



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# **ENFORCEMENT OF COVID-19 QUARANTINE AND TESTING ORDERS**

**Report of the Standing Committee on Public Accounts**

**John Williamson, Chair**

**JUNE 2022  
44th PARLIAMENT, 1st SESSION**

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### **Reports from committees presented to the House of Commons**

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

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# **THE STANDING COMMITTEE ON PUBLIC ACCOUNTS**

has the honour to present its

## **SIXTEENTH REPORT**

Pursuant to its mandate under Standing Order 108(3)(g), the committee has studied Report 15, Enforcement of Quarantine and COVID-19 Testing Orders—Public Health Agency of Canada, of the 2021 Reports of the Auditor General of Canada and has agreed to report the following:





# ENFORCEMENT OF COVID-19 QUARANTINE AND TESTING ORDERS

## KEY FINDINGS OF THE AUDITOR GENERAL OF CANADA

- The Public Health Agency of Canada improved its verification of traveller compliance with mandatory quarantine orders.
- Little follow-up was completed with non-compliant travellers.
- The agency did not have an automated system in place to know whether air travellers quarantined at authorized hotels as required.
- The agency issued only 13 tickets to travellers who failed to comply with the requirement to stay in a designated quarantine facility.<sup>1</sup>

## SUMMARY OF THE COMMITTEE'S RECOMMENDATIONS AND TIMELINES

Recommendation	Recommended Measure	Timeline
Recommendation 1	The Public Health Agency of Canada should provide the House of Commons Standing Committee on Public Accounts with reports on A) improving its automated tracking and data quality so it can better follow up with travellers who are subject to border measures; and B) implementing gender-based analysis plus considerations to mitigate any potential adverse effects of existing and future programs on diverse and vulnerable groups.	30 September 2022 and 31 July 2023

1 Office of the Auditor General of Canada (OAG), [Enforcement of Quarantine and COVID-19 Testing Orders—Public Health Agency of Canada](#), Report 15 of the 2021 Reports of the Auditor General of Canada, At a glance, Our findings.



Recommendation	Recommended Measure	Timeline
Recommendation 2	PHAC should provide the Committee with a report that outlines its comprehensive security considerations, including training and incident reporting, to ensure the safety and security of vulnerable populations during stays at designated quarantine facilities.	30 June 2023
Recommendation 3	PHAC should provide the Committee with progress reports on improving its use of information on the outcomes of its referrals for follow-up to assess whether its enforcement approach is working to limit the importation of the virus that causes COVID-19 and its variants.	30 September 2022, 31 December 2022, and 31 July 2023
Recommendation 4	PHAC should provide the Committee with progress reports on achieving a consistent enforcement approach to border measures nationwide, including exploring other tools that could be used in all Canadian jurisdictions.	30 September 2022, 31 December 2022, and 31 July 2023

## INTRODUCTION

From the start of the COVID-19 pandemic, the Public Health Agency of Canada (PHAC) has “directed the implementation of border restrictions and border control measures—such as testing and quarantine—to help prevent travellers from spreading the virus that causes COVID-19 in Canada.”<sup>2</sup>

On 25 March 2020, initial emergency orders imposing a nationwide mandatory quarantine under the *Quarantine Act* (the Act) came into effect; they required any person who entered Canada to quarantine for 14 days and to monitor themselves for possible COVID-19 symptoms. The orders also allowed for certain exemptions, such as

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2 Ibid., para. 15.1.

for essential workers in the trade, transportation, and health care sectors. As the circumstances of the COVID-19 pandemic and understanding of the virus changed, these orders evolved as well.<sup>3</sup>

In March 2021, the Office of the Auditor General (OAG) released its first performance audit of Canada’s COVID-19 pandemic border measures in which it found several weaknesses in PHAC’s enforcement of mandatory quarantine. Specifically, that report found that “from March to June 2020, shortly after the quarantine orders were first imposed, the agency did not know whether two thirds of incoming travellers complied with them. The agency also referred less than half of the travellers suspected of not complying with the orders to law enforcement for in-person follow-up and knew little about any follow-up actions taken.”<sup>4</sup> Ultimately, PHAC agreed with the OAG’s recommendation to improve its systems and practices so it could better verify whether travellers complied with the quarantine orders.

