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# Standing Committee on Justice and Human Rights

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Chair: Ms. Lena Metlege Diab





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• (1105)

[English]

**The Chair (Ms. Lena Metlege Diab (Halifax West, Lib.)):** I call the meeting to order.

Welcome to meeting 121 of the House of Commons Standing Committee on Justice and Human Rights.

The committee is meeting in public to begin its study of Bill C-270, an act to amend the Criminal Code regarding pornographic material.

We are here in public to resume debate on the motion that was put before us last time by MP James Maloney, requesting an extension of 30 sitting days to report Bill C-270 to the House.

I would simply ask that each member please wait to be acknowledged by the chair before intervening. The clerk will assist me in keeping a list of speakers.

We are resuming debate on the motion:

That the committee request an extension of 30 sitting days to the period of committee consideration for Bill C-270.

As you know, the expiry date will be the Tuesday after we return from Remembrance Day. We need to get this extension in order to be able to study this bill in committee. Thank you very much for that.

We have a speaking order. We will resume debate, and we will ask MP Kurek to please begin.

**Mr. Damien Kurek (Battle River—Crowfoot, CPC):** Thank you very much, Madam Chair.

It's always good to be back at the justice committee. I know the important work that this committee does.

Without ceding my time, I'm wondering if you could share what the speaking list is, so that we have a bit of an idea, and then I'll look forward to being able to make my intervention. I want to make sure that everybody is on the same page.

**The Chair:** We have MP Kurek, MP Maloney, MP Bittle, MP Van Popta, MP Jivani and MP Brock.

**Mr. Damien Kurek:** Thank you very much.

The issues that this committee is studying are important. In particular, I've taken the opportunity since Bill C-270 was introduced in the House of Commons...and with some of the context surrounding it, especially making sure that the Canadians who are facing these incredibly vulnerable situations are protected. There is nothing

more devastating to someone and their ability to live a full life than when explicit material, often without consent—or even if it was obtained through consent but is used in a manner that is entirely inappropriate. That destroys people's lives. I know there are, of course, some headline-grabbing incidents that we can all point to, and I know that it's not uncommon that those headlines garner needed attention to this important issue.

Before getting into that, I would note that we are entering a space where, because of the advancements in technology... I've worked with a number of my colleagues who are very in touch with this. Bill C-270, of course, is dealing with the specifics around material that has been created and distributed without consent, but the whole idea of deepfakes is something that is a growing concern.

With all of us around this table being elected officials, I would imagine we've attended election forums where we've had the chance to discuss at length important issues that our constituents bring forward. I think back to the last couple of elections that I've had the opportunity to run in, but I further think back to the many hours I spent volunteering as a politico in rural Alberta and the various other places where I've had the opportunity to be involved across Canada. With cellphones and cameras everywhere, one assumes that everything now is being recorded. That's just the assumption, or at least that's the attitude I've expected. What is interesting is that in the world in which we live today, it is not simply a camera recording something that speaks to something that happened. With artificial intelligence and some of the technology, and of course animation, including very, very good animation.... I know that occasionally you'll see reports of something that could be video games, and I know there are probably members...because I know that Canada has a booming video game industry, which allows for an augmented reality-type circumstance.

We're entering a space where this confronts us as elected officials on a daily basis when it comes to the politics of the nation. Something could be attributed to you that you did not say but nonetheless is attributed to you. Somebody who may have a political agenda against you could have a video made that could look very realistic. In fact, it's something that I know my team, when these things happen...whether it's me or any other political figure who has something that is known as a deepfake, you report it to Facebook or Twitter or Instagram, whatever the case is.

I think that where there's the intersection with what we're talking about here is that this type of technology really has an impact when a photo can be taken of an explicit nature, which may or may not have been obtained without consent, but certainly, as we've heard, it was not taken for the purposes of distribution. With technological application, there is incredible damage that can be done to somebody's reputation with things that may or may not have actually happened, especially when it comes to individuals who could be in a vulnerable situation, where there are incredible emotions involved and there's quite often shame. We've heard about some of those tragic things.

• (1110)

My encouragement, through you, Madam Chair, to the committee.... This is a space that is evolving very quickly. As we look into some of the specifics surrounding Bill C-270, we have to be aware that the environment about which we are having these discussions is changing dramatically, and there are further risks.

There are tools, I have no doubt, within the justice system. I'm thinking of my colleague Ms. Rempel Garner, who has done a lot of work on this, acknowledging that this cross-section, so to speak, of this tech and people who are in a vulnerable situation can be absolutely destructive to someone's life. It's the importance of having frameworks. What is at this point, I think, in the conversation very much.... This isn't simply because I'm a Conservative and there's a Liberal government, but I think that one thing that quite often is the case is that government, especially in areas regarding criminal matters, is often playing a game of catch-up. We've seen this throughout history, so it's not new, but the pace of the understanding of things like criminal prosecution in relation to how technology is advancing at a breakneck speed...and then you add AI on top of that. What's interesting is the conversation around AI. Of course, you can use ChatGPT. You'll hear news stories about that use and how universities deal with it. There are all of these things that happen, but I think that it's not well understood that the advancement of some of these technologies is not just the advancement of the technology itself but the pace that these technologies allow for advancement. I think that's something that needs to be very much kept in mind.

The circumstance of vulnerable individuals facing content, quite often explicit, that's being shared is the devastating consequence of that and the speed at which it can be distributed. It can be devastating.

We hear the instances that make headlines. I know that many of those involved in this conversation could point to those headline-type instances where somebody's content was shared without consent. They made headlines. Sometimes the content was stolen. I know that, regarding actors and movie stars, you will see a headline that something was stolen from their phone because of a hacker or whatever the case may be. That's one thing, but for every headline, there are untold numbers of individuals who don't have a massive public following, don't have the ability to call a reporter at The New York Times and don't have a legal team to try to deal with these instances. I would encourage the committee, especially surrounding the devastating consequences that can result from this, to be looking out for the proverbial little guy. The team of lawyers, the ability to bring legal action and injunctions against a social media

company or an individual is one thing, but when it is somebody who.... Maybe it was because of a domestic challenge, an abusive relationship or something that could have been released because of a simple password hack. There's a whole spectrum to what that could have looked like. It's not just the big instances here.

• (1115)

I know that when it comes to some of the circumstances that are faced here, they touch at some incredibly vulnerable moments for these individuals, and there's the embarrassment that often comes along with that. I know there are instances where people are afraid to bring it up. They just want it to go away. They're hoping it goes away, or they don't want to make a bigger fuss about it.

Over the course of caring about this and making sure that these vulnerable Canadians in particular are protected, you hear some heart-wrenching instances. There is the process by which they are trying to deal with this embarrassing situation, which affects their livelihood because of a job, or it damages relationships. A whole myriad of consequences could come out of it as a result. We are now in a situation where the processes that exist are not designed to help the victims. In some cases, they add further challenges to the vulnerability that these individuals, who are already in vulnerable circumstances, are facing.

As a result, it speaks to the need to ensure that we stop Internet sexual exploitation. There are numerous cases where we have seen specific examples of what this could look like, but we need to do more than just nail down a specific example. It's about making sure there are consequences for these actions.

I would like to share a couple of quotes that I think are incredibly relevant to the conversation. Then I'll get into some of the environment that led us to this point where it seems that some of these bad actors are able to continue working with impunity.

A survivor of a 2014 cloud hack, an actress involved in media, said about this particular bill, "I support [the act]. Canada's Parliament needs to urgently implement [the act] which would save many lives. Everyone deserves basic human rights, dignity and a life without online exploitation." This individual has the real lived and life experience of facing her content being distributed without her consent. The consequences of that are life-altering. Those of us in public life, we're used to being in the public eye, but for an individual, whether it's an actress or a college student who just got out of a relationship, whatever the case is, there has to be that understanding of the devastating impact that Internet sexual exploitation can have on someone's life.

I have to acknowledge that there are many instances where there are individuals who feel utterly hopeless. As a result, tragically, they have either tried to take or, in some cases, have taken their own lives. Again, it's the devastating consequences of that and the loss of an innocent life because their password was compromised. Maybe they shared an image with somebody, and that was then shared because somebody thought it was funny. It speaks to how there has to be accountability and the whole idea of ensuring that consent is ascertained. Let me talk a little bit about why that is so important.

• (1120)

My work on the ethics committee talks a lot about that consent, about releasing information and about what that looks like. Especially with regard to this online world, I would suggest that there's been a radical shift in the attitudes and how this has been understood over time. However, what I think is clear.... Certainly, when it comes to material that people may or may not like that exists, it is important that the concept of consent is very, very clearly articulated. The reason for that is that, when it comes to consent, somebody can consent, whether it's explicit material or otherwise, and to have that consent ascertained and have a process by which it is lawfully done then empowers that individual.

I know, from my time at the ethics committee when dealing with social media in particular, about the idea of the right to be forgotten. It's a fascinating discussion. It relates directly to these conversations, where we have this intersection. The old adage is that—and I would suggest that it is accurate—once it's on the Net, it never goes away. You can't get rid of it, and some individuals within politics know that very well. However, I would suggest that the idea of the right to be forgotten, what happens with your information, what that looks like in terms of your ability to press “Delete”, and what that means....

Members around this table might be interested to learn that the Library of Congress in the United States sponsors what is called the Wayback Machine. If you ever have a chance, just google the Wayback Machine and go to a website. For example, you could pick a Canadian news website—say, CTV News. What is interesting is that you put that news URL into the Wayback Machine, and you can go back through the number of times that particular website has been archived. You can look back throughout the entire history of that URL's having existed and the content that was on that particular website as it was archived.

Now, in some cases—and I'm sure I don't know the number of times that [ctvnews.ca](http://ctvnews.ca) would be visited—it triggers that sort of thing for these types of larger websites. Of course, there are a lot of political happenings in the United States this week, so it might be an interesting thing for anybody who would look back. You could go back to the 2000 election, the 2004 election, the 2008 election. These URLs that are common, you know.... I mentioned CTV News. You could do CNN. You could do Fox News. You could do MSNBC or whatever the case is. You could look back and see that on that day, that's what that website looked like. It's fascinating, because unlike with a book, where you have.... In particular, the Library of Congress has this protocol so that when a book is published, you send the book to the Library of Congress, although I don't think it keeps every single book that is sent to it. However, unlike a book, there's this preservation of data. The flip side of that—and the reason it is so relevant to the discussion we're having here today—is that when something is put on the Internet, it is very, very difficult to get rid of.

When it comes to archiving world events, I think nobody would suggest that there isn't a place to ensure that it can be accurately maintained, to ensure that when a public figure speaks.... All of us in this place, when we speak in the House of Commons, we deal with this very, very specifically in terms of what we all affectionately refer to as Hansard. For those of us who reference a name or a

date or something.... I know that there's a whole host of conversations taking place in the House related to SDTC and the Liberals' green slush fund. That is permanently preserved. The neat thing about Hansard, and part of its value for democracy, is that when something is said in the House of Commons, it is there forever. It can be referred to for time immemorial, and there's value to that.

• (1125)

At the same time, we have to ensure that when a bad actor takes information, takes explicit material obtained or distributed without consent, there are clear parameters and an understanding to ensure that we have what I would suggest needs to be attention. You have this permanence that exists on the Internet. It has to be matched with an understanding that there are consequences when somebody is not willing to respect...or is trying to harm, in many cases. I know that it was absolutely shocking when it came to some of the conversations around Bill C-270 and the SISE Act. There's a whole industry on revenge porn. I look at that and wonder how sick it is that this is in fact the case. To ensure that there is a very clear mechanism.... I know the act speaks very specifically both about the production of pornographic material and what that means for explicit...for just defining what that is without one's consent, and then, of course, the distribution of that material. It's important to have those clear parameters. In particular, quite often although not exclusively, it is women, specifically vulnerable women, who face the biggest consequences in relation to these sorts of things. It's not just me saying that. The statistics show that women are disproportionately affected by this.

We need to ensure that there are consequences for the individuals who would attempt to abuse and take advantage of...for whatever reason, whether it's money, power, leverage, whatever the case is, to ensure that there is a clear consequence and an understanding of what the consequences are when it comes to the unauthorized, non-consensual distribution of material that could have devastating consequences.

We are debating the specifics of a motion that would extend debate on this. I mentioned one, and I will read, in a moment, some more quotes that speak to why it's important that this gets reported back, that this gets done.

Conservatives have been very clear that we want a carbon tax election, but to be able to pass Bill C-270.... The fact that it was voted for unanimously in the House of Commons is, I think, a good example of how, in the midst of what is a very political environment, there are those moments when you can say, “Okay, we're doing what's best here.”

If we extend this, however, by 30 days, with it not being reported back on what the original deadline is, it reduces the ability for...and certainly reduces the likelihood that this would become law. The consequences of that relate back to what I've been talking about in terms of making sure that vulnerable Canadians who may be put in these circumstances are ultimately protected. That includes ensuring that those who are disproportionately affected, like women who are in vulnerable situations...that there are clear consequences for this sort of thing. We have to keep that in mind as we discuss these issues.

I would, Madam Chair, like to share as well a quote from the National Council of Women of Canada:

● (1130)

The National Council of Women of Canada...welcomes the proposed Bill "Stopping Internet Sexual Exploitation Act" that calls for amendments to the Criminal Code to protect those whose rights are brutally ignored. Content, acquired and shared without consent, is unacceptable in a just society.

Madam Chair, I think this touches on a few things that I'd like to expand on just very briefly, if I could. The Criminal Code is meant to ensure what's often referred to in philosophy as a social contract. You give up something in order to ensure that something is protected, and that is the case here. As Canadians, we understand that the Criminal Code is that guiding principle that Parliament, in particular, has brought forward and the history of that.

In fact, it was John Sparrow Thompson—who was, I believe, Canada's fourth Prime Minister—when he was justice minister under Sir John A. Macdonald.... He was a Catholic from the Maritimes, and at the time, that was actually a big deal. At that point in time, there was some controversy surrounding that. I know that seems hard to imagine, but certainly back in the late 1800s, there was some controversy around that. In his work as justice minister in the Macdonald government, he brought forward what we now know as the Criminal Code of Canada. Although it's been updated and the language obviously has changed over the last century and a half, there is this understanding that for someone's God-given rights to be protected, there has to be this backstop. There is a threshold that is crossed by criminality. There are obvious answers here. We all believe that murder and things like homicide are wrong.

However, the modern Criminal Code.... I forget. I don't have a copy of the handbook Criminal Code with me here today. I know it's hard to believe. Maybe my colleague from the NDP does. It has hundreds of pages and the outline for what that means for civil society to be able to function in a way that ensures that rights are protected.

As the National Council of Women of Canada has outlined, it's these individuals whose rights have been brutally ignored. I think that speaks to why Bill C-270 and getting it passed quickly is so important. In the case we're talking about, you have Internet sexual exploitation, the non-consensual creation, taking or sharing of explicit content. You have an example where there is an actor—not in the film sense of the word, but someone taking an action that has devastating consequences for another individual. The fact is, we have the opportunity, as Parliament, to be able to very clearly broadcast that clear consequences will exist and that there is a framework if somebody undertakes these actions. Then there is the protection that this would ensure for those who are facing the consequences of these illegal actions. There's that clarity.

Further, the accountability.... I just want to mention very briefly again, Madam Chair, the need to ensure that there are consequences for the corporate actors involved as well. I know that we're talking a lot about those who take and distribute the content, but it's to ensure that there is a clear consequence for the corporate actors involved.

Canada has played host to some of the worst corporate actors, I would suggest, in modern history when it comes to Internet sexual

exploitation. I don't want to give them credibility, so I won't mention some of those companies, but it is astounding to see some of the ways that these companies have put Canadians, and also people around the world, at risk because of the ways in which these companies conduct themselves.

● (1135)

I know my colleague from Kamloops was successful in seeing a bill brought forward that changes the name from "child pornography" to "child sexual abuse and exploitation material". I think that's a simple signal to say, "Look, when it comes to this egregious stuff that exists, it is not something that can happen within civil society." I believe, just a number of months ago, that bill actually received royal assent. That's a good step and an acknowledgement that Canada is drawing a line here to say what is right and what is wrong.

When it comes to explicit material being created and shared without consent, we have before us the opportunity to, again, share that defining line to say, "Look, as a country, we are saying this is wrong" and send a signal to corporate actors as well, which, in some cases, make billions of dollars off sexual abuse material. It is astounding.

