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Chair: Mr. Ben Carr



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• (1005)

[*Translation*]

The Chair (Mr. Ben Carr (Winnipeg South Centre, Lib.): Good morning, everyone.

As always, it's a pleasure for me to be here.

[*English*]

I call the meeting to order.

This is meeting 115 of the Standing Committee on Procedure and House Affairs.

I will just remind you, colleagues, that we do have new protocols in place in regard to our audio devices. I think we've been through this enough times now that we know the appropriate step is to place the piece on the sticker when it is not in use out of respect for the health and safety of our translators as they do their important work.

Colleagues, I have a couple of housekeeping things before I introduce the topic of conversation for today. We currently have bells planned at about 10:45. We will have to decide at that point in time what we want to do as a committee. We are scheduled to be here for three hours this morning and into the early afternoon. I will be calling a few health breaks, as we have done in the past, to allow witnesses and staff and others the opportunity to move around a little bit.

Colleagues, we are here today to begin our study on a review of the members of the House of Commons workplace harassment and violence prevention policy.

We have a number of familiar faces with us here as witnesses today. I would like to welcome Eric Janse, Clerk of the House of Commons; Michel Bédard, Law Clerk and Parliamentary Counsel; and Carolyn Evangelidis, chief human resources officer. We also have Patrick McDonnell, who is the Sergeant-at-Arms and corporate security officer; as well as Jeffrey LeBlanc, the deputy clerk of procedure.

You will have up to 10 minutes, witnesses, as a group for an opening statement, after which we will proceed to questions from committee members.

Before we begin, I understand that Ms. Romanado wanted to speak to something briefly.

Ms. Romanado, if that's still the case the floor is yours.

Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.): Thank you, Mr. Chair.

I just wanted to make sure of something. I know members received a briefing note—thank you so much—from the analysts that the study we're starting today is on the harassment policy and not on sexual harassment. I just want to make sure it's very clear what the scope of the study is.

Thank you.

The Chair: Analysts, did you want to speak to this, or are we okay?

Colleagues, are we good on that?

Some hon. members: Agreed.

The Chair: Excellent.

With that, Mr. Janse, the floor is yours and the 10-minute opening remark period begins.

[*Translation*]

Mr. Eric Janse (Clerk of the House of Commons): Thank you very much, Mr. Chair.

I would like to thank the committee for inviting us to testify.

I understand that you're interested in knowing about, and in improving, the regimes currently in place for preventing and addressing situations of harassment and violence in the workplace—where members of Parliament, their staff, House administration employees, and members of the public and of other parliamentary institutions work together.

[*English*]

The study of the committee is aimed at ensuring that members of Parliament, employees of members or of the House administration, as well as members of the public who participate in the day-to-day activities of the institution are protected from violence and harassment. This is certainly an objective that we all share as senior House officials, and we trust that our testimony today will assist the committee in its important deliberations.

We will begin by providing a jurisdictional overview of the harassment and violence policies currently in place for employees of the House of Commons administration and of members, along with governing legislation and regulations. We will also overview the code of conduct for members of the House of Commons on sexual harassment. We will outline the roles that the Board of Internal Economy and the the procedure and House affairs committee have played in their development. Thereafter, we will present the members of the House of Commons harassment and violence prevention policy in its current form, as well as the Code of Conduct for Members of the House of Commons: Sexual Harassment.

We will then provide the committee with recent developments and address any questions that members may have.

I will now invite our law clerk to provide a jurisdictional overview.

• (1010)

[*Translation*]

Mr. Michel Bédard (Law Clerk and Parliamentary Counsel, House of Commons): There are various policies and codes that are aimed at preventing and dealing with harassment and violence in the workplace at the House of Commons. The motion adopted by the committee for this study mentions one, namely the Members of the House of Commons Workplace Harassment and Violence Prevention Policy, which was adopted by the Board of Internal Economy, or BOIE.

There is a similar harassment policy adopted by the Clerk of the House of Commons for administration employees, and parliamentary partners are also legally required to adopt such policies. In addition, as members of this committee know, there is the Code of Conduct for Members of the House of Commons: Sexual Harassment Between Members, which comes within the purview of the committee pursuant to the Standing Orders of the House of Commons.

The Members of the House of Commons Workplace Harassment and Violence Prevention Policy, was, as I mentioned, adopted by BOIE under its general authority over administrative matters involving the House and members. The policy is also part of the conditions of employment and supports members in their role as employers of their staff.

In early 2021, the policy applying to members and their staff was replaced by a new, and the current, policy after the Governor in Council adopted the new Workplace Harassment and Violence Prevention Regulations. This came after the Canada Labour Code was reformed to include harassment as a health and safety matter and was made applicable to parliamentary employers, including members of Parliament. The policy was recently reviewed by BOIE, but no substantial changes were made.

[*English*]

As for the Code of Conduct for Members of the House of Commons: Sexual Harassment Between Members, it resulted from a study of this committee following an order of reference from the House instructing the committee to examine policy options for addressing complaints of harassment between members and make recommendations for a code of conduct for the prevention and resolu-

tion of harassment in the workplace. As its title indicates, the code of conduct ultimately recommended to and adopted by the House is limited to sexual harassment.

Following the 2018 review of the code of conduct on sexual harassment, it was contemplated that PROC would undertake a study on non-sexual harassment, but it did not begin such a study before the dissolution of the 42nd Parliament. The code of conduct on sexual harassment constitutes an expression of, and is rooted in, the parliamentary privilege of the House of Commons to discipline its members, similar to the Conflict of Interest Code for Members of the House of Commons. Both codes are appended to the Standing Orders.

Going back to the members of the House of Commons workplace harassment and violence prevention policy, it does not fall, as I said, within the mandate of this committee. That said, it's not the first time that the board and PROC are both interested in the same matter.

For example, in the 42nd Parliament, the issue of maternity and parental leave was studied by the board. However, as it did not have jurisdiction over the subject, the board referred the matter to this committee, which examined the subject and made recommendations to the House that were later adopted as the regulations respecting the non-attendance of members by reason of maternity or care for a newborn or newly adopted child.

Inspired by this example, PROC could, should it determine that changes to the policy are required, write to the board to suggest the desired amendments to the policy. I note that Standing Order 108(3)(a)(i) contemplates such a collaboration between BOIE and PROC, in that PROC can, as part of its mandate, review and report to the Speaker and the board on matters related to the administration of the House of Commons.

To conclude, whether a harassment prevention or resolution proposal comes within the jurisdiction of the board or the House, acting on the recommendation of PROC, will depend on the circumstances. Harassment prevention as a health and safety matter in the workplace will generally come within the purview of the board as an employment matter. In contrast, regulating member-to-member conduct will be a matter for PROC and the House to decide.

I will now invite the CHRO to provide additional context respecting the content of these policies and the code.

• (1015)

Ms. Carolyne Evangelidis (Chief Human Resources Officer, House of Commons): Thank you.

As outlined by the Clerk, I'll begin by providing the committee with a brief overview of the harassment and violence policy creation and development, its current state and the distinctions from the Code of Conduct for Members of the House of Commons: Sexual Harassment Between Members.

[*Translation*]

The Members of the House of Commons Workplace Harassment and Violence Prevention Policy was approved by the Board of Internal Economy, or BOIE, on January 28, 2021, to replace the one approved by the House of Commons on December 9, 2014. The new policy is intended to help members of Parliament meet, as employers, the new legislative requirements of the Canada Labour Code that came into effect on January 1, 2021, and to foster a healthy, respectful, and harassment and violence-free work environment. The policy was recently updated and then approved by BOIE on February 15, 2024.

For your information, in accordance with the policy's requirements, I'll present to BOIE, on May 30, the annual report on the Members of the House of Commons Workplace Harassment and Violence Prevention Policy for the 2023–24 fiscal year.

[*English*]

The harassment and violence prevention policy governs the behaviours of members as employers. However, it does not encompass member-to-member interactions. As mentioned by the law clerk, the House adopted a motion instructing the Standing Committee on Procedure and House Affairs to explore policy options for handling complaints of harassment among members on November 27, 2014.

At that point, a subcommittee of PROC was created to (a) examine policy options for addressing complaints of harassment among members of the House of Commons; (b) propose a code of conduct to prevent and address workplace harassment, with a clear definition of “harassment”; (c) make recommendations concerning a fair, impartial and confidential process, including options for the role of an independent third party for resolving complaints made under the code; and, finally, (d) to make recommendations concerning training and education initiatives to ensure compliance with the code.

On June 9, 2015, the Code of Conduct for Members of the House of Commons: Sexual Harassment was adopted by the House, following a study and report presented at PROC.

[*Translation*]

In 2018, the code of conduct was revised. On May 31, 2018, the Standing Committee on Procedure and House Affairs adopted the revised draft report entitled “Code of Conduct for Members of the House of Commons: Sexual Harassment Between Members”. The revised version of the code was then introduced and adopted in the House of Commons on June 20, 2018.

Improvements include aligning the code of conduct with the Members of the House of Commons Workplace Harassment and Violence Prevention Policy at the time, adopting a limitation period, and implementing an investigation process.

[*English*]

The code currently allows members to confidentially raise concerns of sexual harassment by other members to the chief human resources officer or their whip, and provides a process for mediation and investigation. Following an investigation, a report may be sent to this committee, PROC, for further action, which in turn may bring it to the House's attention if discipline against the member is

contemplated. Any changes to the code would originate through PROC and would ultimately have to be adopted by the House. Currently, there is no regime that addresses harassment of a non-sexual nature among members.

Finally, the House of Commons has a policy on harassment and violence prevention which governs the House of Commons administration. This policy of harassment prevention and resolution in the workplace was first approved by the Clerk of the House on the advice of the Clerk's management group on April 1, 2015.

Following legislative changes to the Canada Labour Code, part II, our current policy was approved on March 24, 2021 by the Clerk of the House of Commons, again on the advice of the Clerk's management group. The legislatively required review of the policy is presently ongoing and will be presented—

• (1020)

The Chair: Ms. Evangelidis, I'm sorry to interrupt. We're a minute over. Can you wrap up, please?

Thank you.

Ms. Carolyne Evangelidis: Yes.

I would conclude our opening remarks by emphasizing that the House administration is dedicated to fostering a safe, healthy and positive workplace.

We're happy to answer any questions you may have.

Thank you.

The Chair: Thank you very much.

Colleagues, we will now begin the first round. As you know, each party will have six minutes.

Mr. Calkins, I believe you're the first up. The floor is yours.

Mr. Blaine Calkins (Red Deer—Lacombe, CPC): Thank you, Chair.

Thank you to the witnesses for always coming to this committee whenever we need to hear from them.

I will let you decide who is best positioned to answer the question after you hear it, based on the nature of the question.

I want to be clear about understanding jurisdiction here.

What is the jurisdiction of the members of the House of Commons workplace harassment and violence prevention policy?

Mr. Eric Janse: The jurisdiction for that is largely members as employers, so it targets largely the employees of members.

Mr. Blaine Calkins: It does not deal with member-to-member interactions, just so we're clear.

Mr. Eric Janse: That's correct.

Mr. Blaine Calkins: Who would have jurisdiction to make a decision about anything that happens between members? Where is that jurisdiction?

Mr. Eric Janse: I'll turn this one over to Michel, but I think that's where there's a bit of a void.

Mr. Michel Bédard: The House will unquestionably have jurisdiction over governing member-to-member conduct and putting in place a regime, as it did for sexual harassment. For such matters, the House will oftentimes act on the recommendation of PROC. Actually, the first order of reference to this committee in 2014 contemplated that the study and the ultimate code would cover all forms of harassment, but ultimately the report only covered sexual harassment.

If BOIE were to put in place a regime that was intended to apply member to member, it could work in a certain way, but BOIE's authority is limited. For example, any disciplinary measures would have to be confirmed by the House if we were talking about a suspension or any other sanction that would require a decision from the House.

Unquestionably, though, this committee has the authority to make a recommendation on member-to-member harassment.

Mr. Blaine Calkins: That's a bit of a challenge, obviously, because the chamber, the House, is designed to be adversarial. Can any of you offer members of this committee any advice on the definition of "adversarial" versus the definition of "harassment"? It's designed to be that way, and members of Parliament do feel uncomfortable. We're made to feel uncomfortable by our constituents. We're made to feel uncomfortable, and we shouldn't feel comfortable in our jobs. This is the nature of our democracy.

In the delineation of feeling uncomfortable because of the duties in the adversarial environment that we're in by design, how do we rationalize feeling uncomfortable because of harassment or feeling uncomfortable because of the political pressure that is placed on us in an adversarial system?

Mr. Eric Janse: It's a very good question, Mr. Calkins, because you're right. The House of Commons is a very unique workplace with a very unique mandate, as you just described. Any definition of the acceptable roles of members in the House, either on the government side or opposition side, versus what falls into the area of harassment is something I anticipate this committee would want to reflect on if it decided to go that route. Any regime, if one were to be put into place, would have to take into account the fact that proceedings in the chamber and in committee are overseen by parliamentary privilege.

Michel, do you want to expand a bit on that?

• (1025)

Mr. Michel Bédard: Yes.

There are some jurisdictions that have adopted codes of conduct that apply to all forms of harassment, but they carve out parliamentary proceedings. For example, the Senate has a policy that applies to conduct between senators, but it does not apply to all actions that take place during parliamentary proceedings. Everything that takes place during parliamentary proceedings will be addressed through the procedural means that are already available, be it a question of privilege or a question of decorum, which are usually enforced by the chair or the Speaker.

The Chair: You have one minute left.