As the COVID-19 pandemic evolved and the virus and its variants began to spread faster around the world, “Canada imposed additional border control measures to limit their introduction. As of 6 January 2021, incoming air travellers were required to take a COVID-19 test (and obtain a negative result) not more than 72 hours before their scheduled flights to Canada. As of 14 February 2021, the same requirement also applied to travellers entering at the land border.”<sup>5</sup>

Later, from 21 February 2021 onwards, both air and land travellers were required to undergo on-arrival and post-arrival COVID-19 tests. Air travellers also had to pre-book and pre-pay for a three-day stay at a government-authorized hotel, where they were to quarantine while awaiting their on-arrival test results.<sup>6</sup>

These hotels were not contracted by PHAC but were “voluntary participants that had to meet established criteria to receive quarantining air travellers. For example, the hotels had to meet security requirements and report daily check-in and check-out traveller information to the agency.”<sup>7</sup> The government removed this hotel quarantine requirement on 5 July 2021 for fully vaccinated travellers. On 9 August 2021, the hotel quarantine requirement was dropped for all incoming air travellers along “with the requirement for on-arrival and post-arrival COVID-19 tests for fully vaccinated Canadian

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3        Ibid., para. 15.2.

4        Ibid., para. 15.3.

5        Ibid., para. 15.4.

6        Ibid., para. 15.5.

7        Ibid.



citizens and permanent residents. This was further applied to all remaining fully vaccinated travellers on 7 September.”<sup>8</sup>

The Act authorizes Canada to establish designated quarantine facilities for incoming travellers who do not have a suitable quarantine plan. As of June 2021, PHAC “was operating 13 such facilities in 9 cities across the country. Quarantine officers admit and discharge travellers to and from these facilities on the basis of agency guidance.”<sup>9</sup>

From March 2020 to August 2021, PHAC spent \$614 million to administer border measures, including:

- \$65 million for 14-day quarantine orders;
- \$342 million for COVID-19 testing orders;
- \$7 million to operate government-authorized hotels; and
- \$200 million to house incoming travellers at designated quarantine facilities.<sup>10</sup>

In 2021, the OAG released a subsequent performance audit that focused on:

- whether PHAC improved its administration of mandatory quarantine orders to limit the introduction of the virus that causes COVID-19 and the virus variants into Canada from 1 July 2020 to 30 June 2021, the period beginning after the conclusion of the OAG’s previous audit on this topic; and
- how the agency implemented and enforced the following additional border control measures introduced in early 2021, which included COVID-19 testing for travellers entering Canada, and quarantine of air travellers at government-authorized hotels pending the results of their on-arrival COVID-19 tests.<sup>11</sup>

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8        Ibid.

9        Ibid., para. 15.6. For additional information about quarantine procedures, refer to Government of Canada, [COVID-19: Assess your quarantine plan](#).

10       Ibid., para. 15.7.

11       Ibid., para. 15.9.

Table 1 highlights the key parameters of this audit.

**Table 1 – Audit Parameters**

Audited Organization	Public Health Agency of Canada (PHAC)
Roles and Responsibilities (pertaining to this audit)	Under the <a href="#">Quarantine Act</a> , emergency orders may be imposed for quarantine or other measures to limit the introduction or spread of a communicable disease. The agency helps the Minister of Health exercise duties and functions in relation to public health and administers emergency orders imposed under the Act. It may also establish suitable quarantine facilities and instruct quarantine and screening officers designated by the Minister to enforce emergency public health measures.
Audit Period	1 July 2020 to 30 June 2021 (the period to which the audit conclusion applies).

Source: Office of the Auditor General of Canada, [Enforcement of Quarantine and COVID-19 Testing Orders—Public Health Agency of Canada](#), Report 15 of the 2021 Reports of the Auditor General of Canada, About the Audit.