I don't have it in front of me, but I believe it was The New York Times that did an overview of how this Canadian company was responsible through not doing its job. It was a company that provided explicit material online. That was the objective of the company, but it was not doing its job to ensure that the consent of those who were featured on its website had been obtained. Reading through this investigative report, it is absolutely horrifying to see the measures that were undertaken to, in some cases, bully or threaten, whether through financial means or whether through trying to use addiction. Even when, on occasion, consent was obtained, it certainly wasn't done in a way that would stand up in a court of law.

Again, we have before us the opportunity, through Bill C-270, to draw a line here to say that we have an expectation that there will be criminal consequences for individuals and, in the larger sense, corporate actors who are guilty of doing these absolutely egregious things.

Further, the National Center on Sexual Exploitation had this to say, which speaks very well, I think, to what I've just attempted to outline:

The pornography industry systemically fails to verify age or consent — leading to horrific trauma for survivors of sex trafficking, child sexual abuse, and non-consensually shared/recorded intimate images as their sexual exploitation is viewed around the world. It is time for a paradigm shift, and for survivors to be heard. This bill is an important step in that direction.

As I've outlined, corporate actors here are not exempt from this. There has to be that understanding.

That's where we come back to the idea of consent and what that looks like. You download an app on your phone or a program on your computer, and before you're able to use it, there's a long legal explanation. I think most of us have gotten pretty used to that long thing. What do most of us do? We scroll to the bottom and press "Okay". Sometimes there's a checkbox.

● (1140)

Now, I am not a trained lawyer. There are trained lawyers at the table here. I share with classes that there are only three job requirements to be a politician: You have to be 18; you have to be a Canadian; and you have to get more votes. That leads to a hodgepodge of individuals, some of whom are lawyers. I'm sitting at the table with lawyers. While I've spent a lot of time looking at the law, I am a lawmaker, not a lawyer.

To ensure that we have this understanding that the law is meant to.... There have to be protections that exist. When it comes to the idea of consent and what that looks like, it looks different in different contexts. Obviously, when it comes to the examples we have that led to where we are with Bill C-270, we need to make sure as a society that we have the understanding that it's about more than just scrolling to the bottom and pressing "Okay". It's about more than just having a contract given to somebody and expecting their John Henry at the bottom. There has to be a full understanding of what that looks like.

Again, to share some of the overall perspective of what was heard from some of the reporting.... I believe it was in the 42nd Parliament when there was a motion whereby Parliament condemned—I don't have the motion in front of me—violent pornographic material and the consequences it had on Canada, specifically for women and girls and vulnerable communities. A devastating side of this is that we've seen how some of these corporate actors have simply failed to do their basic due diligence.

This is where the law in the Criminal Code.... I mentioned earlier John Sparrow David Thompson, who wrote the Criminal Code 140-some years ago. There's a lot that's changed in that period of time. The telephone didn't exist and newspapers were still made by putting lead presses together. Obviously, things change, and we're in an environment today where a video can be made and, in a matter of seconds, somebody's life can be destroyed. I think that's why we need to ensure that the Criminal Code reflects those realities to ensure that there are consequences.

When libel law was first brought into being, the understanding was that you couldn't just make unfounded remarks about somebody. There was that base understanding. Now we have, I think, close to a century's worth of case law in Canada that speaks to that.

Here, though, we have the rapid evolution whereby somebody, because they either made a mistake or got themselves into a situation.... In many cases, they regret it. In some cases, they may have even shared it with implied consent, but certainly not to the extent where it would have been meant.... We have example after example. There are many that we'll never hear about, because—and this probably includes our constituents—there are those individuals who have faced these sorts of circumstances, but they simply want them to be in the past and have them stay in the past. They don't want to talk about them. They don't want to come to testify before a parliamentary committee. They don't want to have their name exposed, because of the pain, the injustice and, in many cases, the shame associated with them.

To speak further about some of these bad actors, I would quote here from the London Abused Women's Centre, which said:

Companies like PornHub and MindGeek are normalizing violence against women and girls. The actions of these companies do not protect women and girls from sexual exploitation but the SISE Act can. We know that children, non-consenting adults and trafficked women have been raped and tortured for the world to see on these websites, it is time for them to be held accountable for their actions. Parliament must protect those who are most vulnerable, the SISE Act provides important tools to help accomplish this.

● (1145)

I would add, as that emphasizes some of the discussions I've shared around the corporate bad actors on this side of things, to ensure that there are those consequences, especially in the case of these corporate actors—and I read them in the context of a quote—who may bank off the abuse of, in particular, women. It is absolutely, I would suggest, criminal. The fact that they've been able to get away with it is certainly something that demands action.

I know there's been a lot of conversation around online harms and whatnot. I know the government brought forward a bill, but that's not what's being debated here. I've certainly shared some of my opinions on that. It's the need to take action to ensure that there are consequences and that those who are most vulnerable in our society are, in fact, protected. That speaks to how we're at a place, I would suggest, that is a little bit unique in our country. We have seen a lot of the things that....

Perhaps I will digress just for a moment, because I think this has very clear relevance. I spent some time working in Ottawa. I did an internship. I spent some time when Prime Minister Stephen Harper was in power. While those were the good old days, we can maybe get some common sense back to our country. Nonetheless, it was a real honour to be able to spend some time. At that point in time, my predecessor, the Honourable Kevin Sorenson, whom I have a ton of respect for, was Minister of State for Finance and was able to help work on the last balanced budget that we had in this country—despite promises in the three subsequent elections that this would be the case. Certainly, that has not been followed through.

My wife Danielle, in particular, worked as a volunteer for Joy Smith. Joy Smith is a great story. For those who, I'm sure, are watching, look up the story of Joy Smith, because she is a stellar example of somebody who was not willing to sit back and let injustices happen. When she was first elected and was starting to raise awareness around the idea of human trafficking, a lot of people at that point in time said that doesn't happen in Canada, that just doesn't happen here. That was the response. She shares these stories about how she simply wasn't taken seriously, yet she got involved in politics because of.... I'd encourage people to read her story. I know there are some videos, documentary-type things, that speak about her history and her history on that issue.

She now runs a foundation, the Joy Smith Foundation, that is continuing the work she started when she was in Parliament. My wife had the opportunity to volunteer for Mrs. Smith, and helped detail and track, in some cases, some of the incredible injustices done to Canadians. That was in 2015. When Mrs. Smith started the journey of... She had two private member's bills passed, actually, which is impressive to all of us around the table who are in Parliament. To see two private member's bills passed in a career is an impressive accomplishment. They were two private member's bills that were helping to ensure that there was action taken against human trafficking. That directly relates to this, because so often those who face these vulnerable situations are victims or, in some cases, periphery victims, which may be the trigger that gets them into a situation where they could be a victim of something as horrific as human trafficking.

• (1150)

Over the course of the Harper government, there was an acknowledgement that, in a country like Canada—the amazing country that it is, with the Charter of Rights and Freedoms and the Bill of Rights that preceded it, and the understanding that we care about the most vulnerable and all these things—you had these egregious actions taking place, in many cases in the very communities and neighbourhoods of what people would say was the Canadian dream. It would be anything but, for those individuals who are facing human trafficking and some of the consequences of this.

Being an Alberta MP, I know that some of us spend a lot of time in airports flying across the country on a weekly basis. You see now that there's human trafficking awareness that's been done. Posters in bathrooms, for example, say that, if you're a victim, you can reach out so that you can get help. It may seem strange that it's become somewhat normalized so that we're able to talk about that today. Well, that started because there was an effort to ensure that something that had previously been happening in the shadows was brought to light and could be combatted.

It's not to say that there wasn't good work. I know law enforcement.... Again, if you look at Mrs. Smith's work, she talks about how her son, I believe, was involved in police operations to help ensure that victims of human trafficking were caught and that the perpetrators were prosecuted and whatnot, before it had garnered national attention. For her, it was something that she had seen and had experienced by walking alongside some of those victims, yet it wasn't something that was on the national radar. Over the course of the Harper government, and I would suggest the awareness that resulted from that, she saw two private member's bills passed, a significant step in the right direction.

There are some stats that I might get into later about how, despite the work that has been done, there are some trends that are certainly not encouraging in terms of human trafficking and what those numbers show in terms of Canada today.

I would, however, like to link this back to Bill C-270, because it speaks to that issue and a very specific part of it. You know, I signed up for Twitter. I think I looked at it the other week. It was, I think, 2009 when Facebook became a thing, or maybe it was the year before that, 2008. These were new technologies, access to the World Wide Web. The web has existed since, I think, 1993 or 1992,

something like that. Over the course of 30 or so years, we've seen a rapid evolution of technology. What would have been a case of distributing explicit material that was obtained without consent or taken without consent would have looked very, very different 30 years ago. Yet we are in a circumstance today where it can take on a life of its own because of things like the Internet, algorithms and the ability for things like a video to be shared or a link to be texted and that type of thing.

The organization Defend Dignity, when talking about the stopping Internet sexual exploitation act, has this to say:

Individuals who have been victimized are faced with the overwhelming task of trying to remove illegal content that should never have been distributed and profited from in the first place. It's time for pornography websites to be held accountable. Content should not be hosted without proof that all individuals depicted are adults and have consented to both the creation and distribution of the material on that platform.

They give full support to the stopping Internet sexual exploitation act. Again, that's from the organization Defend Dignity. I think, again, that it speaks to that intersection where you need to be able to hold the individuals and corporate actors responsible.

• (1155)

I was also proud to support Bill S-210, which speaks to some meaningful age verification. I know the Liberals have tried to share some misinformation about that, which I'm a little bit confused about because some of their members initially had voted in favour of that. I know that work was done to try to ensure that, while respecting Canadians' rights, you would stop what has been very clearly shown through studies and through the work that has been done.... When children are exposed to explicit content, it can have a detrimental effect on their mental health. I'm a little bit confused as to why the Liberals have tried to politicize that particular issue, but I'd be happy to maybe hear from them at some point on that matter, because certainly I think that seems like common sense, similar to what we're discussing here today.

Again, there would be an expectation that there would be accountability, to ensure that those corporate actors are not.... It's a little bit like.... You know, it's illegal to sell cigarettes to a minor, because nicotine is addictive and it's not good for you. It has devastating health impacts. Personally—and I know there may be smokers in the room—I don't smoke, and I think that it's a bad habit, but if somebody chooses to do that, well, I guess it's their right to do so. I can respect that, but we have rules and an understanding in our society that you can't have a tobacco company target advertisements towards young people—they can't advertise in Canada any longer, period—because they're not able to make the judgment call that is required to be able to deal with the addictive properties of nicotine and the health impacts, etc.



When it comes to accessing something that could have devastating impacts on mental health and can very much change the perspective of what healthy relationships are and should be, it just makes sense that there would be that meaningful age verification. That's not to say that if somebody wants to access explicit material, as much as someone may disagree with that as a life choice.... It would ensure that their rights are protected, but young people.... I mentioned smoking and buying tobacco products, but it's the same thing with other things. It's the same thing with alcohol. It's the same thing with cannabis. You don't sell that stuff to minors, because minors aren't equipped to be able to make decisions related to that.

I think that it is one of those things where, just because it's on-line, it doesn't mean that.... In fact, I would suggest that it has a pretty clear correlation with what we're discussing here today, especially in the timeliness and being able to pass it and the overlapping relevance of the two issues. There is online gambling allowed in Canada now, but it is illegal for somebody who is underage to participate in online gambling. Yet it is not illegal for them to access explicit material that would otherwise be illegal for them to access, for example, if they were to go into a convenience store and wanted to purchase that sort of content there.

With that, I would suggest that these overlapping issues, while closely connected, speak to the heart of a suite of changes that can be made to ensure that there are consequences for actors who would perpetrate these actions, whether from the corporate side by not ensuring that there's consent for explicit material that is uploaded, or whether for the individuals themselves, to ensure that a clear line in the sand is drawn accordingly.

The Vancouver Collective Against Sexual Exploitation said this:

As a non-partisan collective of diverse individuals, survivors, and organizations working together to end all forms of sexual exploitation, VCASE strongly supports [Bill C-270]... Canadians, especially the young and vulnerable, urgently need this protection. We urge all members of Parliament to support this bill.

• (1200)

Madam Chair, the good news is that, in the second reading vote.... For those watching, I'll just explain a little bit, because it's always a little bit confusing, I think, when people hear things like "first reading", "second reading", etc. First reading is when a bill is introduced. Second reading, when it comes to a private member's bill, is when it has the opportunity to be debated within a private members framework, which is guaranteed and awarded via lottery in terms of the order in which something can be introduced.

I've introduced a bill myself, Bill C-407. I'm not close on the order, and it's likely that, in a Parliament like this, we're not going to get to my bill being debated. It's about the national symbol for a livestock brand in Canada, which is very unrelated to this, so I won't talk about that bill here today, for fear that I'll be point-of-ordered, but I look forward to it. I'd be happy to send you information off-line. It's a great way to share our western heritage and frontier heritage in our country.

Second reading is generally the first opportunity that MPs have to vote on an issue, and while it's called "second reading", it is the first step of the debate process. As soon as second reading ends,

that triggers a vote. It's different for private members' business versus government business, but it follows a similar pattern.

The neat thing...and it relates to what VCASE has asked for here. They've specifically said that they're non-partisan and they want a non-partisan approach to support Bill C-270. I have some good news on that front. There was, I believe, unanimous support for Bill C-270 at that second reading stage, which was the first opportunity for a vote to take place in the House of Commons.

Then, if any bill passes the second reading vote, it is referred to a committee. Because this is a bill related to criminal matters, of course, the rightful place for it to come to was the justice committee, and I'm so thankful for the opportunity to be able to join you here today to discuss it.

When it comes to private members' business—and this is quite different—legislation takes precedence in committee time. Committees decide themselves what they want to study, but when it comes to House references, it takes on a little bit of a different flavour because the House references that a bill...or it could be a motion. In fact, at the heritage committee, through kind of a bizarre set of circumstances, the Liberals actually sent back a study to committee that condemned the paying of \$18 million in bonuses to CBC executives, but I digress on that because, again, that's not related to the subject here. However, it was a bizarre set of circumstances so, of course, we were glad to have the opportunity to deal with that at the heritage committee.

There was a change made when it comes to the specifics around how a committee can deal with private members' business. This is important because, with a government bill and the reference of a bill to committee when it's a government bill, you have the weight of the government behind it to ensure that the bill is studied and passed, and it can be incredibly complex. You have something like an omnibus budget bill. Despite the Liberals saying that they never put omnibus bills forward, they still seem to end up before various committees, but it can take a long time. You have a lot of different aspects. You have witnesses and you have discussion, and when there's controversy, it can take a very long time. We saw this, for example, when it came to Bill C-21. The Conservatives brought forward a whole host of issues, and there was an outcry from across the country, whether it was from indigenous groups or others, when it came to how the Liberals were approaching the issue of firearms.

• (1205)

What I think is important to note here is that with private members' business, there was a tendency previously...and this was not unique to the Canadian Parliament. Our Westminster system of governance has.... There are quite a few Westminster-style Parliaments that, of course, we reference. In fact, the opening line of the Constitution Act of 1867, known previously as the British North America Act, is that we will have a Parliament similar in structure to that of the United Kingdom. Don't quote me on the exact words, but that's very close to what it says.

In the United Kingdom, there is a House of Commons, and in their case, they have a House of Lords, who are peers, which includes the dukes and duchesses, etc., while also bishops and peers are appointed for various reasons, whether that be through family peerage or appointments because of people who have done notable things. I've had the opportunity to visit, and it's very interesting. I think there are about 900 lords, but generally they only have about 100 who are there, and they're only paid when they show up, interestingly. Maybe that's something we could take into account when it comes to how we pay our senators.

It's similar in terms of the structure to the Westminster style, where you have a bicameral legislature. What has been noted, not just in Canada, but at different points in time, is that when there is a bill that passes, despite opposition, generally from the government—although I don't think it has to be limited to that, as there could be a specific actor or person who has influence—it could go in and just die at committee. That was a tendency for private members' bills. If the government didn't like it, it could just die at committee. They just wouldn't study it.

It's interesting, though, because changes were made to the Standing Orders. For those watching, the Standing Orders are basically the rules by which, whether it's a committee or the House itself, the House of Commons governs itself. It's called a standing order. It's a fairly thick book of all the different standing orders. It's stuff that makes a lot of sense that nobody disagrees with. Then there's stuff that can be more controversial. Interestingly, generally standing orders were agreed to by consent of all parties. The Liberals, however, broke that trend and actually imposed votes with changes to the Standing Orders that were not universally agreed to by members of Parliament.

