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OFFICIAL REPORT
(HANSARD)

Monday, June 15, 2026

The Honourable RAYMONDE GAGNÉ,
Speaker

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THE SENATE

Monday, June 15, 2026

The Senate met at 6 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

THE LATE CONSTABLE MARC PINIZZOTTO

Hon. Baltej S. Dhillon: Honourable senators, I rise today with a heavy heart to honour the life and service of Constable Marc Pinizzotto of the Toronto Police Service Emergency Task Force.

Constable Pinizzotto was 43 years old. He served the Toronto Police Service for 18 years, including 5 years as a specially trained member of the Emergency Task Force. He was killed in the line of duty while conducting a search warrant in the area of Black Creek Drive and Trethewey Drive.

His mother, Linda Pinizzotto, shared a moving tribute on social media:

> . . . An incredible father, son, husband, coach and an inspiring friend of many. . . . He idolized his family, as a father, husband, son and brother. . . . Marc strived tirelessly for everyone's safety, embodying the mutual goal of protection with his brotherhood Commitment to Strive to Protect . . .

He was doing what police officers across this country do every day: stepping forward into danger so that others may be safe. We often speak in this chamber about service, sacrifice and public duty, but for police officers and their families, those words are not abstract. They are lived every day. Every shift begins with a goodbye at home, and every family hopes and expects that their loved one will return safely.

Constable Pinizzotto's family expected him to come home. His loved ones, his colleagues and the entire policing family are now left to carry unimaginable grief.

Today, we remember not only the uniform but the person who wore it. We remember a dedicated officer, a colleague and a member of the Toronto Police Service who gave 18 years of his life in service to his community.

I extend, as I know we do collectively, deepest condolences to Constable Pinizzotto's family, Chief Myron Demkiw, President Clayton Campbell of the Toronto Police Association, members of the Emergency Task Force, the Toronto Police Service and all police officers across Canada who are feeling this loss.

As a former police officer, I know that when one officer falls, the impact is felt far beyond one service or one city. It is felt in every detachment, every division, every patrol car and every home where a family waits for someone in uniform to return.

May Constable Marc Pinizzotto's memory be a blessing, may his family be surrounded by strength and love and may we honour him not only in death but as he lived — as a hero in service to others.

Thank you.

Hon. Senators: Hear, hear.

CANADIAN FORCES SNOWBIRDS

Hon. Denise Batters: Honourable senators, this is a short work of fiction written by Ian McLean, former commanding officer and team lead of the RCAF Snowbirds in 2005 and 2006:

> The Last Snowbird
> Date — October 2026.
> Place — Moose Jaw, Saskatchewan. . . .
> The crowd stretched for what seemed like miles.
> Families sat on lawn chairs. Children chased each other through the grass. Veterans wearing faded squadron hats stood quietly along the fence line. . . .
> No one wanted to miss the final show.
> A Captain sat alone beneath the wing of the Tutor with a large 7 on the tail.
> The aircraft looked a bit tired.
> So did he.
> The paint was still immaculate. The maintenance crews had seen to that. . . .
> But everyone knew.
> This was the end.
> Fifty-five years.
> Thousands of performances.
> Millions of Canadians and Americans . . .
> And today, it would all be over.
> A young corporal poked his head beneath the wing.
> "Ten minutes, sir."
> The pilot nodded.
> The corporal hesitated.
> "Never thought I'd see this day."
> "Neither did I."
> The corporal glanced at the aircraft.
> "What happens now?"
> The Officer looked across the flight line.
> Technicians were already beginning to remove equipment from the spare aircraft. . . .
> "We put them in museums, I suppose."
> The corporal frowned.
> "Seems wrong."
> The captain . . . .

— nodded. "It does." McLean continues:

> . . . the crowd erupted in applause . . . .
> The pilot closed his eyes.
> For a moment, he was eight years old again.

Standing beside his father.
Watching nine jets paint the Saskatchewan sky with white smoke.
That single afternoon had changed everything.
Flight school.
Military service. Transport Aircraft then Fighter Aircraft.
Deployments to active war zones representing NATO and Canada.
Thousands of hours in the cockpit.
All because of nine airplanes.
One show.
One dream.

The pilot opened his eyes.

After the walk around and the strap in procedure was completed, the radio crackled.
"Snowbirds, check-in!"
Then the familiar "Snowbird Two!, 3, 4, 5, 6, 7, 8, 9, One!"
He realized this was it.
The time for memories was over. . . .

Moments later —

— Nine aircraft . . . in the familiar groups of 3 . . . .
Nine aircraft climbed into a Canadian sky and then became one.
One team, one formation, one Icon recognized across North America and around the world.
And somewhere in the crowd, another eight-year-old boy looked upward and decided he wanted to fly.

McLean continues:

And following a breathtaking final show, the final formation disappeared into the western sky.
The crowd applauded.
Some waved flags.
Some wiped away tears.
Most simply stood there looking upward long after the aircraft had vanished.
The Captain knew the feeling.
He had done exactly the same thing —

— many years before.

And somewhere in the crowd, another eight-year-old boy was staring into the empty sky.
The difference was that when the pilot had been eight years old, the Snowbirds had come back the next summer.
For the little boy in 2027, they never would.
And somehow, that felt like the greatest loss of all.

Hon. Senators: Hear, hear.

THE HONOURABLE MARILOU MCPHEDRAN, C.M.

TRIBUTE ON RETIREMENT

Hon. Wanda Thomas Bernard: Honourable senators, today I rise to honour Senator Marilou McPhedran and to thank her for her untiring advocacy around gender issues and youth leadership.

Her leadership has reshaped how I think about youth, responsibility and democratic inclusion in Canada. Senator McPhedran has always understood that young people are not simply preparing for the future. They are living it, shaping it and carrying responsibilities that are invisible to many adults.

Her work on this issue has been grounded in listening to youth themselves. She has insisted that their lived experiences, their clarity and their moral courage deserve a place in our democratic processes. Nowhere is that clearer than in the voices of young people like my oldest grandson, Damon Roker, who is 16 years old.

In Damon's words:

> At 16, I can quit school if I want to, I can get a driver's license, I can take charge of my own health care, I can work and pay taxes. Given this high level of responsibility, I think that I should be able to vote. I would like to have a say with regards to our political representatives and feel that our views would be taken more seriously if we had voting rights.

Damon's words reflect the real, everyday responsibilities that young people carry. They are already contributing to our communities, our economy and public conversations on big issues of the day such as climate, justice, technology, AI and equity.

• (1810)

Senator McPhedran's advocacy has opened the door for young people to be seen as valuable citizens with insight, agency and a stake in every decision we make in this chamber. She has helped shift the national conversation toward a more inclusive and intergenerational democracy.

Senator McPhedran, I have valued your friendship and support, and I will miss your very unique sense of humour, especially when I find myself thinking about Marilou's analysis of joy and happiness. I wish you the very best in your next chapter.

Thank you, *asante*.

CASEY HOUSE

Hon. Marnie McBean: Honourable senators, Pride Month is a time to celebrate the strength, diversity and contributions of the 2SLGBTQIA+ community. It is also a time to recognize the organizations that have stood alongside that community through both its greatest challenges and greatest achievements. In Toronto, Casey House is one of those organizations.

Founded in 1988 during the height of the HIV/AIDS crisis, Casey House was Canada's first stand-alone hospice for people living with HIV and AIDS. At a time when fear, stigma and discrimination often left people without adequate care or support, Casey House provided something profoundly important: compassion, dignity and a sense of belonging. For many, particularly members of the 2SLGBTQIA+ community, who were disproportionately affected by this epidemic, Casey House became a lifeline.

Over the years, the organization has evolved alongside advances in HIV treatment and care. Today, Casey House provides a wide range of services, including hospital care, outpatient programs, mental health supports and community outreach. Through it all, its mission has remained the same: improving the lives of people living with, and at risk of, HIV while challenging stigma and advancing health equity.

Casey House regularly has over 1,000 client visits each day, and after their $36-million redevelopment of an 1875 Victorian heritage mansion with a 58,000-square-foot contemporary health care facility, they're growing to support over 2,000 clients each day.

This past weekend, my friend Mark Tewksbury and I were the honorary co-chairs of the Set, Smash, Rally volleyball event hosted by Casey House. It was a powerful example of what Pride can look like in action. With eight other volunteer Olympians as captains of court volleyball teams, the event brought together friends, allies, athletes and community members, united by a shared spirit of fun and support. The energy was infectious, with laughter, friendly competition and a strong sense of purpose infused into every match.

What made the event particularly special was how it blended celebration with impact. While players battled it out on the courts, the event also raised awareness and support for Casey House's programs, raising over $75,000. It served as yet another reminder of the impact of sports and activities on our Canadian experience, that community building can happen anywhere, including on a volleyball court, and that joy and advocacy can go hand in hand.

As we celebrate Pride Month, Casey House's story reminds us how far we have come and why the work must continue. Its legacy of care, courage and compassion reflects the very real values at the heart of Pride and helps build a more inclusive future for everyone.

Happy Pride, my friends.

[*Translation*]

SOCIÉTÉ DE L'ACADIE DU NOUVEAU-BRUNSWICK

Hon. Claude Carignan: Honourable senators, I rise today to celebrate a landmark decision handed down on June 12 by the Supreme Court of Canada in the case between the Société de l'Acadie du Nouveau-Brunswick and the federal government.

In an important decision for official language minority communities, the Supreme Court confirmed that the person holding the office of Lieutenant Governor of New Brunswick must be able to carry out their functions in both official languages. This decision recognizes the unique character of New Brunswick, Canada's only officially bilingual province, and reaffirms the equal status of French and English and the equality of the linguistic communities living there.

Three fundamental principles emerged from this decision. First, the Supreme Court indicated that the Charter guarantees substantive equality for both official languages in the province's institutions.

Second, the court found that this equality cannot be fully preserved when such an important position is held by a unilingual person.

Third, the court indicated that language rights are closely linked to identity, dignity and the full participation of the official language communities in the democratic life of the country.

I want to congratulate the Société de l'Acadie du Nouveau-Brunswick for its determination and perseverance. I also want to acknowledge the leadership of its president, Nicole Arseneau-Sluyter, and its director general, Ali Chaisson, as well as the remarkable work of the legal team that brought this case before the highest court in the country.

As a number of colleagues already know, I tabled Bills S-229 and S-220 in recent years on the language skills of lieutenant-governors and the governor general. The Supreme Court's decision has significant declaratory effect with respect to the Constitution. It establishes the Constitution's requirements regarding the position of Lieutenant Governor of New Brunswick from this time forward. Therefore, I do not intend to re-table Bills S-220 and S-229.

Today, I want to congratulate the men and women who fought this battle with courage and conviction. Thanks to them, the language rights of New Brunswick's francophones have been strengthened, and our linguistic duality has been enhanced.

Thank you.

[*English*]

THE HONOURABLE ROBERT BLACK

CONGRATULATIONS ON INDUCTION INTO ONTARIO AGRICULTURAL HALL OF FAME

Hon. Pamela Wallin: Honourable senators, when he was just 12 or maybe 21 — I definitely wasn't — a young Rob Black heard me give a speech about my rural roots and the love of the land at our beloved University of Guelph. So when Rob arrived at the Senate, we became instant friends. Little did I know, I was in the company of a man who was about to become an internationally renowned "dirt guy." Some even called him "The Sodfather." Of course, this is the Senate, so we will tone it up a bit and, henceforth, refer to Senator Black as the prestigious "Dr. Soil."

Kidding aside, Senator Black has rightly earned international recognition and respect for — excuse the pun — the groundbreaking study he led on soil health. He tilled the facts and fallacies, planted the information needed and harvested a work that has changed hearts and minds. He nurtured that work with passion and persistence, and he truly understood that from the ground springs life.

As Ghandi said, “To forget how to dig the earth and tend the soil is to forget ourselves.”

For this work and for a lifelong commitment to, quite literally, saving our land, Dr. Soil has received many well-deserved awards and kudos: an honorary designation as a professional agrologist by the Ontario Institute of Agrologists just last year, along with a Distinguished Service Medal from the International Union of Soil Sciences — the highest award presented to world leaders who translate soil science into action. There was also the CropLife Canada Grassroots Award for individuals who mobilize stakeholders to advance plant science. Just yesterday, another recognition: for being an individual who has left an indelible mark on the agricultural landscape and beyond, Senator Rob Black has been inducted into the Ontario Agricultural Hall of Fame.

Hon. Senators: Hear, hear!

Senator Wallin: I have a few more words.

Rob, once again you have earned your honour, and, in doing so, you have once again renewed the reputation of the Senate as the place that seeks wise and considered solutions to the world’s conundrums and challenges.

There is an old farmer’s proverb: “The best fertilizer is the farmer’s shadow.”

Rob, may your shadow cast far and wide to protect the land that feeds the world and to protect all those whose stewardship makes the largest mega project in the world possible each and every single year.

Congratulations, amazing colleague.

• (1820)

ROUTINE PROCEEDINGS

GOVERNOR GENERAL

COMMISSIONS APPOINTING SECRETARIES TO GOVERNOR GENERAL AS DEPUTIES—DOCUMENTS 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 reports from the commissions appointing Kenneth MacKillop, Ryan McAdam and Christine MacIntyre as deputies of the Governor General.

JUSTICE

CHARTER STATEMENT IN RELATION TO BILL C-16—DOCUMENT 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, a Charter Statement prepared by the Minister of Justice in relation to Bill C-16, An Act to amend certain Acts in relation to criminal and correctional matters (child protection, gender-based violence, delays and other measures), pursuant to the *Department of Justice Act*, R.S.C. 1985, c. J-2, sbs. 4.2(1).

CHARTER STATEMENT IN RELATION TO BILL C-20—DOCUMENT 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, a Charter Statement prepared by the Minister of Justice in relation to Bill C-20, An Act respecting the establishment of Build Canada Homes, pursuant to the *Department of Justice Act*, R.S.C. 1985, c. J-2, sbs. 4.2(1).

THE SENATE

NOTICE OF MOTION TO RESOLVE INTO COMMITTEE OF THE WHOLE TO CONSIDER SUBJECT MATTER OF BILL C-26

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

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

1. at 4 p.m. on Wednesday, June 17, 2026, the Senate resolve itself into a Committee of the Whole on the subject matter of Bill C-26, An Act to authorize certain payments to be made out of the Consolidated Revenue Fund for the purpose of improving housing supply;

2. the Committee of the Whole receive the Honourable Gregor Robertson, P.C., M.P., Minister of Housing and Infrastructure and Minister responsible for Pacific Economic Development Canada, accompanied by at most two officials;

3. the committee rise no later than 65 minutes after it begins;

4. the minister’s introductory remarks be limited to a maximum of five minutes;

5. if, during the Committee of the Whole, a senator does not use the entire period of 10 minutes for debate provided under rule 12-31(3)(d), including the responses of the witnesses, that senator may yield the balance of their time to another senator;

6. the provisions of rule 3-3(1) and any provision of the Rules or previous order relating to the ordinary time of adjournment be suspended until the Chair of the Committee of the Whole has reported to the Senate;

7. if the bells are ringing for a vote at the time the committee is to meet, they be interrupted for the Committee of the Whole at that time, and resume once the committee has completed its work for the balance of any time remaining;

8. if a standing vote was deferred to a time that would occur during the meeting of the Committee of the Whole, that vote be further deferred so that the bells only begin once the committee has completed its work;

9. for greater certainty, all witnesses appear in person;

10. for greater certainty, committees normally scheduled to meet on that day and those separately authorized by the Senate to meet on that day be authorized to meet, even though the Senate may then be sitting, with rule 12-18(1) being suspended in relation thereto;

11. if, prior to the Committee of the Whole, the Senate has received Bill C-26, after the Chair of the Committee of the Whole has reported to the Senate, the bill be taken into consideration at second reading forthwith, provided that if the bill had been placed on the Orders of the Day for second reading at a sitting subsequent to June 17, 2026, second reading be brought forward so that the bill be taken into consideration at second reading as the next item of business;

12. if, at 9 p.m. on June 17, 2026, the Senate has not disposed of the bill at second reading, the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at second reading without further debate;

13. if the Senate receives the bill after the Committee of the Whole, once read a first time, it be placed on the Orders of the Day for second reading later that day, provided that if the Senate has already passed the point on the Orders of the Day where it would deal with the bill at second reading, it be taken into consideration at second reading forthwith, or, if another item is under consideration at that time, the bill be placed on the Orders of the Day for consideration at second reading as the next item of business, with the Speaker to interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at second reading, without further debate, at the earlier of 11:30 p.m. or three hours after the sponsor or a designate has moved second reading;

14. if the Senate adopts the bill at second reading, it be placed on the Orders of the Day for third reading at the next sitting;

15. proceedings under the terms of this order not be adjourned and no vote requested in relation thereto be deferred;

16. if, under the terms of this order, the Speaker is at any time required to interrupt proceedings then before the Senate in order to put all questions necessary to dispose of Bill C-26 at a particular stage without further debate, no further debate or amendment be permitted, and, if a standing vote is requested, the bells ring once, and for only 15 minutes, without being rung again for subsequent votes necessary to dispose of the bill at the stage in question; and

17. for greater certainty, if, at the time this order provides that something is to happen in relation to Bill C-26, the bells are either ringing for another vote, another vote is underway, or Question Period is underway, the time provided for in this order be understood as if it were at the end of either that other vote or Question Period.

STRONG AND FREE ELECTIONS ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-25, An Act to amend the Canada Elections Act and to enact An Act to change the names of certain electoral districts, 2026.

(Bill read first time.)

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

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

QUESTION PERIOD

PRIME MINISTER'S OFFICE

AMENDMENTS TO INDIAN ACT

Hon. Mary Jane McCallum: Senator Moreau, I am asking this question on behalf of the Manitoba Keewatinowi Okimakanak, or MKO. They are asking the following:

> Will you ask the Prime Minister for MKO if he will allow a free vote in the other place, including all cabinet ministers, to consider and approve the amendments made to Bill S-2 by the Senate that will repeal the discriminatory provisions of the Indian Act that set in place the second-generation cut-off?

Hon. Pierre Moreau (Government Representative in the Senate): Thank you for the question, Senator McCallum.

As you know, I gave a speech on Bill S-2 here in the Senate as to the reason why it was problematic for the government to do that. It's because of the necessity and the constitutional duty to consult.

This being said, I will gladly take your question and ask the Prime Minister whether he will do as requested in your question. I will get back to you with an answer.

CANADIAN HERITAGE

FIFA WORLD CUP 2026

Hon. Salma Ataullahjan: Government leader, I asked you last week about the government's estimate of the federal cost of hosting the FIFA World Cup. In April, the federal government announced funding of $145 million, but the Parliamentary Budget Officer's estimate is that the federal share could approach half a billion dollars. Yet your Prime Minister has been quick to promote FIFA's projections of economic benefits, claiming the tournament will create thousands of jobs and add billions to Canada's economy.

Given that economists have warned that these jobs will be temporary and that the tournament is expected to increase Canada's GDP by just 0.1% over two quarters, why does your government embrace FIFA's estimates of the benefits while refusing to address independent estimates of the costs?

Hon. Pierre Moreau (Government Representative in the Senate): Thank you, Senator Ataullahjan.

• (1830)

The tournament alone represents a $2-billion boost to Canada's GDP, which translates to more than 26,000 jobs across tourism, hospitality, construction and security, but the real impact will go much further. It will be Canadians watching our players playing in our stadiums, surrounded by our fans.

The federal government wants to reduce cost pressures on provinces and municipalities while ensuring public safety agencies have the resources they need to deliver a safe and well-managed tournament, with $145 million for enhanced security, $220 million to support Canada's FIFA World Cup host cities and $100 million in Budget 2025 to support federal partners delivering the tournament.

Senator Ataullahjan: Senator Moreau, if the government is relying on FIFA's own projections to justify the spending, has it conducted any independent analysis of the tournament's economic impact? If so, will you table the analysis in the chamber so Canadians can compare the government's projection with the Parliamentary Budget Officer's estimate of the cost?

Senator Moreau: I have just indicated how much the government is willing to spend. The tournament is very important. It also represents long-term upgrades to our urban and sports infrastructure. Canada is well prepared to host international events like the G7 and FIFA, which translates to hosting future prestigious international events and showcasing that we are a stable and reliable partner in the world economy, providing investors with confidence in us.

INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT

SMALL AND MEDIUM-SIZED BUSINESSES

Hon. Tony Loffreda: My question is for the Government Representative in the Senate.

We all have World Cup fever, and Canada is hosting 13 FIFA World Cup matches, providing a unique opportunity to showcase our country to millions of visitors and billions of viewers around the world.

Beyond the excitement of the tournament itself, the true measure of success will be the long-term economic benefits it leaves behind for Canadians, in particular, for small- and medium-sized enterprises, or SMEs, which are the backbone of our economy. Could the Government Representative inform this chamber what steps the government is taking to ensure that Canadian SMEs, local entrepreneurs, tourism operators and communities fully benefit from the economic opportunities created by the World Cup, both during the tournament and in the years that follow?

Hon. Pierre Moreau (Government Representative in the Senate): Thank you for the question. As you accurately mentioned, this tournament is a great opportunity to boost tourism, support local businesses, SMEs and jobs while showcasing Canada to the world.

The tournament is expected, as I mentioned to Senator Ataullahjan, to create over 24,000 jobs and add around $2 billion to Canada's economy. The government is working to ensure that the benefits are felt far beyond the host cities by supporting celebrations in hundreds of communities, backing Canada Celebrates stops across the country, helping tourism businesses prepare for visitors and working through Destination Canada and regional development agencies so SMEs can access tools, advice and markets.

Senator Loffreda: Thank you for that answer.

What metrics or evaluation framework will the government use to measure the tournament's economic impact and legacy? How will it ensure that benefits extend well beyond the host cities, which you did mention briefly, to businesses and communities across Canada, including in our home province of Quebec?

Senator Moreau: Existing federal tools, including Destination Canada's tourism data and the Tourism Growth Program, delivered through regional development agencies and helping communities and businesses seize these opportunities, combined with investment and community participation in football infrastructure, are intended to create lasting benefits for local businesses, tourism operators and communities across the country.

FINANCE

CANADA REVENUE AGENCY

Hon. Percy E. Downe: My question is for the government leader in the Senate about the lack of transparency at the Canada Revenue Agency, or CRA, a problem that seems to be getting worse.

Just for background information, in 2007 there was a leak from one bank in Liechtenstein that had 106 Canadians with accounts there and over $100 million in that bank. The smallest account was $500,000; the largest was $12 million.

Information that I've received through Access to Information and Privacy, or ATIP, showed that some of these accounts are intergenerational. As you know, it's not illegal to have an account outside the country. It's illegal not to claim the proceeds from it.

CRA investigated and found out there was, indeed, some tax evasion. Notwithstanding that, no one was ever charged and no one was ever convicted, but the revenue agency identified millions owed, and they told me in 2012 that they had collected $5.4 million. I asked a follow-up question in March 2025 about how much more they have collected —

The Hon. the Speaker: Senator Downe, I'm sorry to interrupt you.

Hon. Pierre Moreau (Government Representative in the Senate): I don't have the data to answer your question on how much has been collected. I will certainly ask the question and get back to you with an answer if that answer exists, and, probably, it does.

Senator Downe: I don't have much hope for that because when I did a follow-up in March 2025, I asked the identical question I asked in 2012 about this bank leak from Liechtenstein. They then told me, in 2012, they had actually collected $5.4 million.