On 5 April 2022, the House of Commons Standing Committee on Public Accounts (the Committee) held a hearing on this audit with the following in attendance:

OAG – Karen Hogan, Auditor General of Canada, and Carol McCalla, Principal.

PHAC – Dr. Harpreet Kochhar, President; Brigitte Diogo, Vice-President, Health Security and Regional Operations Branch; and Jennifer Lutfallah, Assistant Vice-President, Border Measures Operations, Health Security and Regional Operations Branch.<sup>12</sup>

Table 2 provides a glossary of the key terms used in this report.

<sup>12</sup> House of Commons Standing Committee on Public Accounts, House of Commons, *Evidence*, 44th Parliament, 1st Session, 5 April 2022, [Meeting No. 13](#).



**Table 2 - Definitions**

Coronavirus disease (COVID 19)	The disease caused by severe acute respiratory syndrome coronavirus 2 (SARS CoV 2).
Gender-based analysis plus (GBA+)	An analytical process that provides a rigorous method for the assessment of systemic inequalities, as well as a means to assess how diverse groups of women, men, and gender-diverse people may experience policies, programs, and initiatives. The “plus” acknowledges that gender-based analysis goes beyond biological (sex) and socio-cultural (gender) differences and considers many other identity factors, such as race, ethnicity, religion, age, and mental or physical ability.
ArriveCAN	A Government of Canada digital application that requires travellers to provide mandatory travel information upon entry into Canada including vaccination status and quarantine plans (if applicable).

Source: Office of the Auditor General of Canada, [Enforcement of Quarantine and COVID-19 Testing Orders—Public Health Agency of Canada](#), Report 15 of the 2021 Reports of the Auditor General of Canada, pp. 1,9.

## FINDINGS AND RECOMMENDATIONS

### Gaps in verifying COVID-19 test results and tracking hotel stays

Between February to June of 2021, 30% of COVID-19 test results were either missing or could not be matched to incoming travellers. And although PHAC “successfully contacted most travellers with positive COVID-19 tests, it had not contacted 1,156 (14%) of the travellers who tested positive for COVID-19 to assess their isolation plans. In addition, the agency did not have an automated system in place to confirm whether air travellers quarantined as required at government-authorized hotels while awaiting their COVID-19 test results.”<sup>13</sup>

Additionally, the OAG found gaps in the verification of mandatory COVID-19 tests for incoming travellers: 14% of travellers did not complete an on-arrival test and 26% did not complete a post-arrival test. Also, due to “errors or inconsistencies in the collection of traveller contact information, many COVID-19 test results could not be matched to

13 OAG, [Enforcement of Quarantine and COVID-19 Testing Orders—Public Health Agency of Canada](#), Report 15 of the 2021 Reports of the Auditor General of Canada, para. 15.27.

ArriveCAN traveller records. About 80,500 on-arrival test results and 57,200 post-arrival test results could not be matched.”<sup>14</sup>

The OAG also noted limited follow-up with travellers with missing or unmatched COVID-19 test results; for example, “only 38% of travellers with unmatched or missing post-arrival test results were contacted and informed that their quarantine period would be extended until a test was completed.”<sup>15</sup>

Additionally, PHAC had not implemented an automated system to verify whether air travellers quarantined at authorized hotels as required. Although it established a secure portal to receive daily check-in information from the participating quarantine hotels to manually track compliance for each traveller, due to gaps and duplications in the way that PHAC collected such information, from February to June 2021, the agency had records to verify hotel stays for only 25% of air travellers. Moreover, it did not “reliably track whether air travellers who had been notified of positive COVID-19 tests had stayed at a government-authorized hotel as required.”<sup>16</sup>

### **Diversity considerations partially implemented**

PHAC considered a number of diversity factors in its Gender-based Analysis Plus (GBA+) assessment of border measures, including age, language, socio-economic status, and digital literacy. However, the OAG found little rationale for why the agency implemented only some of the recommendations from this analysis but not others. For example, quarantine officers were permitted to exempt minors and certain travellers with medical needs from government-authorized hotel stays. Yet, the recommended examination of incoming traveller data to better understand how different groups were affected by the border measures was not completed, nor had PHAC developed training for quarantine officers to minimize the potential for bias by the end of the audit period.<sup>17</sup>

Consequently, the OAG recommended that PHAC should improve its enforcement of emergency orders imposed to limit the spread of the virus that causes COVID-19 by:

- improving its automated tracking and data quality so it can better follow up with travellers who are subject to border measures; and

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14 Ibid., para. 15.36.