When it comes to private members' business, there was this history of bills that they didn't like going to committee to die. That was noted by all parties, because a member of Parliament being the highest elected office in the land...which is an interesting thing. I think a lot of people forget. I couldn't believe it, what must have been.... I noted that CBC spent a lot of time covering the American election as of late. I thought it was interesting that Canadian tax dollars were going to cover the American election. Nonetheless, you have the members of Parliament, who are given a level of autonomy, as should be the case. It's very specific being an MP. It's this unique office that is held. You occupy a seat in the House of Commons, the same as, interestingly, the Prime Minister. In fact, when I speak to classes, I ask them how many votes the Prime Minister gets to cast on election day. How many votes does the Leader of the Opposition get to cast? It's always interesting, because it's a confusing question. It's almost too easy. They get to cast one. Likewise, I ask how many seats the Prime Minister or the Leader of the Opposition gets in Parliament. Likewise, it's almost confusing in its simplicity. It's like, well, you get one. I would suggest that this is the strength of the Westminster democratic system and that is why I'm so vocal in its support.

There's the ability for MPs to bring forward a private member's bill, like we have before us with Bill C-270. We have the ability for an MP to do so. However, because somebody didn't like what they had to say, even though it passed, it would go to committee to die. What is an interesting anecdote is that this was seen to be, and not

just by those who faced those circumstances, a scenario where it was removing the rights of members to be able to actually exercise their duties as a duly elected member in the unique circumstances when something might have been supported and then sent to committee and it wasn't able to move forward. There was what I would suggest was a creative—and, quite frankly, I support it—ability for there to be an automatic reporting mechanism for private members' bills.

● (1210)

This is why we have this here today. The government is trying to extend the study of this bill when we have clear, unanimous support. For various reasons, they are saying that we need to delay it. The committee can do that. That's a mechanism within the Standing Orders. It gives them the ability to delay the reporting back to the House. We could have been seized with this and we had the opportunity to deal with this before, but the key here is that we need to get it back to the House. As the chair very aptly noted at the beginning, that will happen here in just a week or so.

The reason why these mechanisms exist is an important evolution to our democratic system to ensure that in the case of members and this unique ability we have through what is a private member's bill, which any member can introduce.... As I mentioned before, I have introduced one, although it likely won't be debated, and that's by nature. There had to be a fair way to figure out who gets to go first, so to speak, and it was decided that this would be done by pulling names out of a hat. I don't actually know the history. It would be an interesting thing, I'm sure, to look into. It's kind of an archaic way, but at least you know it's fair and for people who get picked to go first, that's done in a way that is very straightforward, fair and without bias. To note, I believe government ministers and the Prime Minister do not get a private member's bill because of the nature of their positions and the influence they hold.

We are in a circumstance here today where we have a bill before us, Bill C-270, an act to amend the Criminal Code regarding pornographic material—the stopping Internet sexual exploitation act—which is supported by all members of Parliament. Again, that's a great show of non-partisan support. We have the ability to, on occasion, ensure.... I would just note that I think that quite often the headline-grabbing stuff that comes from this place is the controversy, and rightfully so. Trust me, I'm happy to talk about controversy. In fact, I look forward to being able to continue on the discussion of the green slush fund that's taking place in the House of Commons and the controversy associated with that. It's now more than a month that Parliament's been paralyzed by the government's refusal to release these documents, which they could do at any point in time, but I digress on that. I look forward to litigating that in the House.

Here you have an example of where MPs agree on something, and I wish, just on occasion, that a headline would show that MPs agree on, in this case, fighting Internet sexual exploitation. Wouldn't that be a great headline? It would showcase that MPs agree that some of the most vulnerable in our society need to be protected. When I referenced the quote from the Vancouver Collective Against Sexual Exploitation, they called on all MPs to support this bill. They're doing so from the perspective of being a non-partisan organization. We can't overstate how there are these moments where you have that cross-partisan collaboration. The unanimous support of something like this bill, I think, is a huge opportunity.

With some of the history that I outlined when it comes to the reporting requirements, we don't want this bill to die in committee. It would certainly be a shame for this bill to not go forward because of the proposed 30-day extension. Let's get back. We agree with it.

Getting unanimous support on anything is certainly very impressive. I think it speaks to how we can accomplish an objective here, which is protecting people who otherwise don't have the legal protections at this point in time, but have faced unbelievable circumstances that could be life-changing. In many cases—I've read some of the testimony and the stories—they've had truly life-devastating circumstances related to the non-consensual sharing of their materials.

- (1215)

I would, as well, like to speak about the Salvation Army. We all know the Salvation Army. I'm sure there would be very few of us across the country who would not have a Salvation Army in their constituency in one form or another. I know the work that they do in terms of helping the most vulnerable, whether it be through addictions recovery, whether it be through ensuring that the most vulnerable are supported, or whether it be through their church and spiritual care. I know I've spoken to so many, and in the work that the Salvation Army does they're driven by that true love that's talked about throughout the Bible, a desire to see our communities and people serve that whole idea of the greatest commandment: love God, love people. The Salvation Army certainly does that incredibly well.

I will quote what they have to say about Bill C-270:

The Salvation Army has worked closely over the years with people who have experienced or survived sexual exploitation. We know that their voices and wishes are rarely heard or respected. The Stopping Internet Sexual Exploitation Act is an important step toward establishing safeguards to protect adults and minors from having unwanted images of them posted and shared over the internet for commercial gain at their expense.

I want to talk about a side of the conversation here that I don't think is as well understood. We talk about some of the headline-grabbing issues and whatnot, but part of what Bill C-270 does.... This was highlighted, in particular, in the New York Times report that talked about some of the studios that, as a business model, produce explicit content. That, I would suggest, is probably not a comfortable subject for many people to talk about, the abuses that would often take place, so people would just say, well, that happens over there, so we'll just let them do that; that's those people making those choices.

But what was learned over the course of some of that study, and I know we've had that before various committees before this Parlia-

ment, is that we see how it's not as simple as that. These are not studios that have actors coming in good faith to create this sort of content. In many cases, it has a close connection to human trafficking. It has a close connection to sexual exploitation. In many cases, there's a corporate structure that ends up complicating the ability for accountability to take place. It's not just a cameraman and a producer and whatever is required to create that sort of content, but the legal complications associated with that have inhibited even some individuals within these sectors who may have initially consented to create certain material and end up being in a circumstance where they are not paid, not given the monetary promises that were initially made to them.

Certainly, when it comes to not honouring a contract.... But then because of the legal complexities associated with some of that and because of the legal ambiguity that exists with the sharing of that information.... If this was the case in any other sector, if it was a Hollywood-type television movie, there is a whole bunch of copyright case law associated with that content and how it gets protected. There are clear protections that exist. Yet when it comes to somebody who may have, in good faith, decided to enter into a contract, yet they're not being paid for the work that they did, that is wrong. I think it is another example where you have to create clear criminal consequences for an instance where you see abuse take place. In that case, the abuse may not have been in the initial stages, but it certainly would be the case later on when a contract was not being honoured.

- (1220)

At this point in time, it has become incredibly difficult for these individuals to be able to get compensation, even though the companies that are hosting their content are making, in some cases, billions of dollars, because it is an absolutely massive industry. In some cases, we hear how promises were made by these recruiters and these producers, whatever the case is, and they were not kept to begin with, but they were told, "Don't worry, you'll get paid," and then they ended up not getting paid, and it then contributed to a downward cycle in these individuals' lives. Again, this disproportionately seems to affect women—how they were taken advantage of in the beginning and told that they would be compensated, but then they ended up not being compensated. Certainly, it comes to the need for, again, a line to be drawn, that Canada is not a place where we allow this sort of thing to happen.

In particular, I will reference this because of the context in which we find ourselves speaking in relation to the Salvation Army. I know the work they do in terms of shelters, addictions and recovery—there's a lot of good work that's done there—but so often we see, whether it's somebody...because of the revenge of an ex or whether it be a circumstance when it comes to a contract that was signed with a big company where they were promised they would get paid but ended up not getting paid, you have these two very different sides of a similar cycle of exploitation that exists.

You have individuals who end up being the victims of what can, in many cases, become a difficult circumstance to overcome. In many cases, we hear stories of how drugs and alcohol fuel much of the recruitment, and that's where, in some cases, if you call them actors, they are recruited, and then a cycle of addiction happens and on and on it goes. You have a circumstance where a cycle of abuse started, and then it has continued and can, in many cases, have absolutely devastating consequences.

To pull this back and make the connection with how this has a direct correlation with human trafficking.... Just for the benefit of those who are watching, I'm very proud of the work of many of my colleagues. I mentioned Joy Smith, although we didn't overlap; she chose not to run again in 2015. Many of my colleagues have done incredible work, and there is another example of where there's been cross-partisan co-operation in that regard, to help combat things like human trafficking.

Quite often, I think people need to acknowledge that human trafficking is not somebody being put in handcuffs and thrown in the back of a van. It can be somebody who walks by you in the airport who is dressed in nice clothes. It can be somebody who is not handcuffed by physical means but handcuffed by a video of them doing something compromising, by addiction, by mental health challenges or by a whole series of other things. I think that one of the keys here and why Bill C-270 is so important to this larger conversation is that it provides a very clear framework to say that in Canada, this is not okay.

There's more work that needs to be done to combat human trafficking. I know I mentioned earlier some of the startling statistics in terms of how that has been growing. We have the opportunity to see, in short order, without an extension of the debate, a bill that was supported by everybody, and to be able to say, "Okay, here is how we actually get some of this stuff done, take action and ensure there are consequences for the egregious acts of a few that are devastating so many."

• (1225)

I would, Madam Chair, like to share another quote in support of this bill from an organization called Survivor Safety Matters. It goes as follows:

Survivor Safety Matters believes that every person should have the right to protect their privacy and have control over their personal information and images. We support the SISE Act and the requirement for informed consent to be obtained before pornographic images of an individual can be shared with anyone. It is no secret that women and girls are routinely degraded and exploited online through the unauthorized sharing of their private and personal images. This causes lasting harm to the individual that often cannot be undone.

Madam Chair, just to highlight the last sentence there, it said, "This causes lasting harm to the individual that often cannot be undone." I think that we have here, again, headline-grabbing tragedies and headline-grabbing circumstances, and it could be a movie star who has images that are shared without their consent. Of course, that's wrong and needs to be condemned. You have the tragedies that exist, and I know there are a whole host of examples that make it out to more than just regional media, but then think of the number of people who suffer in quiet shame and suffer in silence.

My hope is that part of the discussion surrounding this bill would ensure—even if those individuals probably don't want to come and

testify and share their story before a parliamentary committee because of some of the shame and embarrassment and fear of the damage that it could do to their professional reputation or their personal reputation, whatever the case is—that we acknowledge the harm and the violation of the individual that can't be undone. Disproportionately, this does affect women—the statistics show that very clearly—although it is certainly not limited to women and vulnerable people. It's the sort of thing where you may have differences in the types of response based on where you come from and how much money your family has or whatever the case is. There'd be a difference maybe in the type of response, but it's the sort of thing where this is not going to be a crime that simply happens to people without money or people with money. This is something that can affect anyone. Again, it disproportionately affects women, although it is not limited to them.

We can have the opportunity to provide clear definitions surrounding this to ensure that we have an ability to stand up for those who are most vulnerable and to ensure that there is the space within our justice system and the parameters that are needed within our Criminal Code to be able to say, "Okay, here is what is not allowed," and ensure that both the individuals involved and also the bad corporate actors would be held to account.

I know my colleague with whom I served on the ethics committee, and despite having significant political differences, there were times when we would find agreement when it came to things like consent and the right to be forgotten and whatnot. I touched a little bit on that earlier, but I think that the idea of consent and the meaningful nature of that is something that is important.

I'll use an example. If a thief robs a convenience store with a gun and asks the person behind the counter to hand over the cash from the register, and that person hands over the cash, is that consent? I think anybody would say, "Well, absolutely not. There's nothing consensual about that." You could say, "Well, the action of that individual handing over the cash must imply consent, or it must say that they did it willingly." However, you have a very clear instance and an extreme example where people would say, "Well, it's just common sense." The person guilty of the crime here is the individual who was pointing the gun or the knife at the clerk behind the counter. There's nothing consensual about that interaction. You wouldn't want to call it a relationship, but it's certainly an interaction between a thief and a worker who was being robbed.

- (1230)

I think that it's that context that I would encourage those who are watching to consider when it comes to explicit content that might have been taken. You do not have a consensual type of circumstance that always exists when it comes to the information, the content. You may have obtained it in a way that was questionable, but you'd be able to point back and say, "Oh, well, there was consent." Well, that's...especially when it comes to vulnerable individuals or even somebody who may not be in a vulnerable life situation. It could have been a vulnerable instance in their life. We need to ensure that there is that very clear protection that exists, and just to ensure that the idea of consent is very clearly articulated, which is why this bill talks about how...and this, in particular, is so important when it comes to the corporate actor side of things. It needs to have that clarity.

The word that stands out.... I won't read the entire definition, but it does say that it is a "voluntary agreement". It has to be voluntary. It's not something that can be forced. To use the example of the clerk and the thief, that's not a voluntary arrangement, nor are so many of the circumstances where consent might be suggested—when it comes to addiction or when it comes to some of the circumstances related to human trafficking, where some of this content seems to be created, etc.

To emphasize, the need for consent and that ability to consent to something hinge upon the understanding that there has to be a voluntary nature to that arrangement, and then if somebody is making a voluntary agreement, giving consent, well, that is something that is then able to.... You know, when it comes to explicit content, while one might not like that or might disagree with that on the personal side of things, if you are giving that voluntary consent, well, then that is something for which there is an ability for that content to be distributed, but without that.... The crux is that it has to be that voluntary consent, and we see too many examples, Madam Chair, where that is simply not the case.

We mentioned a little bit before just how, when it comes to survivors, there are a lot of individuals who suffer in silence. This can have a devastating impact on mental health, and that can fuel addiction and other challenges. I would just suggest that we have a clear understanding that this sort of thing, whether it's something that has been shared online.... You hear some stories where somebody made some content and either didn't initially realize what they were doing or they were forced into it, or it was in relation to addiction or whatever the case is, or it comes to more of the revenge side of things. You have these instances where that hangs over an individual for the rest of their life. It is something that has a deep impact on mental health. Throughout the rest of their life, there is the possibility that the person....

- (1235)

In fact, I read a very poignant survivor story where it talked about how they had just come from.... The last time I looked at this was in the last Parliament, when we were discussing some of these issues at the ethics committee, so you'll forgive me for not having the story exact. It was something along these lines: This young lady had just shared her story about being involved in human trafficking and getting out of it. She had never been paid for some of the content, and she had tried to have it removed. It was a terrible, heart-

wrenching story that existed out of what she called a mistake she had made early in her life. Coming out of this testimony, she was in an elevator and somebody recognized her from the content she had been fighting so hard to see removed from some of these popular websites that were continuing to distribute the very material. It was that for her. It was a story she shared after the fact.

I read this. How devastating it was for her to try to combat it, yet even in the midst of trying to combat these circumstances, somebody in an elevator pointed out the exact thing she was trying to address.

When you create clear parameters around what consent is and ensure that with both the making of this explicit material and the distribution of it, there is clarity when it comes to this in the context of there being accountability, then these actors, whether they are individuals or companies, can be held accountable.

I have a few more quotes that I'd like to get to, but I'll just speak to there being a whole host of circumstances around that. One of the reasons I appreciate Bill C-270 and why it needs to get back to the House to be debated and voted on at third reading.... If the government would just hand over those documents, we could get back to private members' business. Again, I don't want to distract from the Bill C-270 conversation, but it seems like there's an increasingly close connection.

One thing I think is helpful for folks to understand about this bill is that it ensures that the context surrounding the instance of the content that might be created or distributed.... There are two pieces to this. They're connected, although they're very different in terms of the instance....

You have a host of issues in Bill C-270. This is not always common when it comes to private members' bills, so I appreciate the work my colleague has put into ensuring that this is comprehensive and that there is a full understanding of everything associated with what is required to ensure that the line in the sand, so to speak, in Canada can be drawn.

It talks about what the punishment is, including the different types of offences and what the sentences for them could be. There's the evidence and there are the commercial purposes surrounding some of this information.

