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Chair: The Honourable Hedy Fry



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• (1540)

[*Translation*]

The Chair (Hon. Hedy Fry (Vancouver Centre, Lib.)): I call this meeting to order.

Welcome to meeting number 121 of the House of Commons Standing Committee on Canadian Heritage.

I would like to acknowledge that this meeting is taking place on the unceded traditional territory of the Algonquin Anishinabe people.

[*English*]

In keeping with the House of Commons order of November 22, 2023, we are resuming consideration of Bill C-316, an act to amend the Canadian Heritage Act regarding the court challenges program.

Mr. Philip Lawrence (Northumberland—Peterborough South, CPC): I'm sorry, but I have just a really brief administrative matter.

On May 7, 2024, when Ms. Catherine Tait appeared, I asked if she received a bonus.

She responded, "I'd like to get legal counsel to make sure that it's in compliance with the Privacy Act before I do so, but if it is, I will provide it to this committee."

Through the chair to the clerk, have we received correspondence from Ms. Tait telling us what her bonus amount was for the 2021-22 year?

The Chair: I don't think we have.

We heard back from Ms. Tait that she is going to be doing so soon. They're collecting all the information they need.

Mr. Philip Lawrence: Perhaps I'll come back next week—

The Chair: Remember that the board of directors is not meeting until June 12.

Mr. Philip Lawrence: This is from the previous year, so this is information she already had. It's for 2021-22. This is a bonus she's already received, and she was going to—

The Chair: The clerk can answer that one, because I can't.

I can tell you that we want to get on with orders of the day, which I was trying to read into the record.

Mr. Philip Lawrence: It's just a quick administrative thing—just a yes or no—and then we'll go ahead.

The Chair: Do you have anything to say about that, Clerk?

The Clerk of the Committee (Ms. Geneviève Desjardins): I did follow up with them yesterday about that. They said they're looking into it and they're preparing everything to send to us.

Mr. Philip Lawrence: Okay, I don't want to waste any time, so I'll perhaps return next week if we don't receive anything, to send a letter to Ms. Tait.

The Chair: I think they have been contacted by the clerk in writing.

Mr. Kevin Waugh (Saskatoon—Grasswood, CPC): Madam Chair, I'll be very quick, if you don't mind.

I asked the CBC for the 6 p.m. newscast ratings from coast to coast. I was wondering if that has been—

The Chair: That's going to come with all the other things they're sending.

Mr. Kevin Waugh: Thank you.

The Chair: Pursuant to the order of reference of Wednesday, November 22, 2023, the committee is returning to its consideration of Bill C-316, an act to amend the Canadian Heritage Act with respect to the court challenges program.

Before we begin, I'm going to do the usual housekeeping.

Could you all consult the cards on the table? The cards on the table tell you how to prevent audio feedback. I'll remind you of the little decal on the top to place your earpiece, so we can have a good meeting with nobody getting hurt.

Now, again, keep your earpiece away from all microphones. I'm still trying to figure out how I can speak and be automatically turned off, like I used to with the old phones. I have to remember to keep pressing to take myself off speaking. There you are. That's a little glitch we're trying to fix.

Now, today's meeting is taking place in a hybrid format. I want to make a few comments for the benefit of members and witnesses.

Please wait until I recognize you by name. For those of you who are here virtually, please raise your hands in the virtual box, so I can recognize you.

Again, all comments should be addressed through the chair.

We have here with us again Blair McMurren, director general, strategic policy and international affairs, and Flavie Major, director, international affairs and human rights, strategic policy and international affairs, from the Department of Canadian Heritage.

Of course we have our legislative clerk, Mr. Méla, whom we all know very well. He's a patient man, indeed.

Resuming debate on the clause-by-clause, we are now looking at the subamendment of Mrs. Rachael Thomas. It's a subamendment to the amendment that we still have to vote on for G-1.

I'm going to read you the subamendment, just to make sure that everybody has it. Of course, I have to first and foremost find it in my notes.

Mrs. Thomas, after the words, “independent of the Government of Canada”, is inserting, “for which the selection criteria shall be made public and the final selection decision shall be tabled in each House of Parliament.”

That then goes with Mr. Serré's subamendment, which Mr. Méla wants to make a comment on.

• (1545)

Mr. Philippe Méla (Legislative Clerk): Thank you, Madam Chair.

When translating the amendment from Mrs. Thomas, we realized that there was a mistake in the subamendment from Mr. Serré. In the French version, it should read:

[Translation]

"Canadian Charter of Rights and Freedoms", not "Canadian Charter of Human Rights." We simply remove "Human" and add "and Freedoms."

[English]

The Chair: Is that okay with everyone? Good. Everyone's nodding. That's kind of cool. We're getting along nicely today.

We have Mrs. Thomas's subamendment on the table.

Mrs. Thomas, would you like to speak to your subamendment before we open it up for debate?

Mrs. Rachael Thomas (Lethbridge, CPC): Thank you, Chair. I would.

Now that we have this subamendment cleared up and figured out, essentially what we're doing here is assuring that there's independence for the body that is issuing the court challenges program or overseeing the intake process. It is also creating accountability around what that process looks like, and then also accountability because the decisions have to be tabled with the House of Commons.

Again, this is based on witness testimony. We heard that there should be greater independence, greater transparency and greater accountability, so that, no matter what government is in power at the time of the program being administered, it does in fact happen at arm's length and is done in a non-partisan fashion to the greatest extent possible.

The Chair: Now I'll open this subamendment up for debate if anyone wants to speak.

Martin.

[Translation]

Mr. Martin Champoux (Drummond, BQ): Madam Chair, my colleague Ms. Thomas's subamendment is very welcome. I'm glad to see that we're working constructively here. I'm also happy to see that we've found a way to integrate the content of amendment CPC-2 into amendment G-1, which restores the spirit of CPC-2 and ensures greater transparency and accountability. I find this constructive and important. Indeed, it effectively addresses the request by several witnesses.

This subamendment strikes me as entirely reasonable and I encourage my colleagues to support it.

[English]

The Chair: Thank you.

Is there anyone else? No? Is anyone opposed to the subamendment?

Yes, Mr. Serré? You're opposed to the subamendment? All right, so we should call a vote.

Do you want a recorded vote? No?

Well, the majority is obviously supporting it.

Are you supporting it, Mr. Noormohamed?

[Translation]

Mr. Martin Champoux: Madam Chair, I'd like to request a vote, please.

[English]

Mr. Marc Serré (Nickel Belt, Lib.): Do the vote.

The Chair: Let's call the vote.

(Subamendment negatived: nays 6; yeas 5 [See Minutes of Proceedings])

The Chair: On the motion of Mr. Noormohamed as amended.

Sorry, you had your hand up, Mrs. Thomas. I'm sorry.

• (1550)

Mrs. Rachael Thomas: Thank you, Chair.

Sure, I have another subamendment that I would like to move, then. It's based on CPC-3. I would offer the following subamendment. After the line “independent of the Government of Canada”, I would insert:

to be overseen by a panel whose members are selected independently based on criteria that are made public and for which the final membership selection decision shall be tabled in each House of Parliament

If it's helpful, Madam Chair, I'm happy to type that up and provide it to the clerk.

The Chair: Did you add another phrase to it or a clause—I don't know, Ms. Thomas—to the one we already have written here?

Mrs. Rachael Thomas: I'm sorry, Madam Chair. I only caught half of what you said.

The Chair: I'm sorry. I asked if you added an extra phrase or clause to the one we already have here. I sense that's what you did, but I'm not sure.

Mrs. Rachael Thomas: I'll repeat my subamendment.

Within G-1 as amended, I would insert after "independent of the Government of Canada", the following: "to be overseen by a panel whose members are selected independently based on criteria that are made public and for which the final membership selection decision shall be tabled in each House of Parliament".

The Chair: She's added just the first part of it.

For those of you who want to know exactly what went on, I'm having to borrow Mr. Méla's notes, because my notes disappeared somewhere. In fact, for those of you who have not heard, if you have CPC-3 in front of you, what Ms. Thomas is moving is after "ministered program". She's not moving that, but it goes:

to be overseen by a panel whose members are selected independently based on criteria that are made public and for which the final membership selection decision shall be tabled in each House of Parliament

Do you all have that one? This is admissible. Is there any discussion?

Philip.

Mr. Philip Lawrence: I want to move through this expeditiously, so I'll make my comments very brief.

I think it's a great idea to have an independent panel overseeing. We've all seen governments of all stripes that have shown partisanship in the past, and we would hate for this program to be tainted by partisanship, whether that be an NDP, Green Party, Liberal or Conservative government.

The Chair: Yes, Ms. Thomas.

Mrs. Rachael Thomas: Thank you, Madam Chair.

Just to provide context for this subamendment, again, we heard from a number of witnesses that greater independence is needed so that this program is carried out in a similar manner regardless of which government is in power or which party is in power. In addition to that, there would be greater transparency and greater accountability.

These all seem like fairly common-sense principles that we would want: independence, transparency and accountability. It's just calling for those things around the way this program is overseen or administered, in order to make sure it's not partisan and that the government isn't interfering in terms of the types of cases that are selected for funding.

The Chair: Is there further discussion?

Kevin, did you have your hand up? Go ahead.

• (1555)

Mr. Kevin Waugh: I did. Thank you, Madam Chair.

I agree with this. When I was going through the budget, there was a lot of money not spent—hundreds of thousands of dollars, actually. I was concerned with the accountability on this bill, the

money being put forward into Bill C-316 and the money that is there today.

I think the accountability is one that I'm really concerned with in this bill. We're putting money into a bill that already has hundreds of thousands of dollars.

I would like to ask the officials, Madam Chair, if you don't mind, about my concern. When I looked at what was in the bill and how much money was there, I was shocked that there were hundreds of thousands of dollars, and yet this government is going to put even more in there. Fiscally, I was just concerned about that.

Mr. McMurren, I would like to get your perspective on this, because when I first looked at the bill, I was shocked at the hundreds of thousands that were not spent, and we're putting more money in to this.

The Chair: Mr. McMurren.

Mr. Blair McMurren (Director General, Strategic Policy and International Affairs, Department of Canadian Heritage): Yes. Thank you, Madam Chair.

I might just seek to clarify that the question is regarding the money flowed to the court challenges program by the Department of Canadian Heritage. I don't believe the bill to be proposing anything related to an increase in the finances of the program, for example.

Mr. Kevin Waugh: There seemed to be a lot of money in that department, like in this bill, that has not been used. It could sit there for how long? Who knows? I just had some concerns over this. It's not that I'm expecting 100,000 submissions. I'm not, but when I see a substantial amount of money in this pool, I'm a little concerned. That's my point on this. There seemed to be a lot of money there.

Listen, I wish we had no cases on this, but I understand there will be some cases, and the varying amounts of money needed to take part in something like this, I also realize, is substantial.

Mr. Blair McMurren: Thank you for the clarification.

I would just remind members, because I think it's related and it's underlying the question, that there was an announcement in budget 2023 regarding the doubling of the program budget from \$5 million annually to \$10 million annually. That is the case, and that is under way. The ramp-up is under way.

The university is in the process of planning for the receipt of the new monies and how they will be used. The two independent expert panels are obviously involved in planning for how that's going to happen. There are some parameters around it. For example, a minimum of 30% of the total funds will be dedicated to official language rights cases. Some of the original parameters of the modernized program will continue.

To the point around the surpluses that appear in public accounting around the program, I think something important to point out is that it's sort of related to the complexities of the legal cases that the program funds. There are situations in which surpluses return to the program if the money is not required by litigants. There's a financial complexity to the management of the program that the university works through on a continual basis, effectively, as those monies return.

Mr. Kevin Waugh: That's part of the accountability that I sought on this, and that's why I agree with CPC-3. It would keep it above board, and we could see the accountability.

That was the reason I asked the question. Thank you.

The Chair: Thank you. Shall we call the question?

Sorry, Ms. Thomas.

Mrs. Rachael Thomas: Chair, I apologize. I will add my comments at a later time. Thank you.

The Chair: Seeing no other comments, shall I call the question on the subamendment that Ms. Thomas just tabled?

Clerk, we may need to call a vote.

(Subamendment negated: nays 6; yeas 5)

• (1600)

The Chair: We now move on to the original G-1, tabled by Mr. Noormohamed. We are going to vote on this.

Ms. Thomas, is your hand a new hand?

Mrs. Rachael Thomas: Yes, it is. Thank you.

I wish to move a subamendment.

The Chair: Go ahead.

Mrs. Rachael Thomas: Thank you.

To G-1 as amended, I wish to move a subamendment that incorporates CPC-4. For reference, for those who wish to look at that, it is after the line that reads, "and whose purpose is to provide funding for test cases of national significance". This is the subamended portion. After "test cases of national significance", I would insert the following: "that relate to federal laws or regulations or Government of Canada programs".

The Chair: It's ending at "programs".

Mrs. Rachael Thomas: That's correct. If I may, I will add context to this change whenever it's appropriate, Chair.

The Chair: You have the floor. Speak to your subamendment.

Mrs. Rachael Thomas: Thank you.

The reason for this change is that, again, we heard from witnesses who said that this program is most appropriately used for federal cases. Unfortunately, it was created by Pierre Elliott Trudeau—Trudeau senior—as a back-door way to go after the Province of Quebec and attack some provincial legislation that they were putting through. He didn't want to do it himself. He didn't want the federal government's handprints to be on the challenge, and so instead he created this program in order to fund third parties that could take on the Province of Quebec and, therefore, attack that

province. Similarly, it has been used over the years in this way, which is inappropriate.

This subamendment that I'm offering will prevent the court challenges program from being used to go after provinces and instead will have to stay within federal jurisdiction, which, of course, is most appropriate, given that we are talking about a federally funded program and the Canadian Charter of Rights and Freedoms.

The Chair: Is there any discussion on this subamendment? No hands are up, so shall we call the vote on it?

Go ahead, please, Clerk.

The Clerk: The vote is on the subamendment from Ms. Thomas—

The Chair: Yes. It is actually a part of CPC-4.

(Subamendment negated: nays 7; yeas 4)

The Chair: The subamendment does not carry.

Now, do you have any other subamendments, Ms. Thomas? Your hand is up. Go ahead.

• (1605)

Mrs. Rachael Thomas: Thank you, Madam Chair.

This is very interesting, because I'm picking up on a pattern here that my colleagues across the way do not stand for transparency, accountability or the independence of this program—

Mr. Taleeb Noormohamed (Vancouver Granville, Lib.): On a point of order, Madam Chair, I'm totally happy to entertain these amendments, but the idea that now our intention is being assumed or impugned, I think, is unreasonable. We're having a great day. Everyone's doing well. There's no reason to get negative.

The Chair: Let's just move on. Is there anybody...?

Your hand is not up. Are you still...?

Go ahead, Ms. Thomas.

Mrs. Rachael Thomas: Thank you, Chair.

I just simply made an observation. If the member takes that as negative, that is his interpretation. The observation stands.

In terms of the subamendment that I wish to move at this point, then, again it takes from CPC-5 and looks to incorporate it into G-1 as subamended by Mr. Serré....

I apologize. Just give me one moment here to find where it will best fit. This will be inserted at the end of Mr. Serré's subamendment. It would read, this final line here, where it has "rights that are guaranteed by the Canadian Charter of Rights and Freedoms", I would insert, "and that do not involve potential conflicts between those rights."

The Chair: Ms. Thomas, there's an "and" after the semicolon after "rights". Do you want that out or do you want that in?

Mrs. Rachael Thomas: There would be a period after "rights".

The Chair: All right.

Is there any discussion on the subamendment as tabled by Ms. Thomas?

Seeing no one wishing to discuss it....

I'm sorry, Ms. Thomas.

Mrs. Rachael Thomas: Thank you, Chair.

Again, we heard from a number of witnesses, who brought up that this program is currently administered by a body through uOttawa. There's, of course, no transparency around how that body is put in place or how those members are selected. There's no transparency around how cases are selected or how they are funded or to what extent. We're left in this dark area as members of the public. Of course, taxpayers' dollars are going towards this program, yet they are not informed as to how that money is used. It is an interesting situation.

What ends up happening, no doubt, is applications are put forward for cases where actually some of those applications can be in conflict with one another. The board, then, is put in a situation where they are picking winners and losers. Essentially, the board is actually making a decision on which side of the case they believe is more worthwhile than the other. It's really interesting that we would allow for the system to function that way.

In doing that, then, again without transparency, without accountability, with nothing having to be tabled before the House and funding not having to be made known, it raises lots of red flags around this program, which of course is what we heard from many witnesses.

This subamendment is saying that where there is a conflict between rights, those cases actually should not be selected. The board should not be put in this position where they get to pick winners and losers.

The amendment—or subamendment at this point—then states very clearly that those potential conflicts between rights should be avoided, again, in order to make sure everybody has a fair chance at having their case heard; and the board is not put in a position whereby it gets to essentially decide which side of the argument or which right then gets preferential treatment over another.

It's wrong for the board to do that. It's certainly not a good use of taxpayer money, and it's actually a slap in the face to justice.

• (1610)

The Chair: Have you finished, Ms. Thomas? Your hand is still up.

Mrs. Rachael Thomas: It's up because I was called upon to speak. I'm done now, so I'm happy to lower it.

The Chair: Okay, thank you.

[*Translation*]

Mr. Méla would like to ask a question.

[*English*]

Mr. Philippe Méla: Thank you, Madam Chair.

I have a question for Ms. Thomas on where the subamendment goes.

My understanding is it goes right after "Freedoms", in the last line of the subamendment from Mr. Serré, "Canadian Charter of Rights and Freedoms", and then adds "but that do not involve potential conflicts between those rights" and then a semicolon.

The Chair: No, she said a period there.

Mr. Philippe Méla: The "and" that's in the subamendment from Mr. Serré is needed to make the link between paragraphs 5(a.1) and 5(b) in the act.

Mrs. Rachael Thomas: Sure.

Mr. Méla, I would be fine with a semicolon so that can continue to read correctly. That's no problem.

Mr. Philippe Méla: Thank you.

Mrs. Rachael Thomas: Mr. Méla, I would offer one small correction.

When I read my subamendment into the record, rather than using the word "but", I used the word "and".

Mr. Philippe Méla: Oh, okay. I have it.

Thank you.

Mrs. Rachael Thomas: Thank you.

The Chair: All right.

Is there any discussion on this subamendment?

Yes, we have Mr. Lawrence.

Mr. Philip Lawrence: I realize Ms. Thomas's earlier subamendments have failed, but a lot of the witnesses commented specifically on the need for independence and transparency. Of course, Ms. Thomas talked a bit about that, and that was the aim of those amendments.

If the witnesses feel uncomfortable commenting, I understand that, but I'm wondering if they share any concern or see any additional opportunity for transparency and the separation and independence of this program.

The Chair: Are you willing to undertake that? No one is putting their hand up.

Ms. Thomas's hand is up.

Oh, did you want the officials to answer that?

Mr. Philip Lawrence: Yes.

The Chair: Okay. I thought you wanted someone in the committee or Ms. Thomas to answer.

Mr. Philip Lawrence: No, no.

The Chair: Okay.

Go ahead.

Mr. Blair McMurren: I would be happy to offer a perspective from the department as stewards of the modernized program.

I would simply state that, from our perspective, independence and transparency are important touchstones of the modernized program. The way the program has been implemented, there's been very much an attempt to make public the criteria, for example, around the selection of the independent organization. This was done in 2017 through an open and transparent process. The criteria were published around that process. The results were published subsequently. They're similar in process to the way that members of the two independent expert panels are appointed to those panels. It's also done through an open and transparent process.

I would also observe that the criteria around the selection of cases for funding by the University of Ottawa is very public in the sense that it's all published on the website of the program hosted by the university. In fairly extensive detail around the three kinds of projects that can be funded—development of test cases, litigation of test cases and legal interventions—there are criteria around each one of those categories for both streams of the program, which we consider to be highly appropriate given the mandate we had to implement a modernized program in the most open and transparent way.

• (1615)

The Chair: Thank you. Have you finished?

Ms. Thomas's hand is up.

Mrs. Rachael Thomas: Thank you, Chair. I would just ask the officials this.

The comment was with regard to the overall process in terms of the body that oversees the program, which is through the University of Ottawa. I would agree with him that there is some level of transparency; however, I would ask him to send to the committee those selection criteria. I don't know that they're as transparent as he's making them out to be.

Certainly, when I've looked in the past—and I've looked several times over the last couple of months—they are not always available in both French and English, and there are still some significant grey areas. I would ask those to be tabled with the committee just so that we can peruse them, and I certainly would ask that he make sure those are in fact up on the website consistently and not taken down for any period of time.

However, the comment does skip over what this subamendment does, which is to make sure that the cases that are selected...that rights are not in conflict with one another. That's a bit of a different issue from what was commented on with regard to the selection of the panel.

The Chair: Thank you.

Is there further debate on the subamendment?

Kevin.

Mr. Kevin Waugh: Thank you, Madam Chair.