15 Ibid.

16 Ibid., para. 15.39.

17 Ibid., paras. 15.45 and 15.46.



- implementing GBA+ considerations to mitigate any potential adverse effects of existing and future programs on diverse and vulnerable groups.<sup>18</sup>

In response, the agency stated in its Management Response and Action Plan that it agreed with the recommendation and that in November 2021, it initiated an assessment of its information technology (IT) “systems and data requirements for border measures. The results of this assessment will inform a review of current IT systems and broad requirements to improve data and address issues related to the consistency and quality of data used for matching test results to traveller records. [PHAC] will also improve and streamline internal methods for assessing data quality.”<sup>19</sup>

Also in November 2021, “in the context of the ongoing renewal of the emergency orders, the [agency] started to update its GBA+ analysis and to incorporate its results in the implementation of future border measures.”<sup>20</sup>

The action plan also provided the following milestones:

**Outcome/Result 1 (improved automated data tracking)**

30 June 2022 – Integrate Quarantine Case Management System, Quarantine Officer and Compliance and Enforcement Modules, as much as technically feasible.

31 March 2022 – Establish an integrated project team to act on the outcomes of the IT systems and data assessment.

30 September 2022 – Complete assessment of IT systems and data requirements for border measures.

31 December 2022 – Identify requirements for enhancing IT systems.

31 March 2023 – Secure Senior Management support for proposed solution and seek source of funding for system implementation.

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18 Ibid., para. 15.47.

19 Public Health Agency of Canada, [Management Response and Action Plan](#), p. 1.

20 Ibid.

## Outcome/Result 2 (improved GBA+ considerations)

30 June 2022 – A GBA+ lens is considered during the following processes:

- Development of PHAC-led border measures to the extent feasible, given the status of emergency orders under section 58 of the Act in respect of the Cabinet Directive on Regulations; and
- Operationalization of PHAC-led border measures.<sup>21</sup>

At the hearing, in response to a question about the results of quarantine tracking and enforcement in other jurisdictions, Carol McCalla, Principal, explained that the OAG examined comparable systems from the United Kingdom, Australia, New Zealand, Israel, Singapore and Norway and found that they had “greater success in keeping track of their travellers, and that could have been attributed to the travellers having to stay at the hotels longer” (i.e., being subject to a longer quarantine period than was the case in Canada).<sup>22</sup>

Additionally, Dr. Harpreet Kochhar, President, PHAC, explained the following:

The agency is working with testing providers to develop innovative solutions to better reconcile traveller data provided to the Public Health Agency with test result data in the near term, while also developing requirements for an improved end-to-end system to enhance automated tracking and improve overall data quality. For example, to mitigate unmatched test results due to errors or inconsistencies in data submitted by travellers, the Public Health Agency worked closely with CBSA [Canada Border Services Agency] and testing providers to improve the completeness and quality of data fields used for matching.

[...]

We're also looking at how we can improve and streamline methods for assessing data quality internally.<sup>23</sup>

With regard to improving GBA+ considerations, when questioned about the extent to which the OAG analyzed the impact on vulnerable populations and applied GBA+ to the

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21 Ibid., pp. 1-2.

22 House of Commons Standing Committee on Public Accounts, House of Commons, *Evidence*, 44th Parliament, 1st Session, 5 April 2022, [Meeting No. 13](#), 1300.

23 Ibid., 1115.



impact of the quarantine hotels and the enforcement checks, Karen Hogan, Auditor General of Canada, responded as follows:

During our analysis, when we looked at what the Public Health Agency had done for gender-based analysis plus, we saw they had collected information but really not used that information or analyzed it to see whether or not adjustments needed to be made.