There's the issue surrounding age verification. I referenced earlier just how significant it is as a symbol that we've changed the name so that it's child exploitative material in this country. It's no longer something that anybody could suggest is anything other than disgusting, criminal, exploitative material when children are involved in this sort of thing, which surrounds the idea of age verification. There's that age verification side of things. Obviously, if it's someone who is underage, that goes into an entirely different set of.... I hope every time that happens, the book can be thrown at those individuals and they can go exactly where they belong.

However, when it comes to the aggravating factors, the bill very specifically outlines those. There is an understanding of the questions surrounding them. Because this is a rapidly evolving space, there is the need for both clarity and the understanding that with this bill.... This is an evolving space. The technology we are dealing with is evolving at a pace that is hard to keep up with. It is certainly moving faster than any of us can comprehend.

• (1240)

I mentioned that a bit earlier in terms of some of the peripheral challenges that exist and some of the work that one of my colleagues is doing on deepfakes, artificial intelligence and including what victimization means. My colleague from Langley—Aldergrove and I have talked about this in the past, but the idea of victimization changes when, all of a sudden, there is the ability for a computer to start creating content that could be based on things that are not.... It's changing things, and it could be explicit material that doesn't necessarily have a victim. I know there are some complications with a lack of examples, both in case law and in our legal frameworks in this country. We don't necessarily have a clear answer for what that is and what that should look like, especially when we have, in our case, 150-some years' worth of legal precedent that is based on victimization versus other factors. We have to be willing to come and address this.

I was disappointed that when the Liberals introduced Bill C-63, they didn't address that stuff. They certainly brought forward some things that would silence and could be weaponized against things like freedom of speech and freedom of expression, but they didn't actually address some of the real challenges we are facing when it comes to the idea of online harms. This bill really gets to the crux of that matter. It talks about the “maker” and a “distributor”. There are some specifics about those and what they look like.

This is an interesting dynamic that exists when it comes to the issues surrounding this particular bill. Particularly for those watching, I'll explain this very briefly. Quite often—in fact, in all instances—what happens is that a bill.... I talked a bit about the Westminster parliamentary process before and how it is unique in the sense of the autonomy members have.

Just as a shout-out, I suspect there are some Liberal members who wish they had voted for the Reform Act at their first caucus meeting, but I don't want to get distracted here.

One of the things that are key is the parliamentary supremacy in our governmental system that is so fundamental in how we do things. I think its true impact and the importance it has in the way we do things are sometimes undervalued.

It's evolved over time. For example, we have a constitutional framework in this country, whether it be the Constitution Acts of 1867 to 1982.... There are actually a whole bunch of other Constitution acts related to small changes that have been made, such as the admission of provinces into the federation and the creation of the territories. In fact, we voted on one. My colleague from Regina-Lewvan amended the Constitution, through a motion in the House of Commons, in relation to an archaic tax issue dating back 140-some years, I think. He amended that.

The Constitution has an amending formula, and there are a whole host of acts surrounding that. What's unique, though—and this is actually part of what differs between the Canadian circumstance and what is referred to as the “mother Parliament” in the United Kingdom—is that we have far more written and defined frameworks of what our constitutional framework looks like in Canada than the United Kingdom has. Theirs is largely based on the assumption of tradition that has long been litigated.

Again, for those who are watching, the prime minister, as an individual, is not mentioned once in our Constitution—not just the current Prime Minister, but the title of prime minister. That's tradition.

• (1245)

The reason I use that as an example is that we have this understanding that it's Parliament that creates acts, so it is by the power of Parliament that anything gets accomplished in terms of a governing perspective. Then it gets a little bit complicated when you add common law and civil law into the discussion and the impacts those have on the Supreme Court. It includes the history of the coming together of two very different systems and the creation of what is modern-day Canada. On that side, I'd let the lawyers in the room speak to more of the specifics of that.

What is interesting and the reason I explain that when it comes to the relevance to Bill C-270 is that Parliament is basically applying itself to a criminal matter, saying, “This is our expectation.” Then it does create some space for regulations to be made to ensure that it gets done.

Everything that exists in terms of government in Canada—and this is something that often gets forgotten, actually.... In fact, there was a little bit of controversy when—I believe it was around 2015, maybe just after the 2015 election—a reporter said that, well, government stays but Parliaments come and go. In a sense, that is practically true. However, the only reason government exists is that Parliament says it does, so a department exists because Parliament says that a department exists—or not. Government is, in effect, a function of Parliament.

I'll say that again, because it's a very important aspect of how our system works. Government, in our Westminster system of governance, is a function of Parliament, and it's a key part of how we ensure that things actually get accomplished. This is part of why the power that can be exercised through the process of a private member's bill and the reporting requirement to get back to the House so that we can do our best to get this passed without having a delay on something, whether it was 338 members.... There may have been a few individuals who were paired or not there, but the fact that it received unanimous support is a big deal.

The fact that Parliament is able to project itself and say, “This is our expectation. Here will be the penalties. Here is what our expectation is. Here is the line in the sand that says that this is not a permitted activity in our nation,” is key.

The act very specifically empowers different government departments to say, “Here’s how we’re empowering you to make sure that this gets fulfilled.” That is a key element of how we ensure that it actually solves the problems that it is set out to, in fact, solve.

I know that there’s a lot of talk about what’s happened, from all political sides and whatnot, when it comes to what’s been dominating the headlines for our friends south of the 49th parallel.... I think we are south of the 49th parallel here, actually, but I come from the west, where the 49th parallel is a big deal. It’s one of those key differences between the way that we govern ourselves north of the border and the way that the Americans govern themselves in the sense of their constitutional republic.

I lament that we don’t have more constitutional history taught in our schools. I find it really interesting, and I won’t get too much into this because I might not be able to stop talking. However, the whole Americanization of Canadian discourse and how the Liberals are famous for this.... They are often accusing their political opponents of it, but they are truly the ones that often, and throughout Canadian history, have....

I’ll just share this very brief anecdote. When John A. Macdonald won his second majority government I think it was, the then Liberal Party wanted to build the Canadian Pacific Railway through the States, because it would have been easier. Wow, we might not have had a country today if that had been the case. Anyway, I digress on that front.

• (1250)

Another quote that is, I think, very important to share in the context of the discussion we’re having is from the Montreal Council of Women. It says the following:

On behalf of the membership of the Montreal Council of Women (MWC) I wish to confirm our deep concern for those whose lives have been upended by having their images involuntarily and/or without consent shared on websites and other platforms such as the Montreal based Pornhub. The proposed “Stopping Internet Sexual Exploitation Act” bill calls for much needed amendments to be made to the Criminal Code to protect children and those who have not given consent for their images and other content to be shared and commodified.

I’ve talked a bit about the idea of consent, about the corporate actors involved and the amendments to the Criminal Code, and just a little of the history surrounding some of those things, but I would just note there’s one word there that I think deserves being highlighted in addition to the entire quote and the endorsement of the SISE act. That is the idea of this content being commodified.

I think it’s a key word that deserves a bit of exploration, because when it comes to...you have in many cases.... I’ve shared some of where this explicit material...how it might have been obtained, whether it was consensual or not, whether it was known that it would be taking place or not. Those are all things that need to be addressed. This bill does a good job of helping get to the point where we can start to do exactly that.

There is, though, the idea of the commodification of something like this. Certainly there’s, I think, a larger philosophical and political argument that could be had about the commodification of intangible things, but I want to pare this down to the very basics of what this means for an individual who would have their picture, or video, or it could be something else that is revealing.... The fact that you

have something that could be commodified for the monetary.... The whole idea of a commodity is that it by definition is something that then would be bought and sold, but here is, again, where we had that previous understanding of what a relationship is between a thief and the clerk behind the counter being told to hand over the cash. You have something similar here.

This is not a fair trading relationship in terms of what a commodity would be. You have, in many cases, corporate actors that are making decisions on how their platforms work that have devastating consequences. You have the individual who is the subject of this material who did not give consent, or the consent they did give was not voluntary, as we explored very briefly here just a few minutes ago.

You have that commodity idea that there’s a back-and-forth. This is not that. It is the fact that it’s without the consent, without the ability for the individual who is the subject of the content.... They have been removed from this commodification type of exchange. As a result, they are impacted the most, and we’ve talked a little bit about some of the devastating consequences, whether that be mental health, whether that be shame, leading to addiction, whatever the case may be.

You have an example here, though, where the subject has been removed from the exchange, and that is an absolutely devastating consequence. I would suggest further that what makes it truly something that should be criminal is the fact that they are the ones who face the most significant impacts of that.

• (1255)

I think it speaks to how important it is that the weight of the justice system can be involved in ensuring that you can stop that exchange—that commodification of something that should never have been commodified because the subject who has been commodified was not a beneficiary and was not involved in the decision-making process. As we’ve discussed, the consequences can be absolutely horrific.

Another quote from an organization that has.... I’ve talked a bit about the United Kingdom’s parliament, but—

**Mr. Branden Leslie (Portage—Lisgar, CPC):** I have a point of order, Madam Chair, if I may.

**The Chair:** Yes, MP Leslie.

• (1300)

**Mr. Branden Leslie:** I’m going to be here for a number of hours. I was trying to search online to get a better understanding.

I’m wondering if you might be able to provide a few other pieces of information for me. Have you, as chair, received a full list of witnesses yet, and who are those witnesses?

**Mr. Chris Bittle (St. Catharines, Lib.):** This is not a point of order.

**Mr. James Maloney (Etobicoke—Lakeshore, Lib.):** This is not a point of order.

**The Chair:** Mr. Maloney. I hear something on the right side.

I’m sorry. Can you start again? What is your point of order on your colleague’s—

**Mr. Branden Leslie:** Thank you, Madam Chair.

It looks like I'm going to be here for a number of hours. I'm trying to get a better understanding of who the witnesses for this study will be.

**The Chair:** I appreciate that. That's not a point of order.

Right now, we're debating whether to extend for 30 days in order to allow us to bring witnesses in and study the motion.

**Mr. Branden Leslie:** Thank you, Madam Chair.

**The Chair:** You're very welcome.

MP Kurek, the floor is yours.

**Mr. Damien Kurek:** Thank you.

I appreciate my colleague's intervention.

Certainly, the key thing we have before us.... We have tons of people who have supported this.

I'll emphasize that I appreciate my new colleague from Portage—Lisgar. It's a great part of southern Manitoba. He comes from a farming family. We share some of those down-to-earth values and the need for common sense in the discourse we have before us.

The amendment we have here would extend the study of something that people support. I have read through a number of organizations that are great examples of this and that have shared their unequivocal support for the work that is being done to ensure that Bill C-270 gets across the finish line. I just referenced that there are a number of organizations that provide unique perspectives and expertise, including some that are non-partisan and, certainly, some that I don't think would call themselves traditional Conservative supporters.

It speaks to the non-partisan nature with which we can approach this and actually get it back to the House of Commons, get to those final hours of debate and get it voted on. Hopefully, we can get it to our friends in the other place, known as the Senate. Although it often seems much further away than just down the street, nonetheless, it is down the street. Hopefully, our friends there can likewise see the support the House has thus far given Bill C-270.

CEASE UK describes itself as:

CEASE UK is a human rights charity, working to end sexual exploitation by exposing and dismantling its cultural and commercial drivers. As a result, our sights are set on the pornography industry, which has evaded regulation and accountability for decades. We thoroughly welcome Bill C-270, which will prevent pornography sites from profiting from videos of non-consensual pornography and child abuse.

It goes on:

Legislation that demands age and consent checks from anyone featured in pornographic content is necessary as a minimum standard for ensuring individuals' safety and wellbeing, and we urge the Canadian parliament to support this bill.

I think—

**Mr. Larry Brock (Brantford—Brant, CPC):** On a point of order, Chair, I'm mindful of the time. While members have the privilege of getting up, stretching their legs and using the facilities, I'm

mindful of the fact that the interpreters do not. I'm wondering if we could break for a health break.

**The Chair:** Yes, I think that would be in order. We'll take a five-minute break to allow interpreters and others to stretch their legs.

Wait just one moment, please.

Mr. Fortin.

[*Translation*]

**Mr. Rhéal Éloi Fortin (Rivière-du-Nord, BQ):** Thank you, Madam Chair.

Good morning, everyone. This is the first time I've spoken today.

Madam Chair, do you know approximately how long our Conservative colleagues will continue to argue? I'd love to hear the comments on the bill we want to study.

Do we have any idea how long this systematic filibuster will last?

**The Chair:** Thank you, Mr. Fortin. It's a good question and I thank you for it. Unfortunately, I don't have an answer for you.

During the five-minute break we're about to take, you could talk with your Conservative colleagues. Personally, I'd like to finish this right after the break.

● (1305)

[*English*]

This way, we could report, have an extension and be able to talk about this very, very important PMB.

As MP Kurek has been eloquently saying, there's a lot of good in that PMB. I think we really need to study it, because, quite frankly, it's important to many people. As a woman, I also find it important to many people, and I think we all agree around the table.

[*Translation*]

If it's possible, I'd really like us to be able to work together a bit to deal with this motion very quickly so that when we get back, we can start this study.

Thank you very much.

**Mr. Rhéal Éloi Fortin:** Thank you, Madam Chair. I'm happy to hear you say that.

On our side too, in the Bloc Québécois, we want to be able to talk about the bill, and I think it's the same thing on the NDP side, from what my colleague said earlier.



I understand that our Conservative colleagues have the right to block consideration of the bill, but I have a housekeeping question: Do the rules provide for a maximum duration for this debate? Theoretically, the committee meeting should have ended at 1 p.m., but it's 1:05 p.m. Do we plan to continue until the end of the day? Do we plan to continue until oral question period in the House at 2 p.m.? Do we plan to continue until 7 p.m., until midnight?

If it would be possible to clarify what the rules are regarding this debate and what we plan to do, I would appreciate it.

**The Chair:** Yes, absolutely.

I'll give the clerk a little moment to check on that.

As I understand the rules, if the committee members agree, we can continue the meeting until the division bell rings. That said, it's only if committee members agree to continue.

**Mr. Rhéal Éloi Fortin:** I would like the meeting to continue, but insofar as we are going to work on the bill. Otherwise, I don't see the point in continuing.

Can the clerk tell us whether to adjourn before oral question period in the House, yes or no? Usually, what is the procedure?

**The Chair:** No, it's not necessary. It's only when there's a division bell.

**Mr. Rhéal Éloi Fortin:** Normally, the House adjourns at 7 p.m., so I guess we'll stop at 7 p.m. Is that right?

**The Chair:** No, not necessarily. If there are resources, we can continue until midnight.

**Mr. Rhéal Éloi Fortin:** I see. In that case, we'll just have to see how long our Conservative colleagues feel like talking.

**The Chair:** Exactly.

**Mr. Rhéal Éloi Fortin:** All right. Thank you very much, Madam Chair.

**The Chair:** Thank you very much, Mr. Fortin.

We will now take a five-minute break.

• (1305) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1315)

[English]

**The Chair:** I call the meeting back to order.

Colleagues, we are returning. I believe everybody is in the room or in one location or another.

Mr. Kurek, the floor is yours. Thank you.

**Mr. Damien Kurek:** Thank you very much, Madam Chair.

I hope everyone was able to take care of the call of nature. We look forward to being able to get back to this very important discussion.

I would just note, Madam Chair, that I've been very intentional in my remarks. I've talked with precision about organizations and their endorsements of this bill and I've talked about the need to get it across the proverbial finish line.

I would just share that when I was originally planning to join this conversation, I hoped there would be the opportunity for us to ask questions of some of the important witnesses whose names were submitted. I believe our side submitted them close to a week ago. However, we are here today, discussing the bill and the amendment to extend the study, which puts at risk the ability for this very important piece of legislation....

As we're getting back to the discussion here today, I'll just highlight how important it is that we actually get this across the finish line. A 30-day delay is quite possibly the equivalent to what I discussed quite briefly earlier, about seeing it die at committee. It is so important that we get this sorted and get it across the finish line.

Madam Chair, I'll continue to share some of the organizations that have done such good work across the country, and in other parts of the world as well, especially with the Internet. I'll get back to the endorsements this bill has from so many organizations.

Again, it was supported by every member of Parliament. It's been endorsed by a whole host of organizations. However, I think one thing is understated. It used to be, prior to the advent of the Internet, that when we had issues come forward, particularly of a criminal nature, it was pretty easy to delineate what had happened, where it had happened and how. You were in a jurisdiction, a crime had been committed in that jurisdiction, and then the prosecution could take place, etc. With the advent of the Internet, and cyberspace more generally, the virtual nature of it has really changed the understanding of borders in terms of the impact.