Mr. Blaine Calkins: Thank you, Chair.

My last question, then, is just for clarification. What constitutes the parliamentary area? The House of Commons obviously does, as do committee spaces, our offices and any places in the parliamentary precinct. What about our constituency offices?

Mr. Eric Janse: Normally, in terms of parliamentary proceedings and privilege, it's just the House, the chamber and committees.

Mr. Blaine Calkins: We can attend the chamber from our constituency offices, and we can attend the chamber from our homes. We can attend the chamber from anywhere in Canada as long as we have an adequate Internet connection. This needs to be clarified.

Mr. Michel Bédard: The concept of parliamentary proceedings will exist whether you participate in proceedings through virtual means, through Zoom, with the video conference as authorized by the House. The jurisdictions that have applied harassment to all conduct will have carved out the parliamentary proceedings. I gave the example of the Senate, but there are other examples in Canada that have carved out parliamentary proceedings from the application of their code of conduct or policies when it applies members to members.

Mr. Blaine Calkins: I don't differentiate—

The Chair: Mr. Calkins, we'll have to wrap up right away.

Mr. Blaine Calkins: I'm sorry. Thank you, Mr. Chair.

The Chair: Okay. Thanks very much.

Ms. Romanado, it's over to you for six minutes.

Mrs. Sherry Romanado: Thank you very much, Mr. Chair.

Through you, I'd like to thank the witnesses for being here.

As you mentioned, it was recommended to PROC almost 10 years ago that this be looked at. I don't want to say that I'm delighted we're actually getting to it, because it took us 10 years, but....

I have a list of questions. Mr. Calkins actually got in a few of them, so that's good.

Right now, as you mentioned, the current members of the House of Commons workplace harassment and violence prevention policy does not cover harassment between members. What would be the recourse for a member of Parliament who is undergoing harassment by another member? What would be their recourse at this point?

Ms. Carolyne Evangelidis: Thank you for the question.

As it stands today, we're always encouraging.... We really review it case by case. You are able to come forward and actually speak to us, and it really depends on the situation. We also work very closely with the Sergeant-at-Arms to ensure from a safety perspective. That's our first line of defence: reviewing every case and making sure the environment is safe from a physical safety perspective. Then what we do is, should it be, under the code of conduct, sexual harassment, then we go that route. If it is not, then we actually refer you back with the whip, and—

Mrs. Sherry Romanado: I'm going to cut you off because I have lots of questions. My apologies.

Not dealing with sexual harassment and not physical safety, what I'm talking about is, say, psychological harassment. My home province of Quebec was one of the leaders in bringing forward legislation to prevent workplace psychological harassment.

Right now, there is no recourse really available and, from what I understand, there is no mediation even available to members of Parliament who are undergoing psychological harassment. Is that correct?

Ms. Carolyne Evangelidis: There's always an opportunity for the members HR team to actually provide any type of support. There are external resources. There's coaching available for you. It's just that the recourse is not there, as you mentioned.

Mrs. Sherry Romanado: Okay.

You mentioned that in the event of a situation, a member can go to their whip. Do whips and deputy whips of caucuses receive basic human resources training or harassment prevention training? If not, would you recommend that they do so?

Ms. Carolyne Evangelidis: Yes. Thank you.

Every member of the House of Commons actually does receive the training, and it is available to them, including the whips.

• (1030)

Mrs. Sherry Romanado: Okay.

My colleague mentioned how you would define the workplace of members of Parliament because of the multiple jurisdictions in which we work. Right now, would we fall under the Ontario Occupational Health and Safety Act, or because of the multiple jurisdictions, where would we fall as members of Parliament? We could be at an event. We could be travelling. We could be in our constituencies. We could be here on the Hill. What jurisdiction do we fall under?

Ms. Carolyne Evangelidis: I'm going to refer that to Michel.

Mr. Michel Bédard: As a member of the federal Parliament, your workplace will be governed by the Canada Labour Code, part II. That's the authority.

Now, on travelling, it's possible that there might be some other health and safety regime that will kick in depending on if you have an event in another workplace, but you as an employer and your workplace, the constituency office, are governed by the labour code.

Mrs. Sherry Romanado: Okay.

I have a weird question. It may sound a little weird, but I'm going to give you some context.

In May 2015, the Reform Act amended the Parliament of Canada Act, and it requires that in the first caucus meeting after an election four votes must take place, including a vote on the expulsion of a caucus member. Has a legal opinion been sought to ensure that this is in line with labour laws?

For instance, if a member is undergoing harassment and/or is a victim of harassment, what's to say that, if their caucus has passed the Reform Act to allow caucus members to kick out a member of caucus, essentially with 20% of their caucus.... How could this amplify harassment or actually even prevent a member from coming forward out of fear of reprisal and of being thrown out of caucus?

Mr. Michel Bédard: Indeed, that's a very interesting question.

The Reform Act came into force and was implemented before the labour code was put in place. I will say my preliminary opinion is that they govern different things.

As you know, caucuses have to decide which portion will be applicable to their caucus. It applies to the membership and expulsion of members, and leaders may be subject to a vote by their caucus. I would not qualify the exercise of a power under the Reform Act as a potential act of harassment, as members are exercising their rights under the Parliament of Canada Act. It's the same thing when they are participating in proceedings in the House and voting.

I'm afraid that's all I can offer today, but that is, indeed, a very interesting question.

Mrs. Sherry Romanado: Do I have any more time?

The Chair: Unfortunately not.

The Chair: Okay. *Merci.*

[*Translation*]

Ms. Gaudreau, go ahead for six minutes.

[*English*]

Mrs. Sherry Romanado: Maybe I'll get another round.

Thank you.

[*Translation*]

Ms. Marie-Hélène Gaudreau (Laurentides—Labelle, BQ): Thank you very much, Mr. Chair.

Mr. Janse, I have a feeling that we'll get there. I'm glad we're able to discuss our concerns. The role of a member of Parliament is indeed very broad and there are a lot of grey areas. A lot of sparring matches take place, and I think this is a great opportunity for us to define what is fair and what can hurt. That's where we're at. I hope that we will quickly agree on criteria similar to those of the Senate or the Quebec National Assembly, as I don't think we can set this aside.

I understand that, when it comes to member-to-member relationships, we are in the right place to make recommendations. I was going to ask you what the role of the Board of Internal Economy is in that respect. I'm reassured.

You also talked about procedure. I would like to know what steps need to be taken to draft the report that includes our recommendations and to adopt it in the House quickly.

• (1035)

Mr. Eric Janse: I can understand the desire to do that quickly. On the other hand, everything has to be taken into consideration.

As Ms. Evangelidis mentioned, last time, a subcommittee prepared the Code of Conduct for Members of the House of Commons: Sexual Harassment Between Members. That could be an option. Perhaps the committee would like to strike a subcommittee that could take the time to look at these issues and that we could help, of course. Then the subcommittee would present its work to the committee, which would then table its recommendations in the House.

Mr. Bédard, do you have anything else to add?

Mr. Michel Bédard: The process described by Mr. Janse would apply if the committee were to recommend changes to the code of conduct on sexual harassment, which falls under this committee's mandate. It can, therefore, ultimately present its recommendations on the matter to the House. The last time, it was felt that a subcommittee was a more appropriate forum for this kind of a discussion.

As for the Members of the House of Commons Workplace Harassment and Violence Prevention Policy, it was adopted by the Board of Internal Economy. So it is not up to the Standing Committee on Procedure and House Affairs to change it, as I said earlier.

Should the committee decide that changes to the policy are necessary, it could invite the Board of Internal Economy to review the matter.

Ms. Marie-Hélène Gaudreau: What I understand is that we have to do our job when it comes to member-to-member relationships, but we also have to work in co-operation with the Board of Internal Economy, of course. The harassment prevention policy is very well thought out. We've received training on this as employers. I understood that. What is missing is a part on conduct in member-to-member relationships.

Mr. Michel Bédard: I know that the code of conduct for members of the House of Commons currently applies to sexual harassment. It would be very tempting to say that we will simply remove the words "sexual" and "sex" wherever they appear in the code and that this will solve the problem. However, that would only be the beginning of the work. If there were a political will to make all

forms of harassment subject to the code of conduct, we would have to do that work, but we would also have to look at the other exceptions in parliamentary proceedings, as I mentioned earlier. It's slightly more complex than removing the words "sexual" or "sex" when they appear in the code. Other consequential amendments must also be made.

Ms. Marie-Hélène Gaudreau: What would be a reasonable time frame for a subcommittee to meet with the Board of Internal Economy and make proposals?

Ms. Carolyne Evangelidis: The last time this came before us, I think the committee had about six to 10 meetings before presenting the matter. I would recommend a similar time frame just to make sure that we've done all the necessary studies so that we can come up with the best recommendations for all of Canada, and even internationally.

Ms. Marie-Hélène Gaudreau: Do you have everything you need to make proposals to us, or do you already have work to do upstream?

Ms. Carolyne Evangelidis: We've certainly done some work already, but we could do even more.

Ms. Marie-Hélène Gaudreau: Okay. Thank you.

The Chair: Thank you, Ms. Gaudreau.

[English]

Ms. Mathysen, we will go to you.

I will just note that there may be bells at the tail end of your questions that we have to deal with, but for now, we're in the clear.

I'll turn it over to you for six minutes.

Ms. Lindsay Mathysen (London—Fanshawe, NDP): I'll power through, Mr. Chair. Thank you.

This is all incredibly interesting. One of the reasons I was so interested in ensuring that this study occurred was that I sat as a staffer on that subcommittee. It was all done in camera, so I have to remember what I can and cannot say overall. I'm sure we all appreciate that.

As was noted, we started with a much broader mandate, and because there could not be any sort of agreement whatsoever under that current government and makeup of the committee on what harassment was, we were forced to come up with that much more narrow agreement on sexual harassment. It was truly disappointing for me as a staffer, let alone not knowing where my future would lie as an actual legislator. I think that although it took 10 years, it's really important to get here.

I'm interested to hear your perspectives on the change of culture. It was mentioned that we are a historically adversarial type of workplace, but that doesn't necessarily have to be the case. We have the power to change that. We have the ability to change that. There has to be the desire and political will to change that.

There have been a number of new security programs initiated. Parliamentarians are now offered trial programs through PPS security off precinct. There have been panic buttons for some time. All of these things are being added to our constituency offices, as well. I would like to know observations on the rise of harassment and violence in Canadian politics overall, the deliberations around creating these programs, and what has been the driving force in terms of that increase in incidents.

• (1040)

Mr. Eric Janse: Pat, perhaps I'll quickly start and then hand it off to you.

You're right. There absolutely has been an increase in threats and what have you to members, often anonymous threats through social media or what have you. That's almost a completely separate subject, and Pat can speak to it. In terms of what measures have been taken to date to assist members in addressing that, that is a separate subject from the issue of member-to-member harassment.

I'll let Pat update the committee in terms of what's been done recently and what's up ahead.

Mr. Patrick McDonell (Sergeant-at-Arms and Corporate Security Officer, House of Commons): Yes, I can note that there are state—

The Chair: I'm sorry to interrupt, Mr. McDonell.

The bells have begun.

Colleagues, I'm looking to see if we have unanimous consent to work through the bells, and also if committee members are comfortable voting electronically. That keeps us all here and allows us the opportunity to move forward.

If not, then—

Mr. Michael Cooper (St. Albert—Edmonton, CPC): No, I need to vote in person, but I would be prepared to go to five minutes until the vote.

The Chair: That sounds good, colleagues.

We will restart the clock in a moment and we'll keep an eye out for five minutes before the vote. Members can, of course, choose to vote electronically or in the chamber.

Once we have all members back, if that happens before 10 minutes, great, we'll get going. If not, then at the 10-minute mark, we will begin again.

Mr. McDonell, my apologies for the interruption. It's back to you.

Mr. Patrick McDonell: Yes, there has been a significant increase in harassment of members of Parliament in the last five years. It's mostly online, but also in person and at events. By significant, I mean it's probably to the tune of a 700% to 800% increase.

I'll give you an example on threat behaviours towards MPs. In 2019, we opened approximately eight files on threat behaviours—either a direct or indirect threat—towards an MP. In 2023, there were 530 files opened. That's a significant increase in threats and threat behaviour. It's mostly threatening behaviour towards members of Parliament.

For the harassment of MPs online, it's come to the point where we're bulk filing reports of harassment of MPs online. There's just so much of it. The social media platforms are either not taking our call or taking our call and saying they'll look into it and it ends there.

It's according to their rules if they take the malicious or harassing posts down. It's up to them to take it down. Anyone can report it if the post doesn't meet their rules or regs, but it's up to the social media platform to remove it. We're not having much luck as of late having them remove it.

Ms. Lindsay Mathysen: While that might be a separate question versus member to member, it certainly would have an impact on members. It certainly has an impact on staff.

As an employer, what obligations do we have around that impact?

• (1045)

The Chair: You have one minute remaining.

Ms. Carolyn Evangelidis: Again, it's about providing a health and safety environment. I think that is most important.

If you come to speak to us from an HR perspective, we have resources. We have nurses on site. We actually have a respectful workplace that could support employees, making sure that, from a mental state or perspective, they feel safe.

We have training available. Of course, we're not going to eliminate it, but it's about mitigating the risk for reoccurrence, so that is an obligation that we do have.

Ms. Lindsay Mathysen: I don't know if I can get it in. Maybe I can bank my time, if the chair is so kind.

The Chair: You have about 20 seconds, Ms. Mathysen. I'm happy to roll it over for the next round.

Ms. Lindsay Mathysen: Thank you. I request that, sir.