One of the other recommendations we saw that came out of their own analysis and hadn't been implemented was the bias training for many officials. As you know, training and awareness are the first key places to start in order to drive a change here. We saw that certain measures hadn't been applied and we weren't sure why.<sup>24</sup>

When questioned about what the agency is currently doing as regards GBA+, Dr. Kochhar explained that it has implemented mitigations to identify disparate impacts of border measures on vulnerable groups and tried, for example, to provide for families and caregivers who are required to stay in designated quarantine facilities, and added the following:

We also did amendments to OICs, orders in council, to create exemptions for several cohorts of potentially vulnerable travellers, including persons living in transborder communities and persons living in remote communities who needed to cross the Canada-U.S. border, as well as those in compassionate circumstances, for example, to be present for the final moments of life of a loved one or to attend a funeral.

On top of it, Mr. Chair, we tried to provide specialized training on gender and diversity considerations to our frontline staff, so that at the border and at the DQFs, the designated quarantine facilities, they were aware. That included training on bias, which was launched last September. We also gave training on security awareness and de-escalation of situations, and we continue to provide that.

With the ongoing renewal of emergency orders in November, we also started to update our GBA+ analysis and to incorporate any results we got from those analyses for our future border measures. We have been very focused on those components, as was mentioned in the recommendation by the OAG, but also on doing our part to make sure we are improving ourselves both internally and in terms of our policies focused on GBA+.<sup>25</sup>

Therefore, the Committee recommends:

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24      *Ibid.*, 1125.

25      *Ibid.*, 1215.

**RECOMMENDATION 1 – on improved program analysis and assessment**

**That the Public Health Agency of Canada provide the House of Commons Standing Committee on Public Accounts with reports on A) improving its automated tracking and data quality so it can better follow up with travellers who are subject to border measures; and B) implementing gender-based analysis plus considerations to mitigate any potential adverse effects of existing and future programs on diverse and vulnerable groups. An interim progress report should be provided by 30 September 2022 and a final report by 31 July 2023.**

The OAG also noted that after “a significant security incident was reported at a designated quarantine facility in February 2021, the agency conducted a security review and identified a plan to address deficiencies. It was implementing this plan for all designated quarantine facilities at the end of our audit period.”<sup>26</sup>

Therefore, the Committee recommends:

**RECOMMENDATION 2 – on improved safety and security measures**

**That, by 30 June 2023, the Public Health Agency of Canada provide the House of Commons Standing Committee on Public Accounts with a report that outlines its comprehensive security considerations to ensure the safety and security of vulnerable populations during stays at designated quarantine facilities, including training and incident reporting.**

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26 OAG, [Enforcement of Quarantine and COVID-19 Testing Orders—Public Health agency of Canada](#), Report 15 of the 2021 Reports of the Auditor General of Canada to the Parliament of Canada, para. 15.44.



### ADDITIONAL FINDING

The OAG found that the move to collect traveller contact information electronically improved PHAC's ability to verify whether incoming travellers followed the 14-day quarantine orders. Furthermore, the agency referred more travellers who were suspected of non-compliance to law enforcement for follow-up action: from July 2020 to June 2021, PHAC referred 79%, up from 40% during the period of its previous audit. Consequently, the OAG made no recommendation in this area.

*Source: Office of the Auditor General of Canada, [Enforcement of Quarantine and COVID-19 Testing Orders—Public Health agency of Canada](#), Report 15 of the 2021 Reports of the Auditor General of Canada to the Parliament of Canada, paras. 15.14 and 15.15.*

### Follow-ups with non-compliant travellers

Although PHAC “increased the number of travellers it referred to law enforcement for suspected non-compliance with quarantine orders, it was unaware of what follow-up actions ensued in 59% of priority referrals.”<sup>27</sup> The OAG also found uneven ticketing for non-compliance across the provinces and territories (i.e., travellers received fines for non-compliance in some jurisdictions but not in others).<sup>28</sup>