The key with Bill C-270 is making sure that we're drawing that line that is so important to say Canada is not the place for this. It is also very important in the context of saying Canada cannot be a place where this is allowed to happen. If we can get this bill across the finish line, that could very well have a global impact.

I won't get into it here, but I could speak at length about the frustrations I have with the Trudeau government's foreign policy and the deterioration in how Canada is viewed abroad and a whole host of things around that. I don't want to get into that because I want to stay very focused on Bill C-270, but one of the things I think the world needs to know is that Canada's willing to take a strong stand to say that there are things that are not acceptable and that in Canada, we draw the line. We have the opportunity to ensure that when it comes to sexual exploitation, the materials associated with that and the wide impact they have, this bill will be the signal to the world that says that Canada is not a haven for these sorts of corporate bad actors.

• (1320)

It will be that signal to the world that it is not allowed; that there are consequences to this that we can stand, in terms of our global partners, through various law enforcement agencies, intelligence, etc., to be able to say that Canada is a place where justice and the rule of law is strong and that there are consequences to exploiting those who are most vulnerable within our society.

That signal would not be important just in the context of where we are on this issue; there are also a host of peripheral issues around law and order. I want to stay focused on Bill C-270, but the issues surrounding Internet sexual exploitation and some of the crime, and the nature of how that happens in different parts of the underground economy, for example.... We have seen a massive growth in some of these things over the last number of years. As a result, there are many who are questioning Canada's ability to stand up for the rule of law.

Whenever we talk about these things, we have to keep the victims at the forefront of our minds. In this case, it's those who are the subject of this exploitive material. That's pretty straightforward. However, when it comes to criminal justice matters across the board, there is, I would suggest, a very clear need to be able to say that Canada is not a place where crime can flourish. We are a country that expects the rule of law to be upheld. As a result, with the rule of law being upheld, we can ensure that the victims of crime are in fact protected. This is because the best way to ensure that victims are protected is to ensure that there are fewer victims.

That's one of my biggest frustrations about many of the discussions around criminal justice and some of the reforms that have been brought about. Especially over the last nine or so years, we have seen a deterioration of the things that have traditionally been.... You used to be able to just take for granted that somebody convicted of a crime would stay in prison, that there would be justice for individuals who perpetrated an injustice. I think there are tangible aspects to the deterioration of that trust. You can hear it from anybody who's been the victim of a crime. You can hear it in their voice. There's a very clear understanding of that.

We have before us an example of how we're able to take steps in the right direction to ensure that we protect Canadians. We can—and, I would suggest, need—to send the signal to the world that Canada is not a safe haven for lawlessness and that we're not a safe haven for bad corporate actors when it comes to things like explicit material that has been obtained through non-consensual means. We need to send a signal that there's a clear mechanism to protect some of the most vulnerable.

The best solution, especially when it comes to law and order reforms—these justice reforms that are so important—is to reduce the number of victims. It's a somewhat intangible thing, because that solution means that there will be fewer people affected. However, that's the point. When there are fewer victims, it demonstrates that you are actually able to address some of these challenges.

There is a responsibility for all of us around this table and for every MP supporting this bill in getting to this stage. I wish we could have been able to question witnesses today. However, instead, we're debating an extension that could regrettably kill this bill if it were to pass. There are all of these things surrounding this.

● (1325)

At the very root of all of this, it has to be.... We can stand up for the past victims and we can help reduce the number of victims going forward. As a result, I think it's incumbent upon all of us to ensure that this does, in fact, happen. Certainly I and my colleagues—including the sponsor of this bill, who's done a ton of work to make it happen—have this responsibility. My hope is that the members of

the government who are trying to delay the passing of this bill, instead of putting—

● (1330)

**Mr. Chris Bittle:** I have a point of order. It's on an issue of relevancy, Madam Chair.

Mr. Kurek has been very good in the last hour and a half, but accusing us of delaying when he's been talking for an hour and a half and when the only point of contention is that the sponsor of the bill refusing to appear.... If he appears, I'm happy to discuss it and get it through as quickly as possible, but it's rather cowardly that he refuses to attend, and the Conservatives are covering up his not attending.

I am wondering if Mr. Kurek could use his next hour and a half to explain why Mr. Viersen, who is passionate about this issue, refuses to appear and why there is this cowardly refusal.

**The Chair:** Thank you, Mr. Bittle.

MP Kurek, I'm going to let you continue. You were speaking on the motion before us.

**Mr. Damien Kurek:** Thank you. I appreciate it.

I think it touches on something incredibly relevant, because we could have witnesses before us who could be talking about how important this bill is, yet we have instead a proposal by the Liberals to delay and quite possibly kill this important bill, a bill that would help set a standard in this country to say it is not okay to exploit those who are most vulnerable.

I will continue to share some organizations that have made a very clear statement, sharing how important it is that we pass this bill and that we pass it quickly.

When it comes to the members of the governing party, since they supported this bill at second reading, I hope they do not have some nefarious motive in standing up for some of the most egregious actors, both individuals and corporations, in our society.

Certainly, when it comes to the history, I referenced earlier the close connection this bill has with Bill S-210. Quite frankly, it was astounding to have the government, and in particular the Liberal cabinet, bow down to the lobbyists of some of the most egregious corporate actors on the planet instead of standing up for minors, in the case of Bill S-210, and ensuring that they are protected in our society.

In the absence of having witnesses before us—and I would note that they could have been there today, but they're not—I will read a quote from Parents Aware. They describe their organization a bit in the quote, so I will share with the committee their endorsement of Bill C-270. They said:

Parents Aware offers our full support on the Criminal Code amendments that are proposed in the Stopping Internet Sexual Exploitation Act. We feel that the addition of these offences with penalties is an effective way to hold companies and individuals criminally responsible when creating and distributing pornographic content depicting underage participants.

Here you have another organization that does good work in helping to bring awareness to some of the risks that exist in the online world and in particular the impact they can have on minors.

I'll just note something I found interesting. We did a TikTok study during my time on the ethics committee, which was very enlightening. It connects to this because it speaks to the speed with which technology is evolving. In particular, there are studies that suggest that the use of TikTok has endorphin-type responses in the brain similar to those from pulling the handle of a slot machine. It's that sort of thing, and the algorithms and the content that exist.

I know there was a big announcement yesterday—and I won't get into the specifics of it because it would be off topic, and I wouldn't want to get off topic—from the government related to TikTok, which I have no doubt will be studied. It will probably be studied by the ethics committee.

We have this responsibility to ensure that the justice system is responsive to the bad actors preying on some of the advances that have taken place and the access we have.

I think it's access. We are in the Internet age. I've talked quite a bit at different points in time about the first version of the Internet. It was that idea that the world could be connected, that there was access and that one computer could connect to another computer. That was a revolutionary concept. It obviously expanded significantly. It came with the idea that there was information associated with it.

• (1335)

We then moved into this “web 2” type of scenario. We had “web 1”, which was the access part. A news website would be a good example of that. You now have access to content—an encyclopedia, so to speak, at your fingertips—that you might not have had prior to that point, and then “web 2” came along.

That's very much the idea of social media. It's this interactive type. My social media will look different from my colleagues' social media, different from the social media of other folks and, Madam Chair, different from your social media. It all looks different, and it's the same thing in every aspect of that. You have algorithms. That idea of “web 2” is that it is no longer just a brochure or a library online; it's something that is actually responsive. It's a kitchen table that is truly the entire world all at once, all speaking at the same time.

We are moving from that, however, to what is often referred to as “web 3”, and that is the world in which it is certainly less tangible, in the sense that you're involving artificial intelligence.

I think there are certain expectations of AI. You look to sci-fi, dystopian-type future movies in which robots take over the world, and that's not what I think the point is. The point is that you now have the ability for the Internet to start to do some of the content curation on its own, so it's not simply responding to you but interpreting how you would want it to respond to something. That can

have an impact in the ability for content to be created, and that's what I referenced before—the work that's been done by one of my colleagues in terms of deep fakes. That's one small part of it. That's the creation of content.

It can also be the scraping of content. We see this in terms of copyright for music. You can ask ChatGPT today or any AI chat generator to write you a song, and it's quite something. I'd encourage those who maybe haven't had the chance to do so to go play around with that, because it gives you some insight into the level of interaction that the “web 3” world will have, and you see it in the context of a chat generator.

The reason it connects so closely with Bill C-270 is that in the absence of a clear framework for accountability, it does not limit the leaps and bounds of advancement in how that will impact people, including victims of exploitation in the future. It started off and was pretty easy with “web 1” because it was just basically the world going online and being connected. Access was a big part of it. “Web 2” algorithms have been, and still are, a big part of what this future is, but “web 3” is now taking it to the next step. We have to make sure, in particular when it comes to the content for which there may not be consent, that we develop the legal framework to ensure that there are consequences for the actions of bad actors, both corporate and individual.

When it comes to the role of Parents Aware as an organization, I know there are a whole host of other groups that are doing good work in talking about how to keep kids safe online. It's of course the bogeyman type of scenario, with a bad actor on the other end who would try to do terrible things, but it's becoming more than just that. It is opening up a world of danger online that we all carry with us and have access to in the devices we all keep in our pockets and vote on. We have to ensure that the actors who would perpetrate the crimes can still be held responsible. That's what it really comes down to. In the organization that I just referenced, you have a clear example of the ability for consequences for those actions.

Madam Chair, I had spoken a little bit about the story of Joy Smith. My wife, Danielle, had the opportunity to volunteer in her office back in 2015, and see the incredible legacy and the work that's been done.

• (1340)

I know my colleague across the way has done a tremendous amount of work when it comes to helping to combat human trafficking. I believe his bill received royal assent. Did it?

**Hon. John McKay (Scarborough—Guildwood, Lib.):** I'm happy to answer that question.

**Mr. Damien Kurek:** There's a host of work that's been done by members from all political parties to take action on these very important issues.

Mrs. Joy Smith was one of those individuals at Parliament. The foundation that stands in her name is still doing some of that work. The Joy Smith Foundation said:

Canadians must take a stand and insist that our country not be a safe haven for people to financially benefit from the recorded sexual victimization of anyone—especially youth. The SISE Act is a necessary step in ensuring that those who capitalize on filmed sex crimes are held accountable for the immense harm their actions cause.

True to fashion, Mrs. Smith, as in her time in Parliament, is not afraid of throwing punches. Exactly as she outlines, we have an opportunity to draw a line to say, “Look, this is not an acceptable action in our country.”

I hope we do not see this bill die at committee because of a delay. Rather, I hope we can—as I've been endeavouring to do—highlight some of the important organizations that show expertise. When they're endorsing a bill, it's a pretty good indication of the value the bill has in combatting this egregious activity that, unfortunately, has happened and is happening in our country. Let's make sure that we are able to stop this activity.

I will also share a quote from the Hope Resource Centre. This association does a tremendous amount of good work in providing hope to those who are facing significant challenges. It said:

Hope Resource Centre is confident the (SISE) Act will provide necessary systemic protective changes as we lead by example to encourage global collaboration through increased awareness and preventative action within Canada to this insidious form of abuse—internet sexual exploitation.

Again we have an example of an acknowledgement that through leadership here in Canada, we can take a strong stand that says enough is enough. We can demonstrate a level of leadership in the world. As we have the opportunity to demonstrate that, we will send a signal that says enough is enough. We are going to stop it. Enough is enough.

**An hon. member:** Enough is enough.

**An hon. member:** Amen, brother.

**Mr. Damien Kurek:** If only we could ensure that this bill gets back to the House, we could ensure that this does in fact happen. My encouragement is that by ensuring this is accomplished as soon as possible, we can demonstrate to the world that our justice system is able to be responsive.

I have a further quote from the EFC, the Evangelical Fellowship of Canada, which said:

By requiring that the age and consent of every person depicted in sexually explicit material be verified before it is posted online, the Stopping Internet Sexual Exploitation Act puts the responsibility where it belongs. We support this bill's measures to ensure illegal content is not uploaded in the first place.

I would highlight that this is key. If you can stop this process early and send that chill through the actors who are perpetrating these crimes to begin with, you can effectively ensure that you stop the victimization at the earliest opportunity.

• (1345)

The ability to do just that, I would suggest, is a key part of why this needs to get accomplished within the timeline to ensure the greatest chance possible. I had the opportunity to very briefly discuss why the timeline for that is so important.

The idea of ensuring that there is that consent is key because it places the responsibility with those who have the best opportunity to ensure that it is effectively managed. You have the individuals who are creating the content; obviously, that's a big part of it. The non-consensual side is another element to this. To ensure that those who are creating the content and those who are distributing the content, those two key actors here.... I can't emphasize that enough, because that is where the responsibility can and, I would suggest, should be, because, as it's outlined in this bill, those are the individuals who are not just creating the victimization in the first circumstance but, then, by their actions, are also creating that cycle of victimization, which can have such devastating consequences in the lives of the individuals who are affected. In particular, there is, of course, the impact it has on minors, but also the impact that it disproportionately has on women, as well as on all those who are affected and the many who, as we referenced earlier, do suffer in silence.

I would like to further read a quote from the Justice Defense Fund. This is what they said:

There is not a more important piece of legislation to protect victims from criminal sexual exploitation online than mandatory age and consent verification for pornography production and distribution online. This is a long overdue, commonsense, and urgently needed regulation that has the potential to protect thousands, if not millions of individuals, including children, from facing life altering, traumatic, sexual abuse.

What's interesting, in particular, is that these folks highlight something I would suggest is worth noting. I'll spend just a very brief moment talking about this. That is the idea of sexual abuse in terms of the subject matter. There is the abuse in terms of the instance and the horrific nature of that and the impact it can have, but whenever you add the content side of that—somebody being the subject of exploitation and the fact that it is recorded, whatever the case is—it creates a revictimization every time. That is not just viewed by that individual. There is the trauma associated with that for the individual who is the victim. The fact is that there is a weight and a heaviness associated with that, which that person then has to live with for the rest of their life.

I shared a couple of examples and stories of where there's been such a—

• (1350)

**The Chair:** We have a point of order from MP Bittle.

**Mr. Chris Bittle:** That's a very important point that Mr. Kurek is bringing up, but, again, it's a relevancy issue, because what he's talking about is in the online harms act, which I would love for us to get to. It isn't in this legislation, so I was hoping he could focus his remarks on why Mr. Viersen refuses to come and appear on his own legislation.

**The Chair:** Thank you, Mr. Bittle.

MP Kurek, please continue.

**Mr. Damien Kurek:** Well, I would suggest, Madam Chair, that it is incredibly relevant to the conversation we are having, because if Mr. Bittle had read Bill C-270, he would have noted the close parallel to what I am discussing and exactly what we are talking about here today, as well as the fact that Bill C-270 very specifically articulates the need for consequences for egregious actions that have taken place.

The good news, as I described very briefly earlier, is the autonomy that we are granted as members of Parliament. In the guidelines of being able to stay relevant, the Justice Defense Fund, I would suggest, has a particular expertise on the subject at hand. That expertise is being lent to this committee for the purpose of saying that we need to get this done. For the benefit of Mr. Bittle, I'll just emphasize one part of their endorsement of this bill: "This is...urgently needed [and] has the potential to protect thousands, if not millions of individuals, including children, from facing life altering, traumatic, sexual abuse." I would hope that Mr. Bittle takes that very, very seriously.

I would suggest further, Madam Chair, that, as I think I've outlined quite fairly and have endeavoured to not get super political here.... Now, that will be something that I know some of my colleagues from the other side might have trouble believing. However, when we have a bill that was supported by all members, that has such widespread support.... I would suggest that there are a lot more areas where I could have gotten political, even in what I think could have been a significantly longer intervention thus far. I've endeavoured to keep it as brief as I can, but I want to ensure that we have this very direct understanding of what we are trying to accomplish here. I would suggest that it is key for ensuring that we can actually get it done.

I would just note that one of the aspects of Parliament that we.... Sometimes, it gets a bad rap for not getting any stuff done. If you look at how the Liberals have paralyzed the House of Commons over the last number of months, it's certainly evidence of that. However, I want to stick to Bill C-270 here. This is a chance where we can truly get something accomplished and then get to work at ensuring that it can pass in the other place as well—or what we refer to as "the other place", that being the upper chamber of Canada's Parliament, the Senate of Canada—where I would hope and certainly have the expectation.... I know that it has addressed a number of bills similar to this in the past and has been able to endorse them, and that certainly gives me some hope that we can get this sorted out.

