate on October 10, 2024, the Senate adjourned until Tuesday, October 22, 2024, at 2 p.m.)

CONTENTS

Thursday, October 10, 2024

| | PAGE | | PAGE |
|--|------|--|------|
| SENATORS' STATEMENTS | | QUESTION PERIOD | |
| Tributes | | Finance | |
| The Honourable Diane Bellemare | | Cost of Living | |
| Hon. Pierre J. Dalphond | 7212 | Hon. Donald Neil Plett | 7222 |
| Hon. Marc Gold | 7212 | Hon. Marc Gold | 7222 |
| Hon. Yonah Martin | 7213 | | |
| Hon. Chantal Petitclerc | 7213 | Environment and Climate Change | |
| Hon. Josée Verner | 7214 | Carbon Tax | |
| | | Hon. Leo Housakos | 7223 |
| Visitors in the Gallery | | Hon. Marc Gold | 7223 |
| The Hon. the Speaker | 7214 | | |
| | | Crown-Indigenous Relations | |
| The Honourable Diane Bellemare | | Whitecap Dakota Nation / Wapaha Ska Dakota Oyate | |
| Expression of Thanks | | Hon. David M. Arnot | 7223 |
| Hon. Diane Bellemare | 7214 | Hon. Marc Gold | 7223 |
| Tributes | | | |
| Hon. Pierrette Ringuette | 7218 | Global Affairs | |
| Hon. Peter Harder | 7218 | Support for Ukraine | |
| Hon. Mary Coyle | 7219 | Hon. Donna Dasko | 7224 |
| Hon. Amina Gerba | 7219 | Hon. Marc Gold | 7224 |
| Hon. Marilou McPhedran | 7220 | | |
| | | Transport | |
| Visitor in the Gallery | | Air Passenger Rights | |
| The Hon. the Speaker | 7220 | Hon. Jean-Guy Dagenais | 7224 |
| | | Hon. Marc Gold | 7224 |
| | | | |
| Daniel Baker | | Crown-Indigenous Relations | |
| Congratulations on Cabot Trail Achievement | | Whitecap Dakota Nation / Wapaha Ska Dakota Oyate | |
| Hon. Réjean Aucoin | 7220 | Hon. Marty Klyne | 7224 |
| | | Hon. Marc Gold | 7224 |
| <hr/> | | | |
| ROUTINE PROCEEDINGS | | Finance | |
| Study on Veterans Affairs | | Cost of Living | |
| Seventh Report of National Security, Defence and Veterans | | Hon. Yonah Martin | 7225 |
| Affairs Committee—Government Response Tabled | | Hon. Marc Gold | 7225 |
| Hon. Patti LaBoucane-Benson | 7221 | | |
| | | Public Safety | |
| Ukrainian Heritage Month Bill (Bill S-276) | | Foreign Interference | |
| Twenty-sixth Report of Social Affairs, Science and | | Hon. Denise Batters | 7225 |
| Technology Committee Presented | | Hon. Marc Gold | 7225 |
| Hon. Ratna Omidvar | 7221 | | |
| | | Global Affairs | |
| Ethics and Conflict of Interest for Senators | | Human Rights in Afghanistan | |
| Fourth Report of Committee Tabled | | Hon. Ratna Omidvar | 7226 |
| Hon. Judith G. Seidman | 7221 | Hon. Marc Gold | 7226 |
| | | Conflict in Sudan | |
| National Capital Act (Bill S-289) | | Hon. Ratna Omidvar | 7226 |
| Bill to Amend—First Reading | | Hon. Marc Gold | 7226 |
| Hon. Rosa Galvez | 7221 | | |
| | | International Trade | |
| The Senate | | Supply Management | |
| Notice of Motion to Call on Government to Support Taiwan's | | Hon. Pierrette Ringuette | 7226 |
| Participation in the United Nations | | Hon. Marc Gold | 7226 |
| Hon. Leo Housakos | 7222 | | |
| | | Indigenous Services | |
| <hr/> | | | |
| | | First Nations Child and Family Services | |
| | | Hon. Paul J. Prosper | 7227 |
| | | Hon. Marc Gold | 7227 |

CONTENTS

Thursday, October 10, 2024

| | PAGE | | PAGE |
|---|------|---|------|
| Global Affairs | | Referred to Committee | 7250 |
| Islamic Revolutionary Guard Corps | | | |
| Hon. Donald Neil Plett | 7227 | | |
| Hon. Marc Gold | 7227 | | |
| <hr/> | | | |
| ORDERS OF THE DAY | | | |
| Business of the Senate | | Bill to Amend the Criminal Code and the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (Bill S-15) | |
| Hon. Patti LaBoucane-Benson | 7228 | Twenty-fifth Report of Legal and Constitutional Affairs Committee—Point of Order—Speaker’s Ruling—Order Withdrawn | |
| | | The Hon. the Speaker | 7250 |
| | | Hon. Marty Klyne | 7252 |
| Pharmacare Bill (Bill C-64) | | Business of the Senate | |
| Third Reading | | Hon. Patti LaBoucane-Benson | 7252 |
| Hon. Marilou McPhedran | 7228 | | |
| Hon. Hassan Yussuff | 7229 | Royal Assent | 7252 |
| Hon. Mary Jane McCallum | 7230 | | |
| Hon. Frances Lankin | 7232 | Adjournment | |
| Hon. Judith G. Seidman | 7234 | Motion Adopted | |
| Hon. Leo Housakos | 7239 | Hon. Patti LaBoucane-Benson | 7253 |
| Hon. Flordeliz (Gigi) Osler | 7240 | | |
| Hon. Donald Neil Plett | 7240 | Banking, Commerce and the Economy | |
| Miscarriage of Justice Review Commission Bill (David and Joyce Milgaard’s Law) (Bill C-40) | | Committee Authorized to Study Canada’s Monetary Policy Framework | |
| Bill to Amend—Second Reading | | Hon. Tony Loffreda | 7253 |
| Hon. Kim Pate | 7244 | Hon. Donald Neil Plett | 7253 |
| Hon. Denise Batters | 7246 | | |