In March 2025, they wrote back:

> While the CRA tracks all of its cases, including the number of international criminal investigations, it does not have specific coding for the information and cannot provide statistics on the matter.

Senator Moreau: I'm sure that you will be kind enough to provide me with the information you have, and I will check with the agency. I will get back to you with the answer I receive.

[*Translation*]

TREASURY BOARD

BILINGUAL PROFICIENCY REQUIREMENTS

Hon. Leo Housakos (Leader of the Opposition): Leader, the President of the Treasury Board was unable to say a word in defence of his access to information reform. That's serious enough, but it's even worse if we stop to consider that the same minister is also mandated to enforce the Official Languages Act. However, he can't speak a word of French. In the meantime, requests for documents in French are running into chronic delays. How can the government ensure equal access to information for our French-speaking citizens when the minister responsible is not even proficient in French and seems incapable of being accountable for his own management?

Hon. Pierre Moreau (Government Representative in the Senate): Senator Housakos, I think it is fair to say that the processing of access to information requests is independent of the minister's ability to speak either official language. I'm quite sure that if we had a unilingual francophone minister, access to information requests in English would be treated the same. I have no reason to believe that the situation is any different because the minister cannot speak French.

I have had the opportunity to repeat this several times in response to Senator Aucoin's questions on the matter, and I completely agree with the statement Senator Carignan made at the beginning of our work, but let me say it again. Francophones and anglophones have equal rights in Canada and must be treated equally, regardless of their mother tongue.

Senator Housakos: Leader, Minister Ali doesn't understand this file in either English or French. He relies on the constant support of his colleague François-Philippe Champagne to come to his rescue in the House whenever he is asked questions on his own files. Does the Carney government realize that this lack of proficiency, combined with the minister's unilingualism, sends the wrong message, specifically, that modernizing the Official Languages Act is not a priority for the Treasury Board?

Senator Moreau: As Government Representative in the Senate, I would remind senators that the government's message is as follows: Both official languages must be given the same consideration, services must be provided to francophone minority communities on the same basis as they are provided in Quebec to the francophone majority, and both official languages must be treated equally by all sectors of government.

[*English*]

GLOBAL AFFAIRS

FORCED LABOUR

Hon. Leo Housakos (Leader of the Opposition): Government leader, your government's hypocrisy when dealing with China is breathtaking. While Minister Joly is in China, promoting deeper economic ties and seeking more Chinese electric vehicles, or EVs, for the Canadian market, your government now claims they will crack down on goods made with forced labour, after years of failing to enforce the existing laws.

• (1840)

This is the same government that refuses to clearly condemn Uighur forced labour and the same Prime Minister who will not give Canadians a straightforward answer about Beijing's abuses.

If forced labour is truly unacceptable, why is your government working to deepen reliance on that country and supply chain linked to a regime that has clearly engaged in forced labour?

Hon. Pierre Moreau (Government Representative in the Senate): First, I will refer you to the declaration of the Prime Minister himself. Last week, he said that we still have a strong position on forced labour: It is totally unacceptable. The government will be tabling a law to make sure that those rules, which are quite strict at the moment, will become even stricter.

The government has been consistent in its messaging surrounding forced labour: It is unacceptable, and Canada must ensure that our supply chains remain free from these abuses, which is why Canada prioritized the inclusion of comprehensive labour provisions in free trade agreements.

Senator Housakos: If the government is serious about dealing with forced labour, what has it done, for example, to prevent products coming in from Xinjiang at our ports?

Secondly, with regard to all these EV deals with China, have we done a deep dive to find out the various components on those EVs that could very possibly be coming from these forced labour camps in Xinjiang?

Senator Moreau: The government works through Public Safety to reduce forced labour from our supply chains and to ensure that shipments containing goods suspected of having been produced through that practice are detained at the border for inspection by the Canada Border Services Agency, or CBSA.

Once again, the message of the government is quite clear and consistent: Forced labour is unacceptable.

FINANCE

CANADA REVENUE AGENCY

Hon. Percy E. Downe: Thank you, Your Honour. The rotation seems to be small. If there is time, I have a series of questions.

Senator Moreau, I want to return to the theme of a lack of transparency and overseas tax evasion.

As you know, many Canadians have just paid their taxes for the year in April. They're concerned that there's a double standard: If you hide your money overseas, you're treated differently by the Canada Revenue Agency, or CRA.

I spoke a few moments ago about one bank in Liechtenstein that had 106 clients. A leak followed a couple years later about one bank in Switzerland — one bank — which had 1,785 Canadians with accounts. The agency will not disclose to the Canadian public how much money was in those accounts. They will disclose that nobody has been charged or convicted. Their response to my follow-up question in March 2025, when I asked for the amounts actually collected — because the Canada Revenue Agency will say how much is assessed —

The Hon. the Speaker: Thank you, Senator Downe.

Hon. Pierre Moreau (Government Representative in the Senate): I guess you still have a supplementary on this as well.

As I said with regard to your first question, provide me with the information you have, what it is that you're gathering and what answer you're looking for. I'll make sure that this question is directed to the appropriate minister. I'll see what information I can find.

Senator Downe: The answer I'm looking for is the answer that every reasonable Canadian is looking for.

If you're a worker in Canada and you owe taxes, the CRA comes after you. It's public knowledge. People can be charged and so on.

How much has the Canada Revenue Agency collected from these people whom they have determined are cheating on their taxes because they've assessed how much is owed, but they won't tell us how much is collected? That's what I would like you to find out.

Senator Moreau: I will try to find out. I'm sure I can count on your collaboration to provide me with the information you have. Your question was longer than the allotted time, so I'm not sure I have all the facts. I'm sure we can work together to gather the relevant facts, and I will try to provide you with a proper answer.

GLOBAL AFFAIRS

CANADIAN OMBUDSPERSON FOR RESPONSIBLE ENTERPRISE

Hon. Marilou McPhedran: Senator Moreau, I want to revisit our conversation about the Canadian Ombudsperson for Responsible Enterprise, or CORE, for corporate responsibility.

Have you had a chance to locate the rule that you indicated to me I might be violating because I referenced a "corporatist Carney government," asking if this government is protecting companies that abuse human rights?

To the best of my knowledge, you haven't answered my question about which rule you think I was violating, so I'm asking it again.

I also want to ask for the reasoning behind not appointing a CORE — an ombudsperson on corporate responsibility — for more than a year.

Hon. Pierre Moreau (Government Representative in the Senate): When I answered your question the first time you asked it, I said that your introduction was assigning motives to the government. If I'm wrong, correct me, but I think our rules indicate that we must not assume the intentions of others. When you characterized the government as a "corporatist government," you attributed an intent to the government that is just not there.

The government is working for Canadians. It has no intention to protect any particular segment of society or to hide something because it comes from a corporation. I don't have any information suggesting that that is the government's intention.

According to our rules, it isn't appropriate to impute intent to others, whether it be members of this chamber or the government as a whole.

Senator McPhedran: I'm asking for the rule because we've been trying to find it. When we last spoke, you indicated that you would provide me — other than your own sense of what is okay — with the actual rule. I'm asking for that again.

Senator Moreau: Let me do my research, and I'll get back to you with the rule.

FINANCE

CANADA REVENUE AGENCY

Hon. Percy E. Downe: The next leak in overseas tax evasion was the Paradise Papers. We found out that there were 2,790 Canadians named in the Paradise Papers leak.

As of March 31, 2024, in response to my Senate written question — which you would have access to; it's a public document, leader — there have been no criminal investigations of tax evasion as a result of the Paradise Papers.

Senator Wells introduced Bill C-230 last week, which I'll speak about later tonight. The overarching theme is transparency.

The Canada Revenue Agency is not telling Canadians what they're doing. The question is this: Are they not telling Canadians what they're doing anymore because they're not having any success? Why are they hiding the facts from Canadians? Could you find out from the minister and the Secretary of State of the Canada Revenue Agency?

Hon. Pierre Moreau (Government Representative in the Senate): It seems, Senator Downe, that we have to arrange a rendezvous, you and I, to make sure that I have all the facts straight, because it seems that you have done important research and have a very serious question, I must say. I will try to be helpful in order to provide you with an answer from the agency or from the minister responsible for that agency.

Senator Downe: The last major leak was the Panama Papers. That was actually 10 years ago. So the CRA had 10 years to follow up.

What they have announced to me in some of their correspondence is that they completed over 310 taxpayers' audits linked to the Panama Papers, resulting in $83 million in federal taxes and penalties. They have conducted further investigations. This is an important point for the minister to get back to you about as well.

Senator Moreau: Certainly. I take all of your questions very seriously, and I will raise them with the minister and try to bring back an answer to you.

HOUSING, INFRASTRUCTURE AND COMMUNITIES

NATIONAL HOUSING STRATEGY

Hon. Marilou McPhedran: Senator Moreau, the Federal Housing Advocate's recent report outlines the importance of keeping human rights central in order to address the deepening housing affordability crisis.

Under the National Housing Strategy Act, Canada is obligated to provide affordable and available housing, yet the number of people living unsheltered has more than doubled since 2020. Canada is missing an estimated 4.4 million affordable housing units. The report recommends a broader use of non-market permanent housing.

• (1850)

The Federal Housing Advocate and the National Housing Council have both recommended that Canada must aim to have 20% of housing non-market by 2060. How is the Carney government addressing human rights to housing in Canada to meet this target?

Hon. Pierre Moreau (Government Representative in the Senate): The government is doing it with the Build Canada Homes program, an initial $13 billion in capital to bolster industry and other orders of government and Indigenous communities to build affordable housing at scale and at speed; by protecting existing affordable rental housing, with $1.5 billion in

the Canada Rental Protection Fund; and by building transitional and supportive housing to address homelessness with a $1-billion fund.

We are already seeing that housing markets are easing in Toronto, Vancouver, Calgary and Ottawa. This morning, the Canada Mortgage and Housing Corporation reported that Canada was experiencing ". . . record rental and . . . missing middle construction," which translated to an easing of rental prices in cities.

Senator McPhedran: Another recommendation from the Federal Housing Advocate was for the strategies of the government to ramp up inclusion and consultation with civil society experts. Can you tell me, please, whether that is happening as part of the major projects that are being announced?

Senator Moreau: I understand that the government is working with all partners — provinces and municipalities — everywhere in Canada: in the Atlantic, with $443 million; in British Columbia, with $2.3 billion; in Ontario, with $3.29 billion; in the Prairies, with $878 million, in Quebec, with $2.8 billion; and in the North, with $133 million. We are working Canada-wide to make sure that housing is affordable for everybody.

FINANCE

CANADA REVENUE AGENCY

Hon. Percy E. Downe: Government leader, just so you're clear on the problem, when we asked about Liechtenstein — that one bank many years ago — about how much money they collected, and when we saw how small the amount was and criticized them for the lack of collection, the solution for the Canada Revenue Agency was not to disclose what they're collecting everywhere else, which is totally unacceptable to Canadians.

You may be wondering how other countries did in the Panama Papers. Germany collected $87 million; Spain, $175 million; Australia, $44 million; Mexico, $25 million; Malta, $16 million; and Iceland, $25 million. The population of Iceland — I was just looking it up as we were talking — is 402,000 people, and it collected $25 million. The Parliamentary Budget Officer has stated how much is owed to the Canadian government. The question Canadians are asking is why they won't disclose what they have collected.

Hon. Pierre Moreau (Government Representative in the Senate): As I mentioned earlier in your line of questions, I will be working with you to get the facts straight and provide you whatever answer I get from the minister's office concerning those issues.

Senator Downe: The Parliamentary Budget Officer, when he testified before the Senate, indicated there are millions, if not billions, lacking that should be paid to the Canadian government because Canadians are hiding their money overseas. These tax cheats deprive the rest of the country of their money. The rest of us have to make up the shortfall.

Every time the government turns around to do something, everybody says, "That's a good plan. How are you going to pay for it?" This is how you're going to pay for it. The government should come clean on what they're collecting or not collecting.

Senator Moreau: That was a comment, and I will bring the comment, rather than the question, to the minister.

Senator Downe: This is my last question. I got all my questions for the whole session in one go. I will save you the trouble. I won't send you all the boxes of information I have collected over 15 years, but I will send you the key files.

The hope is that the Minister of Finance and the Secretary of State for the Canada Revenue Agency can do the work that others have not done and get the agency to do what they should be doing, which is being accountable to Canadians. If they're not collecting the money, they should tell us and ask what the solution is and what we can do to work on it. The tax gap, which is the bill that passed the Senate and is now in the House of Commons, measures not only how much money the agency is collecting, how much it should be collecting; it measures how efficient the Canada Revenue Agency is. Other countries do that. We do it in a minor manner, and that's something we could work on. I'll send you the files.

Senator Moreau: You're making your point quite clear. Once again, I'll do whatever I can to provide you with an answer.

TRANSPORT

VIA RAIL

Hon. Marilou McPhedran: Senator Moreau, this is a question about the proposed Alto high-speed rail.

The government promotes Alto as the future of passenger rail, but Canadians continue to face high fares, limited service and frequent delays, today, on VIA Rail. In the corridor, VIA trains regularly run behind schedule because they must yield to freight traffic. For example, only five trains per day operate between Ottawa and Montreal, leaving Canadians with few rail options and lots of delays.

If this government wants Canadians to embrace passenger rail, must it not first address the shortcomings of the service used today? Why has the government not committed to increasing VIA Rail service in the corridor, ensuring passenger trains receive greater priority?

Hon. Pierre Moreau (Government Representative in the Senate): Why do you think that our government is not working with VIA Rail? Alto is one future project. VIA Rail is the actual provider of rail transportation. The government continues to work closely with VIA Rail and other partners to address technical issues and ensure that incidents or malfunctions are managed quickly and efficiently and to make sure that VIA Rail can improve its services.

Rail transportation is a serious issue, and the government is working with VIA Rail on a regular basis to make sure that we can improve their services.

Senator McPhedran: This supplementary question is about affordability, in particular for young people who use the corridor extensively. VIA has adopted this dynamic pricing that we see with airlines as well, so now we're hearing about young people who cannot travel home and cannot respond to emergencies because the dynamic pricing is moving the cost to over $200.

Senator Moreau: I'm not aware of the fares at VIA Rail. I could have a look at it and get back to you on that.

My understanding is that there are fares for first class or regular class. I don't know if there's a dynamic situation concerning fares on trains, but I will get the information and get back to you.

DELAYED ANSWERS

ANSWER TO ORDER PAPER QUESTION TABLED

FINANCE—*TAX EXPENDITURES AND EVALUATIONS* REPORT

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 42, dated April 16, 2026, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Pate, regarding Finance Canada's *Tax Expenditures and Evaluations* report.

ORDERS OF THE DAY

POINT OF ORDER

SPEAKER'S RULING RESERVED

Hon. Mary Robinson: Honourable senators, I rise today on a point of order because I believe the chamber was misled, perhaps not intentionally, but something was said on the record that does not line up with our Rules and practices on pre-studies, which have been in effect since the 1970s.

This deals with a debate that happened in our chamber on May 7, 2026, on the pre-study motion of Bill C-20, Bill C-25 and Bill C-30. I understand it has been several weeks since that debate, but seeing as how National Finance has only now reported back on its pre-study of Bill C-30, and we have Government Motion No. 82 laying out the schedule for Bill C-30's formal study this week, I believe my issue is relevant and thought it best to rise now.

It also took some time and effort to determine the Rules were incorrectly applied and that a solution that was said in debate on record goes against the Rules.

During debate on May 7, Senator Moreau quoted the Rules of this chamber, which, if left uncorrected, could have deleterious effects on our work in the future. If committees were, in fact, entitled to do what Senator Moreau said, then we would have no need for formal direction from the chamber for committees to study government business.

• (1900)

Your Honour, I hope you will offer me some leniency here to go into what was said on the record before naming the rules that were incorrectly applied and how the chamber was misled.

I will be very brief here, but it does require me to quote what was said on the record, as we are speaking about our Rules being misapplied.

You may recall I rose on that pre-study motion to put forward an amendment that Divisions 7 and 8 of Part 3 of Bill C-30 concerning mandate changes to the Canadian Food Inspection Agency and the Pesticides Regulatory Directorate and new powers for the Governor-in-Council in relation to exemption orders and emergency orders be referred to the Agriculture and Forestry Committee. Under the pre-study motion, as originally drafted, the entire bill would have been referred to the National Finance Committee.

It was during debate on this amendment that Senator Moreau explained his dissent and laid out an alternative solution to achieve the same end.

Senator Moreau claimed that there was another way for the Agriculture and Forestry Committee to study Bill C-30, despite the pre-study motion naming the National Finance Committee as the committee receiving the bill for pre-study, and I will quote what he said:

> I submit to you, honourable colleagues, that the committee, pursuant to its order of reference, it is quite able to consider issues related to Bill C-30 and report back to the National Finance Committee, should it so wish, within the time allotted and suggested by Senator Robinson in her amendment.

When probed further, Senator Moreau explained:

> I would say that the answer to your question is in the Standing Senate Committee on Agriculture and Forestry's order of reference.
>
> I'll read you part of it. The Standing Senate Committee on Agriculture and Forestry is authorized "to examine and report on such issues as may arise from time to time relating to agriculture and forestry" in accordance with rule 12-7(12).
>
> It's not up to me to tell the committee how to do its job, but the standing committee does have the necessary authority, per its order of reference, to thoroughly examine any issue, particularly issues related to agriculture in Bill C-30.

And then he suggested that:

> . . . the Standing Senate Committee on Agriculture and Forestry, of which you are the chair, take up the agriculture-related provisions in Bill C-30 and report to the Standing Senate Committee on National Finance. Nothing is being bypassed here.

Your Honour, this is an incorrect application of our Rules. Committees do not report to each other, and a committee cannot study a bill as legislative text or its subject matter under its general order of reference.

Furthermore, caution is advised in examining the bill's specific provisions. It was only when we tried to action on Senator Moreau's advice that we were informed by the committee clerk of these things: Only broad topics and themes can be studied through a general order of reference. And if we go down the rabbit hole, what would happen if we followed Senator Moreau's misapplication of the Rules? The National Finance Committee, when it was referred Bill C-30 for pre-study, had a clear and narrow scope of work assigned to it from this chamber. Their mandate was to only study the divisions in Bill C-30. Anything more would be considered out of scope.

So if the Agriculture and Forestry Committee reported to the National Finance Committee with a broad agriculture-related report, the committee might have found that to be out of scope. Irrespective of all of that, this interpretation of the Rules would be establishing a fundamentally new precedent — again, inconsistent with our current practices — that any committee can, under its general order of reference, study government legislation that this chamber has already assigned to another committee for study.

Even worse so, it would open the doors for a Senate committee to decide to study government legislation as soon as it would be tabled in the House, potentially before the House even had an opportunity to study the legislation in their own committees.

When Senator Moreau spoke against my amendment, he offered this alternative solution on the record to achieve the same results. This is an important context, and this is where I believe the chamber was misled, as our Rules do not apply in such a manner. The Agriculture and Forestry Committee cannot study the agriculture-related provisions in Bill C-30, neither can it report directly to the National Finance Committee.

Although Senator Moreau said that on the record on May 7, this is not a permissible solution within our Rules, yet these words by Senator Moreau remain in our public debates for anyone to cite.

Your Honour, I appreciate your leniency with me, and so I will end with this: It is important that the information presented to senators be accurate and consistent with our Rules and accepted practices. Providing inaccurate information, even unintentionally, harms the culture of the Senate and risks having deleterious effects on our work as the complementary chamber to the House of Commons.

To be clear, I am not implying here that Senator Moreau deliberately misinformed the chamber. I believe Senator Moreau was genuine in his intent to identify a way forward.

I am hopeful he will correct the record or, at the very least, clarify his intention, but in the absence of that, I only thought it right to rise and pose this point of order. What was said on May 7 was inconsistent with the application of our Rules, and when it was presented as an alternative to my amendment as a way forward that could help achieve the same end, it was misleading. Thank you, Your Honour.

[*Translation*]

Hon. Pierre Moreau (Government Representative in the Senate): Honourable senators, I find it unfortunate that Senator Robinson is raising this point of order.

First, this debate took place three weeks ago, so I think that she is a little late in bringing this up today.

Second, I simply quoted the order of reference of the committee that she herself chairs. The September 24, 2025, order of reference states the following:

> That the Standing Senate Committee on Agriculture and Forestry, in accordance with rule 12-7(12), be authorized to examine and report on such issues as may arise from time to time relating to agriculture and forestry . . .

The order of reference authorizes producing a report, which was done in this case, and submitting that report to the Senate or a committee. If the senator believes that I misquoted it, she should know how the order of reference works since she is the committee chair.

Lastly, the senator wanted certain parts of Bill C-30 to be examined by the committee that she chairs. However, the Senate referred them to the Standing Senate Committee on National Finance for review. That committee, which is chaired by Senator Carignan, examined all of the issues during the meetings that were held on May 26, May 28 and June 2. The committee examined Divisions 7 and 8 of Part 3 of Bill C-30, which relate to agriculture.

As a final point, my recollection is that when Senator Robinson proposed her amendment, it was defeated by a majority of senators in this chamber.

I therefore don't understand why we should be dealing with a point of order today, since it is being raised rather late, it runs counter to the order of business, and, ultimately, Senator Robinson seems to be finding it hard to accept that her amendment was defeated by the Senate.

The Hon. the Speaker: Are there any other senators who wish to speak on this point of order?

Hon. Lucie Moncion: Your Honour, the point of order is not very clear. May I suggest that we review the point of order raised by Senator Robinson before we vote to see whether there are indeed any facts that need to be corrected? I believe that would be in the best interests of this chamber. That way, if there are any

factual errors, they could be corrected. If there are no errors, the chamber would be informed. I would like clarification on the point we are looking at today.

Thank you.

[*English*]

Senator Robinson: I certainly accept the decision of this august chamber to not approve my amendment, and that is not my point today. I accept that wholeheartedly.

My concern is that the suggestion that was made to me as the Chair of the Agriculture and Forestry Committee was that the Agriculture and Forestry Committee would, within its general order of reference, have the ability to study this and report to the National Finance Committee. When I consulted with my committee clerk, I was told that there was no mechanism for us to study something that had been assigned to another committee. There was no mechanism for my committee to report to the National Finance Committee to inform the pre-study, and I wanted to ensure that we were not setting a precedent here by not correcting the record.

• (1910)

[*Translation*]

Senator Moreau: Your Honour, if Senator Robinson is right, you'll have to decide on how the order of reference adopted by the Senate on September 24, 2025, should be interpreted. The order of reference clearly states the following:

> That the Standing Senate Committee on Agriculture and Forestry, in accordance with rule 12-7(12), be authorized to examine and report on such issues as may arise from time to time relating to agriculture and forestry . . .

Divisions 7 and 8 of Part 3 of Bill C-30, however, related to agriculture.

I also see nothing in the order of reference, as interpreted by the clerk of the committee, that would prevent the Standing Senate Committee on Agriculture and Forestry from examining these matters. When the order of reference says, "in accordance with rule 12-7(12), be authorized to examine and report," it is because the committee may make a report. When it mentions, "on such issues as may arise from time to time relating to agriculture and forestry," that includes anything provided for or analyzed by a committee in the course of studying a bill.

The Hon. the Speaker: Would any other senators like to speak?

[*English*]

I will go back and read the Debates and comments received, and I will come back with a decision. I will take this under advisement.