When it comes to actually getting this done, if this is delayed by 30 days, as the motion that we are discussing here today proposes, all of the things that I've endeavoured to articulate as succinctly as possible get lost, and we have to restart this process. We don't want to do that. We want to actually get stuff done. I think Canadians want to see that this action is, in fact, taken.

I'd like to share a quote, if I could, Madam Chair, from Andrea Heinz. She has this to say:

An integral part of this valuable bill is to focus on our youth and ensure each person whose image is depicted in the material is a consenting 18 years or older. Having worked over 7,000 cases of survivors of human trafficking and their families, it is critical the Criminal Code be amended to ensure the safety of these underaged individuals.

Now, I'm very glad that Mr. Bittle brought up something that has such close relevance to this bill. I would suggest that one of the things that we've heard and that I've certainly heard from constituents in relation to the concerns around Bill C-63 is that it's off the point in terms of actually accomplishing the set objective. I don't think anybody is opposed to what they would suggest the bill accomplishes. However, as they say, the proof is in the pudding.

• (1355)

Here we have an example of how and where I would suggest that bill falls short, and there's a whole host of issues that I don't want to get into here because we're sticking to the very relevant subject matter at hand, although we could probably talk at length about Bill C-63 and some of the issues related to that.

Where Bill C-270 really hits the mark is that it puts very clear parameters into ensuring that there are consequences for bad actors. I would suggest it is that clarity, as I outlined before when I went through the bill, that ensures there is this needed certainty so that Canada marks that line, as I've talked about, that signals to those actors and to the world that Canada is not a haven for these bad actors.

I would just note that in this quote, this individual says she had worked with 7,000 cases of survivors related to human trafficking; that's a big number. That is a lot of individuals who have faced the incredible impact that crime has on victims and those survivors. I would suggest, Madam Chair, that we look at that number and don't just gloss over it, because you're talking about 7,000 individuals who have parents—a mom and a dad—and who have siblings. They have, in some cases, kids, and they have grandparents. Certainly, the number of people impacted by just this individual's work speaks to how important an issue this is to ensure that we're actually addressing the issues that Canadians expect us to be able to address.

I would, Madam Chair, further like to share a quote from the Ottawa Coalition to End Human Trafficking, which says, "This is an issue that requires priority, attention, and dedication on all fronts, and thus far has not been treated in this manner" by Parliament. This is a legislative gap that Bill C-270 will fill in our criminal justice system. "The victims involved in this investigation and the thousands of other victims out there deserve our greatest efforts and support." Bill C-270 will provide this support in more ways than one. Sometimes you just can't time things better than this, but certainly, when it comes to the issue at hand, we're debating an extension, and the Ottawa Coalition to End Human Trafficking talks about how Bill C-270 fills the gaps as needed.

I would suggest that the simple, straightforward and common-sense solution, while we should have been addressing the issue with witnesses here today, is that we do not want to see this unnecessarily delayed. This is to ensure, as there are organizations like this that are highlighting some of the concerns, that we take the diligence and the need to get this stuff sorted out. In this case, let's get Bill C-270 back to Parliament. We don't need to extend it by 30 days. We need to get it back to Parliament so that, hopefully, it can get passed, or at least so that it has the very best chance of passing before this Parliament comes to an end—although, certainly, if the Liberals just handed over the documents related to SDTC, we'd be back to private members' business, but I digress on that front.

Further to that, I would suggest that there is a—

• (1400)

**Mr. Chris Bittle:** I have a point of order.

**The Chair:** Go ahead, MP Bittle.

**Mr. Chris Bittle:** Thank you so much.

That actually wasn't relevant. Could Mr. Kurek get back to the topic in question, which is Arnold Viersen being unwilling and too cowardly to come and testify?

**Mr. Adam Chambers (Simcoe North, CPC):** I have a comment on that same point, Madam Chair.

**The Chair:** Thank you, Mr. Bittle.

Mr. Chambers, go ahead.

**Mr. Adam Chambers:** Thank you very much.

This is my first time at this committee. It's wonderful.

**The Chair:** Welcome.

**Mr. Adam Chambers:** I believe Mr. Kurek has demonstrated an ability to bring it home and to bring it back to the subject at hand.

**The Chair:** Thank you, Mr. Chambers.

Please continue, Mr. Kurek.

**Mr. Damien Kurek:** Thank you very much.

The good news, for Mr. Bittle's sake, is that I am keeping it absolutely on topic. While I am tempted to diverge from the subject at hand, I want to keep politics out of this as much as possible. For his benefit... We'll see. I might have an opportunity to have a dialogue with him later in the House of Commons related to the SDTC issue.

Madam Chair, I've read some quotes, and I have a few more that I will get to, because the amount of support we have before us for the passing of Bill C-270 is almost overwhelming. Parliament has this clear opportunity to be able to say, "Okay, let's simply get the job done."

What's interesting is that... When we have some issues before us, there are the political sides, and that's fair. That's a very common thing. That's the nature of discourse. There are two sides to each debate. What is interesting, when it comes to the subject we have at hand, is that we have, I hope, a desire to see the right thing accomplished. When it comes down to it, it is not just talking about a bill as it stood after a second reading vote, when it received unanimous endorsement; it's actually seeing it get implemented in a way that works toward solving some of the significant challenges we face.

In this particular case, those who have been victims of this egregious exploitation.... Throw the book at those who deserve to have the book thrown at them and put them away, where they belong, for a very long time. Ensure that victims are given the support and the peace in knowing we've taken every action possible to ensure that there is the least likelihood possible that what happened to them will happen to anyone else.

Madam Chair, I would like to highlight a quote from the Soroptimist International Western Canada Region. They said:

To be protected when vulnerable is a human right as outlined in the Universal Declaration of Human Rights. Soroptimist International recognises that for the pornography industry, women and girls have greater vulnerabilities, that include young age, financial insecurity, and exposure to sexualized violence. Social protections for youth must include protection from participation in pornographic materials and sexualized images being shared online. That is why Soroptimist International WCR (Western Canada Region) supports Bill C-270 and will continue to educate women and girls about their rights.

Madam Chair, we have before us... As was highlighted, those who are disproportionately at risk of becoming victims.... To be able to send the signal very clearly to those actors in our country, and to the world, that Parliament—the supreme law-making authority of the land—is willing to take this issue seriously and do something about it is absolutely key.

To highlight, the stopping Internet sexual exploitation act will prohibit making or distributing pornographic material for a commercial purpose without verifying the age and getting the express, voluntary consent of the people depicted in it. It allows surety around that idea of consent and the ability to revoke consent and express consent, and doing so in a voluntary manner.

• (1405)

The number of endorsements this bill has is absolutely astounding. I've read through some of the quotes, but we have before us the Montreal Council of Women, the Colchester Sexual Assault Centre, DD, working to end sexual exploitation, VCASE, the Sexual Assault and Violence Intervention Services of Halton, The Salvation Army, the Ottawa Coalition to End Human Trafficking, CEASE UK, Parents Aware, the London Abused Women's Centre, Foundation RA, the Ally Global Foundation, the National Centre on Sexual Exploitation, the National Council of Women of Canada, the Hope Resource Centre Association and the Joy Smith Foundation. I know there are so many others.

I'm not sure if I'm close to the conclusion of my remarks—we'll have to see about that—but this is certainly something that is of the utmost importance in the subject matter before us.

I am going to share some survivor testimonies. To ensure that we protect victims, we need to highlight the devastating impacts of what happens when they are not protected. I'm going to share a few of these things. I won't let just the words of a politician from rural Alberta speak, but the words from individuals who have faced the devastating consequences of the gaps that exist in the legal, criminal, legislative and regulatory frameworks in our country. They are why, again, I'm highlighting the need to not delay this by 30 days, but to get this bill passed.

There's an individual who goes by the name Rachel, from Canada, who said, "It's devastating. I mean, this is something that is going to haunt me for the rest of my life. I will always be someone's porn." She also said, "I did not consent to this video being made, nor to it being uploaded to Pornhub." I don't think, Madam Chair, that any commentary is needed on that, other than for Rachel, in her comments, to speak to why we need to get the job done.

I'll share testimony from the standing committee on ethics' study on Pornhub in 2021.

Serena said:

I stopped going to school. I got really depressed. I thought that once I stopped being in the public so much, once I stopped going to school, people would stop re-uploading it. But that didn't happen, because it had already been basically downloaded by people all across the world. It would always be uploaded, over and over and over again. No matter how many times I got it taken down, it would be right back up again.

Again, that was testimony in the standing committee on ethics' Pornhub study.

I would note, because I think this bears emphasizing, that when it comes to the first quote I shared from Rachel about when she was trying to get the video of which she was the subject removed, the company told her that removing the content was her responsibility. How absolutely and utterly disgusting is it that you have a bad corporate actor, because of a gap that exists in criminal law, being able to suggest that somehow the victim is responsible for dealing with the problem?

Victoria Galy said in testimony, again on the previous ethics study on this issue:

There were over eight million views just on Pornhub alone. To think of the amount of money that Pornhub has made off my trauma, date rape and sexual exploitation makes me sick to my stomach.... I too feel like Pornhub has become my human trafficker, and they have been relentless in doing so.

That was Victoria.

● (1410)

Again, in testimony that was heard, Rose Kalemba said:

Six videos of my rape at age fourteen, uploaded by one of my attackers, stayed on PomHub while they refused to remove them for over half a year. My cries to them where I begged them to take them down, stating that I was a minor and that it was not consensual, both of which were glaringly obvious, went unheard. Every single day I had to watch the view counts continue to rise while ads appeared along with the rape video. The number of views eventually exceeded 2 million.

A gap exists that needs to be filled.

Another witness had this to say. I would highlight, Madam Chair, that because of the sensitive content, there are a lot of people who don't want their names shared. I understand that, because this is a process of retraumatizing. This witness said, "It wasn't until August of 2020 that I discovered those private photos had been uploaded to porn sites.... Finding the photos led me to a video. I did not know the video existed. I found out...by watching it on Pornhub... Whether I was asleep or drugged is impossible to know after the fact, but what is clear in the video is that I am not conscious and there is nothing to suggest consent."

I spoke earlier about how the victimization doesn't end at the conclusion of what would be a horrific and life-changing moment. It continues and continues. To close the gaps that exist in regulation, Madam Chair, I think it is incumbent upon all of us as members to, again, get the job done. We shouldn't delay it by 30 days, but get the job done. The fact is that this is a well-studied subject. I'm glad that there's opportunity and testimony that exists on the stark reality of what happens when criminal law doesn't put behind bars those who need to be behind bars.

Further, there is another testimony that says, "I was 17 when videos of me...came to my knowledge, and I was only 15 in the videos they've been profiting from.... Every time they took it down, they also allowed more and more videos of me to be reuploaded.... I don't leave my house anymore. I stopped being able to work".

I would highlight that the study that took place at the ethics committee was very specific to MindGeek, the company that owns Pornhub, and this is pretty specific to that. I would, Madam Chair,

emphasize that this is one example, one of many bad actors in an industry that is built on exploitation.

There was a submission, again, to the ethics committee study on this where David.... I mentioned before that the victims of this are disproportionately women, but it's certainly not limited to women. I'll quote from one of the submissions to that committee study: "David at 15 years old, was given Rohypnol, known as 'having been roofied' or 'a date rape drug,' one evening after having snuck into a club.... After searching several gay porn sites, he found himself in several videos. David found it impossible to have his videos removed and he was a non-consenting minor". It goes on to talk about how that led to a cycle of addiction, including "alcohol, cocaine and eventually methamphetamine to try and erase the memories" of the abuse he faced. It's hard. That's the sort of testimony that feels like a gut punch.

● (1415)

That's why I would suggest that, when it comes to the issue of the motion to see this extended, I highlighted some of the procedural stuff that exists for a reason, and the need to get this bill studied and reported back to the House so that we can have the best chance possible of it getting sorted.

I would hope that some of the testimony I've shared, as well as the organizations that have endorsed Bill C-270.... I've highlighted some of the specifics around why it matters, but then, specifically, I would simply conclude by saying this. There is a chance that MPs have to help get this bill across the finish line. I've shared quotes from organizations that are involved with victims, and then what is, I would suggest, some of the toughest stuff that I've read into the record in Parliament in terms of words from victims themselves.

As I wrap up my remarks here, I would suggest that this doesn't need to be extended. This needs to be passed and reported back to Parliament. I would therefore ask.... I believe I'm on the right procedural ground, so I can ask for UC, but we'll still have the floor after that. I would ask for unanimous consent that the committee pass this bill and report it back to the House at the earliest opportunity.

**The Chair:** I heard "no" several times.

Thank you.

**Mr. Damien Kurek:** Madam Chair, I find it unfortunate that there would be that unwillingness to do so.

However, the next best way to get that accomplished is to allow it to be automatically reported back within the time frame that was originally discussed. Therefore, I move to adjourn.

**The Chair:** Okay. We have a motion to adjourn.

Do you want a recorded vote?

[Translation]

**Mr. Rhéal Éloi Fortin:** I have a question, Madam Chair.

**The Chair:** I am listening, Mr. Fortin.

**Mr. Rhéal Éloi Fortin:** In fact, I'd like to get a clarification. Is this motion to adjourn the debate on the motion or to end the meeting?

**The Chair:** That's a good question.

Personally, I think the request is to end today's meeting.

**Mr. Rhéal Éloi Fortin:** If I understand correctly, the motion will not end debate on the motion. Is that correct?

**The Chair:** The motion is a request to end the meeting. Consequently, debate on the motion will be adjourned. At the next meeting, we can resume it.

**Mr. Rhéal Éloi Fortin:** Thank you, Madam Chair.

If I understand correctly, the debate on the motion can therefore resume at the next meeting.

**The Chair:** Yes, that's right.

[*English*]

It's only an adjournment.

[*Translation*]

It's not about closing the debate on the motion.

[*English*]

Would you like a recorded vote, or would you like a show of hands?

Okay, we'll have a recorded vote on the motion to adjourn the meeting.

(Motion negatived: nays 6; yeas 5)

• (1420)

[*Translation*]

**The Chair:** So we continue the debate on the motion.

[*English*]

We move to the second person on the list now.

Mr. Maloney, the floor is yours.

**Mr. James Maloney:** Thank you, Madam Chair. I will be much more brief than Mr. Kurek was.

A couple of things he said stood out for me. One of them was that this piece of legislation could be a shining light to the rest of the world, and yet here we are; he and his colleagues are preventing their colleague who brought this bill to the House.... He is being denied the opportunity to come here and have the light shine on him and celebrate what Mr. Kurek describes as his great achievement. It's absolutely shameful. I have never seen this in my nine years as an MP, where members of your own party have gone to such great lengths to prevent you from appearing to defend your own position. It's astonishing.

Another thing he said that stood out was when he was listing the categories of people who are not allowed to bring forward private members' bills, including cabinet members and parliamentary secretaries; he can now add Arnold Viersen to that list and take credit for that himself.

I just hope.... He used the word "delay" a number of times, in terms of delaying sending this bill back to the House. It's quite the opposite. We're extending the time so Mr. Viersen and his colleagues—my parliamentary colleagues across the way—have an opportunity to stand here and share in that pride with Mr. Viersen to

celebrate this bill. They are denying it for reasons that they won't put on the record.

I'm going to ask the rest of you, as you're speaking today, to keep that in mind. Be fair to your own colleague. Give Mr. Viersen his day and his moment to come here and give evidence on his bill so we can celebrate the things that Mr. Kurek outlined earlier today.

Thank you.

**The Chair:** Thank you, Mr. Maloney, for your brevity. I appreciate that.

I'm now going to MP Bittle, please.

**Mr. Chris Bittle:** Thank you so much, Madam Chair. I'll try to match Mr. Maloney's brevity.

This is genuinely surprising, because Mr. Viersen, I believe, was elected at the same time as me, in 2015, and throughout his whole career he has been a passionate advocate for protecting vulnerable people. I commend him for that, but when the rubber meets the road in terms of legislation, he is nowhere to be found, and members of his party are covering up for him.

It started with Bill S-210, which was a bill the Conservatives were in favour of. It was a digital ID bill that I didn't agree with, but I admired the intent to protect vulnerable people. Mr. Viersen, even though it was a Conservative bill, came to the committee I was on and filibustered it. Despite nine years of saying he wanted to stand up, he wouldn't let that bill be studied. He wouldn't let it have its day.