The Chair: Good. Thank you very much, Ms. Mathysen.

Ms. Ferreri, we will turn the floor over to you for five minutes.

Ms. Michelle Ferreri (Peterborough—Kawartha, CPC): Thank you so much, Chair.

Thank you for having me here. This is my first time at PROC.

This is a very interesting study that I have plenty of personal experience with. I'm sure you've seen my name in the bulk files many times.

My question for you is about online harassment of members or that kind of thing. For you and your team, what do you have in place to support yourself to actually act on this?

Mr. Patrick McDonell: Through you, Mr. Chair, we have an open source intelligence unit that employs a number of different software. Right now, just because of the number of files, we focus mostly on those that are threats or indirect threats.

We reach out to the police force of local jurisdiction and the Royal Canadian Mounted Police protective operations if we feel that there may be criminal intent there.

Ms. Michelle Ferreri: Where I'm going with this is a twofold question.

We know our police are extremely inundated and overwhelmed. They also often don't have the resources to follow up, not just in these instances, but in many domestic violence instances. Many issues are put to the bottom of the queue because there are so many other issues, whether they are overdoses or calls for those kinds of things.

Number one, I'd be curious to have the data—if you want to table it with the committee—on how you've had to change your staffing. Have you had to increase staffing and resources, and what does that cost look like? In what time frame have you seen that jump?

Also, how do you prioritize if your resources are spread as thin as they are in, say, the instances of the police?

Mr. Eric Janse: In terms of police following up, I think what's often frustrating for members and is a genuine concern—maybe more a legal question—is the definition of when harassment becomes a threat and becomes criminal. That's often a fine line. In terms of staffing, very recently the Board of Internal Economy adopted a significant increase in resources to assist the Sergeant-at-Arms and his team, who work closely, of course, with Parliamentary Protective Service, the RCMP and other jurisdictions.

Maybe, Pat, you could give a bit of detail on what that will see us have going forward.

Mr. Patrick McDonell: As the Clerk said, there's been a significant investment in my area in the last month to resource us up, to keep our nose above the waterline and deal with the massive workload we are now facing. We're very confident that we'll be able to handle the workload for the foreseeable future.

In regard to co-operation with the police force of jurisdiction, we deal with 91 police forces. We have agreements with 61 to provide paid duty at members' events and provide security when a member hosts or attends a public event. To date, the RCMP have been excellent at moving quickly on files that may have a criminal intent.

Ms. Michelle Ferreri: What is the timeline that you have as your goal to respond? Do you have one internally where you have received a message and you have a timeline that you've put in place for you to follow up?

• (1050)

Mr. Patrick McDonell: We try to get to our files as quickly as possible. If there's a threat there, we'll get to that file the same day. Often within minutes, we get to the file. Sometimes, with the co-

operation of the police force of jurisdiction and the RCMP, we can act on the file the same day.

I had an example of that in recent memory where the file, the threat, came in against a member of Parliament in the morning, and the person was in custody out in western Canada by bedtime.

Ms. Michelle Ferreri: I can tell you that your team has been amazing when I've had to reach out, so I do commend you for that.

The other major question I think that a lot of people online have is—

The Chair: Ms. Ferreri, you have about 20 seconds.

Ms. Michelle Ferreri: —bots, differentiating between a real person and a bot. What are you doing about that?

Mr. Patrick McDonell: Well, that's my open source intelligence team, and I would have to come back to you with an answer, because that's getting into technical information that I don't quite understand.

The Chair: Thanks very much, Ms. Ferreri.

Next we have Ms. Damoff for five minutes.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Thank you, Chair.

Thank you for the opportunity to sit in on the PROC committee today.

I want to follow up on the line of MP-to-MP harassment. When it was asked about social media, I think, Mr. Janse, that you said that's a separate matter or a separate subject, except my question is: What happens when an MP puts on social media something that directly drives harassment of an MP? They mention another MP specifically in social media, which in turn drives phone calls, emails, social media threats and misogyny.

I've been subject to that repeatedly, so I would argue that it's not a separate subject. I don't know how we deal with that, but I just wonder if you could talk about the impact of MPs' social media on other MPs.

Mr. Eric Janse: Thank you for that clarification, Ms. Damoff, and you're right. When I spoke about social media as separate, I meant members of the public, anonymous people, sending threats and the like, but you're right. Sometimes you have occasions where there are member-to-member exchanges on social media or what you're alluding to, a member does something that causes an impact on another member. It becomes a bit of a jurisdictional issue. For instance, the Speaker has jurisdiction in the chamber between interactions between members but has no jurisdiction over exchanges between members on social media.

Michel, do you want to add to that?

Mr. Michel Bédard: Currently, there are no House instruments that govern this relationship. The code of conduct on sexual harassment is limited to sexual harassment, as its title indicates, and the policy does not apply to member-to-member conduct.

Of course, if what is posted on social media reaches a certain threshold of criminal harassment, it will be subject to the Criminal Code. We haven't had any examples of such a matter.

Ms. Pam Damoff: I'm not talking about the actual MP and criminal harassment. I'm talking about an MP tweeting, for example, misinformation, often targeting another MP. The MP says Pam Damoff just compared every hunter in Canada to the Danforth shooter. What follows from that is the very large gun lobby sending much more than mean tweets, which is what they've called them. These have been threats and absolutely horrific messages to my office—phone calls from across Canada, which impact my staff.

What the MPs tweeted directly resulted in harassment of my staff and me. It's not the MP saying the criminal harassment. He's inciting other people to do so.

Mr. Michel Bédard: Currently, there is no House policy or code of conduct that will address such behaviour.

Ms. Pam Damoff: Do any other jurisdictions have policies with respect to MP-to-MP harassment?

• (1055)

Ms. Carolyne Evangelidis: Yes, there are nine around Canada that do. Internationally, as well, both the U.K. and Australia have MP-to-MP—

Ms. Pam Damoff: Would you be able to share those policies with us?

Ms. Carolyne Evangelidis: Absolutely.

Ms. Pam Damoff: Thank you.

I want to talk a bit about our staff, which Ms. Mathysen brought up.

While there are resources available to them, I often hear people say to me, “Well, you don't have to look at your social media.” The problem is that somebody is looking at it. My office set up a whole subfolder in our inbox called “misogyny”.

In 20 seconds, could you talk about how this is impacting staff?

Ms. Carolyne Evangelidis: Yes. We encourage you to let us know.

As mentioned earlier, there are mental supports for staff and we want to make sure they feel secure themselves. I would encourage it for us. Pat also shares with me whenever there are instances of tweets that could harm the staff.

We're proactively reaching out as well to make sure they're okay.

Ms. Pam Damoff: Thank you.

The Chair: Thanks very much.

[*Translation*]

Ms. Gaudreau, you have the floor for two and a half minutes.

Ms. Marie-Hélène Gaudreau: Here we go. Thank you very much, Mr. Chair.

With everything we are hearing, I think we can conclude that it is important and urgent to have a proposal and to strike a subcommittee to study what exists elsewhere and what has worked well. Then we will be able to take advantage of the catching up that some legislatures have done.

When the Sergeant-at-Arms tells us that online harassment has increased by 700% to 800%, that tells me that efforts must be made at the same rate. However, we understand very well that, here, we are unable to keep up. So let's use this opportunity, for the sake of our democracy and public safety.

When I meet people in my riding, not only do they ask me if I will keep going for a while, but they also want to know how I feel when I am called out. Honestly, when I talk to my 20-year-old children, they tell me that they will never go into politics. I also meet colleagues, elected at other levels of government, who have resigned because they were victims of harassment within their own organization. It's time for a proper review.

We could talk for hours and hours, but constructively, I think we really need to strike a subcommittee, work in collaboration with the Board of Internal Economy, and, starting in September, be able to make proposals and have them adopted by the end of 2024.

Ms. Carolyne Evangelidis: We will take your recommendations into account and we are ready to help you.

Ms. Marie-Hélène Gaudreau: Excellent.

That's all for me, Mr. Chair.

The Chair: Okay. Thank you, Ms. Gaudreau.

[*English*]

Ms. Mathysen, we will roll over your 30 seconds from the previous round, so you're at three minutes.

Ms. Lindsay Mathysen: Thank you, Mr. Chair.

I'm interested in talking more about the parliamentary privilege divide. That is so key, that freedom of speech is so incredibly important in terms of our democracy. It is one of the bases of this place, this institution, but there have been limits placed upon that in previous...with the sexual harassment policy, member to member, so where are the boundaries? Where does parliamentary privilege end? Can you talk about the principles of how we would even decide upon that, the fine lines and your worries about that as well?

Mr. Jeffrey LeBlanc (Deputy Clerk, Procedure, House of Commons): As was alluded to, there are several jurisdictions that have codes to govern member-to-member behaviour, and I think the vast majority of them deliberately and explicitly exclude what goes on in the chamber and in committees. The goal in that, I think, is to protect the privileges of members in their deliberative functions and to ensure that any situations that arise in those forums are dealt with according to the procedures and the rules in those forums. There is a Speaker, who is responsible for ensuring decorum in the chamber; there is a chair, who's responsible for maintaining decorum in a committee; and there are processes by which the House can sanction misconduct, should it occur in those forums.

The vast majority of codes that other legislatures have adopted have deliberately carved that out with, I think, the fear of what... Would members welcome, for example, outside investigation into what goes on during proceedings? I guess that's the question members have to decide on in considering that.

• (1100)

Ms. Lindsay Mathysen: In terms of those boundaries and what those chairs within the House or committee have, do they have the proper tools already to do that job? Do they have the appropriate training to do that job? Is that something we need to work on as well?

Mr. Jeffrey LeBlanc: I think that would be a question for members to decide. There are, I think, certain standards of decorum that are expected and that are attempted to be enforced. Whether members think those standards are sufficiently high, I think, is a question for members to answer. Whether or not the sanctions available to the chairs or to the Speaker are sufficiently high, I think, is also a question members could consider.

Ms. Lindsay Mathysen: Decorum is a pretty general and broad term, so again it comes from an individual's will to abide by those entirely and there would be no other option....

Mr. Jeffrey LeBlanc: I would say that, if members feel that stronger tools, sanctions or different processes are necessary, they would have to incorporate that into the rules, but as multiple Speakers have said in multiple rulings about decorum and language, it's impossible to achieve that, I think, only by enforcement. Members need to have the will to also govern themselves appropriately.

Ms. Lindsay Mathysen: As a workplace—

The Chair: I'm sorry, but that's the end of the time.

Ms. Lindsay Mathysen: That was a really fast three minutes.

The Chair: I'm sorry.

Colleagues, just as a quick note before we go to the next line of questioning here, we're going to hit just right at five minutes. I'm going to suspend at that point. We will go to vote. Once folks are

back, we're going to continue. We will have one more from the Liberal side and then an entire round subsequent to that, and that will bring us to the end of this morning's testimony.

With that, for five minutes, I turn to Ms. Rempel Garner.

Welcome to PROC.

Hon. Michelle Rempel Garner (Calgary Nose Hill, CPC): Thank you, Chair.

Mr. Janse, has the House ever undertaken a legal analysis of what portions of various labour codes, be they provincial or federal, apply to Parliament or to the workplace of parliamentarians?

Mr. Eric Janse: It's a good question, Ms. Rempel Garner. I'm not aware of any, but maybe Michel has some details.

Mr. Michel Bédard: Until changes to the labour code in 2019, which came into force a year or two years later through what was known as Bill C-65, which made applicable amendments to what we call PESRA, the Parliamentary Employment and Staff Relations Act, prior to these amendments the health and safety provisions of the labour code were not applicable to Parliament as a workplace. That said, there were provisions and policies in place at the administration level, but there was no specific legal requirement except the general legal requirements of employers.

Hon. Michelle Rempel Garner: What about provincial labour codes?

Mr. Michel Bédard: Provincial labour codes will not apply to federal entities. They are subject to federal legislation. That's why amendments were made to PESRA and then to the labour code to make it applicable to parliamentary employers. The provincial labour codes are not applicable.

Hon. Michelle Rempel Garner: If someone, a parliamentarian, were to say that they were entitled to a safe workplace here, the federal or provincial labour codes would not apply, in that sense, outside of the amendments that were made in legislation in 2019. Is that correct?

Mr. Michel Bédard: The changes that were made to the legislation in 2019 made applicable part II of the Canada Labour Code almost in its entirety, with some minor adjustments, to Parliament as a workplace and to our parliamentary employers, including members.

Hon. Michelle Rempel Garner: Thank you.

I have made a very purposeful choice in my career to not platform any of the harassment I've received, and I will continue that. I will say, because it's a matter of public record, that I think I was the first case of criminal harassment that was prosecuted on Twitter writ large.

Mr. Janse, your team here has talked about the fact that there are criminal laws regarding harassment. What services does your team offer to link parliamentarians with the appropriate legal services when instances of criminal harassment occur?

• (1105)

Mr. Eric Janse: It's very much a partnership, I would think. Our law clerk office is involved. The Sergeant-at-Arms office is involved. Our IT folks, who are in close contact with some of the cybersecurity institutions, are involved, as are police forces of jurisdiction and the Parliamentary Protective Service. There are a lot of players involved.

Pat, do you want to give a bit more detail?

Mr. Patrick McDonell: In a typical case, we'd be made aware of the complaint. The first contact is the RCMP. The second contact, with the RCMP, is the police force of jurisdiction. We reach out to them. The case is discussed. Often it's obvious that it is a criminal harassment case.

Hon. Michelle Rempel Garner: At this point, though, it would be reactive in terms of your team making MPs aware of what to do in those circumstances. It's reactive right now. Is that correct?