In April 2020, PHAC adopted the ticketing regime under the Contraventions Act to enforce travellers' compliance with quarantine orders. In December 2020, it “authorized quarantine officers to issue tickets for non-compliance with border measures at ports of entry and quarantine facilities ranging from \$100 to \$5,000.”<sup>29</sup>

Additionally, the OAG found the following:

- Most tickets for non-compliance were issued to air travellers who arrived at Toronto or Vancouver airports and had refused to book at a government-authorized hotel;
- No tickets were issued in any of the territories or most other provinces including Alberta and Quebec, where two of the four airports accepting international flights were located; and

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27 Ibid., para. 15.48.

28 Ibid.

29 Ibid., para. 15.49.

- Between December 2020 to June 2021, PHAC officials issued 6,203 tickets and had records of another 188 issued by local law enforcement agencies, for a total of 6,391 tickets. However, of these, more than 5,000 (approximately 78%) were issued in Ontario.<sup>30</sup>

Consequently, the OAG recommended that PHAC should “better use information on the outcomes of its referrals for follow-up to assess whether its enforcement approach is working to limit the importation of the virus that causes COVID-19 and its variants. The agency should also improve its capability to achieve a consistent enforcement approach to border measures nationwide, including exploring other tools that could be used in all Canadian jurisdictions.”<sup>31</sup>

In its action plan, the agency stated its agreement with this recommendation and that in November 2021, it “renewed efforts to engage law enforcement partners, with a particular focus on seeking information regarding referral outcomes for priority cases,” which it will use in its risk-based approach to compliance and enforcement.<sup>32</sup>

The action plan also explained that starting in the 2022-2023 fiscal year, additional mechanisms will be assessed to enforce the Act more consistently at a national level. Furthermore, PHAC “will continue to engage with its provincial and territorial counterparts to ensure maximum collaboration in following up with travellers, particularly those who have tested positive or are in quarantine.”<sup>33</sup>

Additionally, the action plan included the following milestones:

**Outcome/Result 1 (improved follow-up)**

31 March 2022 – Law Enforcement Reporting Working Group launched and Terms of Reference developed.

30 June 2022 – Federal/Provincial/Territorial Committee on COVID-19 Compliance and Enforcement established and Terms of Reference developed.

30 September 2022 – Working Group findings reported to main Crime Prevention and Policing Committee (CPPC).

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30 Ibid., para. 15.54.

31 Ibid., para. 12.51.

32 Public Health Agency of Canada, [Management Response and Action Plan](#), p. 3.

33 Ibid.



Start 1 October 2022 – Development of new and improved reporting processes (subject to CPPC agreement).

31 December 2022 – Ensure funding and personnel are in place to implement proposed solution.

### **Outcome/Result 2 (consistent enforcement approach)**

30 June 2022 – Initiate enforcement environmental scan.

31 March 2023 – Complete enforcement environmental scan and identify possible *Quarantine Act* implications.

30 June 2023 – Complete lessons learned review and develop recommendations for permanent national *Quarantine Act* Compliance & Enforcement program, including an assessment on structure, and financial and legislative authorities and impacts.

30 June 2023 – Secure PHAC Senior Management support and approval for proposed approach.<sup>34</sup>

At the hearing, Dr. Kochhar testified that PHAC is renewing its “efforts to engage law enforcement partners and working to identify barriers to reporting as well as some interim and possible long-term solutions that will increase reporting on referral outcomes;” for example, it is “providing an option for police to report if a visit is not completed, so that [PHAC] can assess how many referrals have or have not been actioned, and focusing law enforcement referrals on high and urgent priorities only.”<sup>35</sup>

When questioned about what approaches the agency will take to ensure improved consistency across Canada, especially if some provinces and territories do not agree to the federally imposed system, Dr. Kochhar replied as follows:

[There] are multiple tools in terms of making sure we are able to enforce the law in terms of working with both the local jurisdiction and the law enforcement agencies. Also, as my colleague mentioned, we are exploring other options that we could put in place so that we are better equipped and have more tools.

We are very much in the initial stage of discussion to see what would give us more of an ability to have another tool in our tool box, to make sure that if such a situation were to arise again, we would be able to have a proper enforcement vehicle, whether it is

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34 Ibid., pp. 4-5.

35 House of Commons Standing Committee on Public Accounts, House of Commons, *Evidence*, 44th Parliament, 1st Session, 5 April 2022, [Meeting No. 13](#), 1115.

through the monetary aspects or whether it is working with the provinces and territories. As my colleague said, we are in the initial phase of discussions internally, and we will continue to move forward in terms of discussing this more.<sup>36</sup>

Additionally, Jennifer Lutfallah, Vice-President, Border Measures Operations, Health Security and Regional Operations Branch, PHAC, provided the following:

We're assessing all possible options with respect to enforcement. By way of example, other government departments I have worked for, such as CBSA—and I know Transport Canada does as well—have administrative monetary penalty regimes. That could be used as a potential model going forward.<sup>37</sup>

Therefore, the Committee recommends:

### **RECOMMENDATION 3 – on improved follow-up and assessment**

**That the Public Health Agency of Canada provide the House of Commons Standing Committee on Public Accounts with progress reports on improving its use of information on the outcomes of its referrals for follow-up to assess whether its enforcement approach is working to limit the importation of the virus that causes COVID-19 and its variants. Interim reports should be provided by 30 September 2022 and 31 December 2022, and a final report by 31 July 2023.**

### **RECOMMENDATION 4 – on a consistent enforcement approach**

**That the Public Health Agency of Canada provide the House of Commons Standing Committee on Public Accounts with progress reports on achieving a consistent enforcement approach to border measures nationwide, including exploring other tools that could be used in all Canadian jurisdictions. Interim reports should be provided by 30 September 2022 and 31 December 2022, and a final report by 31 July 2023.**

## **CONCLUSION**

The Committee concludes that PHAC improved its administration of the 14-day quarantine orders since the OAG last examined its performance in this area. However, the agency did not adequately administer additional border control measures to limit the introduction of the virus that causes COVID-19 and its variants into Canada, and it

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36      *Ibid.*, 1205.

37      *Ibid.*



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did not implement an automated tracking system for travellers ordered to quarantine at authorized hotels.

To that end, the Committee has made four recommendations in this report to help the Government of Canada improve the way it protects Canada's borders, especially during a pandemic.

## **APPENDIX A – SUPPLEMENTAL INFORMATION FROM THE PUBLIC HEALTH AGENCY OF CANADA**

In response to a question at the hearing, the Public Health Agency of Canada (PHAC) provided the following information to the Committee in a letter.

The Agency's compliance verification and enforcement program consists of a suite of activities that begin before a traveller leaves for Canada and continues until the traveller has fulfilled all their obligations under the Orders in Council.

Through the outcomes of compliance verification activities, such as calls and in-person visits, PHAC will determine a traveller's level of risk for non-compliance.

### **Compliance verification calls**

Travelers in quarantine receive a live agent call on Day 5 and Day 10. Travellers who do not complete their Day 8 tests are called again on Day 14.

For compliance verification calls, PHAC uses the compliance rating chart below to describe different traveller scenarios and their associated compliance rating:

## PHAC RATING CHART FOR COMPLIANCE VERIFICATION CALLS

COMPLIANCE RATING	DESCRIPTION	COMPLIANCE SUMMARY
LOW	<ul style="list-style-type: none"> <li>• Traveller has a good understanding of isolation/quarantine practices and/or testing requirements; and</li> <li>• Traveller has a cooperative attitude towards obligations</li> </ul>	<b>No indication of non-compliance</b>
LOW - MEDIUM	<ul style="list-style-type: none"> <li>• Traveller has little understanding of isolation/quarantine practices and/or testing requirements; and</li> <li>• Traveller has a cooperative attitude towards obligations</li> <li>•</li> </ul>	<b>No indication of non-compliance</b>
MEDIUM	<ul style="list-style-type: none"> <li>• PHAC is unable to establish contact with the traveller</li> </ul> <p>Examples:</p> <ul style="list-style-type: none"> <li>▪ Traveller had not answered phone calls</li> <li>▪ PHAC does not have a contact number for the traveller</li> <li>▪ Traveller's contact number is not functional in Canada</li> </ul>	<b>Unknown indication of non-compliance</b>
HIGH	<ul style="list-style-type: none"> <li>▪ Traveller has no understanding of isolation/quarantine practices and/or testing requirements; and</li> <li>▪ Traveller does not have a cooperative attitude towards obligations</li> </ul> <p>Examples</p> <ul style="list-style-type: none"> <li>▪ Traveller refuses to answer questions posed by a screening officer</li> <li>▪ Traveller is verbally indicating that they will not maintain quarantine / isolation and/or complete testing</li> <li>▪ Traveller indicates they have left their place of quarantine/isolation and entered a public space: for example, went for groceries, went for a walk, went to school/work, entered any place where they have the potential to encounter other individuals</li> <li>▪ 3rd party answers phone and indicates traveller is not home</li> <li>▪ Traveller indicates he does not want to report symptoms daily</li> <li>▪ Traveller refuses to do testing</li> </ul>	<b>Indication of non-compliance</b>

## Referrals for in-person compliance verification visits

Contracted security guards perform in-person compliance verification visits to travellers identified as a risk to breaching their quarantine requirements.

The primary screening functions used for identifying travellers for an in-person compliance verification visit is failure to adequately answer the compliance verification calls and failure to complete required testing (Day 1 or Day 8 tests).

## Referrals to police of jurisdiction for quarantine compliance & enforcement

PHAC sends a daily list of travellers who are required to quarantine/isolate to the Royal Canadian Mounted Police (RCMP), which is then disseminated to local police for follow-up activities.

Based on a number of factors such as the outcome of compliance verification calls and on-site security contractor visits, each traveller is assigned a priority rating (high, medium, low).

- High priority typically consists of: travelers who are non-compliant following a compliance call or an on-site security contractor visit, travelers who were identified as non-compliant at entry, and other prioritized travelers (such as those returning from a country with a high number of cases related to a variant of concern).
- Medium priority typically consists of: travelers where contact cannot be established, travelers who were rated as medium priority following a compliance promotion call, travelers who are fully vaccinated and tested positive post-arrival;
- Low priority typically consists of: no indication of non-compliance based on compliance promotion call, traveler entered Canada for compassionate reasons.

PHAC also sends **Urgent Verification Requests** (UVRs) to law enforcement when seeking a time-sensitive physical verification check on a traveller. For example, UVRs are used to urgently verify the compliance of travelers who state that they will not quarantine or

who show disregard for the requirements of the *Quarantine Act*, thus posing a risk to public health. Traveller history of non-compliance, behaviour of the traveller and nature of the suspected non-compliance are key factors used to determine whether to request a UVR.

PHAC asks police of jurisdiction to, at a minimum, follow up with all UVRs and high priorities, as resources permit.

## APPENDIX B LIST OF WITNESSES

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The following table lists the witnesses who appeared before the committee at its meetings related to this report. Transcripts of all public meetings related to this report are available on the committee's [webpage for this study](#).

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<b>Organizations and Individuals</b>	<b>Date</b>	<b>Meeting</b>
<b>Office of the Auditor General</b> Karen Hogan, Auditor General of Canada Carol McCalla, Principal	2022/04/05	13
<b>Public Health Agency of Canada</b> Brigitte Diogo, Vice-President, Health Security and Regional Operations Branch Dr. Harpreet S. Kochhar, President Jennifer Lutfallah, Vice President, Border Measures Operations, Health Security and Regional Operations Branch	2022/04/05	13



# REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this Report.

A copy of the relevant *Minutes of Proceedings* ([Meetings Nos. 13 and 21](#)) is tabled.

Respectfully submitted,

John Williamson, M.P.  
Chair