MESSAGES FROM THE HOUSE OF COMMONS

BAIL AND SENTENCING REFORM BILL

BILL TO AMEND—MESSAGE FROM COMMONS—CERTAIN SENATE AMENDMENTS CONCURRED IN AND DISAGREEMENT WITH CERTAIN SENATE AMENDMENTS

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

Friday, June 12, 2026

EXTRACT, —

That a message be sent to the Senate to acquaint Their Honours that, in relation to Bill C-14, An Act to amend the Criminal Code, the Youth Criminal Justice Act and the National Defence Act (bail and sentencing), the House:

agrees with amendments 1(a), 2(a) and 3 made by the Senate";

respectfully disagrees with amendment 1(b) because subsection 515(13.1) of the Criminal Code already requires courts to state on the record that they considered section 493.2 in making a bail decision, rendering the additional provision unnecessary;

respectfully disagrees with amendment 2(b) because engagement with relevant partners and stakeholders is already permitted, and the additional statutory consultation requirement could limit flexibility in the preparation and tabling of the report.

ATTEST

Eric Janse

Clerk of the House of Commons

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

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

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: the consideration of the message from the House of Commons concerning Bill C-14, followed by Motion No. 82, followed by second reading of Bill C-16, followed by second reading of Bill C-20, followed by third reading of Bill C-32, followed by all remaining items in the order that they appear on the Order Paper.

[*Translation*]

BAIL AND SENTENCING REFORM BILL

MESSAGE FROM COMMONS—MOTION FOR NON-INSISTENCE UPON SENATE AMENDMENT ADOPTED

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

Friday, June 12, 2026

EXTRACT, —

That a message be sent to the Senate to acquaint Their Honours that, in relation to Bill C-14, An Act to amend the Criminal Code, the Youth Criminal Justice Act and the National Defence Act (bail and sentencing), the House:

agrees with amendments 1(a), 2(a) and 3 made by the Senate";

respectfully disagrees with amendment 1(b) because subsection 515(13.1) of the Criminal Code already requires courts to state on the record that they considered section 493.2 in making a bail decision, rendering the additional provision unnecessary;

respectfully disagrees with amendment 2(b) because engagement with relevant partners and stakeholders is already permitted, and the additional statutory consultation requirement could limit flexibility in the preparation and tabling of the report.

Hon. Pierre Moreau (Government Representative in the Senate) moved:

That, in relation to Bill C-14, An Act to amend the Criminal Code, the Youth Criminal Justice Act and the National Defence Act (bail and sentencing), the Senate do not insist on its amendments with which the House of Commons has disagreed; and

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

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

(Motion agreed to, on division.)

[*English*]

THE SENATE

MOTION TO AFFECT PROCEEDINGS ON BILLS C-16, C-25 AND C-30—DEBATE

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of June 11, 2026, moved:

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

1. in relation to Bill C-16, An Act to amend certain Acts in relation to criminal and correctional matters (child protection, gender-based violence, delays and other measures):

   (a) if the Senate receives the bill and adopts it at second reading, it stand referred to the Standing Senate Committee on Legal and Constitutional Affairs;

   (b) the committee be authorized to meet for the purposes of its consideration of Bill C-16, even though the Senate may then be sitting, with rule 12-18(1) being suspended in relation thereto;

   (c) the committee submit its report on Bill C-16 to the Senate no later than June 17, 2026;

   (d) the committee be authorized to present its report on the bill at any time the Senate is sitting, except during Question Period;

   (e) if the committee reports the bill with amendment or with a recommendation that the Senate not proceed further with the bill:

      (i) the report be placed on the Orders of the Day for consideration later that sitting, provided that if the report is presented after the point where the Senate would normally have dealt with the report, it either be taken into consideration forthwith, or, if another item is under consideration at that time, it be placed on the Orders of the Day for consideration as the next item of business; and

      (ii) once the Senate decides on the report, the bill, if still before the Senate, be placed on the Orders of the Day for third reading at the next sitting;

   (f) if the committee has not reported the bill by 4 p.m. on June 17, 2026, it be deemed to have reported the bill without amendment, with the

bill then being placed on the Orders of the Day for third reading at the next sitting of the Senate; and

(g) if the Senate has not concluded proceedings on the bill by 7 p.m. on June 18, 2026, the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at third reading without further debate, provided that if the bill has not yet been moved for third reading at that time, the sponsor, or a designate, be recognized solely to move third reading, if the bill is still then before the Senate;

2. in relation to Bill C-25, An Act to amend the Canada Elections Act and to enact An Act to change the names of certain electoral districts, 2026:

(a) if the Senate receives the bill, once read a first time, it be placed on the Orders of the Day for second reading at the next sitting;

(b) if the Senate receives the bill and has not disposed of it at second reading by 8 p.m. on June 16, 2026, the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at second reading without further debate, provided that:

(i) if a vote on the bill had previously been deferred so that it would normally take place after the time provided for in this paragraph for the interruption of proceedings, that vote be brought forward to 8 p.m. on June 16, 2026, after a 15-minute bell; and

(ii) if the bill has not yet been moved for second reading, the sponsor, or a designate, be recognized solely for the purpose of moving second reading;

(c) if the Senate adopts the bill at second reading, it stand referred to the Standing Senate Committee on Legal and Constitutional Affairs;

(d) the committee be authorized to meet for the purposes of its consideration of Bill C-25, even though the Senate may then be sitting, with rule 12-18(1) being suspended in relation thereto;

(e) the committee submit its report to the Senate no later than June 18, 2026;

(f) the provisions in points 1(d) and (e) also apply to proceedings on Bill C-25;

(g) if the committee has not reported the bill by 7 p.m. on June 18, 2026, it be deemed to have reported the bill without amendment, with the bill then being placed on the Orders of the Day for third reading at the next sitting of the Senate; and

(h) if the Senate has not concluded proceedings on the bill by 12 p.m. on June 19, 2026, the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at third reading without further debate, provided that if the bill has not yet been moved for third reading at that time, the sponsor, or a designate, be recognized solely for the purpose of moving third reading, if the bill is still then before the Senate;

3. in relation to Bill C-30, An Act to implement certain provisions of the spring economic update tabled in Parliament on April 28, 2026:

(a) if the Senate receives the bill, once read a first time, it be placed on the Orders of the Day for second reading later that day, provided that if the Senate has already passed the point on the Orders of the Day where it would deal with the bill at second reading, it be taken into consideration at second reading forthwith, or, if another item is under consideration at that time, the bill be placed on the Orders of the Day for consideration at second reading as the next item of business;

(b) if, before this order is adopted, the bill has been placed on the Orders of the Day for second reading at a sitting subsequent to the one at which this order is adopted, second reading be brought forward, upon the adoption of this order, so that the bill be taken into consideration at second reading as the next item of business;

(c) if at 9 p.m. on June 18, 2026, the Senate has not disposed of the bill at second reading, the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at second reading without further debate, with provisions in points 2(a)(i) and 2(a)(ii) also applying to proceedings on Bill C-30;

(d) if the Senate adopts the bill at second reading, it stand referred to the Standing Senate Committee on National Finance;

(e) the committee be authorized to meet for the purposes of its consideration of Bill C-30, even though the Senate may then be sitting, with rule 12-18(1) being suspended in relation thereto;

(f) the committee submit its report on Bill C-30 to the Senate no later than June 19, 2026 at 10 a.m.;

(g) if the committee reports the bill without amendment, the bill be placed on the Orders of the Day for third reading later that sitting;

(h) if the committee has not reported the bill by 10 a.m., it be deemed to have reported the bill without amendment at that time, and the bill be placed on the Orders of the Day for third reading later that sitting;

(i) if the committee reports the bill with amendment or with a recommendation that the Senate not proceed further with the bill:

(i) the report be taken into consideration forthwith or, if another item is under consideration at that time, it be placed on the Orders of the Day for consideration as the next item of business; and

(ii) once the Senate decides on the report, the bill, if still before the Senate, be taken into consideration at third reading forthwith; and

(j) if on June 19, 2026, the Senate has not concluded proceedings on the bill by 2 p.m., the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at third reading without further debate, provided that if the bill has not yet been moved for third reading at that time, the sponsor, or a designate, be recognized solely to move third reading either at that time, or once the Senate has made a decision on the committee's report, if the bill is still then before the Senate;

4. proceedings at any stage on Bills C-16, C-25 and C-30, under the terms of this order, not be adjourned and no vote requested in relation thereto be deferred;

5. if, under the terms of this order, the Speaker is at any time required to interrupt proceedings then before the Senate in order to put all questions necessary to dispose of a bill at a particular stage without further debate, no further debate or amendment be permitted, and, if a standing vote is requested, the bells ring once, and for only 15 minutes, without being rung again for subsequent votes necessary to dispose of the bill at the stage in question; and

6. for greater certainty, if, at the time this order provides that something is to happen in relation to Bills C-16, C-25 and C-30, the bells are either ringing for another vote, another vote is underway, or Question Period is underway, the time provided for in this order be understood as if it were at the end of either that other vote or Question Period.

The Hon. the Speaker: It is moved by the Honourable Senator LaBoucane-Benson, seconded by the Honourable Senator Moreau, that, notwithstanding any provision of the Rules, previous order or usual practice — may I dispense?

An Hon. Senator: No.

The Hon. the Speaker: I heard a "no."

I will read the motion:

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

1. in relation to Bill C-16, An Act to amend certain Acts in relation to criminal and correctional matters (child protection, gender-based violence, delays and other measures):

(a) if the Senate receives the bill and adopts it at second reading, it stand referred to the Standing Senate Committee on Legal and Constitutional Affairs;

(b) the committee be authorized to meet for the purposes of its consideration of Bill C-16, even though the Senate may then be sitting, with rule 12-18(1) being suspended in relation thereto;

(c) the committee submit its report on Bill C-16 to the Senate no later than June 17, 2026;

(d) the committee be authorized to present its report on the bill at any time the Senate is sitting, except during Question Period;

(e) if the committee reports the bill with amendment or with a recommendation that the Senate not proceed further with the bill:

(i) the report be placed on the Orders of the Day for consideration later that sitting, provided that if the report is presented after the point where the Senate would normally have dealt with the report, it either be taken into consideration forthwith, or, if another item is under consideration at that time, it be placed on the Orders of the Day for consideration as the next item of business; and

(ii) once the Senate decides on the report, the bill, if still before the Senate, be placed on the Orders of the Day for third reading at the next sitting;

(f) if the committee has not reported the bill by 4 p.m. on June 17, 2026, it be deemed to have reported the bill without amendment, with the bill then being placed on the Orders of the Day for third reading at the next sitting of the Senate; and

(g) if the Senate has not concluded proceedings on the bill by 7 p.m. on June 18, 2026, the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at third reading without further debate, provided that if the bill has not yet been moved for third reading at that time, the sponsor, or a designate, be recognized solely to move third reading, if the bill is still then before the Senate;

2. in relation to Bill C-25, An Act to amend the Canada Elections Act and to enact An Act to change the names of certain electoral districts, 2026:

(a) if the Senate receives the bill, once read a first time, it be placed on the Orders of the Day for second reading at the next sitting;

(b) if the Senate receives the bill and has not disposed of it at second reading by 8 p.m. on June 16, 2026, the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at second reading without further debate, provided that:

(i) if a vote on the bill had previously been deferred so that it would normally take place after the time provided for in this paragraph for the interruption of proceedings, that vote be brought forward to 8 p.m. on June 16, 2026, after a 15-minute bell; and

(ii) if the bill has not yet been moved for second reading, the sponsor, or a designate, be recognized solely for the purpose of moving second reading;

(c) if the Senate adopts the bill at second reading, it stand referred to the Standing Senate Committee on Legal and Constitutional Affairs;

(d) the committee be authorized to meet for the purposes of its consideration of Bill C-25, even though the Senate may then be sitting, with rule 12-18(1) being suspended in relation thereto;

(e) the committee submit its report to the Senate no later than June 18, 2026;

(f) the provisions in points 1(d) and (e) also apply to proceedings on Bill C-25;

(g) if the committee has not reported the bill by 7 p.m. on June 18, 2026, it be deemed to have reported the bill without amendment, with the bill then being placed on the Orders of the Day for third reading at the next sitting of the Senate; and

(h) if the Senate has not concluded proceedings on the bill by 12 p.m. on June 19, 2026, the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at third reading without further debate, provided that if the bill has not yet been moved for third reading at that time, the sponsor, or a designate, be recognized solely for the purpose of moving third reading, if the bill is still then before the Senate;

3. in relation to Bill C-30, An Act to implement certain provisions of the spring economic update tabled in Parliament on April 28, 2026:

(a) if the Senate receives the bill, once read a first time, it be placed on the Orders of the Day for second reading later that day, provided that if the Senate has already passed the point on the Orders of the Day where it would deal with the bill at second reading, it be taken into consideration at second reading forthwith, or, if another item is under consideration at that time, the bill be placed on the Orders of the Day for consideration at second reading as the next item of business;

(b) if, before this order is adopted, the bill has been placed on the Orders of the Day for second reading at a sitting subsequent to the one at which this order is adopted, second reading be brought forward, upon the adoption of this order, so that the bill be taken into consideration at second reading as the next item of business;

(c) if at 9 p.m. on June 18, 2026, the Senate has not disposed of the bill at second reading, the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at second reading without further debate, with provisions in points 2(a)(i) and 2(a)(ii) also applying to proceedings on Bill C-30;

(d) if the Senate adopts the bill at second reading, it stand referred to the Standing Senate Committee on National Finance;

(e) the committee be authorized to meet for the purposes of its consideration of Bill C-30, even though the Senate may then be sitting, with rule 12-18(1) being suspended in relation thereto;

(f) the committee submit its report on Bill C-30 to the Senate no later than June 19, 2026 at 10 a.m.;

(g) if the committee reports the bill without amendment, the bill be placed on the Orders of the Day for third reading later that sitting;

(h) if the committee has not reported the bill by 10 a.m., it be deemed to have reported the bill without amendment at that time, and the bill be placed on the Orders of the Day for third reading later that sitting;

(i) if the committee reports the bill with amendment or with a recommendation that the Senate not proceed further with the bill:

(i) the report be taken into consideration forthwith or, if another item is under consideration at that time, it be placed on the Orders of the Day for consideration as the next item of business; and

(ii) once the Senate decides on the report, the bill, if still before the Senate, be taken into consideration at third reading forthwith; and

(j) if on June 19, 2026, the Senate has not concluded proceedings on the bill by 2 p.m., the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at third reading without further debate, provided that if the bill has not yet been moved for third reading at that time, the sponsor, or a designate, be recognized solely to move third reading either at that time, or once the Senate has made a decision on the committee's report, if the bill is still then before the Senate;

4. proceedings at any stage on Bills C-16, C-25 and C-30, under the terms of this order, not be adjourned and no vote requested in relation thereto be deferred;

5. if, under the terms of this order, the Speaker is at any time required to interrupt proceedings then before the Senate in order to put all questions necessary to dispose of a bill at a particular stage without further debate, no further debate or amendment be permitted, and, if a standing vote is requested, the bells ring once, and for only 15 minutes, without being rung again for subsequent votes necessary to dispose of the bill at the stage in question; and

6. for greater certainty, if, at the time this order provides that something is to happen in relation to Bills C-16, C-25 and C-30, the bells are either ringing for another vote, another vote is underway, or Question Period is underway, the time provided for in this order be understood as if it were at the end of either that other vote or Question Period.

• (1920)

[*Translation*]

Hon. Pierre Moreau (Government Representative in the Senate): I have an amendment to propose to the motion. The amendment basically concerns the times that appear in the motion. Would you like me to read it?

The Hon. the Speaker: You may read your amendment.

[*English*]

MOTION IN AMENDMENT ADOPTED

Hon. Pierre Moreau (Government Representative in the Senate): Therefore, honourable senators, in amendment, I move:

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

1. by replacing the words "7 p.m." with the words "9 p.m." in point 1(g);

2. by replacing all the words in point 2(a) with the words "if, before this order is adopted, the bill has been placed on the Orders of the Day for second reading at a sitting subsequent to June 16, 2026, at 6 p.m. or the end of Government Business, whichever comes first, on June 16, 2026, second reading be brought forward so that the bill be taken into consideration at second reading as the next item of business";

3. by replacing the words "receives the bill and has not disposed of it at second reading by 8 p.m." with the words "has not disposed of the bill at second reading by 11 p.m." in point 2(b);

4. by replacing the words “8 p.m.” with the words “11 p.m.” in point 2(b)(i); and

5. by replacing in point 3(c):

   (a) the words “9 p.m.” with the words “11 p.m.”; and

   (b) the words “with provisions in points 2(a)(i) and 2(a)(ii) also applying to proceedings on Bill C-30”; with the words “provided that:

      (i) if a vote on the bill had previously been deferred so that it would normally take place after the time provided for in this paragraph for the interruption of proceedings, that vote be brought forward to 11 p.m. on June 18, 2026, after a 15-minute bell; and

      (ii) if the bill has not yet been moved for second reading, the sponsor, or a designate, be recognized solely for the purpose of moving second reading;”.

• (1930)

The Hon. the Speaker: I believe there are not enough copies for everyone. We can at least make other copies.

Honourable senators, I was wondering if it is agreed that we suspend so we can provide copies to everyone. I believe there are a certain number of senators who did not receive a copy.

Is it agreed, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: We will suspend just for a couple of minutes.

(The sitting of the Senate was suspended.)

(The sitting of the Senate was resumed.)

• (1940)

The Hon. the Speaker: In amendment, it was moved by the Honourable Senator Moreau, seconded by the Honourable Senator Petten, that the motion be not now adopted but that it be amended — may I dispense?

Hon. Senators: Dispense.

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

Some Hon. Senators: Question.

The Hon. the Speaker: Senator Batters, on debate.

Hon. Denise Batters: Senator Moreau, this amendment motion doesn’t indicate which bills each of these points apply to. Without being able to compare it to the other one, we’re not sure what these extensions apply to. Perhaps we could have a bit of clarification about that. That would be helpful.

[*Translation*]

The Hon. the Speaker: You have already spoken, Senator Moreau. Someone else from your team will have to provide any explanations.

[*English*]

Hon. Pamela Wallin: I would ask another question.

This is quite confusing, with all these amendments to timing and motions. As Senator Batters said, and given your earlier remarks that you don’t want us to imply intent on your part, can you tell us why all these changes are necessary?

The Hon. the Speaker: You will need leave to ask Senator Moreau a question. Senator Wallin, are you asking for leave?

Senator Wallin: Yes.

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

Hon. Senators: Agreed.

[*Translation*]

Senator Moreau: Basically, the amendment is being proposed in response to a request we received from the Independent Senators Group to extend the sitting hours so that there is more time to table reports and refer bills back to the other place.

In some cases, the time changes from 7 p.m. to 9 p.m., which would add two hours to allow more time to produce the reports. The same applies to point 3(c), where the time is being changed from 9:00 p.m. to 11:00 p.m. We were asked for more time.

When we discussed the motion amongst the leaders, I had already indicated that the government could show some flexibility in changing the hours suggested in the original motion. In response to the first request we received, we changed the hours to reflect all the requests we had received.

The amendment fully reflects the additional time requested by the Independent Senators Group, and all of this was discussed among the leaders.

[*English*]

Senator Batters: Yes. Senator Moreau, could you please explain, for point 1, which bill point 1(g) refers to? For point 2, where it refers to a deadline in point 2(a), which bill does that pertain to? For point 3, where you’re extending the time to 11 p.m., which bill does that pertain to? It would be very helpful for us to know. Thank you.

[*Translation*]

Senator Moreau: I don't have the text of the original motion in front of me, but basically we changed the timelines for each of the bills set out in the amendment: Bill C-25, Bill C-16 and Bill C-30. I can read the original motion and the motion in amendment. Basically, in some cases, we added two extra hours to the time allocated in the original motion before the bill must be returned to the House.

[*English*]

The Hon. the Speaker: Maybe I could clarify. Point 1 pertains to Bill C-16, point 2 pertains to Bill C-25 and point 3 pertains to Bill C-30.

Are senators ready for the question?

Hon. Senators: Question.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

(Motion in amendment of the Honourable Senator Moreau agreed to, on division.)

MOTION TO AFFECT PROCEEDINGS ON BILLS C-16, C-25 AND C-30 —DEBATE

On the Order:

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

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

1. in relation to Bill C-16, An Act to amend certain Acts in relation to criminal and correctional matters (child protection, gender-based violence, delays and other measures):

   (a) if the Senate receives the bill and adopts it at second reading, it stand referred to the Standing Senate Committee on Legal and Constitutional Affairs;

   (b) the committee be authorized to meet for the purposes of its consideration of Bill C-16, even though the Senate may then be sitting, with rule 12-18(1) being suspended in relation thereto;

   (c) the committee submit its report on Bill C-16 to the Senate no later than June 17, 2026;

   (d) the committee be authorized to present its report on the bill at any time the Senate is sitting, except during Question Period;

   (e) if the committee reports the bill with amendment or with a recommendation that the Senate not proceed further with the bill:

      (i) the report be placed on the Orders of the Day for consideration later that sitting, provided that if the report is presented after the point where the Senate would normally have dealt with the report, it either be taken into consideration forthwith, or, if another item is under consideration at that time, it be placed on the Orders of the Day for consideration as the next item of business; and

      (ii) once the Senate decides on the report, the bill, if still before the Senate, be placed on the Orders of the Day for third reading at the next sitting;

   (f) if the committee has not reported the bill by 4 p.m. on June 17, 2026, it be deemed to have reported the bill without amendment, with the bill then being placed on the Orders of the Day for third reading at the next sitting of the Senate; and

   (g) if the Senate has not concluded proceedings on the bill by 7 p.m. on June 18, 2026, the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at third reading without further debate, provided that if the bill has not yet been moved for third reading at that time, the sponsor, or a designate, be recognized solely to move third reading, if the bill is still then before the Senate;

2. in relation to Bill C-25, An Act to amend the Canada Elections Act and to enact An Act to change the names of certain electoral districts, 2026:

   (a) if the Senate receives the bill, once read a first time, it be placed on the Orders of the Day for second reading at the next sitting;

   (b) if the Senate receives the bill and has not disposed of it at second reading by 8 p.m. on June 16, 2026, the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at second reading without further debate, provided that:

      (i) if a vote on the bill had previously been deferred so that it would normally take place after the time provided for in this paragraph for the interruption of

proceedings, that vote be brought forward to 8 p.m. on June 16, 2026, after a 15-minute bell; and

(ii) if the bill has not yet been moved for second reading, the sponsor, or a designate, be recognized solely for the purpose of moving second reading;

(c) if the Senate adopts the bill at second reading, it stand referred to the Standing Senate Committee on Legal and Constitutional Affairs;

(d) the committee be authorized to meet for the purposes of its consideration of Bill C-25, even though the Senate may then be sitting, with rule 12-18(1) being suspended in relation thereto;

(e) the committee submit its report to the Senate no later than June 18, 2026;

(f) the provisions in points 1(d) and (e) also apply to proceedings on Bill C-25;

(g) if the committee has not reported the bill by 7 p.m. on June 18, 2026, it be deemed to have reported the bill without amendment, with the bill then being placed on the Orders of the Day for third reading at the next sitting of the Senate; and

(h) if the Senate has not concluded proceedings on the bill by 12 p.m. on June 19, 2026, the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at third reading without further debate, provided that if the bill has not yet been moved for third reading at that time, the sponsor, or a designate, be recognized solely for the purpose of moving third reading, if the bill is still then before the Senate;

3. in relation to Bill C-30, An Act to implement certain provisions of the spring economic update tabled in Parliament on April 28, 2026:

(a) if the Senate receives the bill, once read a first time, it be placed on the Orders of the Day for second reading later that day, provided that if the Senate has already passed the point on the Orders of the Day where it would deal with the bill at second reading, it be taken into consideration at second reading forthwith, or, if another item is under consideration at that time, the bill be placed on the Orders of the Day for consideration at second reading as the next item of business;

(b) if, before this order is adopted, the bill has been placed on the Orders of the Day for second reading at a sitting subsequent to the one at which this order is adopted, second reading be brought forward, upon the adoption of this order, so that the bill be taken into consideration at second reading as the next item of business;

(c) if at 9 p.m. on June 18, 2026, the Senate has not disposed of the bill at second reading, the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at second reading without further debate, with provisions in points 2(a)(i) and 2(a)(ii) also applying to proceedings on Bill C-30;

(d) if the Senate adopts the bill at second reading, it stand referred to the Standing Senate Committee on National Finance;

(e) the committee be authorized to meet for the purposes of its consideration of Bill C-30, even though the Senate may then be sitting, with rule 12-18(1) being suspended in relation thereto;

(f) the committee submit its report on Bill C-30 to the Senate no later than June 19, 2026 at 10 a.m.;

(g) if the committee reports the bill without amendment, the bill be placed on the Orders of the Day for third reading later that sitting;

(h) if the committee has not reported the bill by 10 a.m., it be deemed to have reported the bill without amendment at that time, and the bill be placed on the Orders of the Day for third reading later that sitting;

(i) if the committee reports the bill with amendment or with a recommendation that the Senate not proceed further with the bill:

(i) the report be taken into consideration forthwith or, if another item is under consideration at that time, it be placed on the Orders of the Day for consideration as the next item of business; and

(ii) once the Senate decides on the report, the bill, if still before the Senate, be taken into consideration at third reading forthwith; and

(j) if on June 19, 2026, the Senate has not concluded proceedings on the bill by 2 p.m., the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at third reading without further debate, provided that if the bill has not yet been moved for third reading at that time, the sponsor, or a designate, be recognized solely to move third reading either at that time, or once the Senate has made a decision on the committee's report, if the bill is still then before the Senate;

4. proceedings at any stage on Bills C-16, C-25 and C-30, under the terms of this order, not be adjourned and no vote requested in relation thereto be deferred;

5. if, under the terms of this order, the Speaker is at any time required to interrupt proceedings then before the Senate in order to put all questions necessary to dispose of a bill at a particular stage without further debate, no further debate or amendment be permitted, and, if a standing vote is requested, the bells ring once, and for only 15 minutes, without being rung again for subsequent votes necessary to dispose of the bill at the stage in question; and

6. for greater certainty, if, at the time this order provides that something is to happen in relation to Bills C-16, C-25 and C-30, the bells are either ringing for another vote, another vote is underway, or Question Period is underway, the time provided for in this order be understood as if it were at the end of either that other vote or Question Period.