Mr. Patrick McDonell: Yes, ma'am.

Hon. Michelle Rempel Garner: Thank you.

Perhaps that's something the committee could consider as a recommendation.

I remember a time when a colleague of a different party gave a five-minute missive in the House of Commons about the fact that I had blocked them on Twitter. That was after they had sent a lot of junk my way.

Colleagues, with this 45 seconds, since I'm subbing in on this committee, I would just urge you to ensure, if there are recommendations, that they are made on legitimate grounds and not as a way to litigate partisanship. I would hope that whatever recommendations come out of this study, partisanship is removed and scoring partisan points is removed, because this is a really serious issue.

Thank you, Mr. Chair.

The Chair: Thank you very much, Ms. Rempel Garner.

Colleagues, we will now suspend in order to deal with our voting responsibilities. We will come back shortly thereafter.

Thank you.

• (1105)

(Pause)

• (1130)

The Chair: I call the meeting back to order.

We are going to resume our witness testimony.

I'll turn it over to Ms. Romanado, who has five minutes remaining in this round.

Mrs. Sherry Romanado: Thank you very much, Mr. Chair. Through you, I'd like to ask the witnesses a couple of other questions.

We're not talking about privilege here when we're talking about closing the loophole on MP-to-MP harassment. Let me rephrase that. What I'm talking about is not having healthy debate in the chamber. I think we should absolutely have healthy debate in the chamber. I think we should absolutely be questioning policies, and we should absolutely be providing feedback to improve legislation. However, when it comes to civility in the House sometimes and when it comes to personal attacks, when that kind of behaviour then spills out into social media, so a member is refraining from going to the chamber or participating in debate, or is self-regulating what they say out of fear of all of that happening, we're into privilege.

Can you comment on that? The fact is that if we have members not going into the chamber or not participating in debate out of fear of what's going to come out on social media, in their emails or in phone calls to their constituency, we are now prohibiting MPs from participating, and that is a point of privilege.

Mr. Janse, can you elaborate on that a bit?

• (1135)

Mr. Eric Janse: It's a very good question that you raise, Mrs. Romanado.

Again, on issues of decorum and what flows from that in the chamber, there are, as Jeffrey alluded to a bit earlier in response to a similar question, procedures and practices in place to address that. I'm not sure that changing the code would necessarily have a direct impact on that, and again, most jurisdictions carve that out as something to be treated separately.

Obviously, no, you would not want to see members deliberately refraining from attending sittings in the House because of a fear of what could transpire or happen, either in the House or thereafter, because ultimately, that's why they've been elected. They're there to represent constituents in the chamber.

I don't know if Jeffrey wants to add to that.

Mr. Jeffrey LeBlanc: I think we all share the objective that members should be able to come and speak freely and without fear of consequences, and that's what the entire concept of parliamentary privilege is meant to protect.

The question you raised, though, is a tricky one about when members are then subjected to or targeted for harassment because of things they said after the fact. How does one best handle that?

If I understood you correctly, it's not necessarily what they get from other members; it's what they get from the general public, and the types of attacks that are now very easy to make behind one's keyboard in one's basement, which are very often done anonymously without any consequences. How to reduce that risk is an interesting challenge, and I think the platforms themselves have some responsibility in trying to police that.

I'm not sure I understood that correctly, but that's a responsibility they're taking very seriously today.

Mrs. Sherry Romanado: I know all of my colleagues here today have gone through this. In our parliamentary work, whether we're in committee right now....

I'm sure I already have some emails in my inbox based on the questions I'm asking you today, like, "Snowflake," "Can't take the heat," or, "Women can't take it. Don't run for office."

What would you say to people who are considering this profession and see what some people post on social media? They see some of the harassment that MPs go through, whether it's at an event or at the grocery store. I can't buy ice cream at my grocery store because people stop me and ask me questions, and by the time I get to the cash, it's melted—that's actually a good thing.

That being said, when people are thinking about this job.... We have a responsibility to be civil in the House, whether we have decorum or not. We have a responsibility as colleagues. Nowhere in any other workplace would some of the behaviour that we see be acceptable. In any other workplace in Canada, the person would be terminated.

What can you say to people who are considering this profession, given everything that you see us going through?

The Chair: You have about 20 seconds.

Mr. Eric Janse: It's a very good point. I think we all find it tremendously unfortunate, what members and prospective members are subjected to.

I would hope that it would not overly discourage people who have an interest in public service from putting their name forward nonetheless to seek election and make a contribution to Canada and Canada's Parliament.

You're absolutely right. It's a concern for many. Our team, to the best that we can, is there to support and to help.

The Chair: Thank you, Mr. Janse.

The floor is to go to a Conservative member, but I don't have a member.

Ms. Rempel Garner, okay, you have five minutes. The floor is yours.

• (1140)

Hon. Michelle Rempel Garner: Thank you, Chair.

Mr. McDonell, in your conversations with law enforcement, has there ever been any discussion about the need for clarity in law about what constitutes online criminal harassment or perhaps additional tools that law enforcement could use—or that there's a gap

right now—to de-escalate behaviour or to prevent it from escalating?

Mr. Patrick McDonell: Through you, Mr. Chair, I don't recall having a discussion of that nature with law enforcement partners.

Hon. Michelle Rempel Garner: The reason I ask is we're having a conversation now on the broader issue of online harassment. There was an article last week by CBC saying that the RCMP is recommending additional tools for members of Parliament to prevent harassment. My reaction to that was, "Well, if they can't protect me, then how are they protecting everyone else?"

Based on your experience, do you have any suggestions that the committee could recommend to perhaps close some of those gaps? For example, it's very difficult or it's grey to understand when and how law enforcement can find the identity of somebody who is repeatedly—not a one-off, but repeatedly—harassing somebody online in a threatening way that could be deemed as criminal harassment.

Mr. Patrick McDonell: I think lots can be done and should be done in relation to the harassment of members of Parliament, politicians in general and the general public.

When we first started up our open source intelligence unit, we focused on the harassment of members of Parliament. We had great contacts on all the social media platforms and we would ask them to take down posts that were against their own regulations. In the last few years, that's fallen by the wayside. Sometimes they answer the phone and sometimes they don't. Often they don't.

I was speaking earlier, before we came back, about how Twitter used to be our best contact for bringing stuff down from social media. Once the new owner took over, our contacts there were let go. Now there's nobody to contact at that particular social media platform to bring down information.

Hon. Michelle Rempel Garner: When you talk about bringing down information, at that time, did the House have a clearly defined set of guidelines on when they would ask for something to be brought down?

I'm just concerned about.... It sounds like impingement on speech, potentially.

Mr. Patrick McDonell: It was just if the terms and conditions of the social media platform were breached. We would only contact the social media platform with the authorization of the MP. We would not go out on our own.

Anyone can contact the social media platform. A citizen can.

Hon. Michelle Rempel Garner: It seems to me, based on this conversation, that there's a gap between what is clear in law, in terms of what constitutes online criminal harassment, and what tools could be used to either prevent the escalation of that happening when there's a clear pattern of behaviour—I'm not talking about a single mean tweet or something; I mean a clear escalation in harassment—and what is actually being used in practice right now. It seems like a bit of a hodgepodge.

Would that be a correct assessment?

I'm not ascribing motive; it just seems like there's a lack of clarity in law in this regard.

Mr. Patrick McDonnell: I would agree.

Hon. Michelle Rempel Garner: I'll close with the following question.

Since this committee was last seized with this issue, I think there was a purposeful decision taken to not include MP harassment in the changes to the labour code.

Has your shop, Mr. Janse, given any thought to how non-sexual harassment would be defined? I know that this has already been discussed somewhat today, but has any thought been given to that by your team?

Mr. Eric Janse: It's not considerable.

I think you, Carolyne, might have a standard definition that is often used.

• (1145)

Ms. Carolyne Evangelidis: Yes.

In 30 seconds, I would say there is already in the harassment prevention policy a definition that we could definitely be reviewing. However, there's always the Canadian Human Rights Act that we can look back on to make sure we're taking the best of the definition and putting it forward.

The Chair: Thanks very much.

Ms. Shanahan, it's over to you for five minutes.

Mrs. Brenda Shanahan (Châteauguay—Lacolle, Lib.): Thank you very much, Chair.

I'd like to take up that last point, because there seems to be some confusion here among members as to what constitutes harassment.

I refer to the code that already exists for harassment and violence in the workplace, appendix A. I find it very thorough. It is clear that harassment may include but is not limited to “offensive or intimidating comments or jokes”. There's a point about abuse of authority, which doesn't apply here, because this has to do with employers and employees. It goes on to list:

- spreading malicious rumours or gossip about an individual or group;
- cyberbullying (threatening, spreading rumours, or negatively talking to or about someone online or on social media);
- socially excluding or isolating someone;
- persistently criticizing, undermining, belittling, demeaning or ridiculing a person;
- psychological harassment;

I'm picking out the ones that I think are most pertinent to our discussion here today.

- sexist remarks;
- racist remarks;
- homophobic remarks;
- transphobic remarks;
- verbal threats or intimidation;
- making aggressive, threatening or rude gestures.

The first point has to do with management responsibilities, but the second point is very pertinent to our discussion today: harassment is not a disagreement regarding a policy or practice.

I would ask you whether this constitutes a good basis to address this gap in the member-to-member code of conduct, if you will, regarding non-sexual harassment.

Ms. Carolyne Evangelidis: I would say yes, but there's definitely a study to be done in the context of the environment.

Mrs. Brenda Shanahan: Excellent.

I think what we've heard today are examples of how social media, which is a tool for all of us, is being effectively weaponized by members. In some cases, our social media accounts are actually paid for by the House of Commons, so it comes under the purview of our MOB. Salaried staff operate our social media accounts. I appreciate the points Ms. Mathysen made. We can talk about the effects on staff both in dealing with social media and in producing harassment media.

What is governed within the House of Commons by the Speaker and in committee by chairs is one thing. However, once it leaves the House through the vehicle of social media—and this is what is brand new.... This is an area where it behooves us to put a policy in place.

Historically in the House of Commons, we have two sword lengths between the opposing sides. There was a time when physical violence.... God forbid. I hope we never get to that point again. I think we need to talk about putting preventive barriers around the use of social media.

Mr. Bédard, would there be something legislatively that would cover that?

The Chair: There is one minute remaining here.

Mr. Michel Bédard: With respect to the swords, we haven't taken any measurements recently.

Voices: Oh, oh!

Mr. Michel Bédard: You alluded to some definition of harassment and examples. The definitions you alluded to are in the labour code, and these were examples. Regarding the code of conduct, sexual harassment or general harassment, members may want to start from the existing definition of harassment, which is applicable in the federal workplace, and adjust it to the savour of Parliament, because there is a unique component to Parliament as a workplace, the House of Commons.

We mentioned parliamentary proceedings. Also, we need to be mindful of the fact that about half of the chamber is called the opposition. You don't have that in any regular workplace. The main role of the opposition is to oppose, to make sure that the government is accountable. You don't have that in a normal workplace either. Any measures that are to be put in place have to take into consideration the unique nature of the role of government and opposition in our system of government.

• (1150)

The Chair: Unfortunately, Ms. Shanahan, you're out of time.

[*Translation*]

Ms. Gaudreau, you have the floor for two and a half minutes.

Ms. Marie-Hélène Gaudreau: Mr. Chair, I will be quick.

I just wanted to mention that, in 2015, the Quebec National Assembly made no distinction between members and employees, among other things, and everything was going very well. I think we should ask ourselves whether we should be so worried.

It seems to me that prevention is key. However, we have a code of conduct that applies to both 25-year-old and 75-year-old elected officials. For those people, what are the chances that they will experience harassment or uncomfortable situations? For the next generation, we will have to ensure that generational differences are respected and focus on prevention in that regard. What was acceptable 40 years ago may no longer be acceptable today. Something may be acceptable to me, if there is consent or we joke around, but not to people younger than me.

I find that a lot of emphasis is being placed on the member's privilege, for instance. We chose to be here and we have a role to play, as long as we abide by the code of conduct that we have established for ourselves. Personally, I am eager to see it happen, and I would like to be part of the subcommittee that will be in charge of that. As you know, I am not only an entrepreneur, but also a psychosociologist. I would be pleased to work with the Board of Internal Economy and you.

Mr. Chair, do I have any time left?

The Chair: You have 20 seconds left, Ms. Gaudreau.

Ms. Marie-Hélène Gaudreau: Ms. Evangelidis, what do you think?

Ms. Carolyne Evangelidis: We understand your recommendation and we are here to support you, whether as part of a subcommittee or not. It's up to you to tell us how we should proceed going forward. We're definitely here to support you.

[*English*]

The Chair: Thank you.

Madam Mathysen, you have two and a half minutes.

Ms. Lindsay Mathysen: I'll try to be brief. I have two big questions, unfortunately, within two and a half minutes.

There's a concern of mine, as we try to move forward—and maybe this would be for the subcommittee to talk about—about getting the opinions of members of Parliament on how we start to deal with these issues.

Obviously, we want that to be protected. Do you have any advice for this committee on how that could happen in terms of ensuring that even former members, members who are not reoffering and current members can be protected in terms of anonymity if we start to survey them? Is there a mechanism in place that could do that on this issue?

The other question I'll squeeze in is about witnesses. We are seeing witnesses not come forward as much at committee. We are also seeing this clipping culture, these gotcha political moments that are now turning on members of academia or those incredible stakeholders that we rely on so much. What can we do to better protect them? They are protected under privilege, yet when they leave here, their testimony is used against them to a point where they may not return, and that's really quite critical. I'd like your opinions on that.

