



Mr. John Williamson, M.P.  
Chair  
Standing Committee on Public Accounts  
House of Commons  
Ottawa, Ontario K1A 0A6

June 30, 2023

Dear Mr. Williamson:

On behalf of the responding Departments and Agencies, we are pleased to provide electronically, in both official languages, the final reports requested by the Standing Committee on Public Accounts pursuant to the Committee's Sixteenth Report on Enforcement of COVID-19 Quarantine and Testing Orders of June 2022.

**Recommendation 1:**

As noted in our previous report to the Committee, the Public Health Agency of Canada (PHAC) remains committed to achieving its objectives and improving data quality to ensure that it has agile and fit-for-purpose platforms to ensure preparedness for future public health emergencies. PHAC continues working to establish the human and financial resources to improve data quality and tracking in the longer-term. PHAC has initiated the project management process underpinning the design, development, and implementation of a more comprehensive end-to-end case management system for administering the *Quarantine Act*.

The new end-to-end system is envisioned to:

- Provide a traveller-centric system that will support efficient at-border traveller assessment and post-border compliance and enforcement and reporting activities. This system will be adaptable and scalable to meet public health border concerns;

.../2

- Have flexibility to react rapidly to Orders in Council (OIC) public health threats, and other issues; and
- Enable verification of compliance with public health measures, including communication with travellers, throughout the traveller journey and provide PHAC with the capacity to integrate pre-border, at-border, and post-border compliance verification, enforcement, and exemptions activities.

An integrated project team consisting of members of both PHAC and Health Canada's Digital Transformation Branch has been formed and is being staffed to support this work.

The project team has completed high level business requirements for the system and to benefit from the latest technology, the project team has launched a [Request for Information through PSPC](#), on June 15, 2023. In addition, an Industry Day consultation session will be held in the month of June.

In response to part B of Recommendation 1, from January to March 2023, PHAC organized and delivered a series of tailored Gender-based Analysis Plus (GBA Plus) training events for Border and Travel Health (BTH) Program staff. Specifically, the training included case studies focussed on border issues and was informed by the experiences of front-line Agency staff in managing instances of the disparate impacts COVID-19 border measures had on vulnerable groups.

## **Recommendation 2:**

As noted in our previous report to the Committee, travellers arriving in Canada, on or after October 1, 2022, are no longer required to be vaccinated against COVID-19 to enter Canada, nor are they required to meet COVID-19 testing, quarantine, or isolation requirements, including stays at a designated quarantine facility (DQF).

All DQF sites have since been demobilized. PHAC remains committed to learning from the delivery of quarantine services as part of the COVID-19 response to inform preparedness for future public health emergencies.

Between March 2020 and September 2022, a total of 38 sites were designated as quarantine facilities. Prior to the elimination of the border measures on October 1, 2022, PHAC was managing 17 DQFs, and had

access to rooms in one provincial site. The overall room capacity was 1,465 rooms for travellers in 14 cities across Canada. From March 22, 2020 to September 30, 2022, a total of 22,188 travellers were quarantined or isolated at a DQF.

PHAC is aware of one security incident at a DQF in February 2021, where a man was charged by local police with sexual assault, break and enter, and harassment at the Sheraton Montreal DQF. The victim was a quarantined traveller. Any questions on this incident should be referred to the police of local jurisdiction.

In response to this incident, PHAC implemented additional security measures to prevent any future events at DQFs. As described in our previous report to the Committee, PHAC incorporated comprehensive security considerations into the DQF program design and evolved its programming throughout the pandemic to incorporate audit findings and lessons learned in real time to ensure the safety of all travellers at DQFs. This included:

- 24/7 health, security, and safety operations at DQFs, such as contracted security services;
- the provision of information to travellers on health security and safety;
- specialized and mandatory training for all staff supporting the delivery of quarantine services; and
- a 24/7 incident response process and National Operations Committee for DQFs.

PHAC has conducted an internal review of the DQF program to identify lessons learned. Given that all DQFs have been demobilized since September 2022, the Agency will focus on applying these findings to planning quarantine services for future public health emergencies. The lessons learned through managing DQFs across Canada are already informing PHAC's work to build a robust program framework under the *Quarantine Act* that prioritizes, for example, security considerations for PHAC's border operations, both for travellers and for officers.

With regard to the potential future implementation of quarantine services as part of a public health emergency response, PHAC is committed to implementing GBA Plus considerations to mitigate any potential adverse effects of existing and future programs on diverse and vulnerable groups. For example, drawing upon lessons learned, throughout the pandemic response, PHAC worked to incorporate specialized training on gender and diversity

considerations to frontline staff at the border and at designated quarantine facilities, including training on bias (launched in September 2021), and security awareness.

PHAC will continue to identify opportunities to incorporate DQF program lessons learned into broader pandemic and public health emergency planning and preparedness, to ensure that the Agency is prepared to deliver quarantine services that include comprehensive security considerations.

**Recommendation 3:**

Building and maintaining relationships with provincial and territorial police partners across the country to support investigative efforts and strengthen enforcement practices is a key component of preparing for future public health events. These efforts are crucial to ensuring that the knowledge base developed during the pandemic regarding the role of police in the compliance and enforcement of the *Quarantine Act* is maintained.

Improving information sharing between PHAC and law enforcement partners regarding the outcomes of referrals to police is a key component to more effectively assessing the efficacy of enforcement approaches. This will be an important consideration for the proposed new end-to-end case management system referenced above.

PHAC will continue to seek opportunities to work with its enforcement partners to identify ways to improve the reporting it receives from referrals made to police of jurisdiction. PHAC will evaluate any potential solutions to increase the information the Agency receives from our partners and how that information could be used to evaluate the efficacy of enforcement approaches that may be used during a future public health crisis.

PHAC is committed to seeking out opportunities to maintain and improve the relationships it has developed with police partners through a process of continuous and ongoing engagement and dialogue, education, and training.

**Recommendation 4:**

Prior to April 2020, a person who committed an offence under the *Quarantine Act* could be prosecuted using the procedures set out in the Criminal Code. On April 10, 2020, the Government of Canada introduced the ticketing

procedures established under the *Contraventions Act* as another option to address certain contraventions of the *Quarantine Act*. As noted in our previous report, the issue identified by the Auditor General related to the fact that PHAC used the ticketing regime set out in the *Contraventions Act* and Regulations as its enforcement mechanism of last resort.

The Auditor General noted that, without agreement from Alberta, Saskatchewan, and the territories to accede to the contraventions regime, there is no equivalent alternative enforcement mechanism that could be implemented quickly during the COVID-19 public health emergency. PHAC is assessing additional mechanisms that could be used to enforce the Act more consistently nationally.

Recognizing the limitations of the contraventions regime, and the time-intensive nature of proposing legislative and regulatory amendments, PHAC took several steps during the pandemic to put in place processes and mechanisms to make its enforcement approach more consistent across Canada.

Currently PHAC is in the process of developing a suite of policies to address specific operational needs, such as the consistent application of enforcement tools across all PHAC regulatory programs. A coordinated approach to program requirements and development of these policies will strengthen PHAC's compliance and enforcement and contribute to a mature program with consistent application across Canada.

Identifying and, if appropriate, introducing other enforcement mechanisms will require considerable time and analysis to ensure that PHAC lands on the best approach and may be dependent on legislative and/or regulatory changes. In addition, analysis will be conducted to ensure that the enforcement of non-compliance is done in a fair and unbiased manner for all travellers.

We trust that the Committee finds this useful for their work.

Sincerely,



Heather Jeffrey