Hon. Paul (PJ) Prosper: Honourable senators, I want you to know that I do, indeed, find you all honourable. I truly believe that we are all working together toward what we each feel are the best interests of Canadians. I want to believe the purpose of our chamber is equal to that of the other place. I want to believe that we are parliamentarians who are respectful of but not subservient to the whims of the elected chamber. I firmly believe that we are a chamber of sober second thought. That is why I rise today disheartened by this motion.

On May 7, 2026, when we considered the pre-study motion that included Bill C-25, Senator Moreau said:

> When we combine pre-studies with the actual study of the bill, we do not reduce the substance of the debate. We actually increase the time given to senators to conduct a proper, in-depth study of the legislative proposals before them, particularly in the case of government bills.

In theory, that sounds like a decent proposal, ". . . a proper, in-depth study of the legislative proposals . . ." However, not only did we have to rush through Bill C-25, we were not even able to hear from everyone we would have wanted to. That is because the timelines were so tight that they allowed for no flexibility to accommodate the schedules of expert witnesses. We all know how important they are to us in our studies.

We focused our studies mainly on privacy concerns and the issue of the longest ballot movement but had insufficient time to properly study the portions of the bill pertaining to "deepfakes" and foreign interference.

• (1950)

I recently attended a round table on AI and safeguarding democracy from malicious domestic and foreign actors. The testimony of those experts would certainly contribute to a proper, in-depth study. Yet, once again, the government is using a number of tactics in the book to curb debate.

The increased time promised has now been compressed. The response is: Either sit longer, sit outside our normal times or stay until the work is done.

Competing priorities, other Senate business and proper meals and sleep are, apparently, not within the government's problem.

We must only ensure that the work gets done in the dictated time — never mind that the other side has had these bills for much longer.

Some will say what they have said before: that the Senate has no place, as an unelected chamber, weighing in on a bill about elections. But who else is better suited? We have no reliance on these rules and, therefore, can take a more measured and considered approach.

To paraphrase a question asked in the opening statements of the Rhinoceros Party leader, Mr. Sébastien CôRhino Côrriveau: Why would we let the winners of the last Stanley Cup dictate the rules of the hockey?

Putting aside the substance of the bill, let us turn to the issue at hand. This bill is not a matter of life or death for some Canadians, like Bill C-16 is. This bill is not about public safety and hate speech, like Bill C-9 was. As I said last week, I don't appreciate rushing through legislation like this, but I understand why we do it in circumstances that affect the safety of Canadians.

Bill C-25 is not on the same level. Why must we rush it? Why must we forgo proper, in-depth study?

I have spoken with several members of the Standing Senate Committee on Legal and Constitutional Affairs who have grave concerns about rushing forward with this legislation. Senators not on the committee have also voiced their concerns and frustrations. Today, my fellow members of the steering committee voiced their support for action.

Therefore, honourable senators, in amendment, I move:

> That the motion, as amended, be not now adopted, but that it be further amended:
>
> 1. by replacing the words "June 18" with the words "October 22" in point 2(e);
>
> 2. by replacing the words "7 p.m. on June 18" with the words "4 p.m. on October 22" in point 2(g); and

3. by replacing the words “12 p.m. on June 19” with the words “5 p.m. on October 27” in point 2(h).

Thank you.

The Hon. the Speaker: I’m going to wait until all the copies of the amendment are distributed. Then I will move the amendment.

In amendment, it was moved by the Honourable Senator Prosper, seconded by the Honourable Senator Black, that the motion, as amended, be not now adopted, but that it be further amended:

1. by replacing the words “June 18” — may I dispense?

Hon. Senators: Dispense.

Hon. David M. Arnot: Honourable senators, as you’re aware, I am the Chair of the Standing Senate Committee on Legal and Constitutional Affairs. As Senator Prosper pointed out, the steering committee members — Senator Batters, Senator Miville-Dechêne, Senator Prosper and I — all agreed that this motion has strong merit. I can say that I’ve spoken with the Independent Senators Group senators who are on the Legal and Constitutional Affairs Committee, and they also agree, in my opinion, because it’s eminently reasonable. What we’re doing is asking that we be able to deal with this in the ordinary course of time in September and October and report on a reasonable date in the future. We’ll lose about 75 days. Let me explain why.

I stand here today not to oppose the bill and not to oppose the government’s legislative agenda, and I certainly do not suggest that the Standing Senate Committee on Legal and Constitutional Affairs is unwilling to undertake difficult work. The committee has demonstrated precisely the opposite.

Over the last few months, the Government of Canada has asked the Senate, in particular the Legal and Constitutional Affairs Committee, to undertake a series of studies on an expedited basis. The committee has responded. The government identified Bill C-14 as a legislative priority. So did the committee. The government asked the Legal and Constitutional Affairs Committee to conduct a pre-study of Bill C-25 and report by June 4, which was a very short time frame. We did that. The government then asked us to look at Bill C-16 and study that on an expedited basis. The committee did so and continues to do so on Bill C-16.

Colleagues, I recount that history for a reason. It demonstrates that this discussion is not about willingness. It is not about workload. It demonstrates that it’s not about resistance to the government’s agenda. The committee has repeatedly adjusted its schedule, accelerated its work and accommodated requests made in the public interest. Respectfully, the committee’s record of cooperation and accommodation deserves serious consideration by senators when it advises the Senate that additional study is required on a bill of this nature. Indeed, the committee has repeatedly demonstrated that it understands precisely those responsibilities. That history is important because it brings us to the question now before us.

Bill C-25 is an important piece of legislation, but it is important for different reasons. The urgency associated with Bill C-14 on bail reform, Bill C-16 on protection of victims and Bill C-9 on hate was readily apparent. Those bills responded to criminal law concerns, amending the Criminal Code. They engaged questions of public safety, victims’ rights, correctional administration, court operations and concerns raised by the provinces and territories and Attorneys General throughout Canada, including the federal Attorney General, as well as law enforcement agencies and justice stakeholders. The committee understood those concerns, and we responded. So did the Senate.

Bill C-25 raises concerns that are no less significant, but they’re fundamentally different. There’s no reasonable argument for the urgency of Bill C-25 when it’s compared to these other three bills that are all related to the Criminal Code and public safety. It is not in the same league as the urgency for those Criminal Code amendments. It concerns a long-term architecture of democratic participation.

• (2000)

Bill C-25 concerns the conduct of federal elections, democratic participation, privacy rights, human rights, and democratic principles and values in Canada. It concerns the collection, use, protection and retention of personal information belonging to Canadian citizens. It concerns foreign interference. It concerns emerging technologies, artificial intelligence, “deepfakes” and the growing capacity to manipulate information in ways that were scarcely imaginable only a few years ago.

It is not about the names and addresses on a voters’ list and where certain individuals live. It’s about micro-messaging: Targeted messages from computer to computer, and from computer to cellphone. It’s a Cambridge Analytica scandal that’s in the making if we don’t address these issues. It’s big-data corporations like Palantir, which can collect 3,000 data points on any American voter in the United States.

The committee has already had the opportunity to undertake a limited pre-study of the bill, as Senator Prosper indicated. That pre-study produced a report, which explicitly stated that the committee did not have sufficient time to fully examine a number of significant issues.

The committee reported that the Chief Electoral Officer of Canada proposed amendments that the members did not have adequate time to fully examine. The committee reported that it was unable to hear from representatives of the three main political parties in Canada because of scheduling limitations. The committee itself advised the Senate that further work remained to be done.

This is not a new concern arising from today's debate or from the motion now before us; it is a concern that the committee has already formally reported to the Senate. The committee advised that it had insufficient time to hear all relevant perspectives. It advised that the proposed amendments from the Chief Electoral Officer had not been fully examined. It advised that additional testimony concerning foreign interference, artificial intelligence and "deepfake" technologies would have been beneficial for the committee.

The motion before us does not create those concerns; it seeks to address those concerns that the Senate has already been told exist.

Since that time, the evidence supporting a careful study has only become stronger. The committee has heard from leading experts in privacy, democratic governance, election administration and information integrity. The Chief Electoral Officer has identified areas where legislative refinement may be warranted.

Former Assistant Privacy Commissioner Elizabeth Denham and other experts have increasingly highlighted the increasingly complex relationship between political data, personal privacy, democratic participation and public trust. Witnesses have reminded us that Canada does not operate in isolation. Around the world, democratic institutions continue to confront the lessons of Cambridge Analytica — concerns regarding voter data management, foreign interference, increasingly sophisticated artificial intelligence tools and the manipulation of information on an unprecedented scale.

These are not theoretical concerns, and they are not partisan concerns. They are concerns that go directly to the relationship between citizens and their democracy. They are concerns that affect every Canadian voter. They affect minorities, regions, political participation and confidence in democratic institutions, and they deserve to be examined carefully.

Colleagues, the committee has explored numerous ways to complete this study within the timetable proposed. We have explored numerous ways to reconcile the scope of the bill with the time available; yet, we remain faced with a timetable that would effectively require the committee to receive the bill, hear witnesses, consider the amendments, undertake its clause-by-clause review, prepare a report and return the legislation to the Senate within approximately one day of committee study.

I submit, respectfully, that this is not a question of effort; it's a question of reasonableness. Indeed, history teaches us that democratic institutions are best protected when Parliament proceeds carefully rather than quickly. The issue is not whether committees can work harder; the issue is whether committees can work thoroughly, up to the expected standard of the Senate. Thoroughness is not the enemy of efficiency. In legislative review, it is often the source of it.

A committee can only report on what it has had time to discover, and no committee can report on evidence it has not had the opportunity to hear.

The greatest legislative risks are often not the ones we identify but the ones we have never had the opportunity to find. Parliament is rarely criticized for asking too many questions before legislation is adopted; more often, it is criticized for questions it failed to ask.

Honourable colleagues, the motion before us is not intended to delay Bill C-25 indefinitely nor is it intended to frustrate the government's legislative agenda. Rather, it seeks to provide the committee with a realistic opportunity to perform the task that the Senate itself has assigned to it.

Senators, that is why I support extending the committee's reporting deadline to October 22, 2026. October 22 reflects the first realistic opportunity, following the summer adjournment, for the committee to hear a full range of witnesses, consider potential amendments, undertake its clause-by-clause review and complete a study consistent with the committee's ordinary practices. It is not intended to delay the bill indefinitely; it is intended to ensure that the Senate receives the benefit of a complete committee study.

Let me be equally clear on another point: The committee does not challenge the authority of the Senate to establish its own timetable nor does it seek to substitute its judgment for that of the chamber. The Senate is the master of its own proceedings.

It is precisely because the Senate possesses that authority that committees have a responsibility to provide the chamber with their candid assessment. When a proposed timetable may affect the quality of the legislative review, I say that you should be concerned.

The purpose of the motion before us is not to challenge the authority of the Senate; it is to assist the Senate in exercising that authority with the benefit of information that only the committee can provide.

Respectfully, the committee is attempting to advise the Senate regarding the practical consequences of the timetables currently proposed. The committee is not asking the Senate to trust its conclusion; the committee is asking the Senate to provide sufficient time for it to reach a conclusion.

The principle of this legislation is of great significance. The level of scrutiny that Canadians expect and deserve is of great significance. The Senate is uniquely poised and positioned to provide that scrutiny. What remains unclear is why the work must be completed within a time frame that is not commensurate with either the scope of the legislation or the significance of the issues that it raises.

Honourable senators, this is ultimately a question of parliamentary judgment. It's about an examination that is incomplete: Important witnesses have not been heard, proposed amendments were not fully examined and significant issues relating to privacy, foreign interference and artificial intelligence remain deserving of further scrutiny.

The committee's responsibility is to provide that advice. The Senate's responsibility is to decide what weight it wishes to give it. Respectfully, that decision should be made with the full awareness of the committee's advice and the consequences that may flow from accepting a compressed timetable.

Therefore, I ask colleagues to support the motion before us. I ask you to support the ability of the Legal and Constitutional Affairs Committee to conduct the careful, evidence-based, non-partisan study that this legislation deserves. I ask you to respect the judgment of the committee members who have already advised the Senate that additional scrutiny is very much required.

Honourable senators, this institution performs some of its best work through its committees. Committees hear evidence, test assumptions, discover unintended consequences and improve legislation. This is not an obstacle to good government; it is one of the ways good government is achieved.

The importance of Bill C-25 is undeniable. The need to study it properly is equally undeniable. The only question before us is whether the Senate wishes the study to occur under conditions that permit the committee to perform its work fully. The motion before us seeks only to ensure that possibility and necessity are not mistaken for one another.

Colleagues, the committee is not asking for special treatment, it's not asking to defeat the bill and it's not asking for unlimited time. It is simply advising the Senate that it has already reported that there are huge evidence gaps in the study so far.

• (2010)

The Legal Committee sets a very high standard for professional proficiency. The principle of sober second thought demands nothing less. We need the time required to meet that high standard. Sober second thought should not be sacrificed on the altar of expediency. In a democracy governed by the rule of law, those should never become the same thing.

I support Senator Prosper's amendment, and I ask you to do the same for those reasons. Thank you.

The Hon. the Speaker: Senator Downe, are you on debate or asking a question?

Hon. Percy E. Downe: A question if there's time.

The Hon. the Speaker: There is not a lot of time. First of all, we have to ask if Senator Arnot wants to answer a question, and he will have to ask for more time to answer it.

Senator Arnot: I would like to answer any questions posed, and I would like the time to do so if the Senate agrees.

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

Some Hon. Senators: Agreed.

An Hon. Senator: No.

The Hon. the Speaker: I hear a no.

On debate, Senator Moreau.

[*Translation*]

Hon. Julie Miville-Dechêne: I had asked to speak in this debate.

The Hon. the Speaker: I recognized Senator Moreau first.

Senator Moreau, I recognized you first. Shall I give you the floor, or would you like to yield the floor?

Senator Moreau: I'm prepared to yield the floor to Senator Miville-Dechêne, if she wishes to speak.

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

Hon. Senators: Agreed.

Senator Miville-Dechêne: Thank you, Senator Moreau. I will be brief. There was an agreement at the steering committee, and I wanted to say a few words on this.

I support my colleague Senator Prosper's amendment. My position is not ideological. I judge these issues on a case-by-case basis. It seems unrealistic to expect that we can seriously complete our consideration of Bill C-25 in a single day, just to satisfy the government. This flies in the face of our duty to provide sober second thought on legislation. We're being asked to rubber-stamp bills. We're being asked to act like doormats.

As you know, I recently spoke in this chamber to point out that we needed to accelerate the work on Bill C-16, which seeks to protect victims. It is eagerly awaited by groups representing victims of crime.

Quebec is going through a difficult period, with women in particular feeling unsafe because of the high number of femicides. There have been 11 so far this year.

There is also a high number of accused in cases of domestic violence who have breached their release conditions.

Since last Wednesday, we have heard from 31 witnesses on Bill C-16. We have been working very hard, and even added meetings on Friday and today.

Getting back to Bill C-25, which amends the Canada Elections Act and is at the heart of debate, we were asked to conduct a pre-study, which we did. We held four meetings over two days. We heard from the minister and about a dozen witnesses from various organizations, and yet we did say in our report that we needed more time to conduct a solid study.

The Standing Committee on Procedure and House Affairs, by comparison, studied Bill C-25 from May 5 to June 2 — an entire month — and heard from 27 witnesses.

Asking for an extra day or two to hear from the relevant witnesses on this bill is not unreasonable. The issues raised are complex. They include foreign interference in our politics and how to limit it, deepfakes and stricter political party financing rules. The experts we heard from were highly critical of the measures set out in this bill to protect voters' personal information. Elections Canada suggested nine amendments.

In short, I don't feel that our work is done, and I still fail to understand the urgency of adopting Bill C-25 at lightning speed. Thank you.

[*English*]

Senator Downe: If I could go first and the leader could wrap up, if that's agreeable, because then he can —

[*Translation*]

The Hon. the Speaker: Senator Moreau, are you prepared to yield the floor?

Senator Moreau: Yes, Your Honour. Please assume that I will speak once all the senators have spoken.

The Hon. the Speaker: Is leave granted?

Hon. Senators: Agreed.

[*English*]

Senator Downe: I'll be brief, Your Honour and colleagues.

Senator Arnot, as chair of the committee, and other senators have spoken and raised serious concerns. I was not aware of this issue until I heard the amendment from my colleague Senator Prosper and others who have spoken on it.

I guess the question I have — and this is why I wanted the leader in the Senate to go last — is whether there is any room for a compromise here. If you're asking for a few more days, can we come to a consensus that a few more days will be granted, rather than wait for October, since it also appears to be a government priority? That was the question I was going to ask you, but since I can't ask you, I'll just say a few more words on that.

Colleagues, it's important that the Senate, as you indicated, Senator Arnot, have the responsibility to do the work that's before us and that the new and improved Senate — I hear that so often it should almost be trademarked by somebody. But I'm from the old Senate. I'll tell you, colleagues, the old Senate stayed to do the work. There was one year the House of Commons had adjourned in June; we left the Senate on July 20.

Colleagues, we're looking at 12 weeks ahead of us. To stay extra time now to address these concerns would seem to be the proper course of action rather than the fall, and I just throw that out there for consideration. If we have a responsibility for this bill that is before us and the government wants it, 12 weeks is a pretty long break. If we're here until July 20 again, we still have eight weeks. We did it; nobody passed away from extra work, and we got the legislation concluded with the proper scrutiny that Canadians are counting on us to do.

Thank you, Your Honour.

Hon. Lucie Moncion: Would Senator Downe entertain a question?

Senator Downe, with the proposition that you're making — staying longer — does that mean that just the members of the committee stay longer or the whole Senate stays longer? I want to ensure that it's not seen as a punishing measure that we're putting in place for senators because of the delays that are being shortened.

I just want to understand the situation that you were speaking of: Was the whole Senate staying, or were just a few senators staying?

Senator Downe: The Senate adjourned on July 20, so committees met, but we were all here on July 19 and July 20 and a few weeks before that. As I recall, and this was from my memory, I think we sat for a couple weeks. Then I think the committee sat for a week, and then we came back. But for the bulk of July, we were in Ottawa.

I still recall my colleague former senator Frank Mahovlich say he was out for lunch at a restaurant, and people said, "What are you doing in Ottawa? The House is adjourned," because all the media were saying Parliament was adjourned. They didn't realize the Senate was still sitting. We were here for at least three solid weeks, and the committee may have sat an extra week to get the work done.

[*Translation*]

Senator Moreau: First of all, I want to thank Senator Prosper, Senator Arnot and Senator Miville-Dechêne, as well as all the members of the Standing Senate Committee on Legal and Constitutional Affairs, for the excellent work they are doing. I know they have been working very hard.

The government cannot support Senator Prosper's amendment.

Senator Arnot referred to this in his speech. Bill C-25 introduces measures designed to counter foreign influence in the electoral process and to ensure that the provisions of this act apply not only during election periods, but also between election periods. For this reason, the government believes that Bill C-25 must be passed as quickly as possible so that it can be implemented.

Elections Canada has already indicated that any changes to the Canada Elections Act will require a lead time of approximately six months. Some members of the House of Commons have publicly announced their intention to step down.

• (2020)

This results in a delay in the holding of by-elections, regardless of the fact that these fall under the Prime Minister's authority to call a general election upon submitting such a request to the Governor General.

In this context, the government believes that the provisions of Bill C-25 must be implemented as quickly as possible, for the reasons Senator Arnot mentioned in his remarks.

What the motion proposes, as amended by my amendment, is allowing time to accommodate all senators so that we may adjourn our work this Friday. If this motion is amended, first to postpone the dates to October, it is clear that the government will not be able to agree to this proposal, and since the government believes that Bill C-25 is a measure that must be implemented as quickly as possible, we will have to sit.

I echo the question raised by Senator Moncion. This is not a punitive measure, and it is our job as legislators to pass laws in accordance with the government's legislative agenda. We will therefore be sitting past Friday to ensure that the entire legislative agenda that the government deems urgent to implement is reviewed and adopted by the Senate, with or without amendments. The House sets the agenda.

However, with all due respect for my colleagues on the Standing Senate Committee on Legal and Constitutional Affairs, I want to point out that if the motion is not adopted, we will have to continue sitting until Bill C-25 has been analyzed and passed at third reading, with or without amendments by the Senate.

[*English*]

The Hon. the Speaker: Are honourable 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: Agreed.

Some Hon. Senators: No.

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

Some Hon. Senators: Yea.

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

Some Hon. Senators: Nay.

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

And two honourable senators having risen:

The Hon. the Speaker: Is there agreement on the length of the bell?