Mr. Eric Janse: Maybe I'll start, and others can jump in.

In terms of a process of consulting either current or past members, certainly that's one of the tools that's available to any committee in terms of how extensive a consultation it wants to undertake. There might be a need for caucus consultations to see what each caucus has in terms of views.

Your point about witnesses is a good one. Obviously, witnesses and the testimony that they provide are key components to committee proceedings, and any actions that result in a chilling effect and that discourage them from volunteering to come before a committee to provide their advice and their expertise are certainly a preoccupation.

• (1155)

Ms. Lindsay Mathysen: Do those witnesses have any redress if things happen to them in that regard?

Mr. Eric Janse: Not really, no.

Ms. Lindsay Mathysen: Is there no access to parliamentary resources like we have in the same instance?

The Chair: You have just a few seconds, Mr. LeBlanc.

Mr. Jeffrey LeBlanc: Very quickly, we have very recently started to make some supports available to witnesses, especially witnesses who come forward. I don't know if it's necessarily the situation you're describing, but for witnesses who come forward in the context of very difficult studies, very emotional studies, where there's something very traumatic that they come to share, we've been making available to them the same sorts of supports that would be available to members or other members of the House administration. However, it's a relatively limited thing at present.

In terms of retribution, any sort of retribution against a witness for testimony they give could be punished as a breach of privilege. The expectation is that witnesses come here to share information so that Parliament can do its job, and anybody who seeks to silence them or to punish them for that is doing a disservice to Parliament and to the democratic exercise. However, how does that actually occur? What one does in order to ensure that they're protected is challenging.

What we're used to seeing are reprisals from employers—like if you are a whistle-blower and are sanctioned for coming forward—but to then be subject to attacks in the public sphere online is a different order. It's maybe not something we're as familiar with or as well equipped to deal with at the moment.

The Chair: Thank you, Mr. LeBlanc.

We're heading into the final two lines of questioning, which will be about 10 minutes, but I will submit now that it would be useful to the committee for our witnesses to provide written answers to anything that members may feel we didn't get the time to address substantively. We would ask witnesses for their co-operation in that matter.

We will go to Mr. Calkins for five minutes, followed by Ms. Damoff for five minutes, and that will conclude our two-hour panel this morning.

Mr. Calkins, you have five minutes.

Mr. Blaine Calkins: Thank you very much, Mr. Chair.

These fine folks here do work for Parliament, so I'm sure they would make themselves available to come back if it were deemed necessary.

A lot has been said about missing rules or regulations, gaps, etc., but I just want to get a clear state of where we actually are.

Notwithstanding the labour code issues and everything that's been brought up, we already have criminal sanctions for harassment. We have criminal sanctions for hate speech in the Criminal Code. We also have civil law dealing with libel and/or slander, which I'm not sure has been fully tested when it comes to parliamentary privilege. In the context of those provisions being there, we also have a Charter of Rights and Freedoms, which is premised largely upon the Universal Declaration of Human Rights, which gives us freedom of speech and freedom of expression.

At what point do we encroach on parliamentary privilege and on freedom of rights, including freedom of expression, and why aren't the other mechanisms that I talked about, the criminal sanctions and the civil sanctions, enough to govern this space?

Mr. Eric Janse: That's a very good question, and I think it would probably be a focus of a large part of the discussion of either this committee or a subcommittee as to definitions and boundaries. You're right. There's a lot that exists right now, but what I think we're sensing from some of the comments that have been made to date is that this is perhaps not sufficient and that there's maybe something in between that should be codified.

Mr. Blaine Calkins: Perhaps. I'm not saying that.... Is it an enforcement issue? Is it a resource issue? Is it an actual lack of rules or laws issue? I guess that's the nature of my question.

Mr. Michel Bédard: The various instruments you refer to, the Criminal Code, libel and slander, have specific thresholds. Those thresholds that are applicable will not be the same as the one that will apply to harassment. The threshold for harassment in the workplace will be different.

You first will meet the threshold for harassment, then civil liability and then criminal liability. One thing that I will add, too, because you mentioned parliamentary privilege and that it hasn't been tested, is that even the Criminal Code makes explicit provision that the hate speech provision does not apply to words that are spoken in the chamber. It's the same thing for civil legal action taken against a member or witness for what they've said during the proceedings. It will be excluded. It will be dismissed.

• (1200)

Mr. Blaine Calkins: I appreciate that, Michel. I really do. However, if something is spoken in the chamber, something is spoken in a committee, and it is republished on a social media platform, has that been clarified insofar as the tests of privilege and libel and/or slander?

Mr. Michel Bédard: This will depend on the circumstances. You're correct that there's no major ruling addressing the issue. If it's an exhaustive reproduction of parliamentary proceedings, there will be a common law protection that will apply. It will be an absolute protection. If it's only an abstract of the proceedings that are republished, that will depend on the circumstances and the intention of the person who did the replication.

Mr. Blaine Calkins: Would anybody like to weigh in on the public interest that's also at stake in this conversation, about being able to disseminate information that happens during our parliamentary proceedings and whether or not we should be including the public interest in this conversation?

Mr. Michel Bédard: I alluded earlier to the absolute common law protections for the publishing of the entire proceedings of the House, which is based on the public interest. It's the fact that people have a public interest to know what is taking place in Parliament and in committee. It's the same thing for when it's an abstract or partial reproduction. There is an exception that is made in the law that if the person did that reproduction in good faith, there will be a protection afforded. I will say that, yes, there is a general interest for the public to see what its representatives are doing to vote laws and to make sure that the government is accountable.

Mr. Blaine Calkins: Okay.

The Chair: That's about it.

Thank you very much, Mr. Calkins.

Ms. Damoff, we go to you for five minutes.

Ms. Pam Damoff: Thank you, Chair.

I want to talk about physical safety in constituency offices.

Recently, we got a notice from the Sergeant-at-Arms to keep our offices closed. My office is closed all the time now, except by appointment, on recommendation from the Parliamentary Protective Service. There's a sign on the door to that effect.

In particular, we got a notice a few weeks ago about axe the tax demonstrations. That was something the Leader of the Opposition had called for, for the public to go to MPs' offices to demonstrate. Then shortly afterwards, we got a notice that we're to make sure that we're vigilant and to keep the doors locked.

How dangerous is that type of call by politicians to act?

Then it results in us, as MPs, being less accessible and also putting our staff in danger in community offices.

Mr. Patrick McDonell: I was the one, as the Sergeant-at-Arms, who sent that memo out on that particular day to keep the offices locked. It wasn't related to what a political party here published.

The intent to visit MPs' offices, we picked that up from a group who had posted on the Internet that it was their intent to visit the offices of members of Parliament and protest. That's why that was published. Also, we picked up off the open source monitoring the possibility of demonstrating at residences of members of Parliament. Indeed, over the past month, there have been demonstrations at the residences of certain members of Parliament.

Ms. Pam Damoff: Ms. Mathysen talked about the difficulty in getting witnesses. I've experienced that as well.

When we were studying Bill C-21, we also had death threats being given to officials, members of the civil service, non-partisan members of the public service who appeared. The chair of the committee had to warn the Conservative members to tone down the way they were questioning the officials because it was directly impacting their safety.

When Mrs. Shanahan read the definition of harassment, it included cyber-bullying and the spreading of malicious rumours.

Should that not apply to MPs and our behaviour as well?

• (1205)

Mr. Eric Janse: That's a very good question. Again, it's something the committee and a potential subcommittee may want to think long and hard about. It's that line between the genuine need to be as free as possible to express views and play the role of a government member or an opposition member and, to your point, the right to have a healthy work environment for members, their staff and anybody else who sets foot on Parliament Hill.

It's a very difficult question.

Ms. Pam Damoff: I want to talk a little more about staff.

It's becoming more difficult as an MP not only to hire staff but to retain staff because of the abuse they're receiving in offices. There are the phone calls, for example, mostly in the community office, but they also read about what's going on, and they see social media. It's becoming difficult to retain people, understandably, despite services that you offer. They just shouldn't be subjected to that in any way, shape or form.

Do you want to comment on the retention and hiring difficulties that MPs are facing?

The Chair: You have about 30 seconds.

Ms.Carolyn Evangelidis: There's a talent war out there, so it's not limited to MPs, but the environment would definitely contribute more if they were seeing it on social media or in committees. I would encourage you to come back and reach out to us to make sure some preventative measures are put in place for employees to ensure they feel safe both mentally and physically. I would urge you to contact us.

The Chair: Thank you.

Colleagues, that concludes the first panel for today's portion of our study. I would like to thank Mr. LeBlanc, Mr. McDonell, Mr. Bédard, Mr. Janse and Ms. Evangelidis for being with us.

Colleagues, that was a productive, efficient and, most important, respectful first half of our conversation today. It was very informative and will serve as a beautiful catalyst for what's to come.

We're going to suspend for five minutes to set up our next panel. We will resume shortly.

• (1205)

(Pause)

• (1210)

The Chair: Colleagues, I'm going to call this meeting back to order.

For our second panel today, we have with us the honourable Greg Fergus, Speaker of the House of Commons. Welcome to PROC, Mr. Speaker.

Colleagues, as you know, we are here today continuing our conversation on harassment, that we had just undertaken in the past couple of hours. As per the last round of questioning, we will have a first round that comprises six minutes to members of each party. Then we will move on to a second round, which will be slightly reduced in time.

Colleagues, I have just a reminder in terms of the protocols around our audio devices. Out of respect for our translators, their health and safety and the hard work that they undertake on our behalf, please make sure that we are placing, when not in use, our earpieces on the stickers.

I note that Mr. LeBlanc, Mr. Bédard, Mr. Janse and Ms. Evangelidis are still with us, so welcome back.

With that, colleagues, we are going to get right into things.

Mr. Speaker, there are 10 minutes available to you for opening remarks. With that, I turn it over to you.

Hon. Greg Fergus (Speaker of the House of Commons):
Thank you very much, Mr. Chair.

I thank the committee for inviting me to appear today to discuss this important issue of harassment at the House of Commons.

You have already heard from House officials on this complex matter. I understand that they spoke to you in detail about the policies in place in the House of Commons to address issues of workplace harassment relating to employees, as well as harassment issues between members of Parliament.

As committee members know, it has been my objective to improve the atmosphere in the House. Decorum is an issue that has been raised with me not only by members, but also by the general public. How members treat each other in our workplace is, of course, of interest to all of us.

• (1215)

[Translation]

The House of Commons is one of the oldest institutions in our country. The way it conducts its proceedings is even older. The House must find ways to balance these deeply rooted traditions with the expectations of modern workplaces. These measures exist to foster a work environment where everyone feels safe and confident.

As Speaker, I play a key role in the management of the House of Commons, as I am the chair of the Board of Internal Economy, the body responsible for the administrative and financial affairs of the House. I am also responsible for presiding over parliamentary proceedings, and my remarks will focus on this latter area of responsibility.

[English]

The anti-harassment measures, detailed by officials earlier, cover employees who work on Parliament Hill. That includes staff of the House of Commons and staff working for members of Parliament. Employers of these categories of staff are subject in various ways to the provisions of these measures.

However, other than the code of conduct dealing with sexual harassment between members, there are currently no workplace measures in place to address other forms of harassment that might occur between members of Parliament within the context of proceedings in the House and committees. The House is not unique in this regard, as many other assemblies do not apply internal codes of conduct to their proceedings. While there could be instances of harassment that are physical or sexual in connection to the proceedings in Parliament, generally, the likeliest form of harassment in this context would be through the spoken word when members are participating in debate in the chamber or in a committee meeting.

[Translation]

As we know, freedom of speech is one of the most important privileges that members enjoy in carrying out their parliamentary duties, either in the House or in committee.

On April 29, 1977, the Special Committee on the Rights and Immunities of Members presented its first report, which can be found on pages 720 to 729 of the Journals for that day. The report says

that, for members of Parliament, freedom of speech is “a fundamental right without which they would be hampered in the performance of their duties. It permits them to speak in the House without inhibition, to refer to any matter or express any opinion as they see fit, to say what they feel needs to be said in the furtherance of the national interest and the aspirations of their constituents”.

[English]

It affords its members the ability to engage in debate in a robust and frequently pointed fashion. This is an age-old feature of our House, and is the cornerstone of our Westminster-style parliamentary tradition. It ensures that a member has full latitude in pursuing any matter of public interest or of importance to them. As such, this is an immunity that is fundamental to our proceedings. I must emphasize, however, that this does not mean that members have no protections in the chamber or committees from inappropriate comments from other members.

Another ancient principle of our tradition is found in the rights enjoyed by the House as a collectivity, catalogued in *House of Commons Procedure and Practice*, third edition, at pages 119 to 141. Chief among them is “the regulation of its own...affairs”. This refers to the House's exclusive authority to control “its own debates, agenda and proceedings as they relate to its legislative and deliberative functions”.

Related to this is the House's exclusive right to discipline its members. Through these powers, the House has tools to hold any member accountable for any actions that may be viewed as conduct unbecoming and misbehaviour, including in the exercise of their individual right to freedom of speech. The House has exercised these powers in the past to address cases of inappropriate behaviour by a member.

• (1220)

[Translation]

The concerns that have arisen for some time about unparliamentary language in the House, more specifically language of a personal nature used to attack, denigrate or intimidate, are ultimately matters of decorum. One of the things we can do to improve the decorum of our proceedings is to remove those aspects of debate that seek to personalize political criticism.