So, unlike Mr. Maloney, I have seen this before—Conservatives pretending to care about vulnerable people. I think most of them do. I imagine this is something from the leader's office saying, "Please, dear God, don't let Arnold come and testify to this bill." What are they afraid of?

Mr. Kurek spoke for almost two and a half hours and didn't mention Mr. Viersen once; he did not mention his trust in his colleague. If they don't have trust in him, if they don't believe him and if they don't think he supports this legislation, maybe he should pass it on to someone else in the caucus, or, alternatively, let's get this studied. Why don't we bring him here this afternoon? Let's have a study; let's discuss it with him and do this important study.

The other surprising thing is that Mr. Kurek spent a great deal of his time talking about things that aren't even in this bill. It's amazing. It's not a long bill, so Mr. Kurek may be reading things that don't exist, or maybe he read the online harms bill, because a lot of the victim impact statements that he talked about—which are compelling and important, and we need to discuss these things—were about taking content down off the Internet. This bill does not accomplish that.



My hope is that it's not an issue of cowardice. I don't think that's Mr. Viersen's style. I think it's an issue of his colleagues not trusting him, not allowing him to speak and silencing him. It's funny: In question period, they always accuse the Prime Minister of silencing his MPs and his cabinet ministers. Why aren't any of the members here standing up for Arnold? Mr. Brock is one of the ones who get up and ask, "Why is the Prime Minister silencing members of the Liberal caucus?" while, hypocritically, he sits here and just looks on blankly. "Don't let Arnold come and testify, because I don't trust him." That's what Mr. Brock is saying. He does not trust his colleague.

• (1425)

**Mr. Larry Brock:** I have a point of order.

**The Chair:** MP Brock.

**Mr. Larry Brock:** Mr. Brock has not had an intervention yet, so I really don't know what Mr. Bittle is saying. If he's patient enough and my turn eventually comes around, he's going to hear much from Mr. Brock.

I'll simply add that. Just be patient. You'll hear from me soon, Mr. Bittle.

**The Chair:** Thank you.

Mr. Bittle.

**Mr. Chris Bittle:** I think, again, hypocritically, Mr. Brock was upset by my points of order, but he does the exact same thing. I guess he can sit in his hypocrisy.

Again, I look forward to him talking about how great a colleague Arnold is, yet he will use all of that time to prevent him from coming to testify. This is the standard. I have yet to see a private member's bill on which the sponsor doesn't come to testify.

On Bill S-210, even after the filibuster finally broke down—Mr. Viersen came to filibuster it himself—and we had the sponsor from the Senate come to testify to the bill, Mrs. Vecchio, who I believe was the House of Commons sponsor of that bill, was prevented from testifying. Again, the Conservatives are preventing one of their members from testifying at committee.

Mr. Brock, what I'm talking about is you having interventions in the House of Commons. I'm taking those and putting them here and into my remarks. Again, you are critical of the Prime Minister, but you're doing the exact same thing. Why don't you call...? I'm sure you will devote a large percentage of your time to talking about how great Mr. Viersen is and how he should come to testify.

Again, Mr. Brock claims.... I believe it to be true, because he spent his career as a prosecutor—he likes to mention it frequently—standing up for victims and fighting the good fight. I believe that, but again, this is the process. I know he's new-ish to this place, but he's been here long enough to know that sponsors testify. If it's a government bill, the minister testifies, and we go through the process. Why, in this one case...? What does he not trust Arnold to say? Why doesn't Mr. Barlow trust him? Why doesn't Mr. Van Pop-ta trust him? Why doesn't Mr. Chambers trust him? I know Mr. Barlow just got here, to be fair to Mr. Barlow.

Free Arnold Viersen. Where is he? Why is there the lack of trust? Is he even in the city? Again, let's call him.

Perhaps I can move for unanimous consent, if we want to get this going quickly, to call Mr. Viersen as a witness in this study after the votes this afternoon.

**The Chair:** I have a motion for unanimous consent.

**An hon. member:** No.

**The Chair:** Okay. I hear "no" on my left side.

For the record, the clerk has already requested three times in three different letters that Mr. Viersen come. Two of them were for him to come today, but we're still here.

Mr. Bittle, please continue.

• (1430)

**Mr. Chris Bittle:** Thank you, Madam Chair.

It's funny. Mr. Brock got quite upset when I suggested he didn't trust Mr. Viersen, and he was the quickest to jump up to say no to expediting this study and having Mr. Viersen come this afternoon. So much for standing up for victims. So much for standing up for this legislation, which, again, didn't do any of the things Mr. Kurek talked about in his two hours.

Where's that urgency? Look at the empty end of the table. If he's proud of this legislation, he should come to testify.

I think he is proud of the legislation. I take him at his word. I don't think his colleagues are proud of him. I think his colleagues—Mr. Brock, especially—are embarrassed by him. They don't want him to come. They don't want him to appear. They're scared of what he'll have to say. It's truly shameful. If you trust your colleagues, why not have them come to testify? It's embarrassing, and it's shameful. It speaks volumes about what you think of your colleague Mr. Viersen.

This legislation deserves to be debated, and it deserves to be debated quickly. Mr. Brock does not want it debated today. The Conservatives just want it to go without study, which is worrisome. If this is as powerful as Mr. Kurek says it is, this should be a quick study, and then we can go on to the next thing. He is correct that it passed unanimously in the House.

I don't know if Mr. Brock is under orders from the leader's office. Maybe he trusts Mr. Viersen and his leader's office doesn't trust Mr. Viersen, but we're spending hours preventing him from testifying. Mr. Brock just denied unanimous consent to have him come to testify. It's truly shameful and hypocritical of a party that pretends to stand up for victims, but when the time comes to actually stand up for them, they are absent.

Thank you, Madam Chair.

**Mr. Adam Chambers:** I have a point of order, Madam Chair.

**The Chair:** Mr. Chambers.

**Mr. Adam Chambers:** There are no more empty sides at the table. I just want to make sure that's clear, for my colleague Mr. Bittle.

**The Chair:** MP Van Popta, go ahead, please.

[*Translation*]

**Mr. Rhéal Éloi Fortin:** Madam Chair, on a point of order.

**The Chair:** Wait a moment, Mr. Van Popta.

I'm listening, Mr. Fortin.

**Mr. Rhéal Éloi Fortin:** I don't want to interrupt my friend Mr. Van Popta, but, before he begins his speech, would it be possible to reread the motion we are currently working on? I know it's short.

**The Chair:** Yes, absolutely.

The motion is: "That the committee request an extension of 30 sitting days to the period of Committee consideration for Bill C-270."

**Mr. Rhéal Éloi Fortin:** Thank you, Madam Chair.

Under the circumstances, if possible, I would ask for a vote on this motion.

**The Chair:** There are still a few names on the list of members who wish to speak, namely Mr. Van Popta and Mr. Brock. We can't call for a vote on the motion if any members still wish to discuss it.

**Mr. Rhéal Éloi Fortin:** I would then ask you to add my name to the list after Mr. Brock's, and I will call for the vote on the motion at that time.

Thank you, Madam Chair.

**The Chair:** Thank you, Mr. Fortin.

We now return to Mr. Van Popta.

[*English*]

**Mr. Tako Van Popta (Langley—Aldergrove, CPC):** Thank you, Madam Chair, and thank you for rereading the motion. I was getting somewhat confused because Mr. Bittle kept referring to Mr. Viersen. I don't think that name even appears in the motion that is before us today, which is to extend for 30 days.

I expressed before my frustration with our not proceeding with this study. We had some time. We should have called witnesses. I understand that the list of witnesses was provided to the chair some time ago. I had hoped that witnesses on this study would have appeared earlier this week, and I had hoped again that they would appear today. The Liberals are clearly playing games. For some reason or another, they don't want to hear what these witnesses have to say. They only want to hear what Mr. Viersen has to say, and I find that very frustrating.

I ask myself why we even need a 30-day extension to a 60-day rule. I think it would be useful to read what Bosc and Gagnon say about the 60 days so that we have it clearer and in front of us:

With regard to private Members' bills, the Standing Orders provide that the committees to which they are referred have 60 sitting days from the date of the order of reference to: conclude their consideration of the bill and report the bill to the House, with or without amendments; present a report recommending not to pro-

ceed further with the bill; or present a report requesting a 30-sitting-day extension....

I believe that's the rule we're up against. I did the math. The bill was referred to us from the House after a second reading vote on May 8. That's almost six months ago. Surely we could have had the time to have the study done since then.

I looked through the schedule of events as to what this committee has been doing all this time to see why it could not have come to us before and why it is now a crisis such that we need to get a 30-day extension. At the time, on May 8, there were two important studies in front of this committee. One was on anti-Semitism, and one was on Islamophobia. We agreed that these were two important studies, and the Conservative members of this committee were very interested in studying these two reports. This is what happened. On May 9, the committee studied anti-Semitism. We had witnesses come before us. On May 23, anti-Semitism was studied again, and we had witnesses come before us. There was a repeat of that on Monday, May 27; we had anti-Semitism witnesses.

I recall those meetings very well. They were interesting. It was good to hear different perspectives. I was very encouraged by the bravery with which these witnesses appeared and explained to us what was going on, particularly on campuses. I thought those three meetings were very educational; they certainly were for me.

On June 3, we switched over to the Islamophobia study. Again, we had witnesses appear before us on that day.

• (1435)

**Mr. Chris Bittle:** On a point of order, this is completely irrelevant to the matter in question. Again, Mr. Van Popta is talking about six months for Mr. Viersen to appear. Maybe he can discuss why he's not appearing within those six months. That would be more reasonable and more in line with what we're discussing.

**Mr. Larry Brock:** On the same point of order, Madam Chair, it is absolutely, 100% relevant to the only motion before this committee, which has absolutely nothing to do with my colleague Arnold Viersen and everything to do with extending this study by 30 days. It's relevant that Mr. Van Popta is going through the history of how we found ourselves in the position to study this particular bill, which has been with the committee now for close to six months.

**The Chair:** By the way, the clerk also has the record of the appearances we've had. I know it sounds like it's been six months, but obviously we broke in June and did not return until the third week of September.

Mr. Van Popta, please continue.

**Mr. Tako Van Popta:** I'm very happy that the clerk also has it in front of him, and I'm sure that he will point out if and when I am wrong, but I think I'm pretty accurate about what's going on.

I was saying that we started the Islamophobia study on June 3, keeping in mind that the private member's bill, Bill C-270, had been with us for almost a month by then already. I'm just setting the framework to come to an understanding as to why, after six months, it is now becoming a crisis that we need to deal with this private member's bill.

On June 3, we had witnesses appear before us on the Islamophobia study. Later that week, on Thursday, June 6, again we had witnesses appear before us on the Islamophobia study, and then again the following week, on Monday, June 10, we had witnesses come here on the Islamophobia study. I remember those meetings well, and I was impressed with the testimony and the courage with which the witnesses came to us to give testimony and the heartfelt stories that we were receiving. I knew there were going to be good reports coming out of these two studies.

June 13, I believe, was the last day that we had witnesses come to us on the anti-Semitism study, so we were sort of going back and forth. I believe on June 13 we also gave instructions. I don't know if we had witnesses, but we took time to give instructions to the analysts as to what we thought was important to put into the report on anti-Semitism. Then, on June 17, the next week, it was the same thing with the Islamophobia study. We had all gone through the witness testimony, or at least I did, over the weekend. I read the testimony and highlighted what I thought was important to be put into the report. I remember at the time that we told the analysts, "You are very good at what you do, as highly educated people and great drafters. Please go ahead and go through all the testimony and put the report together as best you can, including the recommendations."

I've been on committees where the members of the committee actually spent time writing the recommendations themselves and then submitted them to the analysts. I have seen the analysts have a hard time, on the one hand, paying respect to the drafter of the recommendations and, on the other hand, trying to make the report coherent as though it was written by one person, so I was very happy that the other committee members agreed that we would just give free rein to our analysts to work on the two reports, including writing the recommendations, over the summer and present them to us in September. Indeed, that is what happened.

Of course, those meetings are in camera when we're reviewing the reports, so there's only so much I can say about what happened at those meetings. I would just say this: As I expected, the reports came back very well written and very thorough. I remember going through them sitting in the airplane on the way here with my highlighter and my pen. I thought, "I might have said this one slightly differently, or I might have done it that way, or I might have put the paragraphs in a slightly different order," but in the end, you know, we had delegated this task to our analysts. They did a good job, and I wanted to respect them.

Madam Chair, at that time, I could have accepted at least the narrative part of each of those reports as they were written and then, with my committee colleagues, gone into the recommendations to see if I thought there was probably going to be room there for some disagreement, for some debate and for some refining. In my opinion, that would have been one two-hour meeting on each report, but that's not what happened.

On September 23, we had set aside an in camera meeting for the Islamophobia study. Later that week, on Thursday, September 26, we had a two-hour meeting in camera to review the first draft of the anti-Semitism report. On Thursday, October 10, we had a second two-hour in camera meeting to review another draft of the Islamophobia report.

• (1440)

On Monday, October 21, we had a third meeting, a two-hour in camera meeting, debating the drafting of the report. On Thursday, October 24, we had—let me count here—

**Mr. Chris Bittle:** I have a point of order.

**Mr. Tako Van Popta:** —what I believe was the third meeting—

**The Chair:** Mr. Van Popta, wait one moment.

We'll go to Mr. Bittle, please, on a point of order.

**Mr. Chris Bittle:** Again, this is not relevant. Reading the agenda or the minutes of the committee is not relevant to the study of why Mr. Viersen refuses to come, and why, over the six months, he has refused to attend.

**The Chair:** Mr. Kurek, go ahead.

**Mr. Damien Kurek:** Thank you. I'm very glad to be back to this.

On that point of order, Madam Chair, while I'm sure you appreciate the feedback that Mr. Bittle is providing to you about relevance, it is not up to him or the government to determine what is associated with relevance to this committee.

I would, however, note that the motion before us, put forward by Mr. Maloney, is directly related to extending the study. I would suggest that Mr. Van Popta's intervention is not only relevant but actually prescient, with precision, to the specifics of the motion that is being discussed.

• (1445)

**The Chair:** All right.

Thank you, everyone.

What I'm going to do now is suspend the meeting.

We are suspended.

[*The meeting was suspended at 2:46 p.m., Thursday, November 7*]

[*The meeting resumed at 12:30 p.m., Friday, November 8*]

• (3630)

[*Translation*]

**The Chair:** We are back in session.

For the first time on this committee, French speakers outnumber English speakers. That's great.

Welcome. This is meeting number 121 of the Standing Committee on Justice and Human Rights. The committee is beginning consideration of Bill C-270, An Act to amend the Criminal Code (pornographic material).

[*English*]

We are here in public to resume the debate that started on the motion of James Maloney, which was a request for an extension of 30 sitting days to report Bill C-270 to the House.

When we left off, we were with MP Van Popta. I wasn't sure if he had concluded or not.

**Mr. Tako Van Popta:** Quite the contrary, I was just getting started.

**Mr. Philip Lawrence (Northumberland—Peterborough South, CPC):** I just have a point of order. I don't mean to interrupt you, Mr. Van Popta. I know you've been waiting.

Which Liberals are officially subbed in? I notice there's an excess. I do love all my Liberal colleagues, but I did see an excess of Liberals here, so I just want to know which ones are officially here.

• (3635)

**The Chair:** Thank you.

We have Mr. Drouin.

[*Translation*]

I wish you a good afternoon and thank you for attending.

**Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.):** Good afternoon.

**The Chair:** Mr. Samson is supernumerary at the moment.

[*English*]

For the benefit of the few who have never been on the justice committee, or not for a long time, I would request that all interventions be made through the chair and that you do not speak unless you are recognized by the chair.

The floor is yours, MP Van Popta.

**Mr. Tako Van Popta:** Thank you, Madam Chair.

Before I pick up where I left off, I would like clarification on how long we will be here. That will inform how I'm going to carry forward for the next little while.

**The Chair:** We have resources until 11:30 tonight.

What happens will depend on the committee. I'm at the discretion of the committee.

**Mr. Tako Van Popta:** If my math is correct, that's another 11 hours. That was a gift to this committee, really. We weren't expecting it.