An Hon. Senator: Fifteen minutes.

The Hon. the Speaker: Is leave granted for 15 minutes?

Hon. Senators: Agreed.

The Hon. the Speaker: The vote will take place at 8:37 p.m. Call in the senators.

• (2030)

MOTION IN AMENDMENT NEGATIVED

Motion in amendment of the Honourable Senator Prosper negatived on the following division:

YEAS
THE HONOURABLE SENATORS

Adler	Miville-Dechêne
Al Zaibak	Moncion
Arnold	Moodie
Arnot	Osler
Aucoin	Oudar
Batters	Pate
Black	Patterson
Burey	Prosper
Clement	Quinn
Coyle	Robinson
Dasko	Ross
Fridhandler	Senior
Galvez	Simons
Hay	Verner
Ince	Wallin
Karetak-Lindell	Wells (*Alberta*)
Lewis	Woo
McBean	Youance—36

NAYS
THE HONOURABLE SENATORS

Ataullahjan	Loffreda
Boehm	MacAdam
Boyer	Manning
Busson	Martin
Cardozo	McNair
Carignan	Mohamed
Cuzner	Moreau
Deacon (*Ontario*)	Muggli
Dean	Petten
Dhillon	Poirier
Duncan	Pupatello
Forest	Ravalia
Francis	Saint-Germain
Gignac	Sorensen
Greenwood	Surette
Harder	Varone

Housakos	Wells (*Newfoundland and Labrador*)
Kingston	White
Klyne	Wilson
LaBoucane-Benson	Yussuff—40

ABSTENTIONS
THE HONOURABLE SENATORS

Bernard	Dalphond
Brazeau	Downe
Cormier	Gerba—6

• (2040)

POINT OF ORDER—SPEAKER'S RULING

Hon. Paul (PJ) Prosper: Your Honour, I rise to a point of order regarding the admissibility of Motion No. 82. It runs against the procedural principle that a complicated question, where a motion contains multiple propositions, should be separated into individual questions so that each part can be debated and voted on as separate matters.

Your Honour, in the case before us, we have a disposition motion that proposes to govern the legislative process of Bill C-16, Bill C-25 and Bill C-30.

We have just received and read Bill C-16 and Bill C-25 earlier today. Bill C-30 is not even before us. These are three distinct issues that are contained in one disposition or programming motion. The timelines for governing each bill are different. The topics of each bill are different.

Bill C-16 is entitled An Act to amend certain Acts in relation to criminal and correctional matters (child protection, gender-based violence, delays and other measures).

Bill C-25 is entitled An Act to amend the Canada Elections Act and to enact An Act to change the names of certain electoral districts, 2026.

Lastly, Bill C-30 is entitled An Act to implement certain provisions of the spring economic update tabled in Parliament on April 28, 2026.

These bills are not thematically similar. They are distinct legislative proposals. Accordingly, they cannot be subject to a single motion.

Before I begin discussing this principle in greater detail, I want to elaborate on what my objection is about, and, more importantly, what it isn't about. I do not take issue with the substance or intent of the motion before us. Whether we call it a "disposition motion," "programming motion" or "scheduling motion," it is a recognizable tool that the government can use to conduct its business. The reason why there are few precedents governing its use is that, until recently, it has been relatively rare.

In her Speaker's ruling on April 28, 2004, Speaker pro tempore Pépin, in response to a question of privilege by Senator Cools regarding a disposition motion, said the following:

> Since the Senate has complete control over the disposition of the motion, it maintained its fundamental privilege to determine its own proceedings.

Your Honour, again, I am not disputing the contents but rather the form.

On November 5, 2013, Speaker Kinsella noted:

> Dividing a vote . . . is a rare practice. In the Senate, we do not have any known cases of using this parliamentary practice.

In this case, "rare" meant that there are few examples because the Senate normally does not have motions covering multiple items that could be separated. Until 2013, no senator requested that a vote be divided.

• (2050)

Your Honour, for the benefit of the chamber, I will read the relevant passage in the fourth edition of the *House of Commons Procedure and Practice*, specifically Chapter 12, section 12.49:

> When a complicated motion comes before the House, the Speaker has the authority to modify it in order to facilitate the decision-making of the House. This may happen when a motion contains two or more distinct parts, each of which could form a separate motion. When any member wishes to examine propositions separately, they may request that the motion be divided and that each proposition be debated and voted on separately. The final decision, however, rests with the Chair.
>
> Although rather rare, the matter of dividing a complicated motion has arisen in the House on several occasions. The first such case dates back to 1964, when a member raised a point of order to request that a government motion be divided into two or more distinct propositions. In his ruling, the Speaker divided the motion into two separate motions for debate and voting purposes. Since then, the Speaker has given different rulings on the division of a motion. In some cases, the Speaker has chosen to divide the motion for voting purposes only; in another case, the Speaker divided the motion so that different propositions would be debated and put separately.

The clearest guidance we have is from November 4 and 5, 2013, when Senator Nolin requested that the Speaker divide the question related to the suspension of three senators into three separate votes. At the time, the Senate had no procedure governing complicated questions.

Senator Kinsella considered the precedents of the House of Commons and found:

> Honourable senators, in my consideration of Government motion five, I note that it deals with a single broad topic — the suspension of three senators — but also that it has been drafted in such a way that it can be split for the purposes of voting. It thus meets the basic criterion.

The Speaker then divided the question for the purposes of voting into five distinct but separate votes. Although they dealt with the same thematic topic — the suspension of senators — the motion itself addressed specific issues that were related to it.

Your Honour, my request is distinguishable from that of Senator Nolin.

I am requesting not only separate votes, which would clearly be appropriate in this context, but to also divide the motion for the purposes of debate.

What we have is a situation that isn't specifically provided for in our Rules.

Rule 1-1(2) provides:

> In any case not provided for in these Rules, the practices of the Senate, its committees and the House of Commons shall be followed, with such modifications as the circumstances require. The practices of other equivalent bodies may also be followed as necessary.

What this means, Your Honour, is that this current situation is novel. It does not matter what has happened in the past regarding complicated questions in the Senate.

In the past, any complicated questions have not necessarily warranted an objection by an individual senator. We are faced presently with a new situation where I, as a senator, am objecting to the form of this complicated question. I am asking for guidance on how to proceed.

Our Rules state we are obligated to look at the House of Commons and base our own practices off theirs, subject to any necessary modifications.

Further, Your Honour, a similar approach regarding complicated questions is referenced in the United Kingdom's Erskine May in paragraph 20.27. A summary of the British origins of the practice can be found in the Canadian House of Commons Speaker's ruling from June 15, 1964.

The rulings of former House of Commons Speakers Peter Milliken and Andrew Scheer offer guidance.

In a ruling from October 17, 2013, Speaker Scheer captures the essence of Speaker Milliken's ruling from October 4, 2002:

> While previous Speakers have been faced with similar requests to divide motions, they have seldom done so, something Speaker Milliken, on October 4, 2002, at page 299 of *Debates*, remarked upon when he stated that "the Chair must exercise every caution before intervening in the deliberations of the House". In that instance, Speaker Milliken did in fact determine that a motion contained three different proposals. In that case, the broad purpose of the motion was the "resumption and continuation of the business of the House begun in the previous Session of Parliament". Accordingly, Speaker Milliken took the view that the first two proposals, which dealt with the reinstatement of business from a previous session, should be debated together but each get a separate vote. The third proposal, which concerned travel by the Standing Committee on Finance and was not found to be "strictly speaking, a matter of reinstating unfinished business", became a separate motion. In making this decision to allow a separate debate, Speaker Milliken also stated, "Our usual practice is to adopt travel motions on a case-by-case basis".

More importantly, Your Honour, is that in the House of Commons, when they use their version of a disposition motion — a programming motion — it only applies to one piece of legislation at a time. The only exception is where the House of Commons revives items that have died on the Order Paper due to prorogation.

In this scenario, the House is not being asked to expedite the legislative process but restore bills to their prior stage. The importance of the ironclad one bill per programming motion is simple: It ensures that the House can be seized with a single issue at a time when performing its constitutional role of scrutinizing legislation or, in the words of Speaker Milliken, to avoid:

> . . . circumvent[ing] the rules and practices governing the legislative process in a manner prejudicial to the proper consideration of proposed legislation.

In a Speaker's ruling from March 29, 2007, Speaker Milliken, when discussing an opposition motion programming the passage of multiple bills in a single motion, offered this important commentary:

> The Chair has been unable to find any examples even of Government-sponsored multi-bill motions being moved after due notice, with the exception, as noted earlier, of motions to reinstate legislation at the beginning of a session. Even in these cases, the authority of the Speaker to divide a motion is unquestioned.

• (2100)

In other words, Your Honour, multi-bill motions are simply not done in the House of Commons, and if they were, the Speaker would have the duty to divide not only the vote but also the debate.

I am well aware that senators wishing to argue against this point of order will point to the last sentence on page 110 of *Senate Procedure in Practice*, which says:

> An order for the disposition of business can deal with a single item of business or with a number of items of business at once.

They would then refer to footnote 214, citing an example from June 21 and June 22, 2007, when the Senate disposed of five government bills at third reading.

There was also a built-in safety mechanism where if the leadership of any group objected, the motion could no longer be moved. It would be similar to asking for leave under our Rules to dispense with the normal procedures and processes. However, these examples offer no precedential value for a basic reason: No one objected to the complicated question.

If I may, Your Honour, I will conclude by commenting on why it is important for each bill to be debated and divided on its own disposition motion. The government motion can always be subject to time allocation. The consequence is that once time allocation is adopted, no further amendment to the motion can be moved. This means that once that happens — and I remind you that time allocation can be moved only after one day's debate — senators can debate the merits of a disposition motion but are deprived of changing it.

Today, we only have 3 bills under this motion, but there would be nothing stopping a government in the future from including 5, 10 or even the entirety of the government's legislative agenda, even before any bills arrive in this chamber.

To paraphrase former Senator Fraser when discussing the 2013 precedent:

> No one forced the government to present one motion to cover all three . . ..

— bills.

> There was no immediate, apparent necessity to do that . . . One speculates that the reason for doing it was so that the government could move to impose one time allocation motion instead of three.

A senator can only move one amendment on a motion. Given that legislative scrutiny and oversight are our paramount duties, should a senator request that a complicated question be divided on both the motion and vote, you have a duty as a guardian of our rights and privileges to do so. In the situations in the House of Commons where the Speaker declined to divide debate in a programming motion, they related to matters unrelated to the multi-bill passage of legislation. Simply put, multi-bill disposition motions are foreign to the practices of the House of Commons and are, therefore, foreign to the practices of the Senate, should a senator ask that a complicated question not only be divided for the purposes of voting but also debate. That is why, Your Honour, I am asking for you to do so.

Thank you.

Hon. Bernadette Clement: Your Honour, I want to be very brief on debate.

Honourable senators, I was quite surprised when I heard that motion last week. I actually leaned in to try to listen to paragraph after paragraph, and I wondered how that was going to affect our work at the Standing Senate Committee on Legal and Constitutional Affairs. I sit on that committee. I understood that Bill C-16 was coming and that Bill C-25 was there, and it was difficult to figure out how we would organize our work. It felt almost like an omnibus motion, even with just three bills.

I am not a long-time senator. I am five years in. What does that make me — a teenage senator? However, this was novel to me, so I am very interested in getting some guidance on this type of motion, particularly when Senator Prosper raises the possibility of this becoming something more frequent with more bills. It raises some concern.

We are here to give our best advice to the other place, and should they choose to ignore that advice, so be it. We have shown that we respect what the other place does with our amendments and our advice; we go on to do the next thing and to review the next bill.

However, please give us time to give the other place our best advice. On the Senate Legal and Constitutional Affairs Committee, we have clearly indicated that we need more time to do so on Bill C-25.

So, I would like to add my voice to Senator Prosper's to ask for guidance on complicated questions and on bringing some clarity so that we can schedule our work appropriately. Thank you.

Hon. Leo Housakos (Leader of the Opposition): Honourable senators, on this point of order, I intend to be brief. Initially, I didn't even intend to speak to it.

First and foremost, we are spending hours and hours on how we need more time to debate legislation and how it's critical to the nation. However, we're spending hours and hours on procedure instead of on debating the substantive legislation that affects the nation.

One rule that I learned in this place a long time ago is this: Rules, precedents and points of order are all very good, but this chamber is the master of its destiny. That's why, with leave, we can do things with motions; we can overrule certain procedures, precedents and rules.

I have been in this place for quite a long time, and I can tell you that, regardless of what government is in power, organizational motions and forms of time allocation have been used in the past and will continue to be used in the houses of Parliament. I was a member of a government. Senator Carignan was government leader when we would move organizational motions with a multitude of bills in those motions. Of course, Senator Downe and the Liberals at the time would tear their shirts in indignation, light their hair on fire, have procedural motions and all the rest of it. Sometimes you won those points of order. Sometimes you lost. With me in the chair, you actually won a couple.

The truth of the matter is that it's not something that is unusual. It's also not unusual that, at this time of year, we sit down with leadership groups and try to come up with an agenda that's oriented toward common sense and tries to appease the agenda of the House. Again, I remind people all the time that the House of Commons is the master of democracy in Parliament. It is incumbent on them to face the electorate every few years, to face transparency and to face judgment day.

We are here to support their process, and there are a bunch of bills that didn't make the priority list. I wish some of them had. I'm sure the government leader wishes some of them had as well — or that some of them hadn't. That's irrelevant.

All leaders sat down, I think, three weeks ago. We came to a general consensus on what the important bills were. The truth is that the government, in the end, probably snuck in one or two. That is their prerogative — they were elected — and it's our prerogative to do the work in a reasonable period of time.

Again, colleagues, I can tell you this as Leader of the Opposition: Even with the time frame we've put into place here, if there is anyone who should be screaming because there isn't enough time for democracy to speak, it should be the opposition.

• (2110)

And I think this agenda is a little bit ambitious, but I think we're up for the task. If we're not up for the task, well, we should make time for legislative work and less time for procedural work.

And, Your Honour, I want to say this: It is also incumbent on the chair. You can exercise your right to do what you see fit. Thank you.

[*Translation*]

Hon. Pierre Moreau (Government Representative in the Senate): It is 9:10 p.m. If we subtract the 30 minutes for question period, we have been here for two and a half hours debating procedural issues to try to buy more time for debate. It is astounding.

I would like to respond to Senator Prosper. I thank him for his arguments. However, isn't it a bit late to be raising a point of order on the admissibility of a motion that governs the business of the Senate when he tried to table an amendment to the very procedure that he is now claiming should be inadmissible? The same procedure was followed when we did the pre-studies. Three bills were scheduled for pre-study, and no similar issue was raised.

When raising a point of order, Senator Prosper is required to raise it at the earliest possible opportunity. No only did he not do so at the earliest possible opportunity, but this is the third opportunity and he already tried to amend the procedure in question.

Basically, Senator Prosper cited many rules of the House of Commons. However, the Senate has its own rules, and they must take precedence over those of the House of Commons. A ruling was given on motions that affect the practices and business of the Senate. *Senate Procedure in Practice* states the following at page 110:

[*English*]

> An order for the disposition of business can deal with a single item of business or a number of items of business at once.

[*Translation*]

Those are the rules that apply to senators.

On June 21, 2007, the Senate adopted a motion to consider, in succession, without the possibility of debate or amendments and limiting the time for bells, all of the bills that were on the Order Paper at second reading on June 22, 2007. This motion can be found in the *Journals of the Senate* at pages 1815 and 1816.

On June 22, 2007, five bills were dealt with as a result of that motion. In the case of two of those bills, several amendments that had previously been tabled at third reading were dealt with before the question of the third reading had even been resolved. In such cases, it has been clearly established that the Senate can deal with more than one bill at a time. It is not the rules of the House of Commons, but rather the rules of the Senate that apply to our debates.

Finally, Your Honour, you yourself made a ruling on April 28, 2024, in which you stated the following:

> Since the Senate has complete control over the provisions related to a motion before the chamber, it maintains its fundamental privilege to determine its own procedure.

Specifically, before you is a motion to allow the Senate to decide on its own procedure, the order of consideration to follow, and the bills to be included in the procedure. The House must vote on this procedure. In my opinion, and I say this with great respect for Senator Prosper's arguments, this is not a point of order.

[*English*]

The Hon. the Speaker: Thank you, Senator Prosper, for bringing up this important question.

[*Translation*]

Thank you to all the senators who participated in debating this point of order.

[*English*]

In order to have a clear pathway to deal with these three bills, I will consult with the clerks. Therefore, I will suspend the sitting, and we will have the bells ring for 15 minutes to call in the senators when the ruling is prepared.

[*Translation*]

(The sitting of the Senate was suspended.)

(The sitting of the Senate was resumed.)

• (2150)

The Hon. the Speaker: Honourable senators, I am now prepared to rule on the point of order raised by the Honourable Senator Prosper.

Senator Prosper argues that Government Motion No. 82 constitutes a complex question, and as such should be split for both debate and vote. In doing so, he points to statements by Speaker Kinsella in November 2013. He also notes that our rules and procedures do not explicitly provide for this, but references procedures and practices from the House of Commons.

As I noted in my ruling when I received a request to split a vote in June 2025, "there is only one known case of the Speaker having done this, as addressed in a statement by Speaker Kinsella on November 5, 2013. At that time the Senate was dealing with a quite complicated substantive motion that dealt with a number of very distinct issues. The motion was drafted in such a way that separate votes were feasible."

In the November 2013 case, the Speaker agreed to divide the question concerning the suspension of three senators. The adoption of that motion as drafted would have been final — there would not have been any further opportunity for debate or amendment.

In the case before us, however, the motion deals with timelines for the consideration and disposition of three bills. Should this motion be adopted, each bill would still be debated, considered, and ultimately voted on individually. It is not the adoption of the three bills together that is being dealt with in this motion, but the timelines by which the Senate will take its ultimate decisions on these bills.

Two questions therefore arise: is this a complex question, and can this motion be easily divided? In response to the first question, I must again be clear on what it is we are being asked to determine: it is the timelines for the Senate to dispose of these individual legislative measures, not the adoption of the legislative measures themselves. In that sense, the motion represents a work plan for the Senate to consider. I would also cite Speaker Kinsella's statement of November 4, 2013: "As long as we are satisfied that we know what we are voting on … there is no need to divide even the most complicated of questions." In this case, as I already noted, the issue before us is clear — the government is proposing timelines for the Senate to dispose of three bills. The bills impacted and the timelines proposed are clear, and senators will retain the right to debate, amend and vote on each individual bill separately and at every stage.

The other question is if this motion can be easily divided? As Speaker Kinsella noted in his statement of November 5, 2013, this process "can only be done if the motion contains two or more distinct propositions that would, if decided separately, be coherent." While the motion before us does provide separate timelines for each of the three bills, it also has more general provisions for the consideration of all three bills, and cross-references between the provisions on each bill, such that separating this motion would render it incoherent.

Before concluding, I would like to address questions raised as to whether this matter was raised at the first opportunity. While our rules require that questions of privilege must be raised at the earliest opportunity, there is no such requirement for a point of order, which can be raised at any time the matter is still relevant.

For these reasons, I do not believe that there is a complex question, or that the motion can be divided for debate or vote. Debate on the motion can therefore continue.

• (2200)

[*English*]

MOTION TO AFFECT PROCEEDINGS ON BILLS C-16, C-25 AND C-30 ADOPTED

On the Order:

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

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

1. in relation to Bill C-16, An Act to amend certain Acts in relation to criminal and correctional matters (child protection, gender-based violence, delays and other measures):

   (a) if the Senate receives the bill and adopts it at second reading, it stand referred to the Standing Senate Committee on Legal and Constitutional Affairs;

   (b) the committee be authorized to meet for the purposes of its consideration of Bill C-16, even though the Senate may then be sitting, with rule 12-18(1) being suspended in relation thereto;

   (c) the committee submit its report on Bill C-16 to the Senate no later than June 17, 2026;

   (d) the committee be authorized to present its report on the bill at any time the Senate is sitting, except during Question Period;

(e) if the committee reports the bill with amendment or with a recommendation that the Senate not proceed further with the bill:

(i) the report be placed on the Orders of the Day for consideration later that sitting, provided that if the report is presented after the point where the Senate would normally have dealt with the report, it either be taken into consideration forthwith, or, if another item is under consideration at that time, it be placed on the Orders of the Day for consideration as the next item of business; and

(ii) once the Senate decides on the report, the bill, if still before the Senate, be placed on the Orders of the Day for third reading at the next sitting;

(f) if the committee has not reported the bill by 4 p.m. on June 17, 2026, it be deemed to have reported the bill without amendment, with the bill then being placed on the Orders of the Day for third reading at the next sitting of the Senate; and

(g) if the Senate has not concluded proceedings on the bill by 9 p.m. on June 18, 2026, the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at third reading without further debate, provided that if the bill has not yet been moved for third reading at that time, the sponsor, or a designate, be recognized solely to move third reading, if the bill is still then before the Senate;

2. in relation to Bill C-25, An Act to amend the Canada Elections Act and to enact An Act to change the names of certain electoral districts, 2026:

(a) if, before this order is adopted, the bill has been placed on the Orders of the Day for second reading at a sitting subsequent to June 16, 2026, at 6 p.m. or the end of Government Business, whichever comes first, on June 16, 2026, second reading be brought forward so that the bill be taken into consideration at second reading as the next item of business;

(b) if the Senate has not disposed of the bill at second reading by 11 p.m. on June 16, 2026, the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at second reading without further debate, provided that:

(i) if a vote on the bill had previously been deferred so that it would normally take place after the time provided for in this paragraph for the interruption of proceedings, that vote be brought forward to 11 p.m. on June 16, 2026, after a 15-minute bell; and

(ii) if the bill has not yet been moved for second reading, the sponsor, or a designate, be recognized solely for the purpose of moving second reading;

(c) if the Senate adopts the bill at second reading, it stand referred to the Standing Senate Committee on Legal and Constitutional Affairs;

(d) the committee be authorized to meet for the purposes of its consideration of Bill C-25, even though the Senate may then be sitting, with rule 12-18(1) being suspended in relation thereto;

(e) the committee submit its report to the Senate no later than June 18, 2026;

(f) the provisions in points 1(d) and (e) also apply to proceedings on Bill C-25;

(g) if the committee has not reported the bill by 7 p.m. on June 18, 2026, it be deemed to have reported the bill without amendment, with the bill then being placed on the Orders of the Day for third reading at the next sitting of the Senate; and

(h) if the Senate has not concluded proceedings on the bill by 12 p.m. on June 19, 2026, the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at third reading without further debate, provided that if the bill has not yet been moved for third reading at that time, the sponsor, or a designate, be recognized solely for the purpose of moving third reading, if the bill is still then before the Senate;

3. in relation to Bill C-30, An Act to implement certain provisions of the spring economic update tabled in Parliament on April 28, 2026:

   (a) if the Senate receives the bill, once read a first time, it be placed on the Orders of the Day for second reading later that day, provided that if the Senate has already passed the point on the Orders of the Day where it would deal with the bill at second reading, it be taken into consideration at second reading forthwith, or, if another item is under consideration at that time, the bill be placed on the Orders of the Day for consideration at second reading as the next item of business;

   (b) if, before this order is adopted, the bill has been placed on the Orders of the Day for second reading at a sitting subsequent to the one at which this order is adopted, second reading be brought forward, upon the adoption of this order, so that the bill be taken into consideration at second reading as the next item of business;

   (c) if at 11 p.m. on June 18, 2026, the Senate has not disposed of the bill at second reading, the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at second reading without further debate, provided that:

      (i) if a vote on the bill had previously been deferred so that it would normally take place after the time provided for in this paragraph for the interruption of proceedings, that vote be brought forward to 11 p.m. on June 18, 2026, after a 15-minute bell; and

      (ii) if the bill has not yet been moved for second reading, the sponsor, or a designate, be recognized solely for the purpose of moving second reading;

   (d) if the Senate adopts the bill at second reading, it stand referred to the Standing Senate Committee on National Finance;

   (e) the committee be authorized to meet for the purposes of its consideration of Bill C-30, even though the Senate may then be sitting, with rule 12-18(1) being suspended in relation thereto;

   (f) the committee submit its report on Bill C-30 to the Senate no later than June 19, 2026 at 10 a.m.;

   (g) if the committee reports the bill without amendment, the bill be placed on the Orders of the Day for third reading later that sitting;

   (h) if the committee has not reported the bill by 10 a.m., it be deemed to have reported the bill without amendment at that time, and the bill be placed on the Orders of the Day for third reading later that sitting;

   (i) if the committee reports the bill with amendment or with a recommendation that the Senate not proceed further with the bill:

      (i) the report be taken into consideration forthwith or, if another item is under consideration at that time, it be placed on the Orders of the Day for consideration as the next item of business; and

      (ii) once the Senate decides on the report, the bill, if still before the Senate, be taken into consideration at third reading forthwith; and

   (j) if on June 19, 2026, the Senate has not concluded proceedings on the bill by 2 p.m., the Speaker interrupt any proceedings then before the Senate in order to put all questions necessary to dispose of the bill at third reading without further debate, provided that if the bill has not yet been moved for third reading at that time, the sponsor, or a designate, be recognized solely to move third reading either at that time, or once the Senate has made a decision on the committee's report, if the bill is still then before the Senate;

4. proceedings at any stage on Bills C-16, C-25 and C-30, under the terms of this order, not be adjourned and no vote requested in relation thereto be deferred;

5. if, under the terms of this order, the Speaker is at any time required to interrupt proceedings then before the Senate in order to put all questions necessary to dispose of a bill at a particular stage without further debate, no further debate or amendment be permitted, and, if a standing vote is requested, the bells ring once, and for only 15 minutes, without being rung again for subsequent votes necessary to dispose of the bill at the stage in question; and

6. for greater certainty, if, at the time this order provides that something is to happen in relation to Bills C-16, C-25 and C-30, the bells are either ringing for another vote, another vote is underway, or Question Period is underway, the time provided for in this order be understood as if it were at the end of either that other vote or Question Period.