As we have seen in the past, personal attacks and criticisms often provoke strong reactions. Not only do they cause chaos during our proceedings, but they can actually be perceived by the subject as a form of harassment.

[English]

A carrot and stick may be required. Members' goodwill can be appealed to to voluntarily improve the atmosphere in the House. However, stronger measures may be needed on rare occasions. In this respect, if the power to enforce proper decorum rests in my hands, broader disciplinary tools are properly the purview of the House.

I would suggest that the House be prepared to use its power to discipline in those rare cases where statements may cross the line, bordering or reaching the threshold of serious misconduct. While the House has effective disciplinary tools and a strong commitment from the chair to make improvements to decorum, it cannot be done without the co-operation of all members.

The second point I'd like to address is whether stronger rules are needed to address instances of harassment amongst members. As the committee knows, contained in the Standing Orders of the House of Commons are two appendices. The first is the Conflict of Interest Code for Members of the House of Commons, which deals with obligations of members to avoid conflicts of interest of a pecuniary nature when carrying out their parliamentary functions. The second, the Code of Conduct for Members of the House of Commons: Sexual Harassment Between Members, defines sexual harassment and sets out a dispute resolution mechanism when complaints arise.

[*Translation*]

Neither code contains rules for other forms of harassment between members. Some see this lack of rules as a shortcoming. I would simply remind you that any attempt to expand the scope of these codes of conduct should be done in a way that respects the privileges of the House and its members.

Before I conclude my remarks, I would like to talk to you about another subject, social networks. Members of Parliament are well aware of this subject because, unfortunately, they are often the target of despicable and sometimes criminal comments made about them on various platforms. These comments are conveyed by cowardly individuals through anonymous accounts. Their anonymity makes it very difficult for the security services or the police to investigate.

[*English*]

While never to the same degree, there have been instances of members posting comments regarding fellow members on social media that some would qualify as inappropriate or even harassment. While obviously a serious matter, it is not one that the Speaker has jurisdiction over. It is a long-standing practice that the Speaker does not comment on statements made outside of the chamber.

I am grateful to the committee for their attention to this matter. It is important work, and it is timely.

Those are my thoughts on the issue. I hope my testimony will help the committee in its work in considering this matter.

I very much look forward to the recommendations that this committee might be able to offer the House. I remain at your disposal to further assist the committee as it moves forward on this study.

[*Translation*]

I thank you for your attention, and I look forward to your questions.

The Chair: Thank you very much, Mr. Speaker.

[*English*]

Ms. Rempel Garner, you have the floor for six minutes.

Hon. Michelle Rempel Garner: Thank you, Chair, and thank you, Speaker.

Speaker, you're responsible for overseeing the harassment policy for the House of Commons. Is that correct?

Hon. Greg Fergus: That is correct.

Hon. Michelle Rempel Garner: Would you characterize a physical altercation between members in the chamber as a potential instance of harassment?

• (1225)

Hon. Greg Fergus: To be clear, I should just modify the first. I'm responsible for sexual harassment between members, as it was listed.

If there was a physical altercation, yes, that would be behaviour that would be considered unbecoming.

Hon. Michelle Rempel Garner: Thank you.

On May 18, 2016, the Prime Minister grabbed late Conservative MP Gord Brown by the arm and then elbowed former NDP MP Ruth Ellen Brosseau in the chest. Ms. Brosseau expressed that she had been injured.

In that moment, you're recorded in Hansard as describing Ms. Brosseau's complaint as "reminiscent of a dive in the 2006 World Cup" and that she was exaggerating.

On what basis did you arrive at the finding that Ms. Brosseau was either diving or exaggerating what had happened in the House?

Hon. Greg Fergus: If I recall, my statement on that wasn't in regard to Madam Brosseau's accounting of the incident, but of other folks' accounting of the incident, which was....

Sorry, go ahead.

Hon. Michelle Rempel Garner: Are you saying she experienced it differently than what she had said in the House?

Hon. Greg Fergus: No, I think she experienced it exactly the way she expressed it in the House.

Hon. Michelle Rempel Garner: I'm just curious at how you arrived at that it was "a dive".

Hon. Greg Fergus: I was commenting on how other people were characterizing it, not what Madam Brosseau had said. It was about what other people had described it as being.

Hon. Michelle Rempel Garner: Your exact statement was that it happened "exactly as the Prime Minister had described it". That's your statement and you're now responsible for overseeing the harassment policy.

Given this instance and the numerous instances of partisanship you've been accused of while you've been sitting in your term as Speaker, do you think that opposition MPs would feel safe or empowered to report instances of any sort of harassment, given that this department comes under your supervision?

Hon. Greg Fergus: They could have complete confidence that issues of harassment, if raised, will be given a full treatment under my office.

Hon. Michelle Rempel Garner: I don't think so, Speaker.

Oftentimes women don't report harassment because men in spaces of power, where they have demonstrable past experiences of holding onto that power and protecting those in their circle.... That's where justice isn't served

My concern with your partisanship is mostly to do with this issue. We are discussing a very serious issue here. This is something that impacts all MPs. I am not sure if I reported something to you that you would treat me fairly and that I wouldn't have my issue twisted for partisan gain because of the repeated instances of partisanship. That's why I have lost faith in your speakership.

Given all of this, do you think that the fact that I have to ask this question or make these statements will prevent MPs or staff members from coming forward and from reporting instances of harassment because of your track record in this issue?

Hon. Greg Fergus: I don't believe so.

I believe that members should feel fully confident in my ability to ensure that, to the fullest extent of the rules that have been set forward by the House of Commons, when they bring forward serious issues such as harassment, especially sexual harassment, it would be treated with the utmost seriousness and to the fullest extent possible.

Hon. Michelle Rempel Garner: Yet in the moment, when you had an opportunity as a peer in the House of Commons to give a woman space and hear her argument out, your exact words were, "What happened was exactly as the Prime Minister had described it".

If I came in and I said, "This happened with a Liberal member or a Conservative member," whose side would you take?

Hon. Greg Fergus: I would clearly want to make sure that the process was entirely fair and that your story and your concerns would be raised and pursued to the fullest possible extent.

Hon. Michelle Rempel Garner: How can I have that assurance when you've had—

Hon. Greg Fergus: I'm offering you that—

Hon. Michelle Rempel Garner: —three clear instances of being partisan while in the chair? Forget the fact that you were the Prime Minister's parliamentary secretary.

I'm saying this with deep severity. You have lost my confidence because of this issue. You are in charge of the harassment policy, something that is very serious because it governs the workplace safety of everybody here.

I want to end with this. I don't understand why the NDP, given that this happened with one of their colleagues, is still propping you up. I don't get that.

How could you, in that moment, in showing a judgment of supposed fairness, arrive at this woman's having experienced it differently than the Prime Minister? What basis did you use to make that comment in 2016?

• (1230)

Hon. Greg Fergus: I can tell you that I never questioned Ruth Ellen Brosseau's accounting of the situation.

Hon. Michelle Rempel Garner: You did. You said, "I believe him", not "I believe her", and that is what is wrong with every workplace around the world, yet you demonstrated that in that moment. It's deeply disappointing.

The Chair: Ms. Rempel Garner, I'm sorry to interrupt, but we have about 10 seconds left.

Mr. Speaker, do you want to respond to that?

Hon. Greg Fergus: Very quickly, once again, I never doubted her accounting, and my characterization of it at the time was due to how other members—

Hon. Michelle Rempel Garner: Are you going to gaslight me on that right now?

The Chair: Ms. Rempel Garner, either we have to let the clock run or we have to afford the Speaker the opportunity to respond.

Mr. Speaker, do you want to take the last few seconds, or do you feel satisfied with the response?

Hon. Greg Fergus: I would like to say again, just to make sure that the record stands, that my description of that event was an accounting of what other people had described and not how she had put it.

Hon. Michelle Rempel Garner: "I believe him", I got it.

The Chair: Thank you very much.

Ms. Romanado, the floor is yours for six minutes.

Mrs. Sherry Romanado: Thank you very much, Mr. Chair.

Through you, I'd like to thank the Speaker for being here today.

In the previous panel, we had some excellent testimony with respect to the harassment policy that currently does not apply to harassment between two members of Parliament.

We talked a bit about the difference between having healthy debate in the chamber, bringing forward questions on policy, bringing forward recommendations to improve legislation and sometimes a lack of civility in the House and how that can be used outside of the House.

As you know, in 1977, cameras were allowed into the chamber to allow Canadians to participate in debate and learn more about our democracy, which is incredibly important. I also know that often, when I'm in the chamber, it seems like it's theatre. I remember when I first got here, someone said that to me. Question period is the theatre. It's for the clips that are then put on social media.

You mentioned that any comments made outside of the chamber are not within the purview of the Speaker, but if members of Parliament are taking clips from inside the chamber and putting them on their social media which then generates sometimes unhealthy comments, what would you recommend? Is there anything this committee could recommend to improve civility in the House, understanding that the words we use matter, that there are ramifications sometimes for the words that we use and that some people out there are using that as a way to intimidate members of Parliament? Could you elaborate a bit on that?

Hon. Greg Fergus: Through you, Mr. Chair, thank you for the question.

It's really important, once again, to note that the Speaker, according to the rules and the long-time tradition of this place, does not have a purview over what happens outside of the House, outside of committees.

However, members—and this is the reason I'm presuming that the committee had been struck to take a look at this issue—are free to propose solutions and could perhaps direct members themselves into determining what would be considered behaviour that's unbecoming and could direct the Speaker to observe that, but it has been a tradition that the Speaker doesn't go there for many reasons.

Whatever this committee comes up with would have to be tempered with the long-standing traditions of this House to allow for, as much as possible, a full and free ability to speak to issues. That is fundamental to the roles that we play as members of Parliament, one that should always be looked at and should be minimized with the greatest of care.

Mrs. Sherry Romanado: Thank you.

In terms of decorum in the House, we do have certain Standing Orders that members need to abide by—we can't question the integrity of a member; all members are honourable and so on—but we've noticed that it's getting harder and harder in the chamber for members to respect that. I guess we're in what we call the silly season, where tempers get a little flared in the House and so on.

Do you think we should be making some recommendations in the Standing Orders? For instance, you mentioned that we have the code of conduct for sexual harassment as an appendix to the Standing Orders? We also have the Conflict of Interest Code as an appendix to the Standing Orders, but we do not have harassment between members in the current Standing Orders. We have free from molestation as a standing order, free from questioning the integrity, but we do not have harassment.

Should we be amending the Standing Orders to include harassment amongst members?

• (1235)

Hon. Greg Fergus: That's going to be up to members. I'm assuming that this committee is going to be doing that and proposing a report to all members in the House. It will be up to you to determine if you want to go beyond the sexual harassment rules that we set out and to consider harassment generally, and to do so, of course, tempered by the importance of allowing members to have as full a range as possible of free speech.

Decorum and civility are really important. I think it is possible for us to have pointed and passionate debates, but to do so within the confines that are respectful of the traditions of this place. In fact, what those traditions end up being are traditions that I think any constitutional democracy would consider appropriate, so I think it allows us to continue in that best manner.

I'm really interested in what work this committee will do and in the people and the witnesses you will speak to and the recommendations you will have.

Mrs. Sherry Romanado: On that last point—

The Chair: Be very quick, Ms. Romanado.

Mrs. Sherry Romanado: We can make recommendations, but I believe it's the Board of Internal Economy that would institute any recommendations. I understand the Speaker is on the Board of Internal Economy and chairs it. Normally we table a committee report in the House and ask the government to respond, but because the government is not responsible for this, how would you suggest that we word any recommendations in our report to the House to make sure that we can get the adequate response?

Hon. Greg Fergus: Very simply, you would make recommendations for the code of conduct of members, and then, if adopted by the House or concurred in by the House, the board will act accordingly.

The Chair: Thanks, Ms. Romanado.

Mr. Eric Janse: [*Inaudible—Editor*]

The Chair: Yes, please be very quick, Mr. Janse.

Mr. Eric Janse: It's just a quick clarification.

Again, there are two things. There is the policy that falls under the jurisdiction of the board, and then there is the code, which falls under the jurisdiction of PROC and is then recommended to the House.

If the idea is to change the code, that would fall within the jurisdiction of this committee. It could report it to the House and if the House adopts it, then the appendix to the Standing Orders would thereby be changed. If it's changes to the policy, the process would be for this committee to write a letter with suggestions or recommendations to the board.

The Chair: Thanks very much, Mr. Janse.

[*Translation*]

Ms. Gaudreau, you have the floor for six minutes.

Ms. Marie-Hélène Gaudreau: Thank you very much, Mr. Chair.

Mr. Speaker of the House of Commons, thank you for being here.

This is an important topic we're discussing right now. I think you know me well, since we sat together for a long time on the Standing Committee on Procedure and House Affairs and the Standing Committee on Access to Information, Privacy and Ethics.

I've been here for almost five years. Not only have things not changed in terms of free debate in the House of Commons, but now the climate and the abuses are scaring me. I dare say that, as I have students visiting me almost every week. I have a visit coming up later, and I look forward to an information session with them because I am ashamed of our behaviour. If I were to ask you in secret if you are proud of who we are, I am sure that, like all of us, you would say, "not at all, but this is the game".

How can we respect a relevant and interesting debate, and have the opposition do its job and wait for answers to questions? All of that is the very basis for abuses when it comes to harassment because it continues behind the scenes. We have seen how much control we have over our social networks. We are not there yet. The Sergeant-at-Arms said that there would be between 700 and 800 additional investigations regarding social networks. Are we going 700 to 800 times faster to find solutions? No, we want to keep the tradition.