The Liberals are asking for an extension of 30 days, which would have been eight meetings times two hours, or 16 hours. Well, we have 11 hours tonight. If it's so urgent to go ahead with the study, why aren't we using this time more productively by having witnesses? We submitted names of witnesses quite a while ago. For some reason or another, those witnesses have never been asked to come here. Now the Liberals are asking for an extension of time to listen to witnesses. Why don't we do it right now? I just find it very frustrating.

Where I left off....

Madam Chair, I wonder if you could read again the motion that is actually being debated, to help us focus.

**The Chair:** Certainly.

The notice of motion was dated October 7, 2024. It was a month ago. The motion we are on reads as follows:

That the committee request an extension of 30 sitting days to the period of committee consideration for Bill C-270.

**Mr. Tako Van Popta:** Okay. Good. Thank you.

It was just a simple motion to extend for 30 days. That motion was made 30 days ago. How many meetings have we had since then where we could have had witnesses? Now we have another 11 hours and still no witnesses here. I think the Liberals are just playing games. I don't know what their endgame is here or what their objective is, but we're just wasting a lot of time. It's an unproductive use of this committee's efforts.

To pick up where I left off, in response to that motion for an extension of 30 days, I was going through the schedule of events of this committee for the last six months. I was trying to understand how we got to this point where we are now in a crisis where we need an extension of 30 days to deal with our business. Why didn't we deal with it before?

For the benefit of those who are new to this committee today, the private member's bill that is the subject of the debate, once we get going on it and once we get witnesses here, will be Bill C-270, which was referred to this committee on May 8. That was six months ago. Why do we need another 30 days? What are we going to do in those 30 days that we couldn't have done in the six months that have passed in the meantime?

I won't belabour the point, but I'll be giving a little bit of background to those who weren't part of the discussion yesterday. I'm doing it for the benefit of those who are gracing us with their presence today. I really appreciate all of them coming, from all sides of the House.

On May 8, we were engaged in two very important studies. One was on anti-Semitism; the other was on Islamophobia. The anti-Semitism study was on a proposal from the Liberals. On the Conservative side of this table, we agreed to that. We thought it was very important, given what was happening, particularly on university campuses.

• (3640)

**The Chair:** Mr. Van Popta, please wait one moment.

Colleagues, please, can we not have a lot of distraction, for your colleague's sake? Thank you very much.

MP Van Popta, you have the floor.

**Mr. Tako Van Popta:** Thank you, Madam Chair.

**Mr. Chris Bittle:** I have a point of order.

**The Chair:** Go ahead, Mr. Bittle.

**Mr. Chris Bittle:** Thank you very much, Madam Chair.

The rules don't provide for repetition. If Mr. Van Popta is just going to reread what he read last time.... This is a continuation of a meeting, not a new meeting. He needs to move on to new material. I know he said that he didn't want to belabour the point, but it looks like he is belabouring. If he is going to repeat, it's not in accordance with the rules. He needs to move on to something relevant and new and carry on, or we need to go down to the next person on the list.

**The Chair:** Thank you, Mr. Bittle.

I think Mr. Van Popta is aware of the rules. He's been very collegial to work with. I think he understands that.

**Mr. Tako Van Popta:** Of course. Thank you.

I am not going to belabour the point. I am just saying that we were undertaking two very important studies at the time, so we could not get into the study on Bill C-270 immediately. I get that. I appreciate that. I understand that.

The first six meetings on these two studies went very well, when we listened to witnesses. That brought us to the end of the sitting before the summer break. We had an opportunity to have a meeting with the analysts to give drafting instructions. We told them to go ahead, prepare both reports and have them available to us when the session began again in September. They indeed did that and gave us very well-written reports.

But then it became frustrating, Madam Chair. I know that all of these meetings were in camera—reading through the reports, analyzing them, drafting them—so I will not give any particulars at all about what happened there. Suffice it to say that there were five meetings on each one, and this was after our very professional analysts drafted excellent reports. Why did it take that long? I've been thinking about that a lot. This committee is mostly made up of lawyers, although not all of us are. Some of us had the advantage of never having gone to law school, but most of us are lawyers, and I suppose we like the sound of our own voice and testing out our ability to argue our points of view. Those meetings dragged on and on and on.

I think there was a second reason those meetings went so long. On the Liberal side of this table, it was a different bench depending on which topic we were discussing. When we were discussing the anti-Semitism report, we had one group of Liberals. When we were discussing the Islamophobia report, there was a different bench of Liberals. We were more or less alternating back and forth, first anti-Semitism and then Islamophobia. It became abundantly clear to us on this side of the table—

**Mr. Chris Bittle:** I have a point of order.

**The Chair:** Yes, go ahead, Mr. Bittle.

**Mr. Chris Bittle:** I don't know the relevance of questioning the legitimacy of members, especially Jewish and Muslim members, to appear at a committee on topics of Islamophobia and anti-Semitism. It's truly disgusting. It's not relevant and it's disgusting to suggest that their presence delayed the study of this bill.

I'm hoping Mr. Van Popta can get to something relevant. I know he doesn't want Mr. Viersen to testify. Perhaps, as a compromise, we can meet this coming week after Remembrance Day, with Mr. Viersen starting the study. We could probably finish it next week. We could even call him this afternoon. I'm sure he'd be happy to Zoom in, and we'd be happy to hear from him. He's the first sponsor of a bill I've ever heard who didn't want to appear on his bill.

It's truly disgusting what Mr. Van Popta is getting into—

**Mr. Larry Brock:** That's debate.

• (3645)

**Mr. Chris Bittle:** —in terms of questioning whether members can appear and whether bringing their own perspectives as Muslim and Jewish members of caucus to the study is delaying this bill. It's truly disappointing, and Mr. Van Popta is better than that.

**The Chair:** Thank you, Mr. Bittle.

I'm sure Mr. Van Popta.... I guess I shouldn't be putting words in his mouth. The fact that we did the two studies.... All members of the committee were in consensus about doing the two studies and meeting on the dates that we met on. We heard from witnesses in three meetings for each study, as you already alluded to at the last meeting. The clerk has all the time frames for each of the two panels of witnesses. Then there were the subsequent in camera meetings when we came back in the fall.

The point is well taken, Mr. Bittle. No member should have any issues with that. It was agreed to by everybody on the committee that this would be done.

If it helps the committee, in terms of witnesses, there were no witness names received until November 1. That was the first time that any witness names were sent to the clerk. At that point in time, the clerk contacted me as the chair and alerted me that there was just no way to send anything to them this week because there was just no time to do that. Furthermore, he also alerted me and was sort of questioning...which is also why we are here. It's never been, in his 20-plus years of experience, that the witness of a PMB does not appear first. He was actually waiting for that appearance to be made first as well.

That's just to be clear on the facts. I don't think anybody has any issue with the facts, because the facts are the facts and the dates are the dates.

Mr. Van Popta, I will go back to you for your remarks.

**Mr. Tako Van Popta:** Thank you.

Just in response to Mr. Bittle's intervention, nobody on this side of the table had any objection to who appeared at the meetings. They were all active participants and added value to the discussion. I would just underline that. But there was a problem stemming from what certainly appeared to us to be two groups not having conversations with each other. The analysts did their best to create some sort of a concordance between the two reports. That took time. Now we are at a place where we are running against the clock.

I appreciate what you said, Madam Chair, that the potential witnesses hadn't been invited until recently, or the list hadn't been made available until recently. I wasn't expecting that this would have been done in September, but surely in the last four to six weeks we could have found a way to start on this very important study and get the witnesses here.

To get into the substantive part of Bill C-270 and what it's all about, I want to read briefly the summary of the bill, as follows:

This enactment amends the Criminal Code to prohibit a person from making, distributing or advertising pornographic material for commercial purposes without having first ascertained that, at the time the material was made, each person whose image is depicted in the material was 18 years of age or older and gave their express consent to their image being depicted.

There are two things here, the age requirement and the consent requirement, keeping in mind that people under age can't actually give consent. Personally, I'd never thought too much about the topic, but I was eager to get into the study. I did sit in once when the private member's bill was debated. It was debated twice at second reading, once on April 9 and once on May 7. I sat in for part of the May 7 debate, I believe. I heard some stories about victims and survivors and I became very interested in the topic.

Reading in Hansard these two hours of debate on the private member's bill, I felt a sense of multi-party co-operation on an issue that is so important to all of us—namely, preventing children from being exploited sexually online and stopping the uploading and distribution of non-consensual images. I felt a sense of co-operation among all the speakers. As I said, I was there for only one of them, but I read all the speeches from both hours of debate.

I just want to highlight a couple of them. First, MP Rempel Garner, who happens to be a co-sponsor of Bill C-270, had this to say on April 9: "I am very pleased to hear the multipartisan nature of debate on these types of issues, and that there is at least a willingness to bring forward these types of initiatives to committee to have the discussions".

MP Garrison, from the NDP, on that same day made this positive comment about the initiative being brought forward by this private member's bill:

It is also important to remember that whatever we do here has to make our law more effective at getting those who are profiting from the images. That is really what the bill is aimed at, and I salute the member for Peace River—Westlock for that singular focus because I think that is really key.

● (3650)

I want to quote from MP Larouche of the Bloc Québécois. It's important to note that she also chaired the All Party Parliamentary Group to End Modern Slavery and Human Trafficking. She has a long track record of being interested in this topic and advocating for victims. She had this to say: "Let us not forget that these [online porn] companies are headquartered right in Montreal. The fact that our country is home to mafia-style companies that profit from sexual exploitation is nothing to be proud of."

I would say, Madam Chair, that that is an understatement. That's an embarrassment for us. The New York Times picked up the story on this, and the world now knows that Canada is headquarters for mafia-style companies and child pornography. I applaud those who are fighting to combat that.

Even the Liberals supported this private member's bill at second reading, but with serious reservations. This is what MP Maloney had to say. I believe he is online, so I'm going to quote my friend and colleague, Mr. Maloney. He had this to say: "I want to say at the outset that the government will be supporting this bill, Bill C-270, at second reading, but with some serious reservations." He then pointed out that Bill C-270 was in response to a 2021 report of the House of Commons Standing Committee on Access to Information, Privacy and Ethics. That committee, the ethics committee, commenced that study at least partially in response to the New York Times story that had run earlier that year, or it might have been the previous year.

I just want to read a couple of pieces from that report, because I think it is very relevant to what we're talking about today. I'm not going to belabour the point, because the report is available for anybody to read. These are just a couple of paragraphs from the summary of that report:

Recent reports regarding the presence of child sexual abuse material (CSAM) and other non-consensual content on the adult platform Pornhub led the House of Commons Standing Committee on Access to Information, Privacy and Ethics (the Committee) to undertake a study on the protection of privacy and reputation on online platforms such as Pornhub. [This is a Canadian company.] This study gave the Committee a window into the world of adult websites and how their content moderation practices have failed to protect the privacy and reputation of individuals online.

The Committee heard harrowing accounts from survivors who had had images and videos of themselves uploaded to the Pornhub website without their consent. Some were minors. Some were adults. All encountered difficulties in having those images and videos taken down. The Committee also heard from the executives of MindGeek and Pornhub, who told the Committee that they have appropriate practices in place and are constantly striving to improve these measures.

I, for one, do not believe that, and certainly the investigation that this committee undertook and the conclusions that they came to would underline that as well.

I just want to read one of the recommendations. This is recommendation 2 of 14 recommendations. I am not belabouring the point; I'm just picking up on some of the highlights, some of the important things to set a context for what we're talking about today.

Recommendation 2 concerning the duty to verify age and consent.

That the Government of Canada mandate that content-hosting platforms operating in Canada require affirmation from all persons depicted in pornographic content, before it can be uploaded, that they are 18 years old or older and that they consent to its distribution, and that it consult with the Privacy Commissioner of Canada with respect to the implementation of such obligation.

Madam Chair, that was recommendation 2 from that 2021 report from the ethics committee, which forms the foundation of the private member's bill that is before us now, and that was the point that Mr. Maloney was making in his speech in the House on May 7.

I have another quote from Mr. Maloney's speech, which was a good speech and it's worth quoting from.

● (3655)

**Mr. James Maloney:** Thank you.

**Mr. Tako Van Popta:** It also tells us what is in the mindset of the Liberal members of this committee and the party:

This recommendation responds to ongoing concerns that corporations like Pornhub have made available pornographic images of persons who did not consent or were underage. I want to recognize and acknowledge that this conduct has caused those depicted in that material extreme suffering. I agree that we must do everything that we can to protect those who have been subjected to this trauma and to prevent it from occurring in the first place.

Yes, indeed. Do everything that we can, except don't call witnesses. Witnesses could have been here today.

**Mr. James Maloney:** I have a point of order, Madam Chair.

If Mr. Van Popta is continuing to interpret what I said, let me be very clear. What I was trying to say was that, yes, it's an important bill. Yes, it should be studied by this committee. Yes, Mr. Viersen should be here to explain it to us. It was nothing more complicated than that.

**The Chair:** Thank you, Mr. Maloney, for that.

Go ahead, Mr. Van Popta.

**Mr. Tako Van Popta:** Thank you.

Let me take the opportunity to point out once again that we could have witnesses here today. Whether or not Mr. Viersen appears, we could have witnesses here today. There are a lot of important witnesses we could hear from who would give valuable testimony that would help inform our report back to the House of Commons. Again, today we are failing to take that opportunity.

The sense that I have is that the Liberals do not like Bill C-270. At second reading, they voted in favour of sending it to committee, but with “serious reservations”. What are some of those reservations? I’m just going to continue here with some more of Mr. Maloney’s comments. I just want to underline, Mr. Maloney, that it was a good speech. It was well-researched and useful information. We might just disagree on the direction that we should be going.

He said:

Individuals who informally make or distribute pornographic material of themselves and of people they know are unlikely to verify age by examining legal documentation.... They are also unlikely to secure formal written consent. It concerns me that such people would be criminalized by the bill’s proposed offences, where they knew that everyone implicated was consenting and of age, merely because they did not comply with the...regulatory regime....

We’re getting to the heart of their objection. They think that it is a regulatory scheme and that it’s not going to work. They also prefer the government bill, Bill C-63, the online harms act, which picks up on some of the direction that the private member’s bill that is before us today is taking, but it, too, creates a regulatory scheme. So they are saying, “We don’t like your regulatory scheme; we prefer our regulatory scheme.” Is that what it’s coming down to?

I think this is a good point to talk about what a couple of the witnesses who appeared at the ethics committee for its study in 2021 said, which goes right to the point that I’m making here. This is witness 1, unidentified, and she had this to say:

When I was 24, I met someone I thought was a really nice guy. I married him, and as soon as he thought I was stuck, he stopped being nice pretty quickly. In April 2020, I moved away from our home to be safe, and obviously, we’re not together anymore.

It’s going to go on for just a couple of paragraphs, but I think this is really important to get on the record to set the context.

During our relationship, I had let him take some pictures. I was uncomfortable at first, because I had never been in any picture like that, but I trusted him and I wanted to keep him happy. It wasn’t until August of 2020 that I discovered those private photos had been uploaded to porn sites, including Pornhub.

Here I want to make a point, Madam Chair. She was of age and she gave consent, but not for what he did with it later, so he would have had a defence against the bill that the Liberals are suggesting would be better than Bill C-270.

She goes on:

I was upset about the photos, but it was about to get worse. Finding the photos led me to a video. I did not know the video existed. I found out about it by watching it on Pornhub.

I don’t want to get into the details. It was quite distasteful, but she was drugged. In any event, she was asleep. She had no recollection of it, and she was filmed in—I’m trying to find a polite way to say it—a compromised position. This is what was on the Internet. It

was all over the Internet. It was taken by her husband. She was of age. She had consented to some form of photos, but not to that and not to the uploading on Pornhub.

She goes on:

My video had been uploaded in August of 2017, so by the time I found it, it had been active on Pornhub for over three years, and I had no idea.

Then she made a comment about Pornhub and sites like that:

Sexual assault is not an anomaly on the porn sites; it is a genre. This leaves little incentive for these sites to moderate such content.

● (3700)

To give an idea of the scope of the spread, as of early January 2021—after the December purge, and after the RCMP had removed a bunch for me—googling the name of my Pornhub video still returned over 1,900 results....

Thanks to Pornhub, today is day 1,292 that I have been naked on these porn sites.

This is what we are trying to fight. This is what the private member’s bill, Bill C-270, is all about. We think it is worth fighting for.

Now, another objection from the Liberals is that the private member’s bill is apparently “not consistent with the basic principles of criminal law”, in that it does not require *mens rea*. Most of us are