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: Agreed.

An Hon. Senator: On division.

(Motion as amended agreed to, on division.)

[*Translation*]

ROYAL ASSENT

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

RIDEAU HALL

June 15, 2026

Madam Speaker,

I have the honour to inform you that Mr. Ken MacKillop, Deputy of the Governor General of Canada, signified royal assent by written declaration to the bills listed in the Schedule to this letter on the 15th day of June, 2026, at 8:25 p.m.

Yours sincerely,

Ryan McAdam

Executive Director, Office of the Secretary to the Governor General

The Honourable
The Speaker of the Senate
Ottawa

Bills Assented to Monday, June 15, 2026:

An Act respecting cyber security, amending the Telecommunications Act and making consequential amendments to other Acts (*Bill C-8, Chapter 9, 2026*)

An Act to amend the Criminal Code (sterilization procedures) (*Bill S-228, Chapter 10, 2026*)

An Act to amend the Criminal Code, the Youth Criminal Justice Act and the National Defence Act (bail and sentencing) (*Bill C-14, Chapter 11, 2026*)

[*English*]

MESSAGES FROM THE HOUSE OF COMMONS

PHYSICIAN-ASSISTED DYING

MESSAGE FROM COMMONS

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

Monday, June 15, 2026

EXTRACT, —

That this House concur in the provisions of the message received from the Senate on Thursday, June 11, 2026, with regard to appending a dissenting or supplementary opinion of a member of the Special Joint Committee on Medical Assistance in Dying from the Senate to the first report of the Special Joint Committee on Medical Assistance in Dying; and that a message be sent to the Senate informing it that this House has adopted this order.

ATTEST

Eric Janse

Clerk of the House of Commons

[*Translation*]

ORDERS OF THE DAY

PROTECTING VICTIMS BILL

BILL TO AMEND—SECOND READING

Hon. Manuelle Oudar moved second reading of Bill C-16, An Act to amend certain Acts in relation to criminal and correctional matters (child protection, gender-based violence, delays and other measures).

She said: Honourable senators, I am honoured to be sponsoring Bill C-16, the Protecting Victims Act, and to speak to it today.

[*English*]

This is an important bill that I am about to discuss with you, and I would like to sincerely thank the members of the Legal Committee for their diligent work on this bill. Please know, dear colleagues, that I appreciate the work and all the hours you have dedicated to this bill, and I am deeply grateful to you.

Before delving into the details of this bill, I would like to acknowledge the courage of survivors. I also wish to honour the memory of all who have been victims of femicide.

In fact, in Canada, nearly 200 women and girls are victims of femicide or violent homicide each year, according to our most recent data. On average, that represents one woman or girl killed every two days. Think about that: two days.

The number of victims has increased by more than 20% compared to pre-pandemic years.

In Canada, nearly 125,000 people aged 15 and older are victims of intimate partner violence each year, and 80% of them are women.

Physical violence does not always precede femicide committed by a partner, but there are always warning signs. Coercive control is a very important one.

Behind these statistics, numerous lives were cut short, and the lives of many families, children, loved ones, colleagues and friends are affected. They are people for whom life will never be the same again, just like the family of Bailey McCourt, the niece of Debbie Henderson, whom we saw here on Tuesday and who serves as a very real reminder that beyond the terms "domestic violence," "coercive control" or "femicide," there are people and lives that are turned upside down. I hope, honourable senators, that we will pass Bill C-225 as soon as possible. Because this issue does not only concern the victims — it concerns all of us.

When we talk about coercive control and femicide, we sometimes tend to think of cases that make the headlines. If we took the time to look around this chamber, I am convinced that almost no one is completely unfamiliar with this reality, and lives have been touched, directly or indirectly, by a story of a family, a mother, a sister, a friend, a co-worker or a neighbour. This violence is never an isolated incident.

As for me, my path crossed with that of an exceptional woman from Quebec City in June 2021. Her name was Nathalie Piché, and her life was tragically lost as a result of femicide. She was a woman with a big heart, whose daughters, Annabelle, Stéphanie and Catherine — all of whom she loved so dearly — would rather have their mother be remembered for the wonderful things she did in her life.

• (2210)

It was five years ago today, on June 15, and I didn't know that fate would have me delivering my speech today on the anniversary of her death, in loving remembrance of her. Her life should have continued, like so many others, but was cut short by domestic violence. However, her memory continues to live on within me.

[*Translation*]

Canada continues to face high rates of intimate partner violence, gender-based violence and online child sexual exploitation. According to police-reported data published by Statistics Canada, rates of intimate partner violence and sexual violence have remained at historic highs in recent years, while the Canadian Centre for Child Protection has reported an unprecedented rise in cases of online grooming and child sexual exploitation material involving Canadian children.

Bill C-16 aims to address gaps in the Criminal Code and related laws by updating offences and procedures to better reflect current realities, including the rise of AI-generated deepfakes, online sextortion and coercive control as a form of non-physical violence when exercised repeatedly.

The Protecting Victims Act responds to long-standing recommendations made in the final report of the Mass Casualty Commission, as well as in the report by the Office of the Federal Ombudsman for Victims of Crime entitled *Rethinking Justice for Survivors of Sexual Violence: A Systemic Investigation*, and in numerous parliamentary committee studies.

Bill C-16 also comes with investments totalling $660.5 million over five years for the Department of Women and Gender Equality, including $44.7 million to strengthen the federal response to gender-based violence.

The bill aims to place victims and survivors at the heart of the criminal justice system, in particular through enhanced rights to information, respect and protection, while ensuring that perpetrators and predators face the full force of the law, in accordance with the constitutional safeguards set out in the Canadian Charter of Rights and Freedoms.

The pillars of this bill are as follows: combatting gender-based violence, protecting children, strengthening victims' rights and reducing court delays. Each of these pillars addresses long-standing demands from victims.

Bill C-16 represents one of the most significant reforms to our criminal justice system in generations.

I will begin by outlining the bill, before highlighting its key provisions and their significant implications.

[*English*]

Bill C-16 is a piece of legislation that addresses important issues and pressing priorities facing our justice system. Indeed, its purpose is to protect victims and survivors of sexual, gender-based and intimate partner violence, as well to safeguard children from sexual exploitation and other forms of victimization.

It proposes to modernize our criminal laws and to address crimes occurring in digital spaces. It includes measures to better meet the needs of victims and survivors of crime by expanding their legal rights and strengthening support mechanisms to assist them in the judicial process.

The significant reforms proposed in this bill are the result of close collaboration with provinces and territories, and they have been guided by the efforts and recommendations of many stakeholders, including those who represent victims and survivors of crime.

The bill has already undergone significant parliamentary oversight. The House of Commons Standing Committee on Justice and Human Rights has heard from several witnesses. This

extensive consultation allowed for a multifaceted examination of the bill and a deeper analysis that considers the expertise and experiences shared by witnesses.

[*Translation*]

Colleagues, the House of Commons' amendments were introduced following a review by the Standing Committee on Justice and Human Rights in the other place. That study allowed for significant amendments to be made in order to better achieve the bill's fundamental objective: to protect victims. The amendments that were adopted remain, on the whole, technical in nature, but they clarify essential elements of the proposed framework, particularly regarding minimum sentences, coercive control and the classification of certain serious murders, including femicide.

These adjustments aim to ensure the consistency of the legislative framework while addressing the concerns raised by experts and stakeholders during the bill's review. More specifically, the committee has strengthened the provisions related to the new offence of controlling or coercive behaviour. Furthermore, and this is an important element, a five-year review provision has been introduced to assess the implementation of this offence and its application in different relationship contexts.

The committee has also made significant amendments regarding protections against sharing intimate images, including deepfakes. More specifically, it has introduced a harsher maximum penalty for the most serious cases and has also clarified that deepfakes can be created using AI technologies, thus taking technological developments into consideration.

I would now like to highlight five key elements in Bill C-16 that will reform criminal law and better protect victims of crime.

The first elements I will speak to are gender-based violence, coercive control and femicide. They involve reforms proposed in the bill to better equip criminal law to respond to gender-based violence, including intimate partner violence.

Amendments have therefore been proposed to fight femicide. Under Bill C-16, femicide refers to the murder of a woman in specific circumstances that disproportionately affect women. These situations include murders committed by an intimate partner in a context of coercive control, exploitation or sexual violence, and situations motivated by misogyny or gender-based hatred. For legal purposes, this designation proposes treating these crimes as first-degree murder, similar to the murder of a police officer, or as an aggravated form of manslaughter.

Comparable democracies like Spain have already adapted their laws to recognize gender-based violence, while many Latin American countries — like Mexico, Chile, Colombia and Brazil — have created specific offences for femicide or created sentences that are equivalent to the most serious types of murder. Canada would thus be joining an international movement aimed at better identifying and punishing the murders of women that are motivated by gender-based violence.

This recognition is essential for Canada, as it allows us to directly identify and combat the rise in gender-based violence. The statistics show the urgency of taking action. In 2024, close to 200 women were violently killed in Canada. Of these, 50% were killed by a current or former partner, and 28% by another family member. Homicides committed by intimate partners have also risen by 39%.

Femicide is the most extreme expression of gender-based violence, which can take many forms, both physical and psychological.

In the context of intimate partner violence, the abuser may exert control over an intimate partner by engaging in a persistent pattern of behaviour designed to trap the person and strip them of their autonomy and sense of freedom. This may involve isolating them from family and friends, keeping tabs on them, controlling their communications, controlling their finances or the way they dress and making threats against the children.

• (2220)

Bill C-16 proposes to add a new offence to the Criminal Code that would criminalize the act of engaging in a pattern of controlling or coercive behaviour toward an intimate partner. The offence would include repeated violence and threats, as well as coercing an intimate partner to engage in sexual activity and any other conduct that could reasonably be expected to cause the victim to believe that their physical or psychological safety is threatened. This offence would focus on the cumulative effect of abuse over time, rather than on isolated incidents, ensuring that the law reflects the lived experience of survivors.

By adding an offence of coercive control to the Criminal Code, Bill C-16 paves the way for a major overhaul in the way domestic violence is viewed and addressed. There have been calls for this amendment for a very long time. Criminalizing coercive control will make it possible to recognize all aspects of domestic violence beyond isolated events, and thus better protect women and children who are its victims.

This would bring Canada in line with other jurisdictions around the world that have taken this step, such as England, Wales, Scotland, Ireland and a few American and Australian states.

In addition to the new offence of coercive control, Bill C-16 would modernize the current offence of criminal harassment, which frequently occurs in cases of intimate partner violence. The bill proposes making the offence easier to prove. It also seeks to prevent survivors from being forced to relive their trauma in court by removing the requirement for the victim to prove they subjectively feared for their safety. Instead, it would be necessary to prove that a reasonable person in the victim's situation would believe that their own physical or psychological safety, or that of someone they know, is threatened. The bill would clarify that criminal harassment also includes acts committed using modern technology, such as electronic surveillance and other forms of digital surveillance.

Bill C-16 also takes into account the realities faced by different groups. Indigenous women and women of colour, for example, face disproportionate rates of violence and victimization within our society. This reality stems from intersecting factors, such as socio-economic marginalization, and structural factors, such as systemic racism. Statistics show that 61% of Indigenous women

and 42% of Black women have experienced intimate partner violence in their lifetime. Furthermore, research has shown that Indigenous women and girls are 12 times more likely to be murdered or go missing than any other woman in the country. Bill C-16 recognizes this heightened vulnerability and sets out an approach to protect these women.

To directly address the violence they disproportionately experience, this bill introduces new criminal tools. By creating the new offence of coercive control and treating femicide as a first-degree murder, the justice system is equipping itself with the necessary means to intervene earlier, before psychological violence escalates into lethal violence. These measures directly target behaviours that threaten the safety of marginalized women and aim to ensure that perpetrators are held accountable for their actions.

A gender-based analysis also reminds us that simply creating new offences can have unintended consequences for these communities, which are already vastly overrepresented in our criminal justice system as accused persons. To counter this risk of over-criminalization, Bill C-16 breaks new ground by creating a new part of the Criminal Code that formally sets out alternative measures and restorative justice processes. The legislation will explicitly require that these measures take into account the personal circumstances of both the offender and the victim. This same commitment to equity is reflected in the amendments to the Youth Criminal Justice Act, which modernize the guiding principles to require the system to pay particular attention to the needs and characteristics of young people from certain groups who are overrepresented in the justice system.

We must also recognize that many Indigenous and racialized women are reluctant to report the abuse they experience due to a historical lack of trust in our institutions. The bill amends the preamble to the Canadian Victims Bill of Rights to formally affirm the importance of adopting victim-centred approaches that are trauma-informed. By enshrining a new fundamental right guaranteeing that every victim is treated with respect, compassion and fairness, the bill aims to ensure that women from these communities are supported with dignity and safety throughout their legal journey.

The second key element of the bill deals with deepfakes and sextortion. One key aspect of the proposed reform that I must highlight relates to the bill's efforts to improve responses to sexual offences involving visual representation more generally.

It is important to note that Bill C-16 addresses an emerging form of digital sexual violence: sexually explicit deepfakes. Deepfakes are artificial images that have been generated or manipulated using technology, including artificial intelligence. Sexual deepfakes involve manipulating the image of a real person using digital tools to create sexualized images or pornographic videos. These manipulated images are often mistaken for real ones. Technology is evolving at an exponential rate, as are the dangers associated with it. That is why it is essential to act now, while we still can, to address the current gaps in our criminal justice system.

Currently, all child sexual abuse material is criminalized, whether real or fictional. However, the existing offence, the non-consensual distribution of intimate images involving adult victims, does not explicitly cover AI-generated images that are indistinguishable from real images. To address this gap, Bill C-16 proposes amending the current offence to include sexual deepfakes of identifiable individuals that could be mistaken for authentic recordings of those individuals. The Criminal Code would therefore prohibit the distribution of sexual deepfakes without the consent of the person depicted.

Bill C-16 also address sextortion, a serious problem that disproportionately affects women and young people. This is a form of blackmail in which someone threatens to send a sexual image or video of the person targeted to third parties unless they pay a sum of money or provide further sexual content. To combat this crime, Bill C-16 would make threats to distribute intimate images, including sexually explicit deepfakes, an offence, and would also add an aggravating factor to the offence of extortion when it is of a sexual nature or committed for sexual purposes.

The third element deals with child sexual exploitation. This third element of Bill C-16 that I would like to talk to you about underscores important reforms that provide better protection for children, including measures to counter child sexual exploitation and measures that would restore harsh penalties for those who commit such offences.

Parliament has previously indicated that sexual crimes involving children should be treated more seriously.

The protection of children in Canadian law is based on a fundamental recognition of their inherent vulnerability. The Canadian legal framework was historically designed to protect minors from physical harm and breaches of trust within their immediate environment. The nature of sexual predation is constantly evolving and requires ongoing adaptation of our legislation.

The existing legislation sometimes limits the definition of certain sexual offences to physical contact alone. Bill C-16 addresses that limitation by expanding invitation to sexual touching offences to expressly prohibit inciting a child to expose their sexual organs for sexual purposes.

The bill also expands the existing child-luring offence so it would explicitly apply to those who communicate with children to sextort them. Law enforcement would thus have a tool to intervene in cases of child sextortion before the crime occurs. The bill would also create an offence that would prohibit threatening to distribute child sexual abuse and exploitation material. It also broadens the scope of certain sexual offences against children to protect them from those who might encourage them to expose their own genitals for sexual purposes, even where there is no physical contact.

• (2230)

Bill C-16 would also make it easier to report online sexual abuse and exploitation by amending An Act respecting the mandatory reporting of Internet child sexual abuse and exploitation material by persons who provide an Internet service. Enacted in 2011, this act imposes responsibilities on internet service providers, such as notifying the police when their services are used to commit an offence involving child sexual abuse and exploitation material. This bill would improve Canada's ability to investigate and prosecute such activities. It specifies that the act applies to a wider range of online platforms, requires service providers to retain data for longer periods and extends the limitation period for prosecutions for offences under the act.

The evolution of Canadian law recognizes that the protection of minors cannot be confined to the country's geographical borders. The exploitation of children transcends physical borders and requires a legal response with an international scope. Bill C-16 extends the extraterritorial jurisdiction of Canadian law so that citizens and permanent residents who commit sexual offences against children abroad can be prosecuted in Canada. At the same time, the legislature is tackling organized crime networks by creating a new offence prohibiting the recruitment of persons under the age of 18 to participate in a crime. This comprehensive approach aims to cut off the sources of victimization and eliminate any sense of impunity among predators.

Finally, recent reports from the police, community advocates and academics indicate an increase in the recruitment of young people for criminal purposes by individuals who are in a position of trust, power or authority over them. Bill C-16 proposes to create a hybrid offence that would offer better protection to vulnerable children by helping to ensure that they are not drawn into criminal activities. The new offence would encompass recruiting, engaging, encouraging or inviting a person under the age of 18 to participate in a criminal offence.

The fourth key element of Bill C-16 includes reforms that would strengthen victims' rights and aim to improve their experience within the criminal justice system.

The Canadian Victims Bill of Rights is an important piece of legislation that sets out the rights granted at the federal level to victims of crime. Bill C-16 would respond to calls to give more substance to the CVBR by clarifying the rights it guarantees and addressing victims' needs more closely. The proposed amendments to the bill would set out new rights to information, such as the right to receive information on available protection measures and restorative justice programs. The bill also now grants every victim the right to be treated with respect, courtesy, compassion and fairness by the relevant authorities within the justice system. To take into account the profound impact of delays in the criminal justice system on victims, the bill would also recognize their right to have their need for trials to take place and cases to be resolved in a timely manner taken into consideration.

For many survivors of crime, testifying in court can be a difficult, re-traumatizing experience. To provide them with better support, Bill C-16 proposes a number of amendments promoting the use of measures that facilitate testimony. Among other things, it would make these witness assistance measures available by default to adult victims testifying in proceedings relating to sexual offences, human trafficking, criminal harassment or any offence committed against an intimate partner. Witness assistance measures are currently offered to these victims only on a discretionary basis.

The fifth and final key element of Bill C-16 that I would like to talk about is the series of reforms that would address delays in the criminal justice system. They seek to reduce the number of criminal cases that are stayed because of delays and make criminal proceedings more efficient.

Many senators will likely recall that the *Jordan* decision, which was handed down by the Supreme Court of Canada in 2016, set strict timelines to ensure that all accused persons are tried within a reasonable time. The data show that, in the years that followed, criminal cases took longer to resolve. A growing number of criminal cases have been stayed or ended without a verdict because they exceeded the time limits set out in the *Jordan* decision. These procedural stays have had serious consequences for victims and have eroded public confidence in the justice system's ability to hold people accountable for their actions.

Bill C-16 addresses these challenges by requiring courts to consider remedies other than staying proceedings in cases of unreasonable delay, so that a stay is ordered only as a last resort, after all other options have been explored. It also seeks to reduce the risk of having complex cases suspended due to delays by providing courts with guidelines to determine which cases justify exceeding the applicable time limits established in the *Jordan* decision. These may include, for example, complex drug or sexual assault cases.

I would also like to point out that, at the end of May, the Supreme Court of Canada issued two new rulings concerning the right to a trial within a reasonable time, namely the *Vrbanic* and *Jacques-Taylor* decisions. The court's reasoning in these decisions is closely aligned with the objectives of Bill C-16 and is fully consistent with the specific measures proposed to reduce court delays.

The court strongly emphasized the enormous societal cost and the loss of public trust that result when trials are halted before the merits of the case are heard. It forcefully reiterated that compliance with constitutional deadlines is a responsibility shared by all participants in the system and that the defence's delaying tactics must have consequences. Bill C-16 directly addresses this concern by creating a new section in the Criminal Code that would formally require judges to consider appropriate alternative remedies before ordering a stay of proceedings. Staying proceedings becomes a measure of last resort to align with the court's desire to see as many cases as possible conclude with a substantive verdict. Bill C-16 incorporates this principle of accountability by excluding periods attributable to late motions from the calculation of time limits and by requiring courts to take into account any acts of bad faith. The reform also supports judges in their case management by codifying clear legislative criteria for assessing the complexity of a case, such as the number of preliminary motions or the challenges inherent in joint trials.

Bill C-16 is designed to address some of the underlying reasons for delays by maximizing the justice system's efficiency. The aim is to facilitate faster access to justice. For example, it addresses delays in the prosecution of sexual offences, which are particularly prone to a stay of proceedings due to failure to meet time limits. These cases involve special proceedings related to the use of highly sensitive evidence, including the complainant's sexual history or their medical and therapeutic records, and those proceedings can sometimes prolong trials. Bill C-16 aims to clarify and simplify evidence-related proceedings in these cases so as to maintain the necessary protections for victims, without sacrificing the fairness of the trial. These provisions encourage the swift resolution of complex evidential issues, reduce the number of unnecessary hearings and limit the use of highly sensitive evidence to situations where it is truly justified.