It's over. Who will be our successors?

From now on, I would like to say that I am proud to be in the House of Commons, but at the end of the day, I could never tell the Bloc Québécois that. In addition, people's behaviour makes no sense. Now that I've said it, it has done me good. I can't wait until the end of the session to recharge my batteries and see where we'll be.

We will submit priorities, perhaps even have a committee and include the notion of member-to-member relationships. However, for the moment, what can we do as a preventive measure to avoid the abuses that are just beginning?

My question is for you, Mr. Speaker. What do you intend to do?

• (1240)

Hon. Greg Fergus: First of all, Ms. Gaudreau, thank you for your candour and for sharing your experience of the House of Commons with groups of school children who come to watch meetings.

Your question is of great concern to me, especially as Speaker of the House of Commons. You are not the only person who is asking yourself these kinds of questions; in my discussions with members from each of the political parties, everyone raises this issue.

It is up to us, as members of Parliament, to make choices, to have passionate and profound discussions, to demand accountability, especially from a government, to receive clear answers and to create an environment where it is really the ideas that are being attacked, not the individual. As a member of the Bloc Québécois, you know perfectly well that, here in Ottawa, ideas are what matters. It's up to all of us to elevate the debate.

There are some ways to do that. I think it helps when there is more interaction between members so that they are not formally locked into their role with each other. They could have meals together, travel together on a committee or a parliamentary association, and get to know each other better. It's not something specific that can be regulated, but it's so very important. It's the glue that holds the political system together.

Ms. Marie-Hélène Gaudreau: Thank you very much.

I can tell you that there is a power that each of us has, but there is also the power to proceed with deliberations. I'll give you a scoop: In the Bloc Québécois, listening, respect and freedom of expression are everywhere. We would never experience what we are experiencing right now in the House of Commons. I am no better than anyone else; I am the chair of our caucus.

So I challenge you to make a 180-degree turn that could also enable us to establish a code of conduct and regulations, which we can then choose to comply with or not. That's all.

• (1245)

The Chair: Thank you very much, Ms. Gaudreau.

[English]

Ms. Mathysen, it's over to you for six minutes.

Ms. Lindsay Mathysen: Thank you, Mr. Chair.

Thank you, Mr. Speaker, for appearing today.

I'll reference a point that Ms. Rempel Garner brought forward with the previous panel. It's important for us to not use this really important study to play partisan games.

I'm glad to see you here within your role as the Speaker of this institution and have you give us advice as you see things from your experience.

I want to get to some of the things that you said, because they concern me. There is this idea that we are all surrounded by those long-standing traditions, which you talked about, and the history. We have an incredible responsibility to uphold them to some degree, but also to represent the people who sent us here, of whom I am so incredibly proud all the time, and make the changes needed to help them make their lives better. Those changes and this institution then have to evolve with the society we represent.

As an institution that is patriarchal and colonial and that has seen some dark times, as our society has, how do we ensure that we are doing both? How do we find that balance?

This conversation about harassment hinges on that, I think. It is about respect. It is about understanding that we are all truly equal.

How do we balance that?

Hon. Greg Fergus: That's a very good question.

We have these important traditions, which long precede even the existence of Canada. They've withstood the test of time, but we always have to continually take a look at how we can modernize these institutions to make them more reflective of how Canadians live and work each day in their own workplaces.

We need to make sure that we always have that balance. It's just not easy. I don't have a quick answer, but I agree it would be very useful.

Ms. Lindsay Mathysen: For me, there's this clean delineation. Do we put forward some rules? Do we put our minds to putting forward written-down rules?

There was this idea that it seemed like we were getting to a point whereby this was almost about peer pressure. We had expectations of other members, and they didn't cross that line.

Is that where we are, in your opinion, within your role?

Hon. Greg Fergus: I think we can do both.

One aspect of it, of course, is that the committee can make recommendations to Parliament about changing the members' code of conduct and set out some guidelines. You don't want a tax code of, "You shall not do this or this in this kind of situation," but maybe some aspirational aspects of what we would want members to live up to. Allow the Board of Internal Economy to then try to operationalize that, and allow for members to pursue that.

The other aspect of it is that there has to be some notion of peer pressure from member to member in terms of how we comport ourselves and how we expect others to comport themselves.

Ms. Lindsay Mathyssen: I think we have an obligation to change this institution to be what it needs to be, what we want it to be. To simply elect all kinds of incredible people from diverse backgrounds and what have you, and to place them in the same old institution and then make them almost a victim of that and those long-standing, potential, dark histories is a problem.

Are there mechanisms? Could we consider what electoral reform would bring to that? Should we consider consensus building in more of an indigenous tradition of how this place operates? How difficult would that be?

Hon. Greg Fergus: That's a really big question, Ms. Mathyssen. I have five seconds. I would say really, really quickly....

Oh, I have a minute. Thank you.

I would say a couple of things.

First, let's not completely turn our backs. This institution has evolved. It has evolved significantly over the last 157 years. Does it always match the times in which we live? No. There is a lag. However, it has evolved, and I think it has evolved for reasons that you pointed out. We're electing more people of.... Electing more women, for example, has made a significant difference to what it is to be a member of Parliament today for London—Fanshawe as opposed to your predecessor and how she might have felt back in the day. There has been change.

What we're trying to do here is take a look at whether we can go further. The challenge, and I think the real objective, for all of us here is this: Can you negotiate yourself into a new sweet spot? Can you propose something that respects the traditions but allows for this modernization that is so necessary? That's a challenge. I don't think there's going to be an easy solution here.

● (1250)

The Chair: Thanks very much, Mr. Speaker.

I'm used to you telling me that time is running out. It's nice to return the favour.

Mr. Jivani, it's over to you for five minutes.

Mr. Jamil Jivani (Durham, CPC): Thank you, Mr. Chair.

Mr. Speaker, your job is to oversee the parliamentary precinct, to be a referee in the House of Commons and to oversee the House of Commons harassment policy.

When performing these duties, would you agree that it's important to remain neutral?

Hon. Greg Fergus: Of course I would agree that it's important to remain impartial. I hope that all the decisions I have pronounced in this place would be judged by any fair-minded person as being decisions that could stand the test of time and that were impartial.

Mr. Jamil Jivani: As part of this, you no longer attend the weekly meetings with Liberal MPs, caucus meetings, for example.

Hon. Greg Fergus: Absolutely.

Mr. Jamil Jivani: With regard to the harassment policy, would you agree with me that it's important for the accuser and the accused to have confidence that they will be treated fairly according to the harassment policy, regardless of what party they are a member of?

Hon. Greg Fergus: I would hope they would feel that the process that was set up is one that allows them to feel free to express themselves and to raise the issue, and allows for it to be properly disputed.

Mr. Jamil Jivani: Today there is an ongoing debate about your partisan actions and whether you should remain as Speaker. There will be a vote later today on that. The story for the fundraising event and the highly partisan language used was that it went out in error and that it was a commonly used template.

Have you been given assurances by the Liberal Party that this is, in fact, the story and that this template was widely used by other MPs?

Hon. Greg Fergus: You will forgive me, Mr. Jivani, but this is a matter that is before the House. It wouldn't be appropriate for me to comment on it right now before the House pronounces on this.

Mr. Jamil Jivani: Okay.

If you haven't been given that assurance, or at least we can't confirm right now that you have been, do you think that MPs who want confidence and trust in the harassment policy should be concerned about the judgment of the Liberal Party in using the office of the Speaker for partisan purposes?

Hon. Greg Fergus: Again, Mr. Jivani, you're putting me in a very uncomfortable situation. I would love to be able to comment on this issue. It just wouldn't be appropriate for me to do so when this matter is before the House.

Mr. Jamil Jivani: Why don't we zoom out then? We can zoom out, to make you a little more comfortable, from what we're talking about in the House today.

Generally speaking, do you have a policy on how to avoid this sort of partisanship from bleeding into your activities as the Speaker of the House?

Hon. Greg Fergus: As was discussed before this committee and as was reported on before this committee back in December, and it was reported to the House at the end of January, there are a whole bunch of recommendations on that front and there are general guidelines that are provided for in the rules of procedure. I believe if you were to take a look at the committee report, you would discover that there was a conclusion that these guidelines were vague, at best.

Mr. Jamil Jivani: I would say it is unfortunate that when we're discussing an important policy like this one, the discussion is marred by your inability to address some of these concerns. I would just recall that following your address to the Ontario Liberal Party convention, which also raised concerns about partisanship, you said it was an error and apologized. Following the most recent partisan intervention, you said it was an error and it won't happen again. Before MPs vote tonight on whether you should remain Speaker, why should we believe you?

• (1255)

Hon. Greg Fergus: It is a long-standing tradition in this House, of course, that when members withdraw or apologize for a comment, the member is taken at his or her word.

Mr. Jamil Jivani: I would like to cede the remainder of my time to my colleague.

[*Translation*]

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

Mr. Luc Berthold (Mégantic—L'Érable, CPC): Thank you, Mr. Chair.

Thank you very much for being here, Mr. Fergus.

I've been listening to you since the beginning of the meeting. You have made many comments about debate, about members' intentions behind their comments, about decorum and about how you view that decorum.

You are at the very heart of another question of privilege concerning your partisanship and your partisan actions in the House of Commons and outside of it. Your actions have made it clear that you have a fairly elastic idea of what partisanship is.

Unfortunately, as you know, you have lost the confidence of the official opposition and the second opposition party to arbitrate the debates. In that sense, you do not have the credibility, in my opinion, to comment on the quality and intentions of members of the House. You yourself have become an issue in the House, which should never be the case for the Speaker.

Why, after all these blunders, do you not accept the verdict of half the members of the House who are asking you to resign?

Hon. Greg Fergus: Once again, Mr. Berthold, as I said to your colleague from Durham, I cannot comment on a matter that is currently before the House.

Mr. Luc Berthold: Why do you not think it is time to resign?

Hon. Greg Fergus: Once again, this is a file and an issue that is before the House.

Mr. Luc Berthold: How you personally perceive the situation isn't before the House.

The Chair: Mr. Berthold, I know you want a few extra minutes, but unfortunately your time is up.

We now go to Ms. Fortier for five minutes.

Hon. Mona Fortier (Ottawa—Vanier, Lib.): Thank you, Mr. Chair.

Mr. Speaker, thank you for being here. I want to come back to the subject of our study today. I think your experience and knowledge can help us delve deeper into the issue before us.

Have you observed conduct in the House that goes beyond the parameters of debate, that verges on harassment or that may constitute harassment? Can you give us any examples? I'd like to give you some time to address those things in your answer.

Hon. Greg Fergus: That's an excellent question, Ms. Fortier.

As a member of Parliament since 2015 and as the Speaker of the House of Commons, I can tell you that I've had occasion to wonder whether certain conduct exceeded the standards of acceptability. I can tell you something: I am always concerned about upholding the traditions of the House and the rules that exist. They are important.

I'm not pointing fingers at anyone in any party, but I do wonder whether the way we behave towards one another as members of Parliament would be considered acceptable in any other workplace. I think the answer is no. Parliament isn't like any other workplace, however. We work in Parliament, a place where we have to engage in a clash of ideas, a place where we have to have pointed and passionate debates. That is exactly what people expect. Is there a way, though, to do those things in a manner that would be acceptable elsewhere?

Hon. Mona Fortier: Since you became the Speaker of the House of Commons, or since you became a member, have you seen other members of the House conduct themselves in a way that could be described as harassment or bordering on harassment?

I'm trying to get a better sense of what's happening in the House.

Hon. Greg Fergus: I can't comment on that specifically, because it's something I have to assess each and every day. As I see it, the issue is whether the debate or conduct truly adheres to the rules in place and is worthy of the House. If not, I have the freedom to say something, as does anyone in the chair. We can choose whether to ask the member to change their behaviour or not.

• (1300)

Hon. Mona Fortier: I will end with this. Do you have other suggestions for the committee, ones you may not have had a chance to examine fully?

I really appreciated the points my Bloc colleague raised about prevention. We can do something about that. The matter of social media is something else to consider. Are there solutions we can put forward?

Hon. Greg Fergus: Unfortunately, the issue of social media falls outside the scope of the Speaker's responsibilities, unless members and the House decide to give the Speaker that power. Otherwise, the Speaker cannot make a judgment on anything that goes on outside the House or its committees.

Coming back to your first question about any suggestions I may have, I'd say that a code of conduct would be much more useful than a document as thick as a phone book listing all the behaviours that aren't acceptable. Coming up with something like that would be too complicated. Setting goals we want to meet may be a better idea than determining what isn't acceptable.

Hon. Mona Fortier: Very good. Thank you.

The Chair: Thank you.

We now go to Ms. Gaudreau for two and a half minutes.

Ms. Marie-Hélène Gaudreau: Thank you, Mr. Chair.

Mr. Speaker, with all the debates and discussions we've had, I would actually like to know, if possible, what we can take away from today's meeting. Is there potential for the committee to examine harassment among members? From the Speaker's standpoint, how have those proceedings informed hopes and ideas for change in the House of Commons?

Hon. Greg Fergus: At this point, I think we have all the pieces we need to solve the puzzle. It comes down to self-discipline, something each and every one of us has to exercise. You raised that, as did Ms. Mathysen.

I think our code needs modernizing, and we certainly have a responsibility as part of that process. We don't want to throw out the baby with the bathwater. We need to make sure that we don't completely flout the traditions of this place, which have stood the test of time for good reason. I think we can do both. Our first draft may not be the best, but we can make adjustments.

Ms. Marie-Hélène Gaudreau: That's it for my turn.

Thank you, Mr. Speaker and Mr. Chair.

The Chair: You have 40 seconds remaining. Would you like the time or not?

Ms. Marie-Hélène Gaudreau: I'm fine, Mr. Chair.

The Chair: Okay. Very good.

[*English*]

Ms. Mathysen, you are the beneficiary of an extra 30 seconds, so it's three minutes to you.

Ms. Lindsay Mathysen: That's music to my ears.

Just to build off of that, where we were going before, often and thankfully the government uses a GBA+ lens to look at budgets. Within this institution, has that ever been done for Parliament, for that code of conduct, for Standing Orders, for the things that govern us and each other?

Hon. Greg Fergus: That's a very good question.

I'm the new kid on the block, so I'm going to ask the Clerk or perhaps Ms. Evangelidis if we could respond to this question.

Mr. Eric Janse: Certainly not for the Standing Orders and the like. I don't know if we do in terms of some of the policies that are developed.

Ms. Carolyne Evangelidis: No, we don't. There is a best practice, of course, from a policy perspective. Usually it's to review things within three to five years, I would say.

That is something you might want to consider as you move forward. The current code was reviewed in 2018, and has not yet—

• (1305)

Ms. Lindsay Mathysen: Mr. Speaker, you're responsible for all of the workers who serve this institution. Have they voiced any concerns to you about the impact of what we are seeing in the chamber and in committee in terms of the violence and the harassment, etc., against the workers who serve this institution with such incredible pride? Is there a mechanism to deal with that?

Hon. Greg Fergus: I've been very fortunate in the time I've been in the chair to be able to make an effort to meet all of our 2,600 employees, chat with them and take time to learn more about their jobs and how they think we can improve. We have regular processes, and I'm very pleased that the House has also set up formal processes for us to do that.

Mr. Chair, I hope I'm not going too much over the time, but I've heard that the employees here love to work here. They're proud to work here. I've heard concerns they've expressed about the nature of the debate. I don't know if they can define exactly what's going on, but I think everybody feels it might be going a bit too far sometimes.

Ms. Lindsay Mathysen: Thank you.

The Chair: Thank you very much.

That concludes our last panel for today.

Mr. Speaker, thank you very much for availing yourself to the committee today on this important study.

Again, thank you to the other witnesses who joined us.

Colleagues, we're going to suspend for one minute, and then we will go right into committee business to deal with a few other matters. We're going to try to get through that quickly so folks can prepare for question period.

We're suspended for about a minute.

• (1305)

(Pause)

• (1305)

The Chair: Colleagues, we are back. Could I ask everyone to take their seats, please.

I see you, Mr. Cooper. Please give me one second.

Colleagues, I received a letter a few days ago, as did you, from more than four members of two parties requesting an emergency meeting, which means that the committee must, according to the Standing Orders, grant permission for that meeting.

My understanding is there have been productive negotiations between the parties with the intent of addressing the nature of that emergency meeting.

Our collective hope is that we will be able to work through the substance of why that meeting was called in the next few minutes. If we can't, colleagues, rest assured that Standing Order 106(4), which refers to an emergency meeting, will be honoured, and we will come back later this afternoon to continue should we not get there. However, the goal of this exercise right now is to try to save us all from having to come back later this afternoon while still satisfying the nature of the emergency meeting.

With that, Mr. Cooper, I recognize that you would like the floor, so I pass it to you.

• (1310)

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

I will move the motion that has been put on notice. I'm going to read it into the record, and then I will make some brief remarks. The motion is as follows:

That further to the Globe and Mail report of May 23, 2024, which revealed that the Liberal cabinet is withholding an undisclosed number of documents requested by the commissioner of the Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions, and that nearly 10% of documents provided to the commission by the cabinet contain redactions, and in relation to its study of foreign election interference, the committee:

(a) Pursuant to Standing Order 108(3)(c)(iv), report to the House that, in its opinion, the cabinet should provide to the commissioner of the Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions all documents requested by the commissioner, without redaction;

(b) invite the following witnesses to appear:

i. the Honourable Dominic LeBlanc, Minister of Public Safety, Democratic Institutions and Intergovernmental Affairs, for two hours;

ii. the appropriate representative(s) from the Privy Council Office, for one hour;

iii. the appropriate representative(s) from the Foreign Interference Commission, for one hour;

iv. Dan Stanton, former manager at the Canadian Security and Intelligence Service, for one hour; and,

(c) after considering this witness testimony, report its findings on this matter to the House.

That is the motion that has been put on the table.

Mr. Chair, the cover-up continues. After the Prime Minister got caught turning a blind eye to Beijing's interference in our elections for months, he fought tooth and nail against holding a public inquiry. He went so far as to appoint a long-standing family friend as a fake rapporteur, to produce a whitewash report to shield him from accountability for failing to act on multiple briefings from CSIS and the Communications Security Establishment about Beijing's interference, including in the 2019 and 2021 elections, because such interference benefited the Liberal Party, and the Prime Minister was prepared to turn a blind eye to it. He did turn a blind eye to it and covered it up until he got caught and then appointed Mr. Johnston.

When the findings of the Prime Minister's fake rapporteur did not hold up to scrutiny, the Prime Minister finally, after months of calls from Conservatives, succumbed and established a national inquiry, and Madam Justice Hogue was appointed as the commissioner of that inquiry. At the time of the appointment of Madam Justice Hogue, Minister LeBlanc reassured us that the government would co-operate with the inquiry. Minister LeBlanc was quoted as saying, "Justice Hogue will have full access to all relevant cabinet documents, as well as all other information she deems relevant for the purposes of her inquiry."

Mr. Chair, that has turned out not to be true. Minister LeBlanc said that the government would fully co-operate and that they would turn over all relevant documents to Madam Justice Hogue, but we now find out that this hasn't happened. In a report on May 23, 2024 in the Globe and Mail with the headline, "Trudeau cabinet withholding documents on foreign interference from inquiry," a spokesperson for the Prime Minister's department, PCO, acknowledges that 10% of cabinet documents turned over to the commissioner have been redacted and that there are a further undisclosed number of cabinet documents that have not been turned over at all.

• (1315)

It is evident these are documents that Madam Justice Hogue has requested. It's evident, based upon the footnote in her first report in which there is mention of ongoing discussions about documents which Madam Justice Hogue has requested that the Prime Minister's department has not turned them over.

Madam Justice Hogue is to fulfill her mandate. It is important that she receive all of the documents that she has requested. I will remind members of the committee through you, Mr. Chair, that part of the mandate of Madam Justice Hogue is to look at what the Prime Minister and the cabinet knew, when they learned of it and the action or inaction that they took respecting Beijing's interference in our democracy.

In order to scrutinize, evaluate and report on that, as is the mandate of Madam Justice Hogue, it is important for her to know what information the cabinet had, not parts of the information but all of the information, and what decisions stemmed from the information that was before the Prime Minister and the cabinet, information that is being withheld from Madam Justice Hogue.

In short, contrary to what has turned out to be the false reassurance of Minister LeBlanc that the government would co-operate with the commission, what we have is a continuation of the cover-up, of withholding documents to obstruct the work of Commissioner Hogue.

This is completely unacceptable, and it is why we have brought forward the 106(4) letter and have put forward this motion to get to the bottom of this obstruction. It is imperative that we hear from Minister LeBlanc, that we hear from the Prime Minister's department and that we hear from the representative from the inquiry itself, because it is important that the obstruction end and that all documents relevant that are requested by Madam Justice Hogue are, in fact, turned over to her.

I hope that this committee can reach agreement in moving forward so that we can commence such hearings.

The Chair: Thanks very much, Mr. Cooper.

We will begin debate on the motion that you have moved, if there are speakers, and there are.

Go ahead, Ms. Romanado.

Mrs. Sherry Romanado: Thank you very much, Mr. Chair.

I had a conversation with Mr. Cooper, and I thank him for bringing forward the motion.

We have an amendment. I will read it:

That the motion be amended by replacing all the words after the words "the committee" with the following:

(a) invite the following witnesses to appear:

i. the Honourable Dominic LeBlanc, Minister of Public Safety, Democratic Institutions and Intergovernmental Affairs with Nathalie Drouin Deputy Clerk of the Privy Council and National Security and Intelligence Advisor to the Prime Minister, for one hour;

ii. the appropriate representative(s) from the Privy Council Office, for one hour;

(b) after considering this witness testimony, report its findings on this matter to the House and pursuant to Standing Order 109, the Committee request a government response.

I will send that to the clerk right now so that he can forward it along to committee members.

The rationale behind that is obviously with respect to the appropriate representative from the Foreign Interference Commission. The commission is sitting right now and is ongoing, and I don't think it's appropriate for the person to come to testify.

Obviously, we would like to have the government's response to this, so that's why we're including that as well.

With respect to (a), obviously, I can't agree with that, but I'm amenable to some feedback from colleagues on that. You should be receiving that momentarily, and I hope that we can get somewhere so that we can settle this today and start that study.

Thank you.

● (1320)

The Chair: Mr. Calkins, it's over to you, and then Ms. Mathysen.

Mr. Blaine Calkins: I'm not surprised, but I'm disappointed that a well-thought-out, well-articulated and well-crafted motion by my colleague Mr. Cooper could not simply be accepted by the committee, because on the face of it, it looks completely reasonable and the arguments made by Mr. Cooper, I think, are valid.

The notion was made by so many members around this committee that we couldn't trust the parliamentary law clerk to go through unredacted documents and make a determination as to what documents could be received by this committee when we were studying the foreign interference matter, both in the context of the privilege motion for Mr. Chong and, writ large, the foreign interference election study that was happening at that time.

Here we are again. The notion would have been and the argument was made that this committee and this place are too partisan, so we need a public inquiry, even though that public inquiry was initially rejected ad nauseam until it became so obvious, through

whistle-blowers, that this needed to happen. The argument was made that we can't trust the parliamentary law clerk and this committee, that we can't trust anybody but a commissioner, in this case, Justice Hogue. She has, to my knowledge, every security clearance that she needs to see all of these documents, yet this government still doesn't trust the madam justice they have actually selected, which we agreed to, to lead this commission.

One can only be left with the inescapable conclusion that the government has something to hide. They don't trust the parliamentary law clerk, who has, in my opinion, far greater experience in dealing with what parliamentarians can or can't see or what the public should or shouldn't see. However, now this has been offshored to the commission, and the same blocking of this information is evident by the proposed amendment to my colleague's motion.

I don't know why my colleagues presume to know whether or not representatives from the Foreign Interference Commission shouldn't come here. We're not compelling them to come here; we're simply saying they should be invited. I imagine that somebody from the commission, Madam Hogue or her representative, would be mature enough to decide whether or not it's in the commission's interest to come to the committee on this particular issue, but we're not even going to grant Madam Hogue or her representative that opportunity, based on the amendment by the Liberals in this case. We believe that Mr. Stanton has valuable insights to provide to this committee about what information the commission needs in order to fulfill the second mandate of the terms of reference that Madam Hogue has, which is to issue a final report by the end of this year.

Time is of the essence on this particular issue because this House will be adjourning for summer in a matter of weeks. These are four witnesses. That's a couple of committee meetings at most, committee meetings that our chair has aptly shown us he's able to get extra time and resources for, with all of the other workload we have.

I think we should reject the amendment by Ms. Romanado and proceed with the motion in its original form put forward by Mr. Cooper. There is nothing unreasonable about that motion, and we now find ourselves in this debate again.

The Chair: Colleagues, I'm seeing there are some discussions, which I'm led to believe are productive and may get us to our ultimate objective. I'm going to suspend very briefly so that these conversations can take place more seamlessly. I hope that when we come back, we'll at least have some direction as to whether we're going to vote on the matter or whether we're going to have to move into the afternoon.

We're suspended for a very brief moment.

● (1320)

(Pause)

● (1330)

The Chair: Colleagues, here's where we are. The time has really run out for us to be able to negotiate the proposed amendment any further. We have not satisfied the spirit of the emergency meeting that has been called.

What I'm going to do is I'm going to adjourn.

An hon. member: Suspend, and then you don't have to put everything down on the table.

The Chair: I understood there was a different direction from the clerk. Give me one second.

Colleagues, just for clarity, there are some logistics on the back end of the committee that make it a little bit more complicated if we suspend.

I want to reassure committee members that if we adjourn, which we are going to do in a moment, we will still have the emergency meeting, the 106(4). We have the resources allocated for that meeting later this afternoon.

On that note, we are expecting a series of votes this afternoon. We do have assurances that we still have the resources, even if those votes run long, because the chances of us coming at 3:30 to meet to honour the 106(4) are very unlikely, given those votes. Once the votes are complete, whether that's at 5:30 or whether that's at four o'clock—maybe they'll be applied, who knows—at that point, we will return here, and we will pick up where we left off, and Ms. Mathysen will be first on that speaking list. It would

be for us to resume debate on the amendment that has been put forward to Mr. Cooper's motion by Ms. Romanado.

Are there questions, colleagues? I realize that was a lot. I want to make sure everyone is very confident in the fact that the emergency meeting is being honoured. The resources are there. In a worst-case scenario, should we not have the ability to deal with the 106(4) this afternoon, for whatever reason, I have also secured resources for tomorrow.

I know that's not what we want, Madam Gaudreau, but we do have to honour the standing order that it's a maximum of five days. All I'm saying is that, heaven forbid, if something happens, tomorrow is available for resources to honour our responsibility to hold the 106(4) meeting.

● (1335)

Colleagues, I'm going to adjourn, and we are going to meet at the earliest possibility after question period and after votes today.

The meeting is adjourned.

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