I just want to get a verification through the department. You mentioned that it was published later by the University of Ottawa. When I go on there, cases that happened in February may not be reported until late in the year, November or December. Is there a guideline for when a case does go through and ends, one way or another? Is there a dead stop date? I went on the website and saw stuff where we had a conflict in January or February with one case and it was not being reported until maybe November, if at all.

I think that's what Ms. Thomas was saying. When you go on the website, it's very slow. It's not very transparent. That was my issue with accountability on money. The court challenges program right now has a cumulative surplus of over \$3.5 million. According to the recent main estimates, the CCP's annual funding is going to double, as they said, to over \$10 million. That's the transparency, I think, at least on this side, that we're having really difficult times with. When a challenge has been accepted and has gone through the proper negotiations, we're not seeing it up on the website.

Is there a protocol in place with the university to get to this? As I said, I've seen some that maybe are February and that all of a sudden pop up in November, which is like seven or eight months later. That seems a little long to me. Is there a process in place to get these verdicts up sooner?

The Chair: Mr. McMurren.

Mr. Blair McMurren: Per the contribution agreement between the department and the university, there's an annual report. It appears most years in November. In that report, there's a lot of information around statistics around the applications received and cases funded. Some cases are highlighted in detail in a descriptive kind of way.

As I think Ms. Samson, the executive director of the program, explained in her testimony, they're still working toward integrating that case information into the annual report, per the contribution agreement. She explained, I recall, that they're trying to strike a balance between transparency and what she described as "litigation privilege", working toward the inclusion of cases that have exhausted all avenues of appeal.

That's the body of cases that is very near, I gather, to being included in those annual reports. Over the life of the modernized program, they've been working to assemble this database, to work with the beneficiaries of their grants to get their consent and to understand the status of the different cases and appeals. We understand them to be very close to the point of being able to integrate a lot more information in that regard, possibly before the next annual report. That's something we're working through with them in real time. This is stipulated under the contribution agreement. It was always the intent for this final case information to be made public.

• (1620)

Mr. Kevin Waugh: Thank you very much for the clarification.

The Chair: Thank you, Kevin.

I'm going to go back to....

Mr. Lawrence, is this on the subamendment?

Mr. Philip Lawrence: Yes. I have two points. One is just a follow-up.

I would just say that in addition to what Mr. Waugh was saying, I think it's good to have the court case with the consent. We can all sort of imagine scenarios, whether it be sexual assault or otherwise, where you may not want to publish that, and that's clear. However, for cases in which we don't have victims or a sense of victims or things like that, it would be nice to not even wait for the annual report. Obviously, 12 months is a long time. Some of these court cases could already have dragged on for years before then. If we could get it perhaps not in real time but sooner than once a year, that would be terrific. I'll just pass that on as a comment.

The other thing is that Ms. Thomas asked for certain documents. Maybe I missed it, but I didn't hear an acknowledgement that you would provide those documents. If you could clearly provide an acknowledgement that you'll do your best to provide those documents, that would be great.

Mr. Blair McMurren: I can absolutely confirm that we'll provide all the information requested. In the information we provided further to our first appearance, there are links to the various pages I described with those criteria, but we can find a format in which to provide them so they're fully laid out and printable, essentially.

The Chair: Thank you.

Now I'm going to call the question on the subamendment tabled by Ms. Thomas.

(Subamendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

The Chair: Are there any other subamendments coming up from the floor?

Some hon. members: No.

The Chair: We shall then go to the original amendment, G-1, as amended.

Is there any discussion on G-1 as amended?

Ms. Thomas.

Mrs. Rachael Thomas: I would like a recorded vote.

(Amendment as amended agreed to: yeas 7; nays 4 [*See Minutes of Proceedings*])

The Chair: You know NDP-1, CPC-1, CPC-2, CPC-3, CPC-4 and CPC-5 are not going to be discussed.

Shall clause 2 as amended carry?

(Clause 2 as amended agreed to on division)

The Chair: Now we'll go to BQ-1. You have BQ-1 before you. Before I rule....

Martin, you want to speak to BQ-1, but I'm going to rule it inadmissible.

• (1625)

[*Translation*]

Mr. Martin Champoux: Madam Chair, if you intend to rule amendment BQ-1 out of order, I would like to hear the grounds for doing so. Indeed, I don't see why this amendment would be out of order.

Before you rule, allow me, since you've given me the floor, to ask Mr. Méla to explain why amendment BQ-1 would be out of order.

[*English*]

The Chair: I can, but he wanted you to explain it.

[*Translation*]

Mr. Philippe Méla: Thank you, Madam Chair.

Mr. Champoux, ultimately, the amendment in question would exempt the province of Quebec from the application of...

Mr. Martin Champoux: Please allow me to argue that point, Mr. Méla, while...

Mr. Philippe Méla: No, I'm going to continue.

Mr. Martin Champoux: All right, I'm listening.

Mr. Philippe Méla: Bill C-316 seeks to amend the Department of Canadian Heritage Act and maintain the Court Challenges Program, or CCP.

Amendment BQ-1 proposes to exempt the province of Quebec, provided it is involved in the cases in question, under the laws of the province of Quebec. This amendment would go beyond the scope of the bill and would therefore be contrary to its principle.

Mr. Martin Champoux: I take issue with that, Mr. Méla, and would argue that there already is an exemption.

In fact, the criteria provide that the human rights provisions do not apply to challenges to provincial laws and policies. Since there is no language law anywhere other than in Quebec, and since we made the point repeatedly in our discussions with witnesses that there should be a principle of asymmetry when applying this law, precisely by virtue of the fact that Quebec has a language law, it seems to me that it doesn't at all contravene the spirit of the law, the spirit of the CCP, to apply to Quebec what already applies in terms of human rights challenges when there are provincial policies or laws.

I therefore have grave doubts about the fact that you consider this amendment inadmissible, or that your interpretation invalidates our amendment. It seems to me that in this context, it is perfectly admissible and certainly deserves to be debated by this committee.

[*English*]

The Chair: Mr. Gourde, you have the floor.

• (1630)

[*Translation*]

Mr. Jacques Gourde (Lévis—Lotbinière, CPC): Thank you, Madam Chair.

My question is for the legislative clerk. If amendment BQ-1 were adopted, would amendments BQ-2 and BQ-3 then be eliminated?

No? All right. But it seems to me that they deal with the same lines in the bill.

[English]

Mr. Philippe Méla: Thank you, Madam Chair.

[Translation]

There's no conflict in the lines here, because we're adding items after line 16. Several things can be added at the same time, after a line, and, if all three amendments are adopted, they will then be renumbered.

[English]

The Chair: Does that answer your question, Mr. Gourde?

[Translation]

Mr. Jacques Gourde: Yes, that answers my question.

[English]

The Chair: I have the option to rule. Mr. Champoux asked for a debate on the issue. I want to get a sense from the committee as to what you wish to do about this. Do you want to debate it, or do you want me to rule it inadmissible?

[Translation]

Mr. Martin Champoux: Point of order, Madam Chair.

It's not up to the committee to decide whether you should rule an amendment in or out of order. That's a ruling made by the chair, it's not up for discussion by the committee.

[English]

The Chair: I was trying to move the thing along so everybody felt that they had their say.

Okay, then I will rule that BQ-1 is not admissible on the grounds that it proposes to exempt the Province of Quebec as far as applying test cases to the laws of the Province of Quebec. Since the provisions of the bill apply to all provinces of Canada, exempting any one province from application is contrary to the principle of the bill.

Again, I will refer to *House of Commons Procedure and Practice*, page 770, which says, "An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill."

[Translation]

Mr. Martin Champoux: Madam Chair, out of respect for Quebecers, I challenge your ruling.

Thank you.

[English]

The Chair: We have a challenge to the chair, so we will have a vote.

The Clerk: The vote is on the question: Shall the decision of the chair be sustained?

(Ruling of the chair sustained: yeas 6; nays 5)

The Chair: Thank you. Now we are going to go to BQ-2.

Once again, I am going to rule on the same....

I'm sorry. Does somebody have their hand up?

Mr. Champoux.

[Translation]

Mr. Martin Champoux: Madam Chair, were you about to rule that this amendment is also out of order? We're not going to debate the same issue again.

[English]

The Chair: Shall I make a ruling as to why?

[Translation]

Mr. Martin Champoux: You still haven't explained your ruling, Madam Chair.

[English]

The Chair: Okay, yes, well, I will.

This amendment proposes to subordinate the establishment and implementation of a program under paragraph 5(a.1) of the act to the planning set out in Quebec's Charter of the French Language, which is against the principle of the bill. I refer to *House of Commons Procedure and Practice*, third edition, page 770, which says:

An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill.

Therefore, I rule this amendment inadmissible, so it does not get voted on.

Now we have BQ-3.

Go ahead.

• (1635)

[Translation]

Mr. Martin Champoux: Thank you, Madam Chair.

I hope you'll allow us to debate this amendment, because I think it's quite consistent with decisions and discussions that took place as part of the Bill C-13 debate. It is literally based on principles that were recognized in the modernized version of the Official Languages Act.

I'll indulge myself by reading the amendment, which is, in fact, to amend Bill C-13 by adding, before section 3, page 2, after line 15, the following:

2.1 The Act is amended by adding the following after section 5:

5.01 The test cases referred to in paragraph 5(a.1) respecting constitutional and quasi-constitutional official language rights shall be consistent with the following purposes of the *Official Languages Act*:

(a) advance the equality of status and use of the English and French languages within Canadian society, taking into account the fact that French is in a minority situation in Canada and North America due to the predominant use of English and that there is a diversity of provincial and territorial language regimes that contribute to the advancement, including Quebec's *Charter of the French language*, which provides that French is the official language of Quebec;

(b) advance the existence of a majority-French society in a Quebec where the future of French is assured."

Madam Chair, I will let my colleagues comment on this amendment. I look forward to hearing the debate on this issue.

The Chair: Mr. Gourde has the floor.

Mr. Jacques Gourde: Thank you, Madam Chair.

My comments will be along the same lines as Mr. Champoux's.

Like Mr. Marc Serré, I was present during the study on modernizing the Official Languages Act. This passage is an integral part of the legislation resulting from Bill C-13 and it was accepted by the Standing Committee on Official Languages.

I therefore think that Mr. Serré should accept what he previously agreed to when the Official Languages Act was modernized.

[English]

The Chair: Thank you, Mr. Gourde.

Does anyone wish to speak to this?

Yes, Martin.

[Translation]

Mr. Martin Champoux: Madam Chair, if no one else has anything to add, I will indulge in one last comment before we proceed to the vote.

As my colleague Mr. Gourde was saying just a few moments ago, I wish we parliamentarians had a modicum of consistency in our debates, exchanges and positions on the various bills we deal with, particularly in the context of Bill C-13. After all, the latter has been studied at length and, I would say, well crafted, in collaboration with francophone communities outside Quebec and with all minority language communities. The Official Languages Act was adopted with the text we are proposing today in this amendment. It would be truly inconsistent to reject an amendment that was adopted in the Official Languages Act, almost word for word.

I'll stop there and let you proceed.

[English]

The Chair: Thank you.

(Amendment negatived: nays 6; yeas 5 [See *Minutes of Proceedings*])

The Chair: The amendment does not carry.

(On clause 3)

The Chair: We have Mr. Noormohamed.

• (1640)

Mr. Taleeb Noormohamed: Madam Chair, I'd like to propose to amend clause 3 by replacing lines 19 to 21 on page 2 with the following:

5.1(1) The independent organization responsible for administering the program referred to in section 7.1 of this Act and paragraph 43(1)(c) of the Official Languages Act shall, each year, submit to

Then I'd propose to replace line 28 on page 2 with the following:
ous year.

The Chair: Before we go to vote on this or discuss it, I need to let the committee know that if G-2 is adopted, BQ-4 cannot be moved due to a line conflict.

Mr. Noormohamed, do you wish to speak to your amendment, or do you think it speaks for itself?

Mr. Taleeb Noormohamed: I believe it speaks for itself, but others may wish to speak to it.

The Chair: I'm going to open the question to debate on this amendment.

Mr. Serré has his hand up.

[Translation]

Mr. Marc Serré: The amendment is fairly straightforward: It aims to ensure compliance with Bill C-13, which, among other things, deals with modernizing the Official Languages Act. Earlier, that wasn't the case at all. It's an administrative amendment, since it deals with dates in connection with the annual report. According to some of the witnesses who came to testify, it was the right thing to do.

Through the clerk, I'd like to present a subamendment to all committee members. The purpose of this subamendment is strictly to add a line to the bill, after "cases that received funding in the previous year."

I therefore propose to add, following this text, and just before the period, "and any outreach and promotional activities that were conducted with groups affected by these cases." This is similar to the language used in Bill C-13. We're also seeking to ensure that the administrative report will have been submitted by November.

So this is a fairly straightforward administrative amendment, and I hope everyone will agree to adopt it.

[English]

The Chair: Thank you. Hands are up.

We're going to discuss Mr. Serré's subamendment, so I'm going to entertain discussion from Mr. Lawrence, Mr. Gourde, Martin and Ms. Thomas, in that order.

Mr. Philip Lawrence: I understand that we're all busy and that things change based on witness testimony and other issues, and politics is at all times fluid, but I'm, I guess, a little frustrated, to be honest. You guys are the governing party. Your job is to create legislation, and we have an initial proposal that's then being amended by you, and then you table-drop a subamendment to that amendment. We need to get our stuff together here, gentlemen.

If there are any other subamendments to amendments, would you kindly provide them to us now, so that we're not reviewing them on the fly and delaying things?

You guys should have more in the game than anyone else in terms of getting this legislation through. I feel like I have to help you shepherd the legislation through. I'm in the opposition; that shouldn't be my job.

If you have any other subamendments you want to table-drop, could you please just share them with us now? These things aren't controversial; I just want to have a chance to review them.

The Chair: Mr. Noormohamed, do you have a response to that, or Mr. Serré...?

Mr. Taleeb Noormohamed: I would love to respond.

I would thank Mr. Lawrence for his generosity of spirit. I count him among those whom I believe to be very generous of spirit and those who understand that, sometimes, administrative things need to take place. This is, indeed, very much that.

I am sure that, given the number of amendments we have gone through over the course of the last little while, one subamendment five lines long and administrative in nature shouldn't take up that much time with the committee.

• (1645)

Mr. Philip Lawrence: I don't agree.

Mr. Taleeb Noormohamed: Let's continue to work in the spirit of what we've been trying to do and get this done.

The Chair: We'll go to Ms. Thomas, then Mr. Gourde and Mr. Champoux.

Mrs. Rachael Thomas: Thank you, Madam Chair.

I want to confirm that my hand is up to speak on the subamendment, and that my hand was also up to speak on the amendment.

The Chair: We're speaking about the subamendment now.

Mrs. Rachael Thomas: Chair, I understand. I just want to confirm that my hand is up for both. I should be on both speaking lists.

The Chair: When we get to the amendment, your name is already there. However, we're now dealing with the subamendment.

Mrs. Rachael Thomas: I understand. Thank you for confirming.

I'm going to ask the officials to shed light on the significance of this subamendment regarding "and any outreach and promotional activities that were conducted with groups affected by these cases."

What does this subamendment accomplish? Maybe we'll start there. Why is it significant?

Mr. Blair McMurren: It appears the subamendment would give the modernized program the opportunity, in its annual reporting, to speak about its outreach with affected communities.

If you consult the contribution agreement, this aspect is part of the mandate of the modernized program to some extent, with some limitations. However, as we know from our interactions with the university, it's clearly something they're conscious of. I believe the expert panels, as well, are interested in doing more of this as the program continues to take root.

I believe the subamendment would give the program, as I said, the opportunity to say more about that in the annual report.

Mrs. Rachael Thomas: My follow-up question to that would be this: Who would that include? What groups are affected by these cases?

Mr. Blair McMurren: I would make an educated guess that it could include, on the official language rights side of the program,

official language minority communities in all regions of the country.

On the human rights side of the program, I think it would include a number of different equity-deserving communities that we know, through the current annual reporting, take advantage of the program. I assume a variety of indigenous partners would also be part of that outreach.

The Chair: Ms. Thomas, did you get your answers? Do you wish to say anything else?

Mrs. Rachael Thomas: Thank you, Chair.

Are we talking about groups that would be affected by the cases accepted under the program?

Mr. Blair McMurren: I take it from the language that this could include communities seeking funding through the program and affected by the outcomes of those cases. It's potentially other communities, perhaps, that aren't accessing the program to the extent possible at the moment, for whatever reason.

Mrs. Rachael Thomas: I'm sorry. Isn't that rather wide in scope and grey, in terms of who's being consulted here and what's being reported on?

Mr. Blair McMurren: I would agree.

It's a general reference to the potential communities that could be the object of this outreach. I took it to be a fairly neutral reference, but I accept the point that it could refer to a variety of different communities that aren't specified here.

Mrs. Rachael Thomas: Without it being specified, it would really be left up to the organization responsible for administering the program to determine which groups they want to be transparent about and which groups they just don't care to include in their report.

Is that correct?

Mr. Blair McMurren: I would comment, based on the current annual reporting done by the program, that they take a very inclusive approach to showcasing, such as highlighting the kinds of cases that receive support from the program. I have no reason to believe that it wouldn't continue on the basis of this amendment. An inclusive approach would be taken.

• (1650)

Mrs. Rachael Thomas: In your estimation, then, would every group that is consulted be included in the report?

Mr. Blair McMurren: I think that would be a reasonable assumption.

Mrs. Rachael Thomas: Is that the way things are currently done?

Mr. Blair McMurren: My comment would be that the university does an excellent job at the moment of highlighting a number of different aspects of what they do in the annual report, and they touch on a number of different affected communities.

Mrs. Rachael Thomas: Thank you.

I wasn't asking for an assessment as to whether or not you think they're doing a good job. I don't know that it's appropriate for you to comment on that.

Rather, my question to you is this: Is this the current practice, and is every group consulted equally reported on?

Mr. Blair McMurren: At the moment, the cases that are highlighted in the annual report are selective. There are a certain number under each stream of the program that are described in a little more detail currently, so they are selective by definition. Not every possible community is showcased, but a certain breadth is showcased. The program makes an attempt to show a certain breadth of the range of communities that are benefiting from the program currently.

Mrs. Rachael Thomas: Thank you. I do appreciate that, because I think that is the honest answer.

Ultimately, it is up to the administrative body to determine which groups they want to give more attention to and which groups they don't. We wouldn't know that, because there's very little transparency and a whole lot of secrecy around this program. I appreciate your confirming that.

I have no further comment.

The Chair: Thank you, Ms. Thomas.

I now have Mr. Gourde.

[*Translation*]

Mr. Jacques Gourde: Thank you very much, Madam Chair.

There's a typo in the French version of the subamendment. It says "*desactivités*" when it should be two words, "*des activités*." As this typo could change the meaning of the amendment, it should be corrected before we vote on this subamendment.

Should I repeat what I just said?

[*English*]

The Chair: Is everything okay, Mr. Serré? Good.

We have Mr. Champoux and then Ms. Ashton.

[*Translation*]

Mr. Martin Champoux: Thank you, Madam Chair.

I must confess that I'm puzzled by this subamendment. It leaves me somewhat dubious. In fact, a host of images come to mind. I'd like to know what the words "outreach and promotional activities" imply. Would this involve parties with hot dogs and corn roasts for targeted groups to explain the Court Challenges Program? I'd like someone to explain what the outreach activities would consist of. I'm making jokes, but it does worry me somewhat.

We're facing some rather troubling situations in Quebec. Groups are taking advantage of this program to challenge Quebec laws. I

don't doubt for a moment that the program is extremely useful. It is essential for francophone communities outside Quebec. It has saved francophone institutions outside Quebec, which is wonderful. In Quebec, however, it's not being used in quite the same way. Nor is the reality exactly the same. The fact that we're talking about outreach activities worries me a lot.

I'd like my colleague Mr. Serré, who proposed the subamendment, to explain what he means by "outreach and promotional activities that have been carried out with groups affected by these cases."

[*English*]

The Chair: Go ahead, Mr. Serré.

[*Translation*]

Mr. Marc Serré: Those are activities that are already proposed in Bill C-13, which is linked to this one. The purpose of this subamendment is to use common terms. Perhaps Mr. Champoux would like more information on this subject.

I don't know if Mr. McMurren has more specific information on this, but I can tell you that we're certainly not talking about corn roasts and the like. Come on! Let's try to be professional.

Mr. Martin Champoux: I understand, Mr. Serré, that we're not talking about corn roasts. You can understand that I'm just adding some colour to something I find rather worrisome.

That being said, I find it a bit rich that you use the wording in Bill C-13 and consider the use of that wording justified for a subamendment when, just a few minutes ago, you voted against an amendment, which I thought was absolutely justified, in which that wording was used in exactly the same way.

In short, I find it a bit peculiar to talk about outreach activities. I have nothing against promoting the Court Challenges Program, making it known to different groups, in general, in Quebec and Canada. However, I'm somewhat dubious about the wording of the subamendment, which talks about outreach activities. That seems like a trap I would rather avoid.

• (1655)

[*English*]

The Chair: All right. Now we have Ms. Ashton, Ms. Thomas and Mr. Lawrence.

Niki.

Ms. Niki Ashton (Churchill—Keewatinook Aski, NDP): Thank you very much.

I want to indicate that I think this subamendment, which is a reflection of something we've put forward for later on.... I'm not sure if it's going to get cancelled out as well.

[*Technical difficulty—Editor*] our amendment comes from, but witnesses like West Coast LEAF and others have made it clear that it's important to engage in consultations with organizations and groups for whom the court challenges program is applicable. It's important to respect the testimony brought forward by those witnesses. I'm a bit concerned that we're minimizing important testimony we heard from witnesses who presented at our committee.

The Chair: Thank you, Ms. Ashton.

It's over to Ms. Thomas and then to Mr. Lawrence.

Mrs. Rachael Thomas: Thank you, Chair, but I'm just on the list. I've already spoken to this. I wish to speak to the amendment when we come back to it.

The Chair: We're still on the subamendment. I'm sorry.

Mr. Lawrence, I just wanted to clarify something. You commented that the government should get its act together. This is a private member's bill, not a government bill.

Mr. Philip Lawrence: I'm completely aware of that. That was my comment. That's why I didn't say they were the government. I said they were from the governing party.

They have considerable resources that we opposition parties don't have, even when drafting a private member's bill, and access to the civil service that we do not. I just find it odd—

Mr. Michael Coteau (Don Valley East, Lib.): I have a point of order, Madam Chair. I want to bring some clarity to that point.

The member opposite has the exact same resources as any other member of this House who's not part of the executive of government, so that's a bit misleading. We don't have access to government officials like the executive does—

Mr. Philip Lawrence: He can put himself on the list. It's not a point of order.

The Chair: It's not a point of order, Mr. Coteau. I'm sorry.

Mr. Philip Lawrence: It won't take long. You can wait until I'm done, Michael.

Mr. Michael Coteau: It's not a point of order, but you can't just say things in the committee that are not true.

Mr. Philip Lawrence: It's not a point of order, Michael. Michael, it's not a point of order.

Mr. Michael Coteau: Thank you, Mr. Chair Lawrence.

The Chair: Now, after Mr. Lawrence, is there anybody else?

I'm going to ask...

You haven't finished. I'm sorry.

Mr. Philip Lawrence: That's no problem, Madam Chair.

The substance of my point was that if there are other subamendments, I would appreciate it if the government members gave them to us now. They don't have to wait until the amendment is raised—unless the clerk tells me I'm incorrect, and then I'll stand down.

The Chair: People speak to whatever is on the table at the moment. Right now, this amendment and subamendment apply to the clause we're dealing with. I'm sorry, Mr. Lawrence.

I'm going to ask the question. I'm sorry.

Before you vote on this, I want you to know that if G-2 is adopted, BQ-4, CPC—

[*Translation*]

Mr. Martin Champoux: Point of order, Madam Chair.

[*English*]

The Chair: I'm sorry?

[*Translation*]

Mr. Martin Champoux: We're debating the subamendment, thank you for pointing that out, but—

[*English*]

The Chair: Yes. Did you want to speak to that?

● (1700)

[*Translation*]

Mr. Martin Champoux: No, but we could vote on the subamendment and then discuss the repercussions.

[*English*]

The Chair: We're on the subamendment. Amended or not, I just wanted to let you know about that.

Let's call the question on the subamendment of Mr. Serré.

(Subamendment agreed to: yeas 6; nays 5 [*See Minutes of Proceedings*])

The Chair: The subamendment of Mr. Serré is carried.

Now I am going to discussion on Mr. Noormohamed's amendment.

I have Mr. Lawrence first, then Ms. Thomas and then Mr. Champoux.

Mr. Philip Lawrence: I'll give my time to Ms. Thomas.

The Chair: Yes, we are just discussing it.

I want you to know that, after we have discussed G-2, if it is carried, then BQ-4, CPC-6 and NDP-2 cannot be moved due to a line conflict, so just be informed.

Go ahead, Ms. Thomas.

Mrs. Rachael Thomas: I'm sorry, I do need clarification on that point.

Amendment G-2 deals with lines 19 to 21. CPC-6 deals with lines 26 to 28, so I just need to understand why that would not be movable if G-2 passes.

Mr. Philippe Méla: Thank you, Madam Chair.

G-2, indeed, as you pointed out, deals with lines 19 to 21 on page 2, and that's in paragraph (a); however, paragraph (b) also deals with line 28, and that's where the conflict is.

Mrs. Rachael Thomas: Okay, thank you. I appreciate that clarification.

The Chair: We will now go to Monsieur Champoux.

[*Translation*]

Mr. Martin Champoux: Thank you, Madam Chair.

I would like to propose a subamendment to amendment G-2, in the event that amendment G-2 is adopted and we have to withdraw amendment BQ-4. This concerns the annual report.

We move that Amendment G-2 be subamended by replacing the words “an overview” with the words “a list” and by adding, after the words “the previous year,” the words “if those cases have been made public.”

I would like to point out that we sent the clerk the subamendment in both official languages. The change only pertains to the last portion of amendment G-2. So, the last portion of section 3 of Bill C-316, including the subamendment, would read as follows:

...of the direction, goals and financial performance of the program, as well as a list of the cases that received funding in the previous year, if those cases have been made public.

[*English*]

The Chair: Is there discussion on the subamendment?

There is a comment from Mr. Méla.

Mr. Philippe Méla: Thank you, Madam Chair.

[*Translation*]

Mr. Champoux, the committee just adopted a subamendment to amendment G-2. I understand that you want to replace “an overview” with “a list.” This is just above the subamendment that was just adopted.

Also, you want to add “if those cases have been made public.” to the end of the original amendment G-2, but this has just been amended. Do you still want to keep this addition there, or do you want to put it at the end of the subamendment that has just been adopted? In that case, “*ces dernières*” would apply to everything before, not just the cases.

Mr. Martin Champoux: The goal is to have maximum transparency and improve accountability for the Court Challenges Program.

Mr. Méla, would you agree that putting this portion of my subamendment at the very end of the adopted subamendment will improve the Program's transparency and accountability? If so, I'll follow your suggestion. Otherwise, I'll leave it where it was originally intended to go.

[*English*]

The Chair: Perhaps we can get an answer from Mr. McMurren.

Go ahead, please.

• (1705)

[*Translation*]

Mr. Blair McMurren: I want to confirm that, according to the Modernized Program Contribution Agreement, the envisioned approach described by Ms. Marika Giles Samson during her testimony is to make cases public once they are closed, once appeal avenues are exhausted.

What is being proposed here would be a change to the envisioned approach of the modernized program. This change in practice is not within the program's scope at this time. It would be a significant change to a fairly significant practice in the current program.

Mr. Martin Champoux: Actually, I don't think it is unreasonable to ask for a list rather than an overview once cases have been completed or files have been closed. That would address the concerns of various witnesses who came here to state their complaints and concerns regarding the Court Challenges Program. I think requiring a list to be published rather than an overview would sufficiently address their concerns. An overview is no more and no less than what program administrators choose to disclose or the cases they consider appropriate to disclose. I think it is entirely legitimate to request a complete list of cases.

In your opinion, would that be difficult to do?

Mr. Blair McMurren: I will have to consult the contribution agreement, Madam Chair.

In principle, the idea of a list might be acceptable as long as it's a list of the cases closed in the previous year.

Mr. Martin Champoux: I would be very happy with that.

[*English*]

The Chair: Speaking to Mr. Champoux's subamendment, Ms. Thomas has the floor.

Mrs. Rachael Thomas: Thank you, Chair.

The Chair: Sorry, before Ms. Thomas, Mr. Méla wants to ask a question of the mover.

Martin, Mr. Méla wishes to ask you a question to clarify.

Mr. Philippe Méla: Thank you, Madam Chair.

[*Translation*]

I want to make sure everything is in the right place. After the words “in the previous year”, you would add “if those cases have been made public”. Is that correct?

Mr. Martin Champoux: Yes.

Mr. Philippe Méla: Perfect, thank you.

Since I have the floor, I would point out that agreeing to subamendment G-2 results in a line conflict with amendment BQ-5.

Mr. Martin Champoux: Okay.

[English]

The Chair: Thank you.

Ms. Thomas, are you speaking to the subamendment of Mr. Champoux?

Mrs. Rachael Thomas: Yes.

Chair, it has been a little bit tricky just to follow along. I'm just hoping that you...or that through you, there can be some clarification as to what exactly is happening here.

I understand that Mr. Champoux is incorporating BQ-4. However, my understanding of the situation is that he is not bringing in his suggested (a) section within BQ-4, but only (b), which is to say that the cases made public would be reported on.

I just want to confirm that I'm understanding that correctly.

The Chair: Yes.

Mrs. Rachael Thomas: Yes, that is correct?

The Chair: Yes.

Mrs. Rachael Thomas: Okay. Thank you very much.

The Chair: Okay.

Is your hand up or down? Have you finished, Ms. Thomas?

Mrs. Rachael Thomas: It's up to speak to the amendment, but not to the subamendment anymore.

The Chair: All right. Thank you.

Is there anybody else?

Mr. Lawrence, speaking to the subamendment of Mr. Champoux.

Mr. Philip Lawrence: Yes, I'm speaking to the subamendment.

I'm sorry. I didn't catch on initially, until Mrs. Thomas clarified.

We would just be adding "previous calendar year, if those cases have been made public." We're just doing (b) instead of (a). Is that correct?

The Chair: Yes.

Mr. Philip Lawrence: That's correct?

The Chair: Yes.

Mr. Philip Lawrence: Mr. Champoux, I'm sorry, I just didn't follow it, and I apologize for that. Why did we not put in the (a) part of the amendment?

• (1710)

Mr. Martin Champoux: Are you on BQ-4?

The Chair: Ms. Thomas, I just wanted to mention to you that Mr. Champoux did not move only (b); he added a little bit of (a) in there as well. The part that says, "*qu'un aperçu*".

Mrs. Rachael Thomas: I'm sorry, Chair. That's not being translated for me. I don't know exactly where that fits into the change.

The Chair: That's line 25, on page 2, new section 5.1.

Mrs. Rachael Thomas: Could you read the change that is being made?

The Chair: The change in English is—just a second, I'm trying to find it in English here—where it says, on line 27, "an overview", he's saying "a list".

Mrs. Rachael Thomas: Okay.

The Chair: Thank you.

Mr. Lawrence, are you good?

Mr. Philip Lawrence: If Ms. Thomas is good, I'm good.

The Chair: Okay.

Mr. Champoux, do you have something to say?

[Translation]

Mr. Martin Champoux: Madam Chair, regarding the concern raised by my colleague Mr. Lawrence, let me just clarify that the subamendment does indeed include the two provisions of amendment BQ-4, including the requirement to produce a list rather than an overview.

I would also like to clarify something. While we demand greater transparency, we also think it is important to protect the confidentiality of cases that have not yet been made public. This is an important exercise that has to be conducted seriously. I think incorporating amendment BQ-4 into amendment G-2 in this way is a good compromise.

[English]

The Chair: Are you integrating the whole of BQ-4? I'm just trying to find BQ-4.

Instead, you want to take away "an overview" and add "a list". Do you want the list so that confidentiality is respected?

[Translation]

Mr. Martin Champoux: No. It is exactly as it was distributed. That was simply an explanation in response to Mr. Lawrence's question. My subamendment is unchanged.

[English]

The Chair: Good. Thank you.

Having no one else discussing the subamendment....

Ms. Thomas.

Mrs. Rachael Thomas: Thank you, Chair.

I do need to understand something from the officials here. I understand the desire for a list; however, the second part of the subamendment says that it would be the "cases that have been made public". If they've already been made.... The cases have been made public. From the officials, what is the significance of that as opposed to leaving that part out?

Mr. Blair McMurren: We've been seeking to try to quickly understand that ourselves. I would say that we were a little more focused on the language around the publication of names of cases and whether that's all cases or, as envisaged per the current practice of the program, cases that have exhausted all avenues of appeal.

I wonder if that might be what's being alluded to. I'd welcome clarification myself on that, if that's what's being suggested when a case reaches the end of all avenues of appeal and is made public at that time.

The Chair: Martin, could you answer that please?

[*Translation*]

Mr. Martin Champoux: Madam Chair, I am very sorry, but I missed the start of Mr. McMurren's question.

Could I ask him to kindly repeat it?

• (1715)

Mr. Blair McMurren: Of course.

As public servants, we have a question.

Regarding the cases that have been made public that are mentioned in the subamendment, have they been completed and have all avenues of recourse been exhausted?

Mr. Martin Champoux: Absolutely, that's correct.

That is already the current practice for the overview of cases that have been processed. Those cases are public in nature, of course. So it's the same principle. We simply want a list of those cases rather than an overview, and that list may only contain the cases that have already been made public. If memory serves, the Federal Court ruled on that in 2000. So we cannot deviate from that.

Cases that have been made public are therefore those that have been completed and are public in nature. We want them disclosed in a list rather than as part of an overview. I hope that answers your question.

[*English*]

The Chair: Thank you.

Does that answer your question, Mr. McMurren?

[*Translation*]

Mr. Blair McMurren: Yes. Thank you, Madam Chair.

[*English*]

The Chair: All right.

Ms. Thomas, are you on this same subamendment?

Mr. Lawrence, on the subamendment?

Ms. Thomas is first.

Mrs. Rachael Thomas: Thank you, Madam Chair.

I do appreciate the official trying to seek some clarification on my behalf. I'm still not seeing the significance here.

If they're already public, we're just asking for that information that is public to be compiled into a list. Is that essentially it? We don't want to go looking for the information, so we want it put into a list for us. It's essentially asking for curation.

I'm seeking clarification from the officials and I guess perhaps from Mr. Champoux.

The Chair: I will ask Mr. Champoux for clarification because it's his subamendment.

Go ahead, Mr. Champoux, and then the officials will comment if they feel they need to.

[*Translation*]

Mr. Martin Champoux: I hope so, because their opinion on these matters is essential, Madam Chair.

We have the choice here. We are asking for certain information to be provided in the annual report that must be produced by the organization that manages the Court Challenges Program. Ms. Thomas said that information is already public, which is true. If someone wishes to do an exhaustive search of all the cases in question, however, that search would be significantly more difficult than if the information were readily available in the annual report of the organization in charge.

It is simply a question of transparency and ease of access to information. That is why a complete list would obviate the need for research should someone need full access to that information.

[*English*]

The Chair: Mr. McMurren, you don't have a comment to make on that. Is it clear?

[*Translation*]

Mr. Blair McMurren: Actually, I would like to say something, Madam Chair.

We are not talking about the program making that information public. The current practice is more appropriate: The beneficiary's consent is required to make the information public, and it must be confirmed that the case is indeed closed.

Perhaps this is a distinction between the intent of the amendment and the way the program is currently administered.

Mr. Martin Champoux: Madam Chair—

[*English*]

The Chair: Yes. Martin....

Marc, did you have your hand up? All right.

[*Translation*]

Mr. Martin Champoux: Mr. McMurren, I need some clarification. Are the cases brought before the courts not public in nature from the outset? Once those cases have been completed, the decision has been made and the cases have been "closed", are they not public in nature? I thought that was the way it works.

We have not changed the rule regarding a case before the courts being made public, for example. There are confidentiality concerns. Once cases have been completed though, I don't see why the CCP beneficiary's consent would be required to disclose that information. I don't think that should be necessary.... When a case is brought under the Court Challenges Program, which is funding by the taxpayers of Quebec and Canada, should that information not be public from the outset?

● (1720)

Mr. Blair McMurren: Thank you, Madam Chair.

What I meant to say is that, in terms of reporting, the CCP does not consider whether the case is public or not.

Mr. Martin Champoux: I just want to make sure everything is clear.

If an organization decided to challenge a law or policy, and if it decided to take the matter to court using public funds, as the CCP provides, I don't think it should be up to that organization to decide whether it will remain anonymous or whether it will agree to the disclosure of the information. Correct me if I am wrong, but from my point of view that information automatically becomes public. In some cases, they are nonetheless challenging government legislation or policy.

I want to make sure the wording used in this subamendment or in the final version is clear and that no one is seeking access to sensitive information or prejudicing either of the parties.

Once the matter is decided, however, is there some reason to preserve the anonymity of the individuals or groups who used public funds to challenge a policy under this program?

I am trying to understand under what circumstances it would be warranted not to give broad public access to that information.

Mr. Blair McMurren: Madam Chair, it is true that test cases typically receive a lot of media attention and are publicly known. The extent of the publicity or the fact that a case is public or not are not among the CCP's criteria.

Mr. Martin Champoux: I simply want to clarify things. I might be a bit slow, but I feel like I do not understand.

The cases are public in nature, public money is used and we are talking about a federal program. As I already said, Mr. McMurren, I simply want this to be very clear. Tell me if it isn't. We are not asking you to change the kind of information that the program administrator has to disclose. All we want is for you to disclose the complete list rather than providing an overview and choosing the cases funded by the program that you wish to disclose.

The same criteria would apply, except that we would simply receive a list of the cases, rather than 5, 10 or 20 examples of cases. We would see the list of everyone who received program funding. The criteria would not change as to what is disclosed. Rather than being given an overview to illustrate the good work that was done and the support provided for cases, we simply want a complete list of the cases. That list should be available to the public, without having to make an access to information request.

Once again, I am not trying to put you on the spot. I am trying to understand and to make sure that the intent of the subamendment is understood.

Mr. Blair McMurren: Thank you, Madam Chair.

I would just like to point something out. Under the modernized program, we are seeking a balance between transparency and litigation privilege. The latter is what we are seeking to uphold in finalizing the reporting requirements of the program.

That is why the program's key criterion is the degree of media coverage or public nature of a case, whether the case is closed or not.

Mr. Martin Champoux: By that reasoning and assuming that the current criteria and the confidentiality of cases that are already ongoing are maintained, it would not be a problem for us to receive a complete list. I think that transparency criterion would be easy to implement. We are not talking about changing the selection criteria for what is disclosed, but rather applying them to all cases that can be disclosed in the annual report.

● (1725)

Mr. Blair McMurren: Thank you.

Once again, the idea of a complete list is acceptable as long as the cases are closed.

Mr. Martin Champoux: Thank you.

[English]

The Chair: Mr. Serré.

[Translation]

Mr. Marc Serré: I just want to say, Madam Chair, that we are opposed to incorporating amendment BQ-4 into our subamendment.

[English]

The Chair: Thank you.

Mr. Lawrence.

Mr. Philip Lawrence: Thank you, Madam Chair.

I just want to follow up on Mr. Champoux's questions.

You certainly aren't slow. If you are, I'm much slower than you are. I really do appreciate those questions.

I just wanted to dig into the fact of litigation privilege. I think there's some value in this. I'm not trying to undermine that term in total, but I do want to unpack it a bit.

I guess I could imagine a situation in which you had an individual who was a sexual assault victim and they wanted to change the legislation. We wouldn't want to discourage those folks by publicizing their name or otherwise. I get that 110% , but I would think that in most cases we would want published, any time the taxpayers are funding litigation, what they are paying for—the performance they are getting for those dollars, just like any other program, and the result of those programs.

Forgive me for this little bit of ignorance, but as of today, before this bill, do taxpayers get to know where their dollars are going with respect to any of the cases right now, or no?

Mr. Blair McMurren: At the moment, what's envisioned under the contribution agreement is full transparency at the end of the legal process, when the cases are closed and all avenues of appeal have been exhausted or relinquished.

Mr. Philip Lawrence: The case is done and, whether the challenge to the legislation is successful or unsuccessful, then you will publish that.

Mr. Champoux is asking, I believe, for a complete list of that, but there was some objection to that. That's the part of it I didn't quite understand.

Mr. Blair McMurren: I was wanting to clarify that the current approach envisioned under the modernized program is in a given year—in a given annual report—to publish a list of the cases that have been financed that were closed in that time period. Anything beyond that would be a departure from the current practice.

Mr. Philip Lawrence: Can you say that again? I apologize, Mr. McMurren.

Mr. Blair McMurren: What's envisioned at the moment is that the annual report publish the names of the cases in the preceding year after they close.

Mr. Philip Lawrence: It's only after they're closed.

My curiosity is getting the best of me. These cases would be... In the legal process, most challenges and most court cases are public. These cases already exist.

Why would we not publish the fact that the taxpayers are funding this before the decision is rendered?

Mr. Blair McMurren: Again, as it was alluded to, the balance is between full transparency and litigation privilege.

Mr. Philip Lawrence: What is litigation privilege? I don't understand. I went to law school, but I don't understand that term.

Mr. Blair McMurren: As I understand it, it can have a number of aspects to it. Some were just alluded to, such as around the security and personal safety of the people involved in the case.

Mr. Philip Lawrence: Sure, that's granted. That's 100% the way it should be.

If there isn't security of person or if it isn't a vulnerable individual that we are, for whatever reason, bringing a case for and that person is fine with the information—maybe they even they want their name out there and they want to know that they're associated with this program—right now you aren't publishing that until the end of the decision.

Is that correct?

Mr. Blair McMurren: That's correct. It's at the end of the legal process.

Mr. Philip Lawrence: In the annual report, in the modernization version as it is, are you currently publishing how much you are funding these various cases? Obviously, you said it's just at the end, but do you put in what the total dollar amount was?

Mr. Blair McMurren: The program absolutely publishes financial information in the annual report.

• (1730)

Mr. Philip Lawrence: That's not the question I asked.

Do you put the case...? Let's say it's Mr. Champoux who challenges the legislation in Quebec because he's like that—it's a little joke—and your organization gave him and his organization \$200,000.

Is that easily accessible in the report?

Mr. Blair McMurren: No, the current annual report is not at that level of detail. There's more detail that's being worked toward.

I'd need to confirm whether what's envisioned under the contribution agreement would get down to that level of granularity. We'd be able to get back to the committee on that. I'm not sure offhand that it would get down to a case level, but we could confirm that.

Mr. Philip Lawrence: I'm not trying to be difficult there. I'm legitimately trying to understand this and, hopefully, make the program better by working with you on this.

I think it would be a good thing for transparency for Canadians to know how much they're funding the various cases, provided... I think there are legitimate reasons to withhold, if you have a vulnerable person. I get that 110%, but for those folks who are not in a vulnerable position, I think that's a great idea and a reasonable thing to do.

Just to get back...and then I'll finish up. Mr. Champoux's sub-amendment is just to provide a list of those cases at the end of the year, which is already sort of part of the modernization. This probably just puts a belt and suspenders approach to it.

Is that right?

All these cases are public anyway, or the vast majority are, unless it's a sexual assault victim or something like that.

Mr. Blair McMurren: I would say that the amendment is confirming to some extent the existing practice of the program, if it's clear that it's referring to closed cases in the previous year.

Mr. Philip Lawrence: Thank you very much. I didn't mean to give you a hard time, Mr. McMurren.

The Chair: Thank you.

I think we have Mr. Gourde now.

[Translation]

Mr. Jacques Gourde: Thank you, Madam Chair.

As to the financial contribution agreement between an organization and the CCP, is disclosure optional or mandatory? If it is mandatory and someone wants to disassociate themselves from the case, can they request that it remain confidential?

Mr. Blair McMurren: Are you referring to the contribution agreement between departments and the University of Ottawa?

Mr. Jacques Gourde: No, I'm talking about the contribution agreement between the University of Ottawa and the applicant or organization receiving CCP funding to go to court.

Does the contribution agreement include a provision regarding public disclosure? In other words, is there a provision whereby the applicant authorizes public disclosure by selecting the "yes" box? On the other hand, if they want to avoid public disclosure, they select the "no" box and have to explain why.

In short, is disclosure optional? That would change the whole report. That would eliminate transparency.

Mr. Blair McMurren: Thank you, Madam Chair.

I understand the question now.

Under the contribution agreement between the department and the University of Ottawa, it does in fact have to be clear between the beneficiary and the University that when the case is closed, it will be made public. That is mandatory.

[English]

The Chair: Thank you.

Seeing no other hands, I'm now going to the vote on Mr. Champoux's subamendment.

(Subamendment negatived: nays 6; yeas 5 [See Minutes of Proceedings])

• (1735)

The Chair: We'll now go to the amended G-2.

Is there any discussion on amended G-2, or shall I call the vote? We have a hard stop at 5:40.

Mrs. Thomas, are you speaking to the amended motion?

Mrs. Rachael Thomas: I believe, if you confer with the clerk, that I'm on the speaking list.

The Chair: Yes, I know. Are you speaking about that currently?

Okay. Go ahead, please.

Mrs. Rachael Thomas: Thank you, Chair.

I wish to move a subamendment.

For the subamendment, I would be looking to incorporate what is currently in CPC-6, for committee members' reference. I'd be looking to Mr. Méla to confirm. However, based on my understanding of the G-2 amendment—of course, as subamended by Mr. Serré—I should be able to replace lines 26 to 28 by putting in the following:

and financial performance of the program, as well as a list of all the cases that received funding, and the amount provided for each case

After that, it would pick up with Mr. Serré's subamendment.

Chair, once everyone feels they understand the subamendment I've put forward, I'm happy to speak about its significance.

The Chair: Yes, go ahead and speak on it, please.

Mrs. Rachael Thomas: Perfect. Thank you, Madam Chair.

I think it is somewhat similar to Mr. Champoux's previous motion. It is looking to create greater accountability and greater transparency around the spending of taxpayer dollars. It's wanting to make sure that the financial performance, of course, is made known, but also it's the idea that there would be a list rather than just a summary of the cases.

With regard to Mr. Champoux's point, of course, this would help bring greater clarity and greater transparency. It would put things into a document that could be easily found and read.

Then, of course, there's the amount provided for each case. This was a recommendation that came forward from a number of witnesses who said that the court challenges program should provide a more detailed account of the cases that it funds and of the funds that are given to each of those cases. Again, this isn't known right now. There's a lot of secrecy around this. It's allowed to be in the dark.

I believe that there's an opportunity for the committee, then, to ensure that.... As the Prime Minister likes to claim, "sunshine is the best disinfectant", so let's let the sun shine in and allow for there to be some transparency around the way dollars are allocated and to whom.

The Chair: The time being 5:40, I will suspend this meeting. Thank you.

I'm sorry, Mrs. Thomas. It's because we have no more resources and time.

Mrs. Rachael Thomas: Madam Chair, I understand that.

However, I would raise a point of order. If you suspend this meeting, it hijacks our agenda next week.

I would ask you to adjourn.

Mr. Taleeb Noormohamed: That's what I was going to say.

The Chair: Well, are you moving a motion to adjourn, Mrs. Thomas?

Mrs. Rachael Thomas: I'm moving a motion to adjourn.

The Chair: All right, Mrs. Thomas is moving a motion to adjourn. I will call the question. There is no debate, obviously.

Does the majority seek to adjourn?

Yes, Mr. Noormohamed.

Mr. Taleeb Noormohamed: I have a question.

I don't disagree with what Mrs. Thomas is saying at all. The problem is that you've now already suspended the meeting. I don't know quite how this works, mechanically.

We do have safe sport up at the next meeting. The question is... You know, we have a timeline on this. We have safe sport, theoretically, at the next meeting. This is a real conundrum that we've gotten ourselves into.

• (1740)

The Chair: Suspending the meeting does not mean that it ends. We always suspend meetings for people to talk. Obviously, we can go to the motion to adjourn.

Mr. Taleeb Noormohamed: Okay, keep it suspended, then. That's fine. Never mind. I'm sorry.

The Chair: There is a motion to adjourn. I need a majority.

Everyone—

Mr. Taleeb Noormohamed: [*Inaudible—Editor*] suspend.

The Chair: Yes, but that's you, Mr. Noormohamed. I need to hear from the other members of the committee whether they wish to adjourn or suspend. I'm not hearing from anybody.

Mr. Philip Lawrence: Let's call—

A voice: You've already suspended.

Mr. Philip Lawrence: She can un-suspend; she has that right.

The Chair: I call the meeting back to order. We have a motion to adjourn.

Can I have a question on this, please?

Mr. Philip Lawrence: Let's do the vote. Then, if they don't win it, we can suspend.

Is that fair, guys?

The Chair: Let's just ask people to vote on adjournment.

Mr. Philip Lawrence: Exactly.

The Chair: The motion to adjourn is on the floor. There is no debate.

Mr. Philip Lawrence: We want to adjourn.

The Chair: Let us, please, just do the vote.

Is anybody opposed to adjourning the meeting?

Mr. Noormohamed. There is no debate. You're just opposed.

Mr. Taleeb Noormohamed: I'm opposed to adjourning.

The Chair: I'm going to call the question.

(Motion negated: nays 7; yeas 4)

The Chair: The motion to adjourn has been defeated. We will suspend until the next meeting.

Thank you.

[*The meeting was suspended at 5:42 p.m., Thursday, May 23*]

[*The meeting resumed at 3:31 p.m., Thursday, May 30*]

• (18330)

The Vice-Chair (Mr. Kevin Waugh (Saskatoon—Grasswood, CPC)): Good afternoon, everyone. I will call the meeting to order.

We are resuming meeting number 121 of the House of Commons Standing Committee on Canadian Heritage, which was suspended on Thursday, May 23.

Before I begin, I would like to ask all members and other in-person participants to consult the cards in front of you for the guidelines to prevent audio feedback incidents. Take note of the following preventive measures in place to protect the health and safety of all participants, including our interpreters. Again, use only the black earpieces. Keep your earpiece away from all microphones, if you can, at all times. When you are not using your earpiece, please place it face down on the sticker in front of you. Thank you for your co-operation if you do that.

Today's meeting is taking place in a hybrid format.

We are resuming meeting 121. Because the meeting was suspended during clause-by-clause consideration of Bill C-316, the committee would resume debate where it left off; however, the minister is in front of us here and available for the main estimates for 2024-2025 during the first hour. I am going to propose that we have the minister here for the first hour, and then we'll continue the second hour, if we can, on Bill C-316.

I would like now to welcome our witnesses.

Mr. Taleeb Noormohamed: Mr. Chair, I don't believe that's the understanding. I believe that we have the officials coming for the second hour.

The Vice-Chair (Mr. Kevin Waugh): No, we've always had the minister for the first hour.

Mr. Taleeb Noormohamed: That's correct, and we have the officials for the second hour.

The Vice-Chair (Mr. Kevin Waugh): Yes.

Mr. Taleeb Noormohamed: I understood that you said Bill C-316 for the second hour.

The Vice-Chair (Mr. Kevin Waugh): No, I proposed the minister, who agreed to come for the first hour weeks ago and is here now for the first hour. We also have two people from the Canadian Heritage Department.

We'll go into Bill C-316 for the second hour. We'll have with us Blair and Flavie for that second hour.

[*Translation*]

Mr. Martin Champoux: May I say something, Mr. Chair?

[*English*]

The Vice-Chair (Mr. Kevin Waugh): We do have the minister.

Mr. Champoux, go ahead.

[*Translation*]

Mr. Martin Champoux: Mr. Chair, from what my colleague Mr. Noormohamed said, I gather there is confusion as to the agenda for the second hour. I see what his concern is.

It is in fact urgent that we focus on Bill C-316. We are at clause-by-clause consideration and we have to complete that because we have other things to tackle before the end of the parliamentary session.

[*English*]

Mr. Michael Coteau: I have a point of order. I'm not getting any translation. I apologize for interrupting you.

[*Translation*]

Mr. Martin Champoux: Mr. Coteau, thank you for mentioning that.

Madam Clerk, shall we conduct a test to make sure everyone can understand the interpreters?

[*English*]

The Vice-Chair (Mr. Kevin Waugh): It should be good now.

Go ahead, Mr. Champoux, please.

[*Translation*]

Mr. Martin Champoux: Thank you, Mr. Chair.

Mr. Coteau, please let us know if it isn't working.

What I am proposing, Mr. Chair, is that we spend the first hour with the minister, as you suggested. If we still have questions for the deputy minister and her officials in the second hour, we can make a decision then.

I propose that we focus on Bill C-316, if everyone is in agreement. I will nonetheless go along with the majority once the first hour with the minister is over.

[*English*]

Mr. Taleeb Noormohamed: Mr. Chair, on this point, I want to just make sure that we all have the same understanding. As I understood it, the calendar was set that the minister would appear for the first hour on the main estimates and officials would appear on the second hour on the main estimates. That was the understanding. I think that was the schedule. I think we need to be very, very clear. If we want to make a change, that's up for discussion in the committee, but that was indeed what the discussion was.

I'm not saying I'm opposed to it. I just want to be very clear on what the calendar was and to ensure that we are doing what we said we were going to do. We might end up in a situation, after the minister is done in the first hour, where people say that we didn't have time with the officials to answer questions about main estimates because we decided to go to something else.

We've had a lot of this going back and forth in the committee. I just want to make sure that we're crystal clear about what we're doing and that everybody's on board with what we're doing before we go down the path.

• (18335)

The Vice-Chair (Mr. Kevin Waugh): We have the officials with the minister. Then we'll go to Bill C-316 for the second hour.

Are we all fine with that?

I think what Mr. Noormohamed was referring to was that we had two hours set aside for the main estimates, the first hour with the minister and these officials, and then the second hour, and you were thinking of just the officials for that.

Mr. Taleeb Noormohamed: I believe that was our understanding.

If I recall, and I defer to colleagues, the request was for the minister to appear for the hour and for officials to be there on the matter of the main estimates for the second hour.

The Vice-Chair (Mr. Kevin Waugh): Mrs. Thomas.

Mrs. Rachael Thomas: If I may, I think some of the confusion that we're facing is the fact that the last meeting was suspended, so I think it's caused some confusion as to where exactly we pick up.

Of course, knowing that the minister is here, the desire is to have her for an hour, and then, I think, but I don't really know, that the intent was then to respect the original agenda of this meeting by going back to Bill C-316.

At the end of the day, if we want to hear from the minister for the first hour and the officials for the second hour, I think Conservatives agree to that.

The Vice-Chair (Mr. Kevin Waugh): Okay, Mr. Serré, your hand is up.

Mr. Marc Serré: Thank you, Mr. Chair. I am under the same impression—because I've reserved also to be here on Tuesday of next week to do Bill C-316—that today would be the minister and officials, as agreed upon, for the two hours, which we normally do on pretty much every committee. We have the minister for the first hour and the officials for the second hour. Then, on Tuesday, we would do Bill C-316. Thank you.

The Vice-Chair (Mr. Kevin Waugh): Mr. Champoux.

[*Translation*]

Mr. Martin Champoux: Mr. Chair, it was in principle meeting number 121 that was suspended. If we want to move on to another agenda, meeting number 121 has to be adjourned to move on to the agenda for the next meeting.

I think what has been suggested is more of a friendly agreement to reverse the order of things by spending the first hour with the minister and then continuing our work on Bill C-316 thereafter, with or without the departmental officials. The committee will then have to make that decision.

[English]

The Vice-Chair (Mr. Kevin Waugh): We came here today for the first hour with the minister and the officials. I thought for the second hour we were going to do Bill C-316, but if that's not the case and we're going to move ahead with the second hour from heritage officials on main estimates, I'm open to that.

What is the will of the committee here today?

Ms. Damoff, welcome to the committee.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Thank you. I think the majority of the committee wants to hear from officials, from what I've heard. I worry that we spend a lot of time talking about this and lose time with the minister.

The Vice-Chair (Mr. Kevin Waugh): Thank you.

Could I have a show of hands? Those who want—

Mr. Philip Lawrence: I'm sorry. This is just a quick point.

Mr. Kevin Waugh: Mr. Lawrence, go ahead.

Mr. Philip Lawrence: Do we have the officials here for Bill C-316 and for the estimates?

The Vice-Chair (Mr. Kevin Waugh): Everybody is available.

Mr. Noormohamed, do you have your hand up again?

Mr. Taleeb Noormohamed: I was just going to say that we have the minister here for the hour. As unorthodox as it may be for this committee, why don't we get through the hour with the minister and see where we are at that point? Do we have questions for the officials on the main estimates? If we don't, then we can move on to Bill C-316. However, my understanding, just to be clear, is that the initial...

• (18340)

The Vice-Chair (Mr. Kevin Waugh): Okay, so we'll do the first hour.

Mr. Philip Lawrence: We're agreeable.

The Vice-Chair (Mr. Kevin Waugh): We're agreed to the first hour.

We're going to welcome, as expected, the Honourable Pascale St-Onge, Minister of Canadian Heritage. We have, as expected, the Department of Canadian Heritage. Welcome, Isabelle Mondou, deputy minister; and Thomas Owen Ripley, associate assistant deputy minister.

Minister St-Onge, you have five minutes for your opening statement.

[Translation]

Hon. Pascale St-Onge (Minister of Canadian Heritage): Thank you very much.

Thank you, esteemed colleagues, for inviting me once again today, this time to speak to the Main Estimates 2024–2025. I want to thank Isabelle Mondou, deputy minister of Canadian Heritage, and Thomas Owen Ripley, associate assistant deputy minister, for being here with me.

This is an important moment in terms of choosing our investments. Our budget focuses on urgent issues such as housing, the cost of living and fighting climate change. It also recognizes the fundamental importance of the arts and culture. We will be increasing our support for festivals, performances, music, the audiovisual sector and the protection of our news ecosystem, which is in jeopardy.

I would like to begin with a few key points on choices I think the committee will be interested in. The CBC/Radio-Canada has been the subject of lively debate at the committee. It is a priority for me, and let me explain why.

[English]

The public broadcaster is the only dedicated, reliable, sustainable, independent source of news, information and entertainment that is uniquely Canadian from coast to coast to coast.

[Translation]

Our broadcaster is the only media outlet in Canada that serves Canadians in both official languages and in eight indigenous languages. It also covers regions that the private sector does not serve and does not wish to serve because of a lack of profitability. The CBC/Radio-Canada helps Canadians make decisions and face crises and urgent situations together, such as those related to the pandemic and the impact of international conflicts on Canada.

Like the other six G7 countries, our government understands the role of a public broadcaster, especially in a world dominated by digital platforms and web giants. We also understand the importance of content that is produced at home, by us and for us.

[English]

With the private sector going through financial difficulties, journalists being laid off and newsrooms closing, we need sustainability for CBC/Radio-Canada. It would simply be irresponsible of a government in a democratic country such as ours to defund and shut down the most reliable and stable source of information.

[Translation]

So we have a choice to make, whether to let the free market reign and be invaded by foreign content, or stand up for Canada's voice. In view of the \$42 million invested in budget 2024 and the current review of the CBC/Radio-Canada's mandate, which I will talk about in greater detail in the coming months, we have made a clear choice.

Let us turn now to support for the arts and culture.

[English]

Our need to access information and content made locally is why we passed the Online Streaming Act and the Online News Act. Canadians want to see their experiences and communities reflected on screen, in what they read and in what they listen to.

[Translation]

As a sovereign nation, we have chosen to force foreign web giants to contribute, which benefits the work of Canadian creators, our culture and ensures that they play a role in promoting Canadian content. Despite the obstruction of our legislation, Canadian creators will be able to enjoy success in a competitive digital market since we have levelled the playing field.

As a Quebecker and a Canadian, I recognize that we have a distinct identity. In a world guided by American culture, our duty as a government is to act and to make sure that we always have our own cultural references. We are not American. Our heritage is important to us, and Canadians do not have to make do with American content.

That is why we have made landmark investments in the arts and culture since 2015, following the massive cuts made by the previous government. Every time we had to make a decision for the arts and culture sector, we chose to support it.

The same applies to our news ecosystem. You have surely noted, as have I, that the crisis in the news industry is having a serious impact on our social fabric and on our ability to exchange different points of view and obtain fact-based information. Numerous experts have shown through their work that the spread of fake news and conspiracy theories can undermine confidence in democratic institutions, polarize society and compromise the quality of public debate. These findings are alarming, and we are concerned. That is why local independent journalism is more important than ever.

● (18345)

[English]

We recently enhanced the local journalism initiative in budget 2024, and thanks to the passage of our Online News Act, Google will soon pay nearly half a billion dollars over five years to news organizations for their work.

[Translation]

While our cultural and informational ecosystems must overcome these major disruptions and changes, it is our responsibility to defend Canadians' access to information and everything that helps build our identity. I remind you that in 2023, culture represented over \$63 billion of our nominal gross domestic product, or GDP, and it supported over 705,000 jobs all over the country.

[English]

The Vice-Chair (Mr. Kevin Waugh): Thank you, Minister.

For five minutes, we'll have the opening round. The Conservatives will lead it.

For six minutes, we have Ms. Thomas, please.

Mrs. Rachael Thomas: Thank you.

Minister, as you know, the CBC falls under your portfolio. It's taxpayer-funded. Therefore, it deserves the utmost transparency with regard to how those tax dollars are being used.

We had the CBC's CEO, Catherine Tait, here at committee just a few weeks ago. When I asked her about executive bonuses for 2023-24 and whether or not they had been given out and how much

they were, she said they had not been given out and no bonuses had been granted.

However, an official report tabled with the House of Commons just in the last little bit shows that, actually, the bonuses were given out for that year—to the tune of \$15 million for the top executives. It works out that the average executive bonus given to the CBC for 2023-24 is \$65,000.

That's a one-time bonus for the year. On average, it's \$65,000. That's more than the average Canadian makes in a salary. Does it concern you that your hand-picked CEO, Catherine Tait, lied to us here at committee?

[Translation]

Hon. Pascale St-Onge: May I speak, Mr. Chair?

First of all, I will repeat again what was said previously. For over 1,000 CBC/Radio-Canada employees, part of their salary depends on achieving performance objectives. For fiscal year 2022-2023, those decisions rest in the hands of management and the board of directors.

As for the President and Chief Executive Officer of CBC/Radio-Canada, we are waiting for the board of directors' recommendation. It depends on an assessment of performance objectives, which are established objectively. They will be sent to us. The Governor in Council will then make a decision. To date, no decision has been made.

[English]

Mrs. Rachael Thomas: Chair, through you, the minister is not answering my question. She's choosing to avoid it.

The question was, does it concern you, Minister, that the CEO of the CBC, Ms. Catherine Tait, came to this committee a few weeks ago and lied to us? She told us that no bonuses for the year 2023-24 had yet been given out, when in fact a document tabled with the House of Commons shows that 15 million dollars' worth of bonuses were given out. Interestingly enough, those bonuses were given out to 100% of the executive team, meaning every single member got their full bonus to the tune of an average \$65,000 a year.

Minister, my question is very clear: Does it concern you that the CEO of the CBC came to this committee and lied to us?

[Translation]

Hon. Pascale St-Onge: I completely reject my colleague's statements. She is insulting CBC/Radio-Canada's President and Chief Executive Officer every chance she gets.

I remind her that CBC/Radio-Canada's President and Chief Executive Officer tabled a letter before the committee on May 28, 2024. The letter contains all the answers which, by the way, she had already provided during a committee meeting.

[English]

Mrs. Rachael Thomas: Again, I understand what is stated in the letter. I also understand the official document that was tabled with the House of Commons. Bonuses were given out to the tune of an average of \$65,000 a year to the top executives of the CBC.

I'm wondering if it concerns the minister that the head of the CBC, Ms. Catherine Tait, came here and lied to us.

Does it concern you?

[Translation]

Hon. Pascale St-Onge: Once again, I think the President and Chief Executive Officer answered your questions regarding the compensation model and decisions made for fiscal year 2022-2023.

To my knowledge, fiscal year 2023-2024 ended on March 31, 2024, and no decision has yet been made about it.

[English]

Mrs. Rachael Thomas: Minister, I would encourage you, then, to inform yourself about your file. I have a document from the Privy Council in front of me that was tabled with the House of Commons. It shows that bonuses for 2023-24 were given out, that it was to the tune of about \$15 million for the executives at the CBC, and that it averages about \$65,000 for those within the executive category.

Minister, does it concern you that the head of the CBC came here to this committee and lied to us?

• (18350)

Mr. Taleeb Noormohamed: I have a point of order, Mr. Chair.

While I appreciate Ms. Thomas's question and what she's trying to get at, the idea of calling somebody a liar when there are facts and evidence that would not necessarily back up that assertion is, I think, a bit problematic. Asking the minister to weigh in on an accusation of lying steps outside the bounds of what we should be doing.

The Vice-Chair (Mr. Kevin Waugh): Okay.

Continue, please, Minister.

[Translation]

Hon. Pascale St-Onge: I will reiterate the facts I just confirmed. The compensation paid out was for fiscal year 2022-2023, not 2023-2024. Fiscal year 2023-2024 ended on March 31, 2024. Once again, I will repeat that the amounts paid were part of the compensation for non-unionized employees. It's part of the working conditions linked to achieving performance goals, and management conducts those evaluations.

I must remind everyone that when the Harper government came to power...

[English]

Mrs. Rachael Thomas: Minister, I can see that you have no intention of speaking about the question I have here today.

I'll respectfully take back my time. Thank you.

[Translation]

Hon. Pascale St-Onge: May I finish my answer, Mr. Chair?

[English]

Ms. Jennifer O'Connell (Pickering—Uxbridge, Lib.): I have a point of order.

The Vice-Chair (Mr. Kevin Waugh): You have one minute left, Ms. Thomas.

Okay, Ms. O'Connell, go ahead on a point of order. Welcome.

Ms. Jennifer O'Connell: Thank you, Chair.

In committee, it is customary that the witness is given the same amount of time to answer the question as was taken to ask it, and that they are not interrupted. I think the Conservatives are having a bit of a tough math day and maybe don't want to hear that, but it's important that we respect the rules of this committee.

The Vice-Chair (Mr. Kevin Waugh): Ms. Thomas, go ahead with your question. I think you have a minute left.

Ms. Pam Damoff: Chair, I have a point of order, though.

Just this morning, at the PROC committee, we had the translation bureau there. They were talking about injuries to the translators. One of the issues is when there is more than one person speaking at the same time. It's extremely difficult and harmful for the translators.

Thank you.

The Vice-Chair (Mr. Kevin Waugh): Thank you. We'll move on.

Ms. Thomas, you have exactly 59 seconds left.

Mrs. Rachael Thomas: Minister, I will make sure I make that document public so that you can see that it is for the year 2023-24.

Ms. Tait says she deserves a bonus, but here's the case: At CBC, trust is down, viewership is down and revenue is down.

In your opinion, does CBC CEO Catherine Tait deserve a bonus?

[Translation]

Hon. Pascale St-Onge: I will set the record straight again, because my colleague does not seem to understand the document.

The performance bonuses for over 1,000 employees were part of the compensation granted in 2024, which was for fiscal year 2022-2023.

[English]

Mrs. Rachael Thomas: I'm sorry, Minister, I wasn't asking....

Mr. Chair, through you, I would just ask that she answer the question.

The question was, does CBC CEO Catherine Tait deserve a bonus when viewership is down, trust is down and revenue is down? Her performance has been abysmal.

Does she deserve a bonus?

[Translation]

Hon. Pascale St-Onge: When you want to start a fire, you shout that there's smoke. I will therefore correct the record regarding CBC/Radio-Canada.

Every month, nearly half of this country's citizens use CBC/Radio-Canada's websites and digital services. Nearly 17 million of them...

[English]

The Vice-Chair (Mr. Kevin Waugh): We're over time, actually, Minister. I have to move on. I'm sorry.

We'll go to the Liberals for six minutes.

Ms. Lattanzio, I have you on the list here.

[Translation]

Ms. Patricia Lattanzio (Saint-Léonard—Saint-Michel, Lib.): Thank you, Mr. Chair.

Welcome to our Minister of Canadian Heritage.

Minister, in your opening remarks, you talked about historic investments made in arts and culture. They are the largest investments in all of Canada's history.

Can you tell us more about some of these investments and the effect they should have on Canadian creators?

Hon. Pascale St-Onge: Thank you very much for the question.

Our government made a clear choice, which was to invest in arts and culture, and it did so for several reasons.

First of all, in my opening remarks, I noted the sector's importance for Canada's economy. In fact, the economic spinoffs are more significant for the country than agriculture and the entire oil sector combined. We're talking about hundreds of thousands of jobs all over the country. They are good jobs. They help families feed and house themselves. It's one of the reasons why the government is investing in the arts and culture sector.

However, on a more fundamental level, we know full well that stories are, among other things, what connect communities and create social cohesion throughout our country. It's what we tell ourselves about ourselves and for ourselves.

It's fundamental for a democratic country. It's essential not only to have information and news, but also to be able to count on a strong cultural sector that helps communities come together and share who they are. It's important to be aware of that, especially in a digital universe where competition is ever more fierce, and where

people have access, more often than not, to English-language content from the United States, our neighbour to the south.

It is even more important for a country that believes in itself, that has confidence in itself, to invest in its artisans, in its stories, in art and in culture.

• (18355)

Ms. Patricia Lattanzio: Thank you.

Mr. Chair, I will share my time with my colleague, Ms. Damoff. I therefore ask you to let me know when there's three minutes left.

Minister, yesterday, I attended PACTcon's opening event. This association brings together a certain number of theatre companies to promote collaboration within the industry. Many of them spoke of the challenges they are experiencing in terms of labour and financial viability.

Could you tell us about the measures and funds set aside to help this sector? Could you give us a few examples of the effect they might have on the groups that would benefit from them?

Hon. Pascale St-Onge: I thank my colleague for the question.

Since the pandemic, unfortunately, people are glued to their screens more than ever. One of the sectors that suffered the most during the pandemic was the performing arts. Obviously, we're talking about theatre, festivals or music. I won't talk about all the investments we made during the pandemic to support those sectors, which were practically shut down, but I'll give you a few numbers.

The government added \$32 million to the Canada Music Fund. This will help artists perform throughout Canada and create new musical worlds.

The government also invested over \$31 million over two years to support festivals, big and small, across the country. Once again, we know that these are ways for people to find and discover our creators.

It's important to bring people back to real physical places, and not just let them be captivated by screens.

Those are therefore a few of the choices we made to support theatre, music and the festival sector.

[English]

The Vice-Chair (Mr. Kevin Waugh): Ms. Lattanzio, you have two minutes left.

Ms. Patricia Lattanzio: Mr. Chairman, I indicated that I would share my time with my colleague, Pam Damoff. Of my three minutes, I have two minutes left. Is that what you're telling me?

The Vice-Chair (Mr. Kevin Waugh): I am.

Ms. Patricia Lattanzio: If you're telling me that we have two minutes left out of the six minutes, I will cede my place to my colleague.

Thank you.

The Vice-Chair (Mr. Kevin Waugh): Ms. Damoff, go ahead for two minutes.

Ms. Pam Damoff: Thank you.

Minister, I'd like to go back to the paying of bonuses.

I'm looking at a question response that was sent to Mr. Scheer. It talks about the bonuses that were paid. It also says: "The following represents incentive amounts paid in fiscal 2023-24 which were earned in fiscal 2022-23." I'm wondering if you could maybe give some clarity on when the bonuses were earned and paid and perhaps why there seemed to have been some confusion earlier.

[Translation]

Hon. Pascale St-Onge: Performance bonuses are part of the compensation for about 1,000 employees whose employment contract rests in part on achieving performance objectives. The leadership and the board of directors assess those employees' performance. The last assessment was completed for fiscal year 2022-2023, and performance bonuses for those evaluations were granted in 2024.

As for the performance bonus for CBC/Radio-Canada's leader, we've not yet received a recommendation from the board of directors for fiscal year 2022-2023. Once it's received, we will make a recommendation to the Governor in Council based on objective criteria used by the board of directors to determine whether those objectives were met.

• (18400)

[English]

Ms. Pam Damoff: Basically, they're paid a year in advance. Is that correct?

[Translation]

Hon. Pascale St-Onge: The bonus is sent one year later.

Performance assessments are done after the fiscal year is over, meaning after March 31 of each year. Bonuses granted in 2024 are for fiscal year 2022-2023. As I said, we've not yet received the assessment for the President and Chief Executive Officer.

[English]

The Vice-Chair (Mr. Kevin Waugh): Thank you, Minister.

We'll go to Martin Champoux and six minutes for the Bloc.

[Translation]

Mr. Martin Champoux: Thank you, Mr. Chair.

Minister, Ms. Mondou, Mr. Ripley, good afternoon.

I'm going to talk to you about the Online Streaming Act, which flows from Bill C-11. The committee worked on this bill, in good times and bad, for several months. The Canadian Radio-television and Telecommunications Commission, or CRTC, is still trying to fine-tune its regulations regarding this legislation.

Are you closely following the CRTC's work on the broadcasting regulations?

Hon. Pascale St-Onge: The Act and the Order Issuing Directions to the CRTC include expectations and deadlines for imple-

menting the legislation. Obviously, the CRTC is independent when it comes to implementation, its consultations and its decisions, but we expect our expectations to be met.

Mr. Martin Champoux: In your recommendations to the CRTC, did you establish an order of priority for what needs to be implemented?

Did you say that such or such a file is a priority, because it's complex, because it will take a long time to deal with and it has to be resolved before moving on to other matters? Can you tell me what was prioritized?

Mr. Ripley, do you want to answer the question?

Mr. Thomas Owen Ripley (Associate Assistant Deputy Minister, Department of Canadian Heritage): Thank you for the question, Mr. Champoux.

The Order published by the government in November 2023 specifies that the CRTC must complete the work within two years. So, by November 2025, it should all be done.

As you noted, priorities were outlined for certain commitments and certain community consultations during the implementation of the Order.

Mr. Martin Champoux: During the entire study of Bill C-11, it seems to me that for just about every witness from the cultural and broadcasting industries, the most urgent concern was for web giants to pay their fair share, to contribute to the broadcasting system and cultural industry for the content they use, and for them to produce content that meets the criteria.

That said, we're nowhere near close to that. Currently, it's not even being studied. Right now, the CRTC is studying the Indigenous broadcasting policy. I'm not setting the priorities. I know that for some it's a priority, even an urgent one. However, it seems to me that the biggest priority should be to finalize the definition of Canadian audiovisual content. It was discussed at length around this table, as well as the issue of consultations on structural relationships.

In short, it seems to me that we're currently studying a little chunk of business over here, a little chunk of business over there, and at the end of the day, we could have been more effective and more efficient in implementing the regulations. Meanwhile, the cultural industry and broadcasters are wondering when it's all going to wrap up.

Hon. Pascale St-Onge: If I am not mistaken, a decision will be rendered shortly regarding the basic contribution from platforms targeted by the Act. Indeed, I'm well aware that we had to face headwinds for at least three years just to pass the bill.

It represents a major change to the Broadcasting Act and the entire system. Yes, there are deadlines and delays for implementing all this regulation. We are fully aware that the most urgent concerns focus on basic contributions, defining Canadian content, ensuring that our foundations can still provide the means to support our cultural creation, and making it easier to find the content made by us and for us.

Perhaps at the very least...

Mr. Martin Champoux: I want to tell you that I'm worried about delivery on the regulations. I don't get the impression we're on track to meet the expected timeframe. I'm concerned about it. I'd like to send a clear message when it comes to managing priorities. These regulations were due for decades, and I'm not exaggerating by putting it that way. The industry had been clamouring for these regulations for a very long time. I get the impression it's taking a long time to materialize.

I'll move on to another file. I tried to throw in a little interlude, because I didn't want to immediately broach the subject of CBC/Radio-Canada.

You appointed members to your expert advisory committee to review the public broadcaster's mandate. The announcement was made in mid-May, on May 13, if I'm not mistaken. I must admit that my colleagues and I at the Bloc Québécois who, as you know, defend Quebec's interests with everything we've got, found that there wasn't a lot of consideration from your expert committee regarding Quebec's reality, which is nonetheless important for Radio-Canada's mandate.

Among the experts you recruited to sit on your advisory committee, can you tell me which ones are experts in Quebec's broadcast system and Radio-Canada's mandate, properly speaking?

• (18405)

Hon. Pascale St-Onge: First of all, among the experts sitting on the committee, four of them speak French fluently. Three out of eight, including myself, speak French as their mother tongue. Furthermore, I can tell you that I myself am a Quebecer and I understand...

Mr. Martin Champoux: I have no doubt about that, but it's not because one speaks French that one understands Radio-Canada's mandate in Quebec.

Hon. Pascale St-Onge: I thank my colleague for his comment, and I will continue to answer his question.

Radio-Canada's reality is extremely important...

[English]

The Vice-Chair (Mr. Kevin Waugh): Please be quick, if you don't mind. You're over time here.

[Translation]

Hon. Pascale St-Onge: My priority is to ensure not only Radio-Canada's vitality and sustainability, but also that of the CBC. I thoroughly understand the role that Radio-Canada plays in Quebec.

[English]

The Vice-Chair (Mr. Kevin Waugh): Thank you.

We go now to the New Democratic Party.

Niki Ashton, you have six minutes, please.

Ms. Niki Ashton: Thank you.

Thank you, Madam Minister.

Job cuts, executive bonuses and a culture of suppressing workers' experiences of harassment and discrimination—I'm not talking about a private media conglomerate but about our public broadcaster, the CBC. We've had a lot of concerns in this committee about the conduct of the CBC, but I want to zero in on one that was referred to earlier.

When Ms. Tait appeared at committee, we had a ridiculous discussion on whether or not the bonus money that senior executives at CBC received was in fact a bonus. Ms. Tait didn't seem to understand how out of touch and inappropriate it would be to reward senior executives with bonuses while laying off workers at the CBC.

Following the meeting, the committee received a letter from the CBC, saying, among other things:

Performance pay for the President and CEO is determined by the Government of Canada following a review of performance and recommendations by the board of directors of CBC/Radio-Canada.

As Ms. Tait clarified during her appearance, she has not yet received performance pay for the fiscal 2022-2023 year.

My question to you, Madam Minister, is this: Do you believe, as the Minister of Heritage, that Ms. Tait, the head of our public broadcaster, deserves a bonus at this time?

[Translation]

Hon. Pascale St-Onge: My colleague's question is entirely premature.

As I said previously, I've not yet received the assessment for fiscal year 2023-2024 regarding the contractual agreement and the performance objectives that must be met. The board of directors will conduct the assessment.

As for CBC/Radio-Canada's overall performance, I want to remind...

Ms. Niki Ashton: Thank you, Minister, for your answer to my question. However, I am disappointed you didn't answer with a yes or a no.

As you know, our speaking time is limited here, so I will move on to my next question.

[English]

I want to move to Bell Media. As Bell laid off 6,000 workers over eight months, we heard a number of condemnations from politicians in every party, including the Prime Minister, who made some very colourful remarks followed by no action. The lives of 6,000 people were irrevocably changed, all while Bell increased the amounts of dividend cheques it handed out to shareholders.

Media in this country is in crisis. Communities across the country don't have access to local journalism. It seems the Liberals are content to tweet out thoughts and prayers in place of real solutions. Bell received over \$122 million from the Canadian emergency wage subsidy, only to lay off staff and pay out exorbitant executive bonuses. Besides big empty statements from the Prime Minister, your government has done nothing to respond to these massive layoffs concretely.

What are your plans as heritage minister in terms of concrete action in response to these major layoffs at Bell Media?

[Translation]

Hon. Pascale St-Onge: It's completely false to say that our government did nothing to offset job losses in the entire media sector, be it on the private sector side or with the public broadcaster.

We passed the Online News Act so that web giants contribute to our media companies' success and to make sure newsrooms remain viable throughout the country. We're talking about \$500 million that Google will invest annually, which will be adjusted for inflation. It's a major step forward for regulating web giants. Furthermore, it will help the journalism sector throughout the country.

We also implemented the Local Journalism Initiative, which provides funds to media organizations. We also created the Canadian Journalism Labour Tax Credit, and implemented many measures to help journalism.

• (18410)

Ms. Niki Ashton: Yes, but my question was about Bell Media and the employees who lost their jobs.

I'll move on to another question.

[English]

Minister, I want to move to a different topic within your department.

Ahead of Canada's co-hosting the FIFA World Cup in 2026, I have called on the federal government to ensure that the benefits of hosting the World Cup, the world's single largest sporting event, are truly felt across the country. You, as a former sports minister, know this file as well.

What we said is clear. For an event of this size and magnitude, the whole country should benefit, and most importantly, all of our youth should benefit.

Soccer is the fastest-growing sport in Canada. For many in communities like the ones I represent, soccer saves lives. We've called for partnerships with youth in northern and indigenous communities, like Opaskwayak Cree Nation, Moose Lake Cree Nation, Flin Flon and many others.

We heard and saw nothing from this federal government until over \$200 million was given to Toronto and Vancouver in the lead-up to the World Cup.

This is Canada's event. What is your plan, as minister, and what is your government's plan to ensure that this historic event benefits and allows for investment in all of our youth, including northern and indigenous youth, who so greatly deserve this investment?

[Translation]

Hon. Pascale St-Onge: I invite you to put your question to the Minister of Sport and Physical Activity, who has taken over the file concerning the Fédération Internationale de Football Association, or FIFA.

What I have to say is that our government has been very committed to investing in things like community sport. I would like to take this opportunity to recognize Diana Matheson and the entire women's team that created the new professional women's soccer league in Canada. This is really a success story, and it shows the rise of women in the world of sport.

Ms. Niki Ashton: As a senior minister in this area and a former minister of sport and physical activity, do you believe that investments must be made in soccer for the purpose of the World Cup, for the good of youth across Canada, and not just for the benefit of the Toronto and Vancouver corporations?

Hon. Pascale St-Onge: I thank my colleague for the question.

When we delegate our authority as ministers, we are no longer responsible for the files, so it's my colleague, Minister Carla Qualtrough, who is now the Minister of Sport and Physical Activity, who will be able to answer in more detail about the status of the FIFA World Cup project.

[English]

The Vice-Chair (Mr. Kevin Waugh): Thank you, Minister.

We'll move to the second round. It's a five-minute round for the Conservatives.

Rachael Thomas.

Mrs. Rachael Thomas: Minister, do you approve of Ms. Tait, the head of the CBC, scrapping hundreds of jobs while simultaneously giving out 15 million dollars' worth of bonuses to executives?

[Translation]

Hon. Pascale St-Onge: Our government's actions are clear about the future of CBC/Radio-Canada and the importance of jobs.

The Conservatives made drastic cuts to the public broadcaster when they were in power. Again today, they are promising to completely cut funding to CBC/Radio-Canada and thereby destroy our public broadcaster.

The government's considerable financial investments show that jobs and the role of the public broadcaster are important to the government.

[English]

Mrs. Rachael Thomas: Through you, Chair, I would ask the minister to come to order.

Minister, my question was simple. I realize you probably don't want to answer it, but it is very simple: Do you approve of Ms. Tait, the head of the CBC, giving 15 million dollars' worth of bonuses to top executives while slashing hundreds of jobs?

[Translation]

Hon. Pascale St-Onge: I want to remind you that we have announced investments, particularly in budget 2024, which my colleague will oppose. She has already announced that the entire Conservative Party will vote against the budget. So I think that she's the one who wants to cut positions at CBC/Radio-Canada.

[English]

Mrs. Rachael Thomas: Minister, you're okay, then, with the head of the CBC, Ms. Catherine Tait, cutting hundreds of jobs just before Christmas and making that announcement while giving \$15 million to top executives.

[Translation]

Hon. Pascale St-Onge: My colleague is constantly attacking CBC/Radio-Canada in order to obtain a licence to completely destroy the public broadcaster.

The reality is that the public broadcaster is facing financial pressures like all other media, which depend, among other things, on advertising revenue. What's more, for years my colleague has opposed our idea of regulating the digital giants so that they can contribute to the success of our audiovisual universe.

• (18415)

[English]

Mrs. Rachael Thomas: Thank you.

You've made it really clear that you have no respect for this committee or the process that is being undertaken. The question was simple—

[Translation]

Hon. Pascale St-Onge: The person who asked me last time to speak in English said that to me. So much for respect.

[English]

Mrs. Rachael Thomas: I would just ask that my time be paused while she wastes it.

The Vice-Chair (Mr. Kevin Waugh): It's paused. You're at 3:07.

Go ahead, Ms. Thomas.

Mrs. Rachael Thomas: Thank you.

Minister, this year, just in the last few months, you promised the CBC an extra \$1.4 million, but there were no conditions attached to this.

Why?

[Translation]

Hon. Pascale St-Onge: These amounts respect the payroll and the collective agreements planned and negotiated between the public broadcaster and its employees.

[English]

Mrs. Rachael Thomas: There were no conditions attached. Therefore, the head of the CBC was able to scrap hundreds of jobs while giving 15 million dollars' worth of bonuses to top executives.

[Translation]

Hon. Pascale St-Onge: That's false.

[English]

Mrs. Rachael Thomas: This minister sitting right here failed to hold the head of the CBC accountable.

[Translation]

Hon. Pascale St-Onge: That's false.

[English]

Mrs. Rachael Thomas: That's shameful.

I transfer my time to Mr. Philip Lawrence.

[Translation]

Hon. Pascale St-Onge: I would like to answer the member's question. After all, I was invited here to answer questions.

My colleague's assertions that there are no conditions attached to this are completely false.

[English]

The Vice-Chair (Mr. Kevin Waugh): We're moving on, Minister.

[Translation]

Hon. Pascale St-Onge: The services that CBC/Radio-Canada must provide to Canadians are set out in the act.

[English]

The Vice-Chair (Mr. Kevin Waugh): Mr. Lawrence, go ahead.

[Translation]

Hon. Pascale St-Onge: It's very rude not to let me answer the question.

[English]

The Vice-Chair (Mr. Kevin Waugh): Minister, we're moving on.

Mr. Taleeb Noormohamed: I have a point of order, Mr. Chair.

The Vice-Chair (Mr. Kevin Waugh): Mr. Lawrence, we have two minutes and 13 seconds left.

Go ahead, Mr. Noormohamed.

Mr. Taleeb Noormohamed: Mr. Chair, I believe it is the duty of the chair—

The Vice-Chair (Mr. Kevin Waugh): Yes, I did.

Mr. Taleeb Noormohamed: You did not let me finish my point of order, Mr. Chair.

If you'd like to do this, I'm happy to do it, but I'd like to have the conversation I'm entitled to have as a member.

The Vice-Chair (Mr. Kevin Waugh): Fire away.

Mr. Taleeb Noormohamed: Thank you.

Mr. Chair, the comment or question was addressed to the minister. The minister should be afforded the time, however brief, to respond, which she was not given.

The Vice-Chair (Mr. Kevin Waugh): No, Mr. Noormohamed. Ms. Thomas gave the floor over to Mr. Lawrence—

Mr. Taleeb Noormohamed: It was after asking a question.

The Vice-Chair (Mr. Kevin Waugh): She didn't really ask a question. In my interpretation, it was a comment, and then it went to Mr. Lawrence, so—

Mr. Taleeb Noormohamed: Is that how the chair is going to operate going forward, just so we're clear?

The Vice-Chair (Mr. Kevin Waugh): Yes.

Mr. Taleeb Noormohamed: It will be in a partisan fashion. Thank you.

The Vice-Chair (Mr. Kevin Waugh): Mr. Lawrence, go ahead for two minutes and 13 seconds.

Mr. Philip Lawrence: Thank you, Minister, and thank you for being here today.

On May 13, 2024, you announced the appointment of an advisory committee to help you in making future decisions about the CBC and to help determine the future. I think we would both agree that there can be partisanship in these halls. You might have even seen some today.

It's very important, though, that when we make decisions going forward about Radio-Canada and CBC, it is non-partisan.

Would you agree with that presupposition?

[Translation]

Hon. Pascale St-Onge: The public broadcaster is accountable first and foremost to the government, not to a political party. My thinking is based on the public interest and the role of the public broadcaster for all Canadians, regardless of their political affiliation.

Mr. Philip Lawrence: Thank you for your answer.

[English]

However, I'm a bit challenged when I look at the individuals who are part of this, because I believe four of them are CBC insiders. They had a large amount of time with the CBC and are deeply connected with the CBC.

One is actually a Trudeau scholar, of course, bearing the name of the current Prime Minister but named after his father. We see deep connections with Liberal insiders and with respect to the Trudeau family. Obviously, we've seen a history of this.

Are you not concerned, as I am, about the partisanship of this advisory board?

[Translation]

Hon. Pascale St-Onge: First of all, you are the one playing partisan politics with the public broadcaster, not me.

Second, I find it a bit odd that my colleague is saying that no one who has previously worked at CBC/Radio-Canada should have been on this advisory committee. We're talking about the public broadcaster, and it's important to have a good understanding of how it works. I'm extremely surprised to hear that.

The advisory committee is made up of experts whose fields of expertise are varied and who come from a variety of backgrounds.

[English]

Mr. Philip Lawrence: My assumption, even stepping away a bit from the partisanship stuff, is that you would want a fresh voice. We have a series of CBC insiders as well as a Trudeau scholar. Doesn't that give you some pause, Minister?

[Translation]

Hon. Pascale St-Onge: When you talk about CBC insiders, you are the ones who are engaging in partisanship, once again. You're exploiting a committee that is there to help us reflect on the public good and the common good.

That answers your question.

[English]

The Vice-Chair (Mr. Kevin Waugh): Thank you.

We move for five minutes to Mr. Coteau and the Liberal Party.

Go ahead, Michael.

Mr. Michael Coteau: Thank you very much, Mr. Chair.

Thank you, Minister and officials, for joining us here today. This is a very important discussion about the future of heritage in general in this country.

Minister, you said that our Canadian heritage plays a huge role in keeping our country together and building a stronger country. I believe that 100%. I'm always happy when we have CBC officials come in, because I ask them questions about things like their budget and how they're using their money. I also ask them about what they're doing for our culture, for independent thought media, and to support young people and children in this country. In Ontario, we have TVO, which is an incredible public broadcaster, as well as CBC. I'm a big supporter of both.

I want to ask you this: We see a lot more misinformation and disinformation. In fact, even at this committee today, I heard that constant narrative about viewership being down at CBC, but it was clear, when officials came in and talked about it, that it has grown in other areas. Maybe it was different traditionally—the way it was broadcast via cable and antenna—but the viewership has picked up on how we use CBC on our phones, on the Internet and with many different types of sources. In fact, every morning when I get up, and halfway through the day and in the evening, I go to CBC Listen and catch up on the latest news on demand. I'm a user, but I may not sit down at six o'clock to watch the news when it's put forward.

My question to you is this: With misinformation and disinformation taking place not only in Canada but also around the world, how does our public broadcaster play a role in combatting it, and what are your thoughts on how we move this even further in the future to combat some of these challenges?

• (18420)

[*Translation*]

Hon. Pascale St-Onge: I'd like to thank my colleague for his question.

When it comes to combatting disinformation and misinformation, I think CBC/Radio-Canada's role is fundamental. The first way to combat disinformation is to ensure that we have quality journalism. Despite everything the Conservatives may say about CBC/Radio-Canada, it is our most reliable source of information and meets the highest standards of journalistic ethics.

It's true that habits have changed. People are watching less television. In fact, more and more people are disconnecting from cable. However, CBC/Radio-Canada, through all its platforms, is more popular than ever. Each month, 17 million people, nearly half of the country's population, use CBC/Radio-Canada's websites and digital services. Eight million people visit CBC sites every month. There are over 10 million podcast downloads a month. There are millions more visits to other applications and platforms, including online streaming services.

It must also be said that CBC operates the leading digital news service in Canada in terms of the number of users. It is the most visited because of its credibility. CBC radio is still very popular in Canada, and is number one in 17 of 22 markets by listenership, including Toronto, but also Calgary and Edmonton.

[*English*]

Mr. Michael Coteau: It sounds like things are quite positive regarding impression rates for CBC and Radio-Canada.

[*Translation*]

Hon. Pascale St-Onge: If we rely solely on television ratings, we obviously realize that fewer and fewer people are watching television. CBC/Radio-Canada has become very prevalent on digital platforms, where Canadians are today. This is evidenced by the number of visits and the number of consultations on all of CBC/Radio-Canada's various platforms.

[*English*]

The Vice-Chair (Mr. Kevin Waugh): Michael, there are 30 seconds left.

Mr. Michael Coteau: I want to say thank you very much, Minister, for the investments that have been made in our public broadcaster, for the work you're doing to ensure that Heritage plays a role in building a better and stronger Canada overall, and for being here today at our committee.

Thank you, Chair.

[*Translation*]

Hon. Pascale St-Onge: It's a pleasure, Mr. Coteau.

Since I have a little time left, I would like to close by reminding everyone that CBC/Radio-Canada is the only Canadian media that is present in all regions of the country, that provides services in French and English, as well as services in eight indigenous languages, and that provides international coverage. That's—

• (18425)

[*English*]

The Vice-Chair (Mr. Kevin Waugh): Thank you, Minister.

We're going to move on to the Bloc for two and a half minutes.

Mr. Champoux, go ahead, please.

[*Translation*]

Mr. Martin Champoux: Thank you, Mr. Chair.

Minister, I would like to talk to you a little about festivals, because your mandate covers more than just CBC. You may think that some people forget that.

There are also other sectors that have been extremely hard hit for several years. In the festival sector, there are cries and cracks everywhere this year. Not a week goes by without a festival in some region of Quebec calling us to say that there's a lack of funding. I know that money was added to the 2024 budget, but there are a lot of applicants for financial support from the federal government.

What do you say to the requests from organizations such as the Regroupement des événements majeurs internationaux and the Regroupement des festivals régionaux artistiques indépendants, which are major festival groups in Quebec and Canada? For some time now, they've been asking you, first of all, to make permanent the temporary support that has been granted. They're also asking you to give them multi-year funding, for example over three or five years, to ensure predictability and to establish relationships with their partners that will be more profitable for each of the parties. I think that's a reasonable request. And yet we don't really see much enthusiasm from the government on this.

Hon. Pascale St-Onge: On the contrary, the government's objective is to eventually make the financial assistance to the sector permanent. We can see that it has beneficial effects on the entire sector and on accessibility for Canadians. There's a lot of talk these days about affordability, but you have to know that festivals are probably one of the most accessible summer activities for families.

Our government added \$31 million over two years to the Canada Arts Presentation Fund. I know there is more to do. We have also added \$32 million to the Canada Music Fund, which will benefit Musicaction, among others, and therefore the presentation of shows. My objective is to eventually make those amounts permanent.

Mr. Martin Champoux: Right now, I'm thinking of the Festif de Baie-Saint-Paul, in a region that is recovering from last year's natural disaster. This festival is having trouble making ends meet, and this event is extremely important for the region's appeal. This tourism region needs its festivals. We've given you the opportunity to comment on that.

Other festivals in several regions of Quebec who say that this will have a negative impact on the quality of their programming this year. Do you have any money lying around to help festivals that are missing a few bucks left and right? Are you able to do something quickly this summer?

[English]

The Vice-Chair (Mr. Kevin Waugh): Respond very quickly. We're over time.

[Translation]

Hon. Pascale St-Onge: We always try to help organizations as much as possible. I hope that the Bloc Québécois and my colleague will support budget 2024, because those supports are provided in budget 2024.

[English]

The Vice-Chair (Mr. Kevin Waugh): Thank you.

For two and a half minutes, next is Ms. Ashton for the New Democratic Party.

Please go ahead.

Ms. Niki Ashton: Thank you.

Minister St-Onge, the committee has heard from Ms. Tait of the CBC/Radio-Canada a number of times over the last few months as a result of job cuts at the CBC.

While I'm sure many of my Conservative colleagues are thrilled about this, it's the actions of my Liberal colleagues that concern me. I don't understand how, on one hand, Liberals can talk about how much they support the CBC/Radio-Canada but on the other hand cut 3.3% across the board, which, Ms. Tait said, led directly to job cuts that left CBC/Radio-Canada with a smaller workforce than it had when Stephen Harper left office.

If a future Conservative government wants a model for how to destroy good journalism in this country, they don't need to look further than the Liberal government's record. We are still seeing the impacts of those cuts, despite commitments in the previous budget.

Do you, as Minister of Heritage and as a key part of this government, feel responsible for those job cuts at the CBC?

[Translation]

Hon. Pascale St-Onge: I want to correct you, because there was no 3.3% reduction. Yes, Treasury Board has asked all ministers to make efforts to reduce and reallocate spending.

However, a few months ago, it was decided that CBC/Radio-Canada would not have to make those cuts. In addition, in budget 2024, we added \$42 million to help CBC/Radio-Canada make up for the shortfall caused by the loss of advertising revenue, which, as we know, is increasingly going into the pockets of Google, Facebook and other digital platforms.

Our government has been there from the beginning, and we will continue to be there.

● (18430)

Ms. Niki Ashton: I want to clarify something. The government talked about these cuts, and it was Ms. Tait who told the committee that it was because of these cuts that the decision to cut jobs at CBC/Radio-Canada was made. That's Ms. Tait's statement, not mine.

I don't know if you have anything to add on that. What do you have to say to Canadians who have lost their jobs at the CBC/Radio-Canada? Do you take responsibility for that?

Hon. Pascale St-Onge: According to Ms. Tait's latest statements, there will be no further job cuts, since CBC/Radio-Canada did not have to apply the 3.3% cuts and the government added \$42 million to this year's budget. So the broadcaster will be able to maintain those jobs. For us, it was a priority to ensure that Canadians, more particularly—

[English]

The Vice-Chair (Mr. Kevin Waugh): Minister, thank you.

Seeing as the clock is at 4:32, I'd like to complete the second round, but I would reduce the Conservatives and Liberals to three minutes each.

Could you agree to that? Six minutes...?

We're at 4:31. The minister was here for an hour.

Mrs. Rachael Thomas: No. We didn't get started until 3:42.

A voice: It was 3:38.

The Vice-Chair (Mr. Kevin Waugh): It was 3:38. Well, we have time, then.

Mr. Gourde, go ahead for five minutes for the Conservative Party.

[Translation]

Mr. Jacques Gourde: Thank you, Mr. Chair.

Madam Minister, thank you for being with us.

I'm going to ask you a quick, easy question: Do you agree, yes or no, with the derogatory comments made by your colleague Francis Drouin at the Standing Committee on Official Languages?

Hon. Pascale St-Onge: No. My colleague has apologized.

Mr. Jacques Gourde: Should Mr. Drouin resign or withdraw from the Standing Committee on Official Languages?

Hon. Pascale St-Onge: It's up to the people to decide, and I believe there was a vote on this.

Mr. Jacques Gourde: Thank you, Madam Minister.

The seven executives at CBC/Radio-Canada receive an average salary, including their bonuses, of \$540,000 a year. That's almost double your salary and more than the salary of the Prime Minister. The Canadian Taxpayers Federation has launched a lawsuit against CBC/Radio-Canada to find out the proportion of premiums paid on that total salary.

Is this lack of transparency normal for CBC/Radio-Canada, considering that it is taxpayers' taxes that pay these salaries?

Hon. Pascale St-Onge: I find it interesting that you raise that question. I think you were part of the Harper government when it took power in 2006. I want to remind you that Mr. Harper's first initiative was to grant a 3% increase to the heads of Crown corporations, including CBC/Radio-Canada. He explained it by the fact that he felt that our Crown corporations and the public sector, generally speaking, should be able to compete with the private sector.

Am I to conclude that you no longer agree with that now? And yet you were part of that government.

Mr. Jacques Gourde: Madam Minister, there is a lack of transparency. Is it normal, yes or no, that we can't know the salary and the amount of bonuses paid to these senior executives?

Hon. Pascale St-Onge: The salary grids are public.

Mr. Jacques Gourde: The Canadian Taxpayers Federation couldn't get them. So they're not public yet.

In the 1990s, the Liberal government cut \$400 million from the CBC, which today, in constant dollars, is about \$750 million. Is your reform next fall going to go in that direction?

Hon. Pascale St-Onge: First, we are working on the financial structure of CBC/Radio-Canada, because, as a result of declining advertising revenues, it's facing the same difficulties as the private sector. In order for it to be sustainable over the long term, we need to look at its financial structure.

Then we look at the governance, transparency and accountability of the public broadcaster, because we want to ensure that there is a true close relationship with Canadians. That's one of the things we're looking at.

Finally, we want to determine the role that a good public broadcaster should play in 2024, in the era of disinformation generated by digital platforms, so that services are offered to the public, particularly in terms of information.

Mr. Jacques Gourde: Thank you, Madam Minister.

Will you have the same courage as the Chrétien Liberal government, which made \$400 million in cuts in the late 1990s, which today amounts to \$750 million?

Hon. Pascale St-Onge: I clearly said in my opening remarks that I found it irresponsible for a government, at a time when digital platforms have a major impact on the sector, to—

Mr. Jacques Gourde: Thank you, Madam Minister.

Hon. Pascale St-Onge: —disinvest in the public broadcaster. That would be irresponsible and we will not do it.

Mr. Jacques Gourde: I'm going to move on to another topic, which is Canada Day. Could you please send the committee a list of the contributions that were made and the organizations that received them?

Hon. Pascale St-Onge: That information is public and can be found on the website.

Mr. Jacques Gourde: That's fine.

Let's go back to the \$100 million deal that was struck with Google. Is Canada the first country to sign such an agreement?

Hon. Pascale St-Onge: Canada is the first country that has reached a transparent agreement with Google. This makes it possible to know the amounts that will be paid and to whom they will go.

Mr. Jacques Gourde: Thank you, Madam Minister.

The government you represent wanted \$178 million but, according to media reports, Google offered \$100 million, take it or leave it, with no negotiation possible. The fact that Canada was the first country to take this initiative, but accepted this \$100 million, set a precedent, indicating to the entire planet that Google did not negotiate with countries and that what it offered was take it or leave it.

Are you aware that by accepting the \$100 million, you've set an international precedent?

● (18435)

Hon. Pascale St-Onge: I find it really interesting that you're concerned about this deal, because you did everything you could to block the Online News Act and to make sure that Google wouldn't pay a penny to our Canadian media. It's a transparent deal.

Mr. Jacques Gourde: Madam Minister, you are not aware of the global precedent you have set.

Hon. Pascale St-Onge: This is a transparent agreement. The precedent set is that we know exactly how much the media will receive and...

Mr. Jacques Gourde: How much money did Google put on the table? One hundred million dollars.

Hon. Pascale St-Onge: —to whom it is going to go. We know how much money will go to our Canadian media. That's not the case in other countries, and—

Mr. Jacques Gourde: You haven't—

Hon. Pascale St-Onge: —we made sure that if there are better—

Mr. Jacques Gourde: Madam Minister, you haven't added a penny.

Hon. Pascale St-Onge: Mr. Chair, I can't even answer his questions.

Mr. Gourde, you're being rude.

Mr. Jacques Gourde: Madam Minister, you haven't gained a penny more than what Google initially offered.

Hon. Pascale St-Onge: That's very rude. You assert things, but you don't let me respond.

Let me repeat that this is the first agreement in the world that is transparent. For the first time, we know where the money will be going. What's more, if better agreements are signed in other countries, we've made sure we can renegotiate the Canadian one. We want the digital giants, including Google, to contribute to supporting our media.

May I remind you that you voted against this law. So you voted against the \$100 million.

Mr. Jacques Gourde: You signed a reduction, Madam Minister.

[English]

The Vice-Chair (Mr. Kevin Waugh): Thank you, Minister.

Mr. Gourde, that's it.

The final five minutes go to the Liberals and Jennifer O'Connell, please.

Ms. Jennifer O'Connell: Thank you, Chair.

Thank you, Minister, for being here. That exchange was quite interesting, especially off the top, when Mr. Gourde referred to another member and the issues around speaking French. Using the same logic, he should have turned to the member next to him and suggested that Ms. Thomas resign after demanding that you speak English at this very committee. The hypocrisy from Conservatives is quite interesting.

He also mentioned the Liberals' record in the nineties and seemed to just glide right over the Conservatives' record—10 years of darkness. Why do you think that is? Is it perhaps the embarrassment around Conservative cuts that have led to journalism cuts in communities like mine that really rely on local journalism as part of our democratic institutions?

[Translation]

Hon. Pascale St-Onge: I think asking the question is answering it. When we saw the way the Conservatives treated my colleague, we saw that they had a double standard.

As for the budget cuts made by Mr. Harper, I would remind you that these cuts were made at the beginning of the media crisis, when the digital giants were entering the market and capturing advertising revenues. Instead of supporting the public broadcaster, the Conservatives preferred to make cuts of over \$115 million to its annual funding, resulting in hundreds, if not thousands, of job losses at CBC/Radio-Canada.

Therefore, I find it interesting that this MP is asking questions today about the viability and jobs of the public broadcaster, but I find he doesn't have a huge amount of credibility.

[English]

Ms. Jennifer O'Connell: Thank you, Minister.

I also find it interesting that the Conservatives spent nearly 11 minutes off the top talking about things that concern them. However, it all stemmed, I think, from your words—villainizing the CBC/Radio-Canada—and all because, as we've seen in places like the U.S., Conservatives around the world, and certainly the MAGA Conservatives here, can't seem to take tough questions from independent journalists. Therefore, they'd rather replace it with people who really don't challenge them, don't ask them questions. Their hand-picked misinformation is the only way. It's particularly ironic that they wouldn't even allow you the time. They ask you to come here. They want to ask you tough questions but don't have the courage to actually let you answer.

I find that particularly interesting. I'm deeply concerned, and I would like your opinion on this as well. By getting rid of independent journalists across this country, what happens to our democratic institutions? What happens to countries where you have hand-picked propaganda machines that only prop up certain political parties instead of having true, independent journalism there?

[Translation]

Hon. Pascale St-Onge: Democracy is based on powers and counterweights. The news media and journalism are one of these checks and balances, in addition to the judicial system.

I'm very wary of politicians who aren't very moved at all to see thousands of journalists lose their jobs in Canada and who say they're going to slash funding for our public broadcaster, when we know that, in many communities, it's the only Canadian source of information left about what's going on at home.

Journalists make politicians like us accountable. It's true that sometimes it's hard to answer journalists' questions, but it's necessary, because it's a counterweight to government and allows the public to get facts, not just opinions or propaganda.

● (18440)

[English]

Ms. Jennifer O'Connell: Thank you, Minister.

It certainly is interesting when members opposite can't take tough questions from journalists. I think we all saw that pretty tough video to watch of Ms. Thomas not even being able to answer if she supports the existence of Radio-Canada. It concerns me deeply too when politicians are now just on speaking points and repeating the same slogans over and over again. It's not just at the federal level. I worry about local journalism in municipal elections and provincial elections.

What happens when we lose that journalism and replace it with talking points from one leader and just slogan after slogan and no action to actually save journalists in this country?

[*Translation*]

Hon. Pascale St-Onge: We've seen communities where losing local journalists has had a direct effect on municipal taxes. This is what happens when there are no journalists checking municipal budgets.

I don't know if you have the time to dig into your municipality's budget, but often we don't. It takes people who devote their lives to monitoring public spending and holding politicians to account.

Losing journalists has effects that trickle down to people's pockets. This should concern not only Conservatives, but all of us.

[*English*]

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. O'Connell. Thank you, Minister. I have to wrap things up. The first hour is over.

Thank you, Minister, for appearing for the first hour, and thank you to department officials Ms. Mondou and Mr. Ripley. You're free to go.

I will ask now if we are going to continue with the main estimates?

Mr. Taleeb Noormohamed: Can we suspend for a moment?

The Vice-Chair (Mr. Kevin Waugh): We can suspend for a second, yes.

• (18440) _____ (Pause) _____

• (18450)

The Vice-Chair (Mr. Kevin Waugh): I call this meeting back to order.

It has been agreed by all parties that we will move to the main estimates for the second hour, and we will push Bill C-316 to next week.

The procedure is that we will have six-minute rounds of questioning.

We welcome David Dendooven, the assistant deputy minister. Thank you for joining us.

We also have with us Joëlle Montminy, senior assistant deputy minister, along with Mr. Ripley and Ms. Mondou, both of whom have stayed. Thank you to the departmental officials.

Thank you, everyone, for agreeing to look at the main estimates for the second hour.

We will start with a six-minute round of questions from the Conservatives.

Mrs. Thomas, please go ahead.

Mrs. Rachael Thomas: Perfect. Thank you so much.

I'm just curious about a panel of seven multimedia experts that has been put together with regard to the CBC. Anything I've read

says they were appointed by the heritage minister. I'm curious about what criteria were used for their selection.

Ms. Isabelle Mondou (Deputy Minister, Department of Canadian Heritage): The criteria the minister highlighted included having people with expertise in various topics regarding CBC/Radio Canada. That's how she selected the panel.

She was also conscious of having people from different backgrounds, including people from Quebec. I think those were the criteria she used, as she mentioned earlier.

Mrs. Rachael Thomas: Okay.

Are those criteria written anywhere where they could be read?

Ms. Isabelle Mondou: The terms of reference are public, and they highlight the expertise and the review mandate. We would be happy to share that with you and the committee.

Mrs. Rachael Thomas: Perfect. Thank you. If you could send that to the committee clerk, that would be great.

Ms. Isabelle Mondou: Absolutely.

Mrs. Rachael Thomas: Thank you.

I pass my time to Mr. Lawrence.

Mr. Philip Lawrence: Thank you very much.

My questions will focus on the journalism labour tax credit.

Budget 2024 announced an increase of the yearly limit on labour costs under the Canadian journalism labour tax credit from \$55,000 to \$85,000 per eligible employee, and a temporary increase of the tax credit from 25% to 35%.

What is the rationale for limiting the increased credit to a four-year period?

Ms. Isabelle Mondou: I'm afraid that is a question for our colleagues at the Department of Finance, who are responsible for taxation.

Mr. Philip Lawrence: Does the government believe the financial difficulties of Canadian journalism organizations will improve after that period?

Ms. Isabelle Mondou: I missed the end of your question. I apologize.

[*Translation*]

Mr. Philip Lawrence: Excuse me.

[*English*]

With regard to the four-year period, I understand you didn't want to answer the first question, and that's fine.

Is it because your department believes the ills currently affecting Canadian journalism will be cured after four years? I'm just curious about that.

Ms. Isabelle Mondou: Mr. Chair, I cannot speculate as to how my colleagues at finance decided on the four-year period. They often take policy from different horizons, so it may be good to ask them why they decided on four years.

• (18455)

Mr. Philip Lawrence: Who decides which journalists benefit from this credit and who decides which journalism organizations qualify?

Ms. Isabelle Mondou: A process was established when the tax credit was created a couple of years ago. It's an independent committee at the Canada Revenue Agency. Independent members apply a definition that was established to define who qualifies as a journalist. That process has been in place for a couple of years.

Mr. Philip Lawrence: Thank you.

Who appoints this panel?

Ms. Isabelle Mondou: Again, it's not my responsibility. It's really that of the Canada Revenue Agency, so you may want to ask them that question.

Mr. Philip Lawrence: Do you know if information with respect to the panel is publicly available?

Ms. Isabelle Mondou: I can certainly inquire, and we can follow up with the committee.

Mr. Philip Lawrence: Thank you very much.

Do you know what the cost, the tax expenditure, is for the credit?

Ms. Isabelle Mondou: My understanding is that the finance department may have that information. I certainly don't have it. Again, maybe it would be a good question to ask them.

Mr. Philip Lawrence: I'm a little surprised, because the estimates are supposed to be about finances. Respectfully, I thought that you would have some of that information, but as long as you're willing to provide it to the committee, that is fine.

We'll have to wait for another day to find out who appoints this panel and who is on this panel. I'm very interested in that information going forward.

Those are all the questions I have.

Ms. Isabelle Mondou: If I may, Mr. Chair, I want to be clear that the main estimates we're discussing today are the ones for Canadian Heritage and not the ones for the Department of Finance.

Thank you very much.

The Vice-Chair (Mr. Kevin Waugh): We still have one minute and 25 seconds left for the Conservatives.

Mr. Philip Lawrence: I have one more follow-up question, as I'm curious about this now.

The estimates do cover the financing of the heritage department. Is that right?

Ms. Isabelle Mondou: They do, but the tax credit is not within our portfolio; it is within the Department of Finance.

Mr. Philip Lawrence: The independent panel that reviews who is a journalist and who is not is a creature of the CRA.

Ms. Isabelle Mondou: How it's working in taxation is that the Department of Finance established the policy, and then the enforcement or the application is done by the Canada Revenue Agency.

In that case, the finance department adopted the policy, which was the tax credit that you referred to, and then it's applied and im-

plemented by the Canada Revenue Agency, as with any other tax measure.

Mr. Philip Lawrence: Thank you.

The Vice-Chair (Mr. Kevin Waugh): Thank you.

We'll move to the Liberals for six minutes. Mr. Noormohamed, go ahead.

Mr. Taleeb Noormohamed: Thank you, Mr. Chair.

Thank you for being with us.

One of the often overlooked elements of what the Department of Canadian Heritage does is the promotion of the cultural sector.

I wonder if you could share with me, as you look at the planning going forward, how you intend to continue to invest in supporting the cultural sector through the allocations in the estimates. This would be particularly as it relates to international opportunities, to bringing global awareness and investment into Canada, and to growth for Canadian businesses, particularly those that are looking to advance and enhance the cultural sector, such as, for example, AV production, film, television and gaming.

Ms. Joëlle Montminy (Senior Assistant Deputy Minister, Department of Canadian Heritage): Thank you very much for the question.

Yes, this is a very important aspect of what we do at Canadian Heritage. It is not only looking at growing or supporting the cultural industries from a domestic point of view, but also so that they can be successful abroad and generate revenues by selling their work internationally.

We have the creative export strategy, which was renewed. Now we have a program that's been in place for a number of years. That is a program through which we provide support to companies that do some work abroad.

We also support trade missions and take Canadian companies around the world to different markets that we identify as priority markets or to different categories that we identify as places for potential growth for the Canadian economy.

Canadian Heritage has this particular strategy that augments the impact of our creative sector, but all of our portfolio agencies, such as the Canada Council, Telefilm Canada and others, also have international strategies that then amplify the impact of our efforts abroad.

• (18500)

Mr. Taleeb Noormohamed: A question Canadians always ask is what the return on the investment of their dollars is. You've mentioned a creative export strategy and you've mentioned trade missions. How do you measure the return on that investment? When you talk in real dollar terms, could you give us some examples of why those are good investments and what the return on that investment actually looks like for Canadian companies?

Ms. Joëlle Montminy: We do have very detailed measurements of the return on investment.

For instance, on these trade missions, we select companies that have demonstrated and have been forecast to be able to sell their work abroad. Then we measure, at the end of each trade mission, the actual return on investment for these events.

Unfortunately, I don't have in front of me today the latest data for the trade missions, whether it was the recent one in South Korea or last fall when we were in Japan. Prior to this, it was New Zealand and Australia.

I would be happy to provide the committee with this information.

Mr. Taleeb Noormohamed: That would be great.

Just for avoidance of doubt, is it a positive return on investment?

Ms. Joëlle Montminy: Yes.

Mr. Taleeb Noormohamed: I wanted to make sure there was no misapprehension about the fact that there is a positive return on that investment.

Ms. Joëlle Montminy: Yes, there is.

Mr. Taleeb Noormohamed: To dig a little into the creative export strategy, Canada is not the biggest player by any means, but a lot of the Canadian companies tend to punch above their weight. How has this program had a positive impact in terms of the growth of Canadian business? Can you give some examples?

One of the things that I worry about is that these are things we don't often talk about, and it's easy for people to say that it's a junket, a trip abroad, or that we're investing in companies, but we don't really see a return.

Can you give us some examples of what that actually looks like on the ground? Where in the country are we seeing those returns, and how does that manifest itself?

Ms. Joëlle Montminy: When we do these trade missions, we select certain types of subsectors of our creative sector. We can focus on gaming or audiovisual and businesses that are oriented toward these sectors, and we match them with others. Sometimes it's the performing arts. It can be the whole range of creative sectors.

What we've seen if it's the performing arts, for instance, is that companies will then come back and will have made arrangements for touring for the companies.

We've seen tremendous successes on the gaming and interactive digital media markets, which are extremely interesting for Canadian companies abroad. Our talent is recognized, and we've seen these companies coming back with tangible deals that they've made around the world with new partners.

Mr. Taleeb Noormohamed: Thank you.

Mr. Chair, how much time do I have?

The Vice-Chair (Mr. Kevin Waugh): You have 25 seconds.

Mr. Taleeb Noormohamed: It's not enough time for questions. I will return that time back to you.

The Vice-Chair (Mr. Kevin Waugh): Thank you.

There are six minutes for the Bloc. Go ahead, Mr. Champoux, please.

[*Translation*]

Mr. Martin Champoux: Thank you, Mr. Chair. You mean I have 6 minutes 25 seconds, since my friend Mr. Noormohamed gave me his remaining 25 seconds.

I thank the witnesses once again for their presence at the committee.

I'm going to continue talking about exporting, because I find it interesting. It was one of the subjects I wanted to discuss with you. I find this topic very interesting because it's one of the concerns that comes up quite regularly from organizations. We don't export our culture well. We're just getting by here, in today's market, so you can imagine the enormous costs involved in exporting. Yet it can become extremely profitable.

I just want to highlight something that comes under the heading of collaboration, a notion I value enormously. This winter, we were contacted by a small export company called h264, which was on the verge of closing its doors. The company was in financial distress. It was just about the only company exporting content, films, shorts and documentaries abroad. There were no others left. It was the only company doing it. The disappearance of this company meant that we would no longer be able to export our content. We met with the company's representatives. I then contacted the department, and the company's situation was resolved. I thought that was fantastic.

I thought back to other organizations, including the Canada Media Fund, Telefilm Canada and the Toronto International Film Festival, who talk to us about the issue of exporting content, which is extremely important for the vitality of our industry. These are extremely interesting sources of revenue, and we shouldn't deprive ourselves of them.

In addition to the h264 company, for which I'm extremely happy, representatives from the Toronto International Film Festival came to meet with us to present a great project, which is to organize a major trade show to attract foreign buyers, producers and people from the film industry to Toronto to meet our artisans here. It seems to me to be a really economical way of presenting our content to people without having to travel abroad.

Have the folks at the Toronto International Film Festival approached your department about this? Have you shown any openness to supporting them in this? How will this work out?

• (18505)

Ms. Isabelle Mondou: Indeed, the 2024 budget offers them \$23 million to support them in this project. The government has invested in this project exactly for the reason you mention, which is to facilitate exports. We are obviously committed to this project, but I would say that our audiovisual agency, Telefilm Canada, works directly with these people.

In this regard, I also want to mention that Telefilm Canada is in the process of reviewing its export programs, precisely to highlight the difficulties in the industry and ensure that we offer real support to the sector.

So, it's work we need to follow. In any case, this Toronto International Film Festival project is a good example of our creators reaching out, but doing so right here, when the world is invited to come here.

Mr. Martin Champoux: Earlier, I was talking with the minister about the extremely precarious situation of some festivals. Some festivals are doing well, of course. Some are generating quite substantial revenues. Other festivals, however, are smaller regional festivals, though no less important for the vitality of the economy and tourism in these regions.

Once again, there's the question of funding. Festival representatives raised the point that funding is largely granted on a per-project basis. And it's not just festivals. What's more, there's no predictability. I discussed this earlier with the minister. This concern has been raised not only by festival representatives, but also by the Canada Media Fund, among others. Theatre directors, who are on Parliament Hill this week, have spoken to us about it as well.

Are you thinking about reviewing the funding method and ensuring that we fund more corporate activities, rather than granting project-based funding as is currently the case? This funding method sometimes encourages people to design a product because they want to raise money, but in the end they may not always be making quality products or putting their priorities in the right places.

Have you started thinking about this?

Ms. Isabelle Mondou: We, too, have heard the industry's comments. In fact, the minister and I took part in a federal-provincial meeting two weeks ago, and I can tell you that all the provinces are asking these questions. It must be said that most of the programs implemented in Canada support projects rather than granting operating funds.

The challenge in assessing all this is to ensure that we do support organizations that are viable. In some cases, this requires a review of the business model. As we know, since the end of the pandemic, audiences are different and much more unpredictable. So we really need to review our models.

We also need to find ways of pooling efforts. Many small organizations each hire a finance director, a communications officer, and so on. It's very cumbersome for them.

We're working closely with these organizations, but also with the Council for the Arts and with my colleagues in the provinces, to see how we can help with this transformation. Obviously, this is very important to us. We are concerned about the difficulties experienced by the festival sector, among others.

Mr. Martin Champoux: I have one last question. Since I have about 40 seconds left, I'll try to ask it quickly.

As I said in my previous question, representatives of the museum sector are on the Hill to make their grievances heard. At issue is the Museums Act, which hasn't undergone a reform since 1990.

A project to reform the Museums Act is in the works. When will it be implemented? When will we be able to sit down with these people to review the museum funding model? We were just talking about this two seconds ago.

Ms. Isabelle Mondou: Yes, it's in the minister's mandate letter. Over the past year, we have consulted museums in great depth. Among the elements that came out of these consultations were, of course, core funding and reconciliation. We published a report on these consultations a few months ago. We are now working on developing the policy. I hope we'll be able to finalize the whole thing in the next few months.

● (18510)

Mr. Martin Champoux: Will this be included in the next budgets?

Ms. Isabelle Mondou: Possibly.

Mr. Martin Champoux: Thank you very much, Ms. Mondou.

[English]

The Vice-Chair (Mr. Kevin Waugh): Thank you.

We will now go to the New Democratic Party for six minutes. Go ahead, Ms. Ashton, please.

Ms. Niki Ashton: Thank you.

I want to speak about programming through Canadian Heritage.

I'm very proud of NDP pressure that we put on to oppose the cuts that the Liberals planned for Indigenous Services at a time when the infrastructure gap in first nations is \$349.2 billion, something that we see in communities here in our part of the country very clearly. It's inconceivable that the Liberals thought it was a good idea to cut funding for the services that indigenous peoples and indigenous communities rely on. We were clear, and thankfully, these cuts were reversed, for the most part.

I also know that Liberals, like Conservatives, are always looking to underfund first nations. I couldn't help but notice that in the main estimates, there's been a forecast of a decrease of almost \$100 million for the indigenous languages and culture program compared to the previous year.

I have the privilege of representing a part of the country where it is a constant struggle to support indigenous language education. Can you, as officials in Canadian Heritage, explain what the logic was in giving almost \$100 million less than a year ago for the protection of indigenous languages when we know the extent to which many of them are under serious threat?

Ms. Isabelle Mondou: I will say that the first point is that indigenous language is indeed extremely important. We have adopted legislation to protect language, so we are very much aware, to your point, of the importance of it.

The work that has been done over the last three years since the adoption of the bill—I think it's now a bit more than three years, actually—is to work with Métis, the Inuit and the first nations to develop a funding model. We have been successful in doing that, and we have done it in co-development.

The 2024 budget has stabilized the funding in the long term; it's now ongoing. I will recognize—and I think the minister, if she were there, would recognize—that more needs to be done in investment in the future, and I know she's committed to doing so.

Ms. Niki Ashton: To carry on with a focus on heritage funding, I've seen that Canadian Heritage has committed over \$15 million in new funding for the multiculturalism and anti-racism program. Putting a stop to racism and hate in our country is critical. That includes anti-Semitism, Islamophobia, anti-Chinese racism, anti-Black racism, anti-indigenous racism. Canadians, regardless of their background, should feel safe, and the federal government has a lot of work to do.

However, what shocked me about the anti-racism strategy is the government's steadfast refusal to acknowledge or define the racism experienced by Palestinians in Canada. I heard from a number of advocates, stakeholders and Palestinians who spoke to officials in your government and communicated with your government and heard clearly that the government is flat out refusing to include references to anti-Palestinian racism in the upcoming anti-racism strategy. At a time when Palestinians are seeing horrific images of their loved ones being brutalized and killed in Rafah in an ongoing genocide, Palestinian Canadians are experiencing an increase in hate in our country.

My question is, why is the department unwilling to include references to anti-Palestinian racism in the upcoming anti-racism strategy? Calling out anti-Palestinian racism and making it part of the strategy is being part of the solution. Doing otherwise is being part of the problem.

Ms. Isabelle Mondou: There was the first anti-racism strategy, which was adopted in 2019. You are absolutely right that budget 2024 is giving more money for the next anti-racism strategy, but the government has not announced this new strategy, so I cannot announce what will or will not be in it because it hasn't been made public yet.

Ms. Niki Ashton: Well, we are certainly waiting for that, and with that in mind, I will use my time to move a motion that we've already sent in to the committee. It is that:

Pursuant to Standing Order 108(2), the committee invite the Minister of Diversity, Inclusion and Persons with Disabilities to appear for a period of two hours before June 19, 2024, to answer questions related to its anti-racism strategy, particularly due to the increase of both anti-Palestinian racism and anti-Semitism since October 7, 2024, and because the current anti-racism strategy has no definition or even reference to anti-Palestinian racism.

• (18515)

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Ashton. I think everybody has that motion in front of them from last Thursday.

Mr. Champoux, go ahead.

[Translation]

Mr. Martin Champoux: Mr. Chair, since there is now a motion before the committee, I move that we release the people from the Department of Canadian Heritage.

[English]

The Vice-Chair (Mr. Kevin Waugh): This might not take that long. Just hang in there for a couple of minutes, if you don't mind.

[Translation]

Mr. Martin Champoux: All right. You're optimistic, Mr. Chair, but I'll follow your directive.

[English]

The Vice-Chair (Mr. Kevin Waugh): Go ahead, Ms. Thomas.

Mrs. Rachael Thomas: Thank you.

Just quickly, I'll offer an amendment. It is that after the words “anti-racism strategy” in the third line, all other words from the motion be struck.

The Vice-Chair (Mr. Kevin Waugh): Is there any debate on this?

Ms. Ashton, go ahead.

Ms. Niki Ashton: Thank you. I do want to speak to the amendment.

Obviously, we're very clear in our intent that the problem here is that the anti-racism strategy makes no reference to anti-Palestinian racism. This is not acceptable, in our view.

We look forward to having the minister in front of us to explain why this is the case, and certainly with the hope of the department and the Government of Canada changing course and being clear that anti-Semitism and anti-Palestinian racism, as well as other forms of hate, are part of the upcoming anti-racism strategy.

I will be voting against this amendment.

The Vice-Chair (Mr. Kevin Waugh): Are there any other comments on the amendment put forward? Does everyone have the amendment?

Mr. Michael Coteau: I'm sorry, Chair. I apologize. Maybe I missed that. Am I correct that it's on Ms. Ashton's motion?

The Vice-Chair (Mr. Kevin Waugh): It is Ms. Ashton's motion, but now there is an amendment from Ms. Thomas. Michael, the amendment is just to strike the last sentence, I believe, so we would go—

Mr. Michael Coteau: Can you read what is to be struck? Does it go from after the date, after “October 7, 2024”?

The Vice-Chair (Mr. Kevin Waugh): We would strike it at “particularly”. Those two-and-a-half lines would be eliminated.

Mr. Michael Coteau: Then would “anti-racism strategy” be the last words?

The Vice-Chair (Mr. Kevin Waugh): That's right.

Mr. Michael Coteau: Can we just hold for one second? Can I read it over again before we go forward, Mr. Chair, just for 30 seconds?

The Vice-Chair (Mr. Kevin Waugh): Yes.

I have other people who wish to speak to this.

Mr. Michael Coteau: Okay, then I'll yield.

The Vice-Chair (Mr. Kevin Waugh): Mr. Champoux, go ahead.

[*Translation*]

Mr. Martin Champoux: Mr. Chair, I have nothing against my colleague Ms. Thomas's proposed amendment. In fact, the first part of the motion is complete, insofar as we wish to receive a visit from the minister. Everything that follows, i.e., the text that Ms. Thomas proposes to strike out, can very well be part of the discussions we'll hold during the minister's visit.

So I would be inclined to support this amendment, which seems to me quite reasonable if we want to get things done quickly. I think I'll support the amendment and the motion as amended.

[*English*]

The Vice-Chair (Mr. Kevin Waugh): Okay.

Go ahead, Michael.

Mr. Michael Coteau: Did you say my name, Mr. Chair?

The Vice-Chair (Mr. Kevin Waugh): Yes, I did. I'm sorry. You said you needed 30 seconds to read it over. Are you good? If not, I'm going to Mr.—

Mr. Michael Coteau: You gave me about five minutes there. You must think it takes me a long time to read this.

I'm only kidding. I'm good, Mr. Chair.

The Vice-Chair (Mr. Kevin Waugh): You're good? Okay.

Mr. Noormohamed, go ahead.

Mr. Taleeb Noormohamed: I apologize. I stepped out of the room for 30 seconds.

We have the amendment, and we're waiting on the subamendment to be circulated. Am I correct?

• (18520)

The Vice-Chair (Mr. Kevin Waugh): Not really, no.

Mr. Taleeb Noormohamed: We're not.

Has the amendment been circulated?

The Vice-Chair (Mr. Kevin Waugh): No. We're just cutting it off.

Mr. Taleeb Noormohamed: Can we just take a second? Can we suspend so that we can have a chance to look at it and talk about it?

The Vice-Chair (Mr. Kevin Waugh): Okay. We're just eliminating the last two and a half lines. That's all that we were doing, but we can suspend for a minute.

• (18520)

(Pause)

• (18520)

The Vice-Chair (Mr. Kevin Waugh): Is there any discussion on the amendment, Mr. Noormohamed?

Mr. Taleeb Noormohamed: Thank you, Chair.

In principle, we would support the amendment. I think the challenge for us is obviously the date. We would be prepared to support the amendment proposed by Ms. Thomas without the date, noting that getting the minister here on that date may not actually work.

The other thing I would mention is that I think the word “strategy” appears twice. I'm assuming that's probably a typo.

If there's a willingness to change the date, we're happy to propose a subamendment to alter the date, but we have no issue with the content of the amendment.

The Vice-Chair (Mr. Kevin Waugh): If you're changing it to June 19, it would be a different amendment and not a subamendment.

Mr. Taleeb Noormohamed: The other thing I would suggest, just reflecting on it, is, again, there's no disagreement with the spirit of the motion or the amendment. We've always had a practice of having the minister for an hour and officials for an hour. I would offer that we continue that practice, if Ms. Ashton and others are open to it. I think this is something that we all kind of seem to want to be able to get to, so maybe we can find a way to do it.

The Vice-Chair (Mr. Kevin Waugh): Go ahead, Mr. Lawrence.

Mr. Philip Lawrence: I don't disagree with anything that Mr. Noormohamed had to say. The only thing I would say procedurally is to vote on this amendment and get this done. Then you can move a second amendment on the date and the hours, and we'll see how that goes.

Otherwise, we could discuss it all together. It's whatever you want to do.

The Vice-Chair (Mr. Kevin Waugh): Mr. Champoux, are you good?

I'm sorry, Ms. Ashton; go ahead.

Ms. Niki Ashton: While I have no problem amending the motion to have the minister for one hour and officials for the other hour—which is in accordance with other committees—we in the NDP oppose the current amendment ahead of us, and certainly the proposal to eliminate the date.

This is obviously close to the end of the session. We feel that we've been waiting for the anti-racism strategy for months. The fact that we possibly won't be able to hear from the minister until before the end of session is simply not acceptable on something as important as an anti-racism strategy, and the inclusion of anti-Palestinian racism as part of that strategy.

We will be opposing these two measures.

• (18525)

The Vice-Chair (Mr. Kevin Waugh): Mr. Champoux is next.

[Translation]

Mr. Martin Champoux: Mr. Chair, before proposing a specific date or deadline for welcoming a minister to the committee, it seems to me that we should check on two or three matters.

Can we be sure that the minister will be available on the few dates we have left to hold committee meetings between now and the end of parliamentary business? It's perhaps a bit rash to add a date to this motion. I think we should show a little flexibility and first make sure the minister is available before saying we want her to appear on such-and-such a date or no later than such-and-such a date.

In short, on the one hand, I think the proposal to withdraw the date is relevant and, on the other hand, I maintain my support for the amendment proposed by Ms. Thomas.

[English]

The Vice-Chair (Mr. Kevin Waugh): Are there any other conversations on the amendment?

Seeing none, I will call the vote on Ms. Thomas's amendment, which would eliminate the last two and a half lines.

Go ahead, Mr. Noormohamed.

Mr. Taleeb Noormohamed: Mr. Chair, this is just for procedural clarity.

If we agree to the amendment, we're then going to move to amend on the basis of what Monsieur Champoux has just recommended, following the passage of the amendment. Is that correct? Is that what we're doing procedurally?

The Vice-Chair (Mr. Kevin Waugh): Yes. I would think that's true.

We're going to vote on your amendment, and then—

An hon. member: [Inaudible—Editor]

The Vice-Chair (Mr. Kevin Waugh): Yes. Sorry.

We're going to vote on Ms. Thomas's amendment, and then someone else would have to move the other amendment that we have just talked about.

Mr. Taleeb Noormohamed: That's fine. The reason I wanted to make sure we're clear on this is that one of the challenges we're going to have, obviously, is that the anti-racism strategy hasn't been made public yet. It's hard for the minister to comment on something that actually hasn't yet been released for us to actually look at it. We just need to manage that in the context of timing, but there are a number of days left.

The Vice-Chair (Mr. Kevin Waugh): Okay.

I will now call the vote on the amendment by Ms. Thomas.

(Amendment agreed to: yeas 9; nays 1 [See Minutes of Proceedings])

The Vice-Chair (Mr. Kevin Waugh): Go ahead, Mr. Champoux.

[Translation]

Mr. Martin Champoux: Mr. Chair, we are therefore resuming debate on the amended motion.

I'd like to make sure I've understood correctly. So the motion includes “before June 19, 2024, to answer questions related to its Anti-Racism strategy”, and that's where it ends.

I have two things to say.

Mr. Chair, I don't know if you're still optimistic, but it's 5:28 p.m. and we're still debating a motion. If you like, we could offer our guests the chance to leave, if they wish, or to stay and watch the entertaining debate of this committee. It's up to them.

[English]

The Vice-Chair (Mr. Kevin Waugh): Yes. They can go.

Some hon members: Oh, oh!

The Vice-Chair (Mr. Kevin Waugh): I will say to the committee that we do have to vote on the main estimates here before we leave. We have a hard stop at 5:40 p.m.

[Translation]

Mr. Martin Champoux: I'll be quick, Mr. Chair. I'm going to make a proposal.

As I pointed out earlier, we cannot assume the minister's availability on the dates and days the committee sits between now and June 19. To this end, I think that, before imposing a date in a motion, it would be a good idea to ascertain the minister's availability.

I propose amending the motion to make it more vague. This probably won't please Ms. Ashton, but I would suggest, amicably, that she withdraw her motion for the time being, so that we can ascertain the minister's availability in the next few weeks. Perhaps that's something our Liberal colleagues could do. Then, once we have the information, we could come back to this motion, which would contain a specific date.

I'm pretty convinced that the motion would be passed very quickly if we proceeded in this way. You would certainly have my full co-operation and my word of honour.

• (18530)

[English]

The Vice-Chair (Mr. Kevin Waugh): Ms. Ashton, your hand is up.

[Translation]

Ms. Niki Ashton: With all due respect to you, Mr. Champoux, I have to say that, frankly, I'm shocked by what you said.

If the minister responsible for combatting racism doesn't have time in the next three weeks to appear before the committee with respect to Canada's anti-racism strategy—an important strategy for the Liberal government—what are we doing here?

The Department of Canadian Heritage funds those efforts, and it is within the committee's purview to ask the minister what she's doing on the issue. We regularly invite ministers to appear before the committee. Talking about anti-Palestinian hate in Canada and other forms of hate such as anti-Semitism and Islamophobia is hugely important. As far as I'm concerned, that should be one of the Liberal minister's priorities. Otherwise, that tells you how much the Liberals prioritize Canada's anti-racism strategy and the serious work required to address the issue.

For those reasons, I'm not going to withdraw my motion. I hope that the minister can find at least one hour in her schedule, in the three weeks remaining before the House adjourns, to come and speak with the committee about this essential strategy.

[English]

The Vice-Chair (Mr. Kevin Waugh): Mr. Noormohamed, your hand is up.

[Translation]

Mr. Taleeb Noormohamed: I'd like to thank Mr. Champoux for his suggestion, which I agree with.

That said, if Ms. Ashton actually wants us to adopt her motion today, I'm prepared to work together to find a solution, which may be to say that the committee needs to see the report.

[English]

If we want to pass a motion, I am happy for us to pass a motion that says that the minister should appear, as the motion is drafted, but adding the caveat that the minister appear once the report has been made public and/or presented is the key here.

If withdrawing the motion and re-presenting is not an option, then perhaps the motion should say everything that's been said, because I think we all absolutely agree that the rise in anti-Semitism, the rise in Islamophobia and the rise in anti-Palestinian racism are all things we have to address in the report. I'm assuming the strategy addresses all of that or will speak to it.

We should have the opportunity to review the report before the minister comes. If the desire is to have a motion—and I think we all support that idea—let's at least ensure that the document we're talking about is something that we've seen. I think that seems like a reasonable thing to say.

We have two options. Do we pass a motion that says that once the report is presented, we expect the minister to show up, or, as Mr. Champoux suggested, do we pull it and bring it back when the strategy is made public?

The Vice-Chair (Mr. Kevin Waugh): I have Mr. Champoux's amendment, which does not include the date.

Is there any other discussion on this?

Mr. Champoux, go ahead.

[Translation]

Mr. Martin Champoux: Mr. Chair, I'm quite surprised by Ms. Ashton's reaction, because I thought my suggestion was quite reasonable.

What Mr. Noormohamed said also seems quite reasonable to me. I think it's perfectly normal to have the report in hand before we meet with the minister. That in no way diminishes the importance or relevance of that discussion. I just think it's the right way to go about it, while working together in a collegial and constructive way. I am not saying that because I am against the motion—not at all. Quite the opposite, I think all of us around the table agree on that. All I am asking is that we do things in the proper order. Let's do things in a way that makes sense and is constructive. Let's wait until the report comes out, see when the minister is available and then hold the meeting.

I don't really have an amendment. I think that, first and foremost, we need the report. It is clear that Ms. Ashton doesn't want to put off discussing the motion, so I will let the chips fall where they may.

[English]

The Vice-Chair (Mr. Kevin Waugh): Go ahead, Ms. Ashton.

Ms. Niki Ashton: I simply want to add that we've been waiting for quite some time for the anti-racism strategy to be presented. That has not been the case. I think it's pretty clear that this is problematic, especially given the rise of hate in our country in terms of anti-Palestinian racism, anti-Semitism and Islamophobia. I don't think it's acceptable to wait until this strategy that we've been waiting for for quite some time to come out.

As I've indicated, I'm very concerned that a number of advocates and stakeholders, including Palestinian Canadians, have concerns that anti-Palestinian racism is not being considered as part of the strategy. We want to get to the bottom of that.

Obviously, we're now dealing with a truncated motion that doesn't mention anti-Palestinian racism or anti-Semitism. Certainly my intent in presenting this motion was to have a vote and hear from the minister, and, frankly, for us as a committee to share thoughts on our end. If Liberals and Conservatives don't want to support that, or the Bloc—whoever—then I say let's put it to a vote as it is now.

• (18535)

The Vice-Chair (Mr. Kevin Waugh): Thank you, Ms. Ashton.

We need to vote on the main estimates. Can I go ahead with the vote on the main estimates, because of time?

Ms. Niki Ashton: I have a point of order.

You need unanimous consent.

The Vice-Chair (Mr. Kevin Waugh): Yes, I need unanimous consent to vote on the estimates.

Do I have that?

Ms. Niki Ashton: I don't give consent, Chair.

This motion is in front of us. I'd like for this to be dealt with. I believe it's important to deal with this before we finish the legislation, Bill C-316. I think we can do this in the time we have remaining.

The Vice-Chair (Mr. Kevin Waugh): You could. It's up to you.

We'll continue debate, or whatever you wish.

Go ahead, Mr. Coteau.

Mr. Michael Coteau: I have a quick question, Chair.

Is it important that the estimates get approved today? Is there a time requirement?

The Vice-Chair (Mr. Kevin Waugh): Today is the last day, Mr. Coteau. That's why I asked for it.

Mr. Michael Coteau: Okay. Thank you.

The Vice-Chair (Mr. Kevin Waugh): Mr. Noormohamed.

Mr. Taleeb Noormohamed: In the interest of time and our requirement to vote on the estimates, my suggestion would be the following.

We have Mr. Champoux's amendment on the floor, which I understand to be the motion as amended by Ms. Thomas, excluding a date and noting an hour for officials and an hour for the minister. We can vote on that, vote on the main motion and then vote on estimates.

Is that the will of the committee? I want to make sure we're all saying the same thing.

The Vice-Chair (Mr. Kevin Waugh): Is there any other discussion on that? Is this the will of the committee?

Ms. Thomas, did you have a thought or no?

Mrs. Rachael Thomas: There's been no formal moving of an amendment with regard to the date or the officials. That would need to be formalized in order to know exactly what we're voting on.

The Vice-Chair (Mr. Kevin Waugh): Mr. Champoux.

[Translation]

Mr. Martin Champoux: Mr. Chair, I move that "before June 19th, 2024" be stricken from the motion, such that it would read, "the committee invite the Minister of Diversity, Inclusion and Persons with Disabilities to appear for a period of two hours to answer questions related to its Anti-Racism strategy".

[English]

The Vice-Chair (Mr. Kevin Waugh): Is there any discussion on this amendment?

Seeing none, I will call for a vote.

(Amendment agreed to: yeas 6; nays 4)

• (18540)

The Vice-Chair (Mr. Kevin Waugh): Is there any discussion on the motion as amended?

Mr. Taleeb Noormohamed: Can I confirm something? Does the motion as amended include the officials or not?

Okay. Then I would propose an amendment to say that the minister will appear for a period of one hour, with one hour for officials to answer questions.

Everything else remains the same.

The Vice-Chair (Mr. Kevin Waugh): Is there any discussion on that amendment?

Ms. Niki Ashton: I would like a recorded vote.

(Amendment agreed to: yeas 6; nays 4)

The Vice-Chair (Mr. Kevin Waugh): Now we'll have a vote on the motion as amended.

(Motion as amended agreed to: yeas 10; nays 0 [See Minutes of Proceedings])

The Chair: Can we finish up the main estimates, very quickly?

Do I have unanimous consent to vote on the main estimates in one motion?

Some hon. members: Agreed.

CANADA COUNCIL FOR THE ARTS

Vote 1—Payments to the Council.....\$363,758,160

(Vote 1 agreed to on division)

CANADIAN BROADCASTING CORPORATION

Vote 1—Payments to the Corporation for operating expenditures.....\$1,267,339,411

Vote 5—Payments to the Corporation for working capital.....\$4,000,000

Vote 10—Payments to the Corporation for capital expenditures.....\$111,898,000

(Votes 1, 5 and 10 agreed to on division)

CANADIAN MUSEUM FOR HUMAN RIGHTS

Vote 1—Payments to the Museum for operating and capital expenditures.....\$28,589,790

(Vote 1 agreed to on division)

CANADIAN MUSEUM OF HISTORY

Vote 1—Payments to the Museum for operating and capital expenditures.....\$83,116,568

(Vote 1 agreed to on division)

CANADIAN MUSEUM OF IMMIGRATION AT PIER 21

Vote 1—Payments to the Museum for operating and capital expenditures.....\$10,024,370

(Vote 1 agreed to on division)

CANADIAN MUSEUM OF NATURE

Vote 1—Payments to the Museum for operating and capital expenditures.....\$32,534,909

(Vote 1 agreed to on division)

CANADIAN RACE RELATIONS FOUNDATION

Vote 1—Payments to the Foundation.....\$8,992,410

(Vote 1 agreed to on division)

CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION

Vote 1—Program expenditures.....\$8,065,740

(Vote 1 agreed to on division)

DEPARTMENT OF CANADIAN HERITAGE

Vote 1—Operating expenditures.....\$237,751,779

Vote 5—Grants and contributions.....\$1,624,605,590

(Votes 1 and 5 agreed to on division)

LIBRARY AND ARCHIVES OF CANADA

Vote 1—Operating expenditures.....\$134,620,885

Vote 5—Capital expenditures.....\$52,582,597

(Votes 1 and 5 agreed to on division)

NATIONAL ARTS CENTRE CORPORATION

Vote 1—Payments to the Corporation for operating expenditures.....\$57,005,441

(Vote 1 agreed to on division)

NATIONAL FILM BOARD

Vote 1—Program expenditures.....\$71,954,082

(Vote 1 agreed to on division)

NATIONAL GALLERY OF CANADA

Vote 1—Payments to the Gallery for operating and capital expenditures.....\$42,020,493

Vote 5—Payments to the Gallery for the acquisition of objects.....\$8,000,000

(Votes 1 and 5 agreed to on division)

NATIONAL MUSEUM OF SCIENCE AND TECHNOLOGY

Vote 1—Payments to the Museum for operating and capital expenditures.....\$38,404,738

(Vote 1 agreed to on division)

TELEFILM CANADA

Vote 1—Payments to the corporation to be used for the purpose set out in the Telefilm Canada Act.....\$103,308,591

(Vote 1 agreed to on division)

THE NATIONAL BATTLEFIELDS COMMISSION

Vote 1—Program expenditures.....\$21,702,347

(Vote 1 agreed to on division)

● (18545)

The Vice-Chair (Mr. Kevin Waugh): Shall I report the main estimates of 2024-25, less the amount voted in interim supply, to the House?

Some hon. members: Agreed.

The Chair: Is the committee in agreement to adjourn the meeting?

Some hon. members: Yes.

The Chair: The meeting is adjourned.

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