It is possible to achieve meaningful efficiency gains within our criminal justice system by diverting offences that do not pose a genuine risk to public safety or by referring offenders to alternative measures. The bill would amend the Criminal Code and the Youth Criminal Justice Act to encourage the use of diversion and restorative justice in appropriate cases, while still protecting public safety. These reforms would allow the formal justice system's limited resources to be focused on the most serious and harmful offences. The reforms would also respond to growing pressure from experts and stakeholders representing victims of crime to increase the use of restorative justice, with the consent of the victim.

• (2240)

[*English*]

The victims' loved ones will also feel the effects of this act. Behind every provision of this bill are families who are directly affected. A parent who loses a child at the hands of a violent aggressor experiences a loss that transforms the rest of their lives. They lose the future they had imagined, the birthdays to come and the sounds of voices that will no longer echo throughout their home. This reality accompanies these families in their daily lives and shapes their relationship with the justice system.

The reality experienced by women who are victims of violence must be recognized by our legislation. Coercive control isolates, reduces autonomy and gradually weakens those who are subjected to it. A clear recognition of this behaviour would allow us to better address this reality, since each of these losses affects children, loved ones and entire communities.

[*Translation*]

Survivors of sexual assault deserve a justice system that inspires confidence. Delays can prolong an already difficult period and leave people in a state of uncertainty for many years. A resolution that doesn't include a substantive review of the case can have lasting impacts on the sense of justice and the recovery process.

I also want to acknowledge the contribution of senators, and all parliamentarians, who are working to strengthen the protection of victims and improve access to justice. The impacts of these crimes go far beyond the statistics. This commitment is essential to building a fairer and more compassionate system.

There is still a long way to go in reducing these harms and supporting those affected. The challenges faced by victims, survivors, families and communities are complex and require sustained efforts at multiple levels. This bill is a step toward better adapting our justice system and responding to some very real issues.

The reforms set out in Bill C-16 represent one of the most significant legislative updates in generations when it comes to protecting victims and survivors of crime. This is a crucial effort to make our criminal laws more modern, more trauma-informed and better suited to the needs of those who are most profoundly affected by crime. For these reasons, I encourage all honourable senators to support this important bill at second reading. Thank you. *Meegwetch*.

Hon. Julie Miville-Dechêne: Honourable senators, I am rising as well to speak at second reading to Bill C-16, An Act to amend certain Acts in relation to criminal and correctional matters (child protection, gender-based violence, delays and other measures).

I feel like saying: It's about time! Whether in terms of criminalizing sexualized deepfakes or creating offences to better protect children from a range of harms, the government is playing catch-up on issues that Europe and Australia have already addressed through legislation.

I'm relieved that the federal government is tackling the issue of coercive control, which unfortunately precedes femicides all too often. At this point, I want to pay tribute to former NDP MPs Laurel Collins and Randall Garrison, who were the first to introduce private members' bills in the House of Commons on coercive control. I sponsored Bill C-332 in the Senate in 2024. It died on the Order Paper following prorogation.

Women's support groups have long known that a vast array of coercive control behaviours exist apart from physical abuse or even, in the worst cases, femicide.

In Quebec, the Regroupement des maisons pour femmes victimes de violence conjugale has been working extensively over the past five years on coercive control, training more than 6,200 professionals in the police, judicial and health sectors because, even in the absence of legislation, raising awareness of coercive control can help professionals identify women in distress.

Let's also not forget that the number of charges relating to breaches of bail conditions by individuals accused of domestic violence has almost tripled in the past eight years in Quebec alone. This means that the alleged victims, women, are not safe.

Given these circumstances, I'm surprised that the Minister of Justice has not taken into account the amendment proposed by the Federal Ombudsperson for Victims of Crime. The ombudsperson suggested that the prosecution take all reasonable steps to inform victims when their alleged assailant is released. It

seems to me that this is absolutely essential in a bill that is intended to better protect victims. Quebec has found an original way of keeping victims informed through crime victim support centres, but this is not the case elsewhere in the country.

There are a few things that concern me about the wording of Bill C-16. Rather than retaining the term "coercive control," which clearly defined the issue that Bill C-332 sought to address, the government chose to go back to referring to this offence as "controlling or coercive conduct." It is the addition of the word "or" that concerns me, because that means that controlling, but not coercive, behaviour toward an intimate partner would be sufficient grounds for a charge.

However, during the House of Commons study, experts and women's groups indicated that men often accuse their partners of wanting to control everything, including the schedule, the children's activities and the running of the household. However, this type of control, which can occur in a dysfunctional relationship or when the mother has custody of the children, is not the same as coercive control.

I also want to point out, as others have, that the term "femicide" is not defined in the body of the bill, whereas the summary of Bill C-16 indicates that the Criminal Code is being amended to provide that murder, known as "femicide" when committed against a female person, is murder in the first degree.

Unfortunately, the contents of the summary doesn't have force of law. Clause 25 refers to femicide but doesn't define the term. Does this mean that a man could be a victim of femicide? That would make no sense. So why is the term not defined? Femicide is when a woman is killed because she is a woman, like what happened during the Polytechnique tragedy in Montreal.

Furthermore, sexual deepfakes are a scourge as much for women as for minors. According to one U.S. study, one in two young persons have used a strip site or app. *La Presse* recently reported that one Quebec victim named Sarah has suffered from anxiety ever since a deepfake showing her naked at the age of 13 made the rounds at her school. Sharing such material is already a criminal offence and considered "child sexual exploitation material." According to experts, however, more needs to be done. The European Union has already committed to banning the tools used to make sexual deepfakes.

Another issue not addressed in Bill C-16 is the prompt removal of intimate images from the internet. At present, it requires a court order. By comparison, Quebec is once again leading the way in civil law by establishing an online and accessible procedure for urgently taking down intimate images of anyone over the age of 14.

Let's return to coercive control. Some groups are concerned that this new offence could backfire on women trying to protect their children from domestic violence. Others believe that the concept of coercive control is too broad and risks being challenged or misinterpreted.

These criticisms are legitimate, and discussions must take place with the communities most affected before Bill C-16 comes into force. A two-year transition period is provided for the offence of coercive control to come into force, which is reasonable.

I would add that there are ways to minimize the risk of errors. Firstly, everyone agrees that the key to success lies in raising public awareness and training professionals who come into contact with victims to effectively identify coercive control. For example, this will require more time for police officers and the development of new, longer and more detailed questionnaires for those filing complaints.

According to Karine Barrette, a project manager at the Regroupement des maisons pour femmes victimes de violence conjugale, the experience in Scotland shows that, when the dynamics and patterns of coercive control are well understood, prosecutors and police find it easier to prove coercive control than isolated incidents of physical violence. When people understand what coercive control is, they are better able to identify who the main attacker is, including when there are intersecting complaints by both partners.

• (2250)

It seems that, in Great Britain at least, the offence of coercive control hasn't backfired against the victims so far.

In closing, according to Professor Carmen Gill, an expert on this issue, the criminalization of coercive control is essential. She had this to say:

> It is important to reinforce women's safety. An offence of coercive control would clearly recognize the fact that IPV is a pattern of control and power over the victim and would legitimize victims' experiences. Such an offence may also prevent intimate partner homicide.

What we don't want anymore is for victims of coercive control to avoid seeking help because they believe that what they're going through isn't that serious or doesn't break the law.

We also want to make sure that these women are taken seriously when they bring a complaint even though they have no bruises.

In closing, I want to acknowledge the courage of the survivors of these horrendous crimes. I am thinking today of Miriane Bergeron in particular.

It is high time we helped them by strengthening our laws.

[*English*]

Hon. Kim Pate: Honourable senators, this month marks National Indigenous History Month and the seventh anniversary of our collective commitment to meet the Calls for Justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls.

Amid the ongoing crisis of missing and murdered Indigenous women, multiple declarations that violence against women is an epidemic and repeated failures to respond, Bill C-16 is celebrated as a step forward, yet it embodies a dangerous step back from our senatorial duties.

As this bill rushes through the Senate, I speak today to put on record the concerns we have heard from experts, front-line workers and those with lived experience about the negative impacts for survivors of violence against women, in connection with how this bill has proceeded, and to, at the very least, urge amendments to the bill's provisions on mandatory minimum penalties that will otherwise criminalize survivors, particularly Indigenous women.

The government invokes the moral imperative of addressing crises associated with violence against women to insist on urgent passage of Bill C-16.

If this was so urgent, why did the bill sit undebated in the other place as we implemented a pre-study, not to mention how it stagnated at committee there for nearly two months?

The House committee heard from witnesses for over a month, yet we were expected to complete our parallel work in fewer than four days. Despite the disproportionate impact of this bill on Indigenous communities, the Senate Legal and Constitutional Affairs Committee heard only one single Indigenous witness.

If we do our job and fix deficits in this bill, we do so not knowing whether our elected officials will even still be in Ottawa to consider them or if the House will rise for the summer.

Why are we acquiescing with increasing frequency to situations that restrain our obligations and commitments to serve Canadians by carrying out meaningful review?

Among the legislation that the government is urging us to pass before the summer, we find not one but two bills riding on the backs of women. Bill C-16 and Bill C-225 contain several near-identical measures, and the Senate has not had time to give either the careful study they should receive.

On a topic as urgent and harmful yet still too often dismissed and discounted as violence against women, this approach risks mirroring the apathy and complicity that have prevented meaningful action for far too long.

Will what we are passing actually work for victims? Do we care? I believe we do care. We also should know that it will not work.

Most witnesses, including the minister and many supporters of Bill C-16, cautioned that the bill focuses on just one tool: the criminal law power.

Criminal law responses do not advance the safety and protection of victims. They are relatively expedient for governments to invoke, but they have proven to be ineffective. Truly addressing intimate partner violence and coercive control means working to dismantle systemic inequalities that embolden and normalize misogyny, racism and violence and building up health, housing, social and income supports that women, children — every one of us — need in order to be safe.

Bill C-16's entrenchment of mandatory minimum penalties, under the guise of protecting victims, exemplifies and exacerbates ongoing deficits in equality and justice as well as failures to address the way survivors of violence against women — especially Indigenous women — are "invisibilized" and not deemed victims, incarcerated and held responsible for their own victimization, including the violence that others inflict on them.

As senators, we are tasked with representing the interests of those without the power, resources and privilege to make their voices resound within majority-driven spaces, especially in the other place.

In that capacity, I will be proposing at committee a modest amendment to the bill's provisions on mandatory minimums to ensure that, at the very least, they better reflect Canada's Truth and Reconciliation Commission and Missing and Murdered Indigenous Women and Girls commitments as well as Charter principles by ensuring that the "safety valve" extends to all mandatory minimums and allows alternatives to prison sentences.

Nine in ten women in federal prisons experienced physical or sexual abuse before they were criminalized. Each of these women is a victim whom our health, housing, social, economic and legal systems failed to adequately protect and support.

I have previously shared the layers of misinformation and injustice that led to the wrongful manslaughter conviction of Indigenous teenager Jamie Gladue based on her characterization as a "jealous wife," or, if we apply the terminology of Bill C-16, perhaps, a "coercive or controlling" wife.

This bill entrenches the near certainty of repetitions of such injustice. Nothing in Bill C-16 will ensure that our legal system will recognize another Indigenous victim of intimate partner violence, like Jamie, first and foremost as a victim, let alone protect her. In fact, through expanded approaches to first-degree murder and manslaughter, it will risk more women in her circumstances being induced to plead guilty and result in them being sentenced more harshly.

The safety valve in Bill C-16, in addition to being so narrow as to leave people exposed to near-cruel, unusual and unconstitutional punishment, does not apply at all to mandatory life sentences.

Mandatory life sentences discourage survivors from standing up to the misogyny and racism of our criminal legal system by asserting they acted in self-defence. At committee, witnesses emphasized that, contrary to the government's intention of ensuring constitutionality of mandatory minimum penalties, mandatory life sentences will remain constitutionally vulnerable, especially in light of obligations to consider Indigenous history and context.

The government's GBA Plus analysis acknowledges that Bill C-16 will increase the overrepresentation of Black people and Indigenous Peoples in prisons.

When Senator Clement asked the minister about this finding, the minister stressed the importance of using race and culture assessments and *Gladue* reports to help address overrepresentation. But these measures are the very ones that the safety valve paradoxically prevents judges from fully considering.

The so-called *Gladue* principles that inform both measures — named for Jamie Gladue, though she never received their protections — appear in section 718.2(e) of the Criminal Code, which requires judges to consider alternatives to prison before sentencing anyone, but especially before sentencing Indigenous Peoples.

The so-called safety valve does not respect this legal requirement. It merely permits judges to impose shorter prison sentences rather than community-based alternatives.

The provision thereby fails to honour the government's commitment through the Truth and Reconciliation Commission's Call to Action 32 to:

> . . . allow trial judges, upon giving reasons, to depart from mandatory minimum sentences and restrictions on the use of conditional sentences.

• (2300)

Bill C-16 also reinstates mandatory minimums that courts have ruled unconstitutional under this inadequate safety valve. Taken together, the so-called "safety valve" will mean the numbers of Black and Indigenous Peoples in prisons will continue to rise.

It will push Canada farther away from another Truth and Reconciliation Commission commitment, which is that of eliminating the overrepresentation of Indigenous Peoples in prison by 2025 — a now well overdue deadline.

Victoria Perrie of the Indigenous Bar Association — the sole and only Indigenous witness at the Legal Committee — emphasized the need for recognition of Indigenous laws and legal orders, including processes to refer matters:

> . . . out of the colonial court system and back into the Indigenous court process or Indigenous restorative process, however that exists within that community and context.

The very limited "safety valve" creates yet another barrier to this vision of greater justice and to our shared obligation as senators to represent minority groups, uphold equality and advance reconciliation.

Senators also have a responsibility — as the Government Representative reminded us during debate on Bill C-9 — to strengthen the government's duty to lead rather than to follow.

I was heartened when Senator Moreau emphasized the obligation of the government to address misinformation about criminal law through public education. Regrettably, Bill C-16 represents a missed opportunity for such leadership.

Canadians do not benefit when we appease demands for "harsh on crime" measures rooted in misinformation rather than heed and provide empirical evidence. Canadians expect their leaders to give them the facts and develop policies that work.

At committee, government officials acknowledged what the Department of Justice's research has long recognized — when it comes to mandatory minimum penalties: "There is little evidence on their effectiveness on deterring crime . . . ."

The Supreme Court concluded the same in *R. v. Nur*: "Empirical evidence suggests that mandatory minimum sentences do not, in fact, deter crimes . . . ."

The Canadian Association of Chiefs of Police told Parliament that police services have differing positions regarding mandatory minimums — some support them and some do not.

Even the Canadian Police Association, a police organization supportive of mandatory minimum penalties, noted:

> . . . if all we do is sentence people to jail without getting to . . . underlying issues [such as mental health, substance use and poverty], we're not going to get to better outcomes, ultimately.

The Federal Ombudsperson for Victims of Crime emphasized the following:

> . . . access to safe and secure housing is one of the most transformative things that we can be doing in Canada to protect survivors and improve public safety.

Many of you will recall they also support guaranteed livable income for the very same reasons.

The minister acknowledged:

> . . . the long-term solution, if it does not include upstream supports to cure social inequities . . . then this will be a failed effort across a generation.

This year, Canada's federal prison system will cost taxpayers $4 billion. For that investment, we temporarily remove people from the community but do not allow those who are victimized to experience social, economic or health security. Abandoning people to desperate situations in communities, as well as in prisons, increases the risks of both victimization and criminalization.

If we are serious about protecting women and children from violence, we must address the inequalities that too often trap and keep them in unsafe situations.

The government suggests that if mandatory minimum penalties do not actually deter violence against women, they at least send a message.

But what is that message, honourable colleagues?

Most women who survive violence never file a police report. Only a fraction of those reports result in charges; far fewer result in convictions, let alone meaningful accountability. Those who are criminalized and imprisoned are not the only ones causing harm. They are often the easiest to catch.

More powerful and privileged abusers, if ever confronted with their behaviour, hire lawyers and experts, settle cases, insist on non-disclosure agreements, insulate themselves from responsibility and continue on.

What is the message we send through a criminal legal system where those with the least power and privilege who perpetrate violence against women become prisoners while those with the most who commit the same misogynistic violence then become and carry on as podcasters, influencers, professionals, athletes, leaders, CEOs or presidents?

All of us — especially men — in places of relative privilege, including in this chamber and the other place, must step up, redouble efforts and model the behaviour needed from our leaders and role models to uphold equality for all.

In the absence of such leadership, Bill C-16 and other similar adjustments to criminal law will not address the roots of deep-seated colonial and misogynistic inequalities and assumptions that actually fuel violence. Grafted on to existing inequalities, this bill could serve to co-opt and complicitly help to shield those with the most and punish those with the least, including victims themselves.

I hope you will help ensure we fulfill our responsibilities. Colleagues, let's do better. *Meegwetch*. Thank you.

[*Translation*]

Senator Oudar: Would you agree to a question, senator?

Senator Pate: Yes.

Senator Oudar: First of all, thank you for your very important speech, Senator Pate. I'm well aware that a new law, especially one of this magnitude, can raise concerns.

Thank you for mentioning the significant investment that is required. You are quite right to say that legislation must be accompanied by investment. I highlighted in my introduction that the government has recently committed $660.5 million through Women and Gender Equality Canada. Furthermore, the latest economic update allocates $105 million over five years, including $21 million annually for independent legal advice and redress measures for survivors. There is also $593 million as part of a federal-provincial agreement with each of the provinces.

My question concerns the opening points of your speech regarding the ripple effects of this reform. We can—

The Hon. the Speaker pro tempore: I am sorry to interrupt you, senator, but Senator Pate's speaking time has expired.

[*English*]

Senator Pate, are you asking for more time to answer Senator Oudar's questions?

Senator Pate: Yes, at the pleasure of the house.

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

Hon. Senators: Agreed.

[*Translation*]

Senator Oudar: I apologize, colleagues. I'm still a new senator, and I don't know all the rules.

Senator Pate, I wanted to hear what you have to say about the provisions introduced in the bill to counter certain effects, including the risk of increased detention and the overcriminalization that you mentioned. The bill strikes a balance by introducing a new approach with restorative justice. The traditional legal system might consider a new way of reducing certain risks.

Do you agree that this bill introduces a form of justice that's very well accepted by some communities, and that this form of justice must take personal circumstances into account, while paying particular attention to the needs of people from marginalized groups?

[*English*]

Senator Pate: Thank you very much, Senator Oudar, for that. If this bill would achieve the objectives, including your very laudable objectives, I would have actually challenged you and I would have wanted to sponsor the bill.

I have worked in this area for many decades, and what we see is, in fact, the opposite of what is promised in this bill. I give you the example of Nicole Doucet, whose case was examined by the Mass Casualty Commission. She's a woman who did everything that was expected of her. She went to the police, talked about the coercive control and talked about the ways she was being challenged.

The police kept saying they couldn't intervene until her father suggested that they maybe try and figure out a way to punish her husband, so as soon as she tried to find some way to fight back, the police then kicked into gear and immediately set up an entrapment and basically encouraged her to have her husband killed, and that case went to the Supreme Court of Canada. The Supreme Court of Canada eventually upheld that she should not have been found responsible because she had gone through all of these measures.

• (2310)

In fact, if our systems were accountable in the way this bill promises, we would not be dealing with the incredible numbers of women who are being victimized now.

We heard from many of the witnesses how the men in their lives had been reported and no interventions had occurred, even though the law right now allows that to happen.

My issue is not about intention — yours or anybody else's. It's about what the law has shown to be effective. Criminal law addressing these issues has not provided the means for women to escape. It has not challenged all of us to insist on behaviour that doesn't continue to fortify the racism and misogyny that feed violence against women and intimate partner violence. That's the reason. In fact, it's quite the opposite. We need to have those resources in place. It's why we need to have the appropriate social, economic and health supports that help prevent people from being victimized and provide options for them where they are.

When we talk about Indigenous women, as Jamie Gladue's case points out, even in situations where women are experiencing violence and the police, the Crown, their own defence lawyer and the judges know what's happening — that was 30 years ago. She was convicted. She was offered a plea deal after being charged with first-degree murder. In fact, if we fast-forward to Helen Naslund's case a few years ago, there were the same sorts of biases.

The point is that we've had these criminal law supports in place for decades; we have not seen them used in a way that actually protects women.

Hon. Paula Simons: Honourable senators, I rise today to speak at second reading of Bill C-16, An Act to amend certain Acts in relation to criminal and correctional matters (child protection, gender-based violence, delays and other measures), a long and complex name for a long and complex bill, one that we are being asked to study and pass in a remarkably short period of time. That is most unfortunate because the constitutional issues raised by Bill C-16 deserve serious and profound study.

While the bill has been marketed as creating a new offence of femicide, especially to deal with the murder of women, Bill C-16 doesn't actually do that. Although the bill uses the word "femicide" in one of its headings, it never defines the term and never actually establishes femicide as a new Criminal Code offence.

Instead, the bill creates several new categories of constructive first-degree murder. If a murder is committed against an intimate partner when there's been a history of coercive or controlling conduct; if a murder is committed in the context of sexual violence; if a murder is committed in the context of human trafficking; or if a murder is motivated by hate on the basis of race, religion, ethnic identity, sexual orientation, gender, gender expression, age or disability, it automatically becomes a first-degree murder.

It doesn't matter if the murder was not premeditated or was not planned with malice aforethought. Such homicides, even if they happen in the heat of the moment, would be charged and prosecuted as first-degree murder.

Those found guilty would be sentenced to life in prison with no prospect of parole for 25 years. Let it be noted that this wouldn't just apply when women are killed by male partners. Despite the use of the word "femicide" in the heading, these new provisions would also apply to women who kill their male partners and to murders within same-sex relationships. They would also apply to the murders of men when the act is motivated by hate.

Constructive first-degree murder is not a new idea. We have long treated the murder of a police officer or corrections officer as first-degree murder, what used to be called "capital murder," to signal our denunciation of such crimes. Indeed, the last Canadian to be hanged in this country, a burglar named Ronald Turpin, had committed just that kind of murder.

Later, the Criminal Code was amended to add other homicides to the automatic first-degree murder category, including murder committed in the course of a hijacking or sexual assault or in relation to organized crime.

With Bill C-16, however, we are adding many more types of homicide to this special category.

To be certain, the murder of an intimate partner and murder motivated by racial hate, homophobia or misogyny are serious crimes and well worthy of denunciation. But there are real questions of proportionality that arise when we take crimes that are often crimes of passion and redefine them as automatic first-degree murders, the kinds of killing we deem most morally blameworthy.

Bill C-16 doesn't elevate all homicides of intimate partners to first-degree murder. A manslaughter charge still remains an option open to the Crown; that is absolutely true. However, even then, I have concerns.

In light of all the impassioned rhetoric around femicide, how much pressure might Crown prosecutors feel to prosecute all intimate partner homicides, many of which are more akin to manslaughter, as murders instead?

There's another separate albeit related concern, which was raised by many of the witnesses we heard in our pre-study and by Senator Pate this evening.

Witnesses raised serious concerns that women who kill their husbands and boyfriends not in immediate self-defence but in response to years of physical, mental or financial abuse could end up charged and sentenced for the very first-degree murders that this act imagines to protect women from — especially if the Crown argues that they were the ones who were coercing or controlling their intimate partners.

Many witnesses also shared concerns that women, especially Indigenous and Black women, would feel especially pressured to plead guilty to manslaughter, even when they might have a legitimate defence, for fear of being convicted of first-degree murder at trial.

All the witnesses we heard from agreed that domestic murders are a scourge. However, many raised concerns that simply ratcheting up the penalties after those deaths occur does very little to protect victims.

What we desperately need is more investment in women's shelters, not just in cities but also in rural and remote communities. We need more investment in legal aid so that victims seeking legal advice and assistance to leave violent marriages have the support they need.

We need more affordable transitional housing for those leaving abusive homes and more social services and counselling support for those coping with the aftermath of violence and coercive control.

A second very concerning part of the bill is its restoration of a number of mandatory minimum sentencing regimes that have already been struck down by the Supreme Court, most recently last October in the *Senneville* decision, when the court struck down the mandatory minimum sentence for possession of child pornography. But Bill C-16 dekes around that little inconvenience. The bill tells judges they aren't obliged to impose mandatory minimum sentences in cases where the sentence would be cruel and unusual punishment for a particular offender, but that is a very high bar.

In Canada, a punishment is generally considered cruel and unusual only if it is "grossly disproportionate," so severe and excessive that the average Canadian would find it abhorrent, intolerable and an outrage to standards of decency.

In short, Bill C-16 carves out only a modicum of judicial discretion. The narrowness of the language means it is extremely difficult for judges to craft specific sentences for specific defendants based on the specific facts of a case. This will undoubtedly lead to more miscarriages of justice and more constitutional challenges.

Third, and perhaps most alarming, is the way in which Bill C-16 attempts to go around the constraints of the *Jordan* decision.

The Charter of Rights and Freedoms guarantees Canadians the right to a trial within a reasonable time. In 2016, the Supreme Court, frustrated by cases where the accused were kept on remand for unreasonable periods awaiting their day in court, established a time limit of 18 months to get an accused to trial in a provincial court and a 30-month limit for more serious crimes in a Superior or Federal Court, with exceptions and exemptions for certain cases, including those of unusual complexity.

In cases where the Crown failed to meet those deadlines, judges were to issue judicial stays of proceedings as what you might call a mandatory minimum response to the Charter breach.

The court, it should go without saying, didn't want people accused of serious crimes to be set free; it meant for *Jordan* to send a clear signal to provincial and federal governments to invest more in the criminal court system, build more courtrooms, appoint more judges, hire more Crown prosecutors, provide better funding for legal aid and invest money in other parts of the criminal justice system to make things go faster.

But whatever successive federal and provincial governments have done, it hasn't been enough. Court delays are getting worse. New laws, including Bill C-14, Bill C-9 and Bill C-16 itself, will only combine to make those delays more extreme.

Rather than taking the clear message of the *Jordan* decision seriously, Bill C-16 contains a collection of workarounds, time outs and clock stoppages that will allow Crown prosecutors to avoid running up against *Jordan* deadlines.

The bill also tells judges to use judicial stays only in extreme measures as a last resort, without providing any other options.

Obviously, we don't want serious cases being stayed and thrown out and seriously dangerous people to walk away free. But we can't just hold people on remand awaiting trial for absurd periods because we have failed to make the necessary investments.

Two weeks ago, when the court released reasons in the *Vrbanic* decision, the Supreme Court justices, yet again, laid out the duty of governments to fix the problem. I'll quote from *Vrbanic*; these are the words of the Chief Justice:

> . . . **the right to trial within a reasonable time is more than a right to the Crown's best efforts. If the Crown cannot, by making reasonable efforts, bring cases to trial within a reasonable time, then the state must step in and increase funding to the justice system. . . .
>
> Ultimately, the *Charter* prevents laying the burden of underfunded courts and Crown offices at the feet of the accused. . . .

• (2320)

My colleagues, we have a crisis in this country. The public has lost confidence in the capacity of the justice system to do its job.

Part of this can be attributed to populist tough-on-crime rhetoric, and canny politicians of all stripes weaponize that fear as a craven political strategy. But our police services don't just need new crimes to enforce; they need the training and support to deal with domestic violence cases, hate crimes and the interrelated crises of mental health and addiction.

As part of our hearings on Bill C-14 and Bill C-16, we also heard from the organizations representing Crown prosecutors from Ontario and British Columbia. These are people whose whole job it is to be tough on crime, yet they repeatedly warned us, emphatically, that Bill C-14 and Bill C-16 will make trial delays far worse. Without the necessary resources, Crown prosecutors cannot properly prosecute, and defence counsels cannot properly represent their clients. Adding offences to the Criminal Code may make us feel like we're doing "something" to make our communities safer, when, in fact, we seem to be setting our court system on the path to collapse.

The irony? While our justice system gets slower and slower, we in this chamber are being asked to move faster and faster. We cannot fulfill our constitutional role when we're asked to pass far-reaching and constitutionally complicated bills in just two days.

Programming motions such as the ones we're dealing with tonight don't give Senate clerks enough time to track down and invite a proper range of witnesses, or legal staff enough time to draft amendments, never mind giving us time to debate and pass them.

Such deadlines don't give our translators enough time to translate observations; they don't allow enough time for informed debate in this chamber, nor do they create enough time and space for the public to follow and join the discussion or to lobby for changes.

Sober second thought? Increasingly, we are being asked to pass legislation without time for thought at all, not because of authentic urgency but because delays in the other place, not of our making, have forced us to race to meet arbitrary deadlines.

In the case of Bill C-16, we only began second reading debate tonight, yet we have been instructed to conclude clause-by-clause consideration of this bill tomorrow; we start at 9 a.m.

Despite this, we may well read new stories tomorrow that accuse us of holding up the government's agenda. My caution? Shortcuts make long delays. As we race to pass Bill C-16, without time for meaningful scrutiny, we set the stage for years of court challenges yet to come — more justice delayed; more justice denied; more public confidence lost; and, inevitably, more Canadians' lives lost, too.

Thank you. *Hiy hiy.*

[*Translation*]

Hon. Pierre J. Dalphond: Honourable senators, since we're at second reading, I will briefly discuss the principles of this bill.

I want to begin by acknowledging the very successful speech from our colleague, Senator Oudar, who sponsored a bill for the first time, a rather large one at that, and who was able to explain its five key principles quite skilfully and with remarkable clarity.

I fully support this bill in principle. I sit on the advisory committee of the Regroupement des maisons pour femmes victimes de violence conjugale au Québec, which, several years ago, established an advisory committee on judicial practices regarding the safety of abused women. The committee includes police officers from the Sûreté du Québec, the Montreal police, the Quebec City police, the Gatineau police and the RCMP, as well as representatives from Quebec's public security ministry — now internal security — Quebec's justice ministry, Quebec's judicial services — I'm there as a judge, even though I'm no longer a judge, but it's a long-term commitment — and representatives from the network of women's shelters, whose resources are always stretched to the limit, lacking both funding and space. It is a really interesting group of about thirty people who meet several times a year to discuss issues related to domestic violence.

Coercive control is a concept that the group identified several years ago. Today I want to acknowledge Karine Barrette, the lawyer who assists the group and works for the network, who went to England to see what was being done over there. She travelled to Scotland. They are pioneers in this area. She went to Australia to see what was being done in New South Wales and Queensland. She also went to Wales, which now has similar laws on coercive control. She documented her observations.

I also want to commend the work of the Sûreté du Québec, which has begun to educate its police officers on the reality of domestic violence and especially the types of violence that leave no marks — unlike punches to the face — such as coercive control, mental control and control over movements, and which requires documentation.

I want to commend Quebec's efforts as a pioneer in this area, since Quebec police forces have established a records system where everything is recorded every time there is a 911 call about violence or a complaint regarding disputes between intimate partners. Everything gets documented.

Coercive control is an offence that requires proof of repetitive behaviour, which requires evidence — not evidence of injuries, but of control. All of this information is documented and available to police services across Quebec. An individual can move to a different city, and now we will know whether, six months or two years ago, we received a call from his spouse at the time telling us that she felt threatened. We are putting all that together now; we are pioneers.

Once again, I want to commend everyone at the Sûreté du Québec and the Montreal police service. One of their members came and gave very good testimony before the Legal and Constitutional Affairs Committee about how the police have evolved and how we need a transition period to ensure that all Quebec police officers and justice system stakeholders, Crown attorneys, defence lawyers and judges are trained, ready to deal with coercive control and equipped to successfully manage these situations. That is exactly what happened in England, where there's no evidence that any woman has been victimized or made a victim by the system that was created. On the contrary, the system is working, with no boomerang effect against the victims.

That is what I wanted to talk about today.

The last thing I wanted to mention is that a lot is being said about the bill. People are saying that they haven't had time to read it, for example. It is true that we are moving quickly, but we are now hearing from the tenth group of witnesses who are helping us examine this bill. That adds up to a lot of time, many hours. We heard from four witnesses today and four last Friday. We also heard from two the Thursday before. The committee has heard from a lot of witnesses.

I wanted to say that the bill appears to be quite impressive. It is 160 pages long, so it's true that it's big. In the bill, 40 pages deal with the rules surrounding evidence about the victims of sexual assaut presented to judges in criminal matters. As you know, when there are victims of sexual offences, it is often the victim who is put on trial. People want to know about their sexual practices and behaviour, they want access to their records, they produce images that the victim has given them — images that are

sometimes intimate — and so on. They try to paint a picture. Judges have been grappling with this for years. The Supreme Court is teaching us lessons. The Criminal Code has provisions. The Law Commission of Canada said that the system had become incomprehensible and overly complex.

This bill is 40 pages long, settings out new rules that will simplify and speed up proceedings on the admissibility of conduct, medical records, and documents in the defendant's possession concerning the victim. This is extremely important. The same 40 pages are included in the National Defence Act. In these last five minutes, we've already covered 50% of the bill.

There are other provisions, including 10 pages of transitional measures at the end, because, as you know, there is another bill moving forward at the same time. There are 10 pages of transitional measures. No one mentioned that in committee either.

There was no debate on what I just told you about the rules of evidence because there's a consensus that all of this is an improvement. For example, one improvement requires that the person seeking access to the complainant's medical or therapeutic records must make a written request and provide notice at least 60 days before the trial to prevent this from happening on the morning of the trial, causing an adjournment and leading to unnecessary debates. These are measures that will reduce delays.

• (2330)

Finally, I'd like to mention some other interesting measures that no one talked about in committee, because they're widely supported. These include allowing a victim or witness who appears in court to be accompanied by a support person or a pet to help them feel more at ease during their testimony. That is what modernizing the justice system is all about.

A second measure that has been approved is that victims will be able to give evidence from behind a screen or from a separate room, while appearing on a monitor in the courtroom in front of the accused. These measures to make the justice system more humane aren't being discussed, since there is no need, because a consensus has been reached on them. They account for more than half of the bill before us. I invite you to pass this bill now in principle and be ready for the report from the Standing Senate Committee on Legal and Constitutional Affairs tomorrow, after more than 10 hours of deliberation. Thank you.

[*English*]

Hon. Leo Housakos (Leader of the Opposition): Honourable senators, I'm pleased to rise on second reading of Bill C-16.

Are you sure, Senator Dalphond, that you'll be doing clause by clause tomorrow morning in committee? It's on evenings like this one that I reflect and say that the two former prime ministers in particular — Prime Minister Harper and Prime Minister Trudeau — left Parliament with gifts that keep on giving.

I also want to remind my honourable colleagues that, as Leader of the Opposition, I have unlimited time. I also want to remind my colleagues that today we rise within 28 minutes after my speech of unlimited time; it's an automatic rising of the chamber.

However, I do rise, after sharing all those wonderful thoughts, as the critic on second reading of Bill C-16, An Act to amend certain Acts in relation to criminal and correctional matters (child protection, gender-based violence, delays and other measures).

Honourable senators, Bill C-16 is being presented to us as legislation intended to better protect victims and to better address certain serious forms of crime. In several respects, it does indeed contain useful and long-awaited measures. It responds to serious and urgent issues: the protection of victims, sexual violence and intimate partner violence. On all these matters, Parliament must act, and Conservatives clearly support those provisions.

However, one thing must also be kept in mind: If we are debating such a broad criminal law bill today, it is in large part because we must correct the effects of 10 years of poor policies on criminal justice. For too long, the government has sent signals of leniency, weakened certain tools of the justice system and too often seemed more concerned with the rights of offenders than with protecting the public and victims. Bill C-16, therefore, contains necessary measures, and several of them have been long awaited.

We also welcome the strengthening of the Canadian Victims Bill of Rights, something that had not been done since 2015, and which victims have sorely lacked. That is why we are prepared to support what genuinely contributes to strengthening public safety and better protecting Canadians.

However, that support is not blind. One important measure in the bill raises a serious problem of principle and criminal policy for us: the "safety valve" mechanism applicable to mandatory minimum penalties.

In our view, this provision moves in the wrong direction. It risks further weakening the coherence of criminal law and undermining the deterrent effect that Parliament expressly intended to recognize for certain serious offences.

It is in that spirit that we approach this debate: by recognizing what the bill usefully brings but without complacency toward provisions that risk weakening the penal response.

To properly understand what is at stake, it is worth briefly recalling what Bill C-16 contains.

First, the bill creates a new offence of controlling or coercive conduct against an intimate partner. It therefore targets patterns of controlling or coercive behaviour in intimate relationships, including where the psychological safety of the victim is at issue.

It also expands the circumstances in which murder is deemed first-degree murder, notably in certain contexts involving coercive control, sexual violence, exploitation or hatred, and it requires the court to consider life imprisonment in certain aggravated cases of manslaughter.

Second, the bill introduces important new protections for victims, especially women and children. Notably, it creates a distinct offence for threatening to distribute an intimate image, which also includes certain manipulated depictions such as sexual "deepfakes." It also creates a new offence related to recruiting a person under the age of 18 to participate in an offence. These are concrete measures that respond to current criminal realities and deserve support.

The bill also contains several provisions aimed at strengthening the place of victims in the justice system. It expands their right to information, more clearly affirms their right to be treated with respect and fairness, improves the sharing of information in the correctional system and harmonizes certain victims' rights in the military justice system.

In addition, Bill C-16 proposes a new part of the Criminal Code on unreasonable delay, with a view to structuring applications based on the *Jordan* decision.

The bill, therefore, seeks to make a stay of proceedings a remedy of last resort and to require the court to undertake a more contextualized analysis of the delay.

Finally, among this set of measures, the government has also inserted a much more questionable reform, namely, the "safety valve" mechanism for mandatory minimum penalties.

[*Translation*]

Before I return to that more specifically, I should point out that the bill was improved in committee through serious and constructive work by the Conservatives. Several of our amendments strengthened important aspects of the bill.

First, the Conservatives secured an amendment to increase the maximum sentence to 14 years when an intimate image was knowingly created during or immediately following an aggravated sexual assault. This was a significant improvement. It recognizes that creating an intimate image during or immediately after an aggravated sexual assault makes the crime and the harm caused to the victim even worse.

We also expanded the definition of "intimate image" to more clearly include AI-generated content, such as deepfakes and certain sexual images that, while not displaying full nudity, nevertheless cause real harm. This is a necessary update of the criminal law.

The law must keep pace with technological change, especially when these tools are used to humiliate, intimidate or exploit victims, many of them women and young girls.

Finally, the Conservatives also added the Canada Border Services Agency and the Department of Justice to the list of federal entities that victims can contact to request information under the Canadian Victims Bill of Rights. This measure complies with the bill's stated objective of better supporting victims throughout the process.

[*English*]

Honourable senators, Conservatives did useful and responsible work, and all of that deserves to be underscored. That said, despite these advances, one central issue remains and continues to divide us on this bill: the safety valve for mandatory minimum penalties.

The safety valve proposed by the government draws on an idea already raised by the Supreme Court in its recent jurisprudence on mandatory minimum penalties. In the *Lloyd* decision, the court contemplated the possibility that Parliament could create a mechanism allowing a mandatory minimum to be set aside where its application would amount to cruel and unusual punishment.

That same idea later resurfaced in other decisions, including *Morrison*, *Bertrand Marchand* and *Senneville*. The government, therefore, chose to write into law an avenue that the court had already hinted at.

The government will say, of course, that this mechanism also responds to one of the concerns raised in section 12 case law, namely, the use of reasonable hypotheticals. That is because the new provision speaks of cruel and unusual punishment for that offender, and, in the circumstances, it will argue that the analysis is now more directly tied to the actual offender before the court.

The real question, then, is this: Has the government merely reproduced what the Supreme Court contemplated or has it gone further?

To answer that, one must return to the way the court framed this idea in the *Lloyd* decision. In *Lloyd*, the court spoke of a residual discretion exercised in exceptional cases. The idea was, therefore, that of a very narrow safety valve in law to be used with restraint. Yet, the government did not reproduce that restraint in the same terms.

The new provision does not expressly refer to exceptional circumstances and provides that, once the threshold of cruel and unusual punishment is met, the court imposes a sentence below the mandatory minimum. In other words, once that threshold is crossed, the departure no longer amounts to a residual discretion, strictly speaking. The court must go below the minimum. That scope is broadened further by the fact that this mechanism applies, in practice, to all mandatory minimum penalties, except those where the minimum is life imprisonment.

• (2340)

The government says it wants to make mandatory minimums operative again, which we support, but, at the same time, it creates a general regime that allows them to be overridden in a very wide range of cases. That is where we are in profound disagreement because a mandatory minimum that can be set aside so broadly ceases to be a true sentencing floor; in practice, it

becomes a sentence from which the judge may depart through direct application of the mechanism provided by Parliament. Even if the law provides that the sentence so imposed remains for that case, a minimum term of imprisonment does not make the situation any more acceptable. The fact remains that the original minimum adopted by legislators may be lowered by the court itself.

That is why we Conservatives sought to make serious corrections to this approach. We proposed amendments to exclude some of the most serious offences from this safety valve, including child sexual offences, violent sexual offences and extortion. Our objective was simple: to ensure that, for these crimes, Parliament's message would remain firm and unambiguous.

Those amendments were rejected, colleagues. That is what makes the expansion proposed by the government so troubling. By allowing this safety valve to apply so broadly, the door is open to sentences below those set by Parliament, which could be seen as profoundly unjust, especially in cases involving child sexual offences or violent sexual offences.

For victims and the public, it is extremely difficult to accept that the minimum set by Parliament could be bypassed in this way for crimes of such gravity. The signal being sent is the wrong one. It weakens denunciation, deterrence and confidence in the justice system.

The danger of this approach becomes even clearer in light of the *Senneville* case. This is precisely where the government's answer on hypotheticals falls short. In *Senneville* and *Naud*, the trial judges had already set aside the mandatory minimums, based on the actual facts of those cases, without even relying on reasonable hypotheticals. That is important to recall because the point here is not only what the Supreme Court ultimately decided but, rather, the fact that mandatory minimums could be set aside in cases of extreme gravity.

The facts underlying those cases were far from minor. In *Senneville*, there were 475 files, including 317 images constituting child sexual abuse and exploitation material. Roughly 90% of those images depicted very young girls aged three to six. The material had been obtained from specialized websites, kept for 8 months and accessed over 13 months.

In *Naud*, which was joined to the *Senneville* case, there were 531 images and 274 videos, mainly depicting children aged 5 to 10. Again, this involved a very large volume of material, obtained and accessed through specialized tools, including software used to erase traces.

In other words, we were not dealing with a marginal or trivial case; we were dealing with cases involving a considerable volume of illegal material, very young victims, repeated conduct over a long period and deliberate means used to access and conceal that material. However, despite the manifest gravity of those facts, the mandatory minimums were set aside at the first instance. That is precisely what is troubling.

With Bill C-16, for a case of that nature, an application seeking a sentence below the minimum would no longer necessarily have to proceed by way of a Charter challenge under section 12; it could be brought directly before the court under the legislative regime set out in the law itself. In other words, the law itself would create the pathway for going below the minimum, including in cases where the facts are exceptionally grave.

That is exactly the kind of result that many Canadians found deeply troubling in *Senneville*, and it is precisely why we believe the government has gone too far.

[*Translation*]

For all these reasons, we cannot accept this measure. We support making minimum sentences effective once again.

However, we cannot support a mechanism drafted in such broad, vague terms, which risks, in practice, stripping these minimum sentences of much of their practical effect.

[*English*]

Honourable senators, before I conclude, I would also like to say a word about another important aspect of Bill C-16, namely, its interaction with Bill C-225, known as "Bailey's Law." This point deserves to be highlighted because it speaks directly to the courageous fight led by the family of Bailey McCourt. Bailey McCourt was a young mother of two, deeply loved by her family, whose life was brutally taken in a daylight attack in Kelowna. Her death shook her family, her community and far beyond. In the eyes of many Canadians, she quickly became the tragic symbol of a system that failed to protect a victim of intimate partner violence.

As we know, Bill C-16 and Bill C-225 contain similar provisions dealing with coercive control, first-degree murder and manslaughter in the context of intimate partner violence. That is precisely why the order of adoption is not without importance. Bill C-225 expressly contains coordinating amendments with Bill C-16. Those provisions state that, if certain corresponding provisions of Bill C-16 come into force before those in Bill C-225, the central provisions of Bailey's Law dealing with first-degree murder and manslaughter will be repealed.

In other words, if Bill C-16 passes first, an essential part of Bailey's Law risks being technically absorbed into another bill.

To some, that may seem like a procedural detail. For the family, it is not. Debbie Henderson, Bailey's aunt, said clearly at committee that, if those provisions are removed from Bill C-225 because Bill C-16 is passed first, it will no longer truly be Bailey's Law. She also reminded us that the first-degree murder designation in a coercive control context was included because of Bailey's case, and it lies at the very heart of her family's efforts to preserve her legacy.

She also said it was deeply important to her family that Bailey's Law be completed before July 4, the first anniversary of Bailey's murder.

What is also important is that the Minister of Justice himself acknowledged at the Legal and Constitutional Affairs Committee during the pre-study of Bill C-16 that the government would have no issue with Bailey's Law receiving Royal Assent before Bill C-16. That is to the credit of both the minister and the government. He acknowledged that there was no conflict between the two bills and that, if this represented a meaningful gesture for the family, it would be accommodated. We thank the government and minister for that.

That is why it is important that Bill C-225 pass first. If this measure exists today, it is because of the fight led by Bailey's family. If it is to enter our law, it should do so first under the name that gave it life: Bailey's Law.

Honourable senators, I will soon conclude because we are drawing close to midnight, and I don't want to use my unlimited time this evening, of all times.

Bill C-16 contains important provisions, and several of them deserve to be welcomed. It also includes concrete improvements, some of which were achieved thanks to the serious work of Conservatives and other members in the other house.

It also contains a fundamental legislative choice to which Conservatives cannot subscribe. When a mechanism risks, in practice, weakening the penalties applicable to serious offences, particularly those committed against children and victims of sexual violence, it is the coherence of the law, public confidence and the protection of the most vulnerable that are at stake. We cannot accept a measure that, in our view, departs from the very principle that should inspire this bill: better protection for victims.

That is the issue we sought to bring to light today, and it is the reason we have vociferously worked hard, both in the House and at committee at pre-study. It is because we believe that victims should be the priority of Parliament and government.

On that note, honourable colleagues, I will call the question on second reading.

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: 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?

(Pursuant to the order adopted earlier this day, the bill was deemed referred to the Standing Senate Committee on Legal and Constitutional Affairs.)

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 5-13(2), I move:

That the Senate do now adjourn.

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

Hon. Senators: Agreed.

(*At 11:51 p.m., the Senate was continued until tomorrow at 2 p.m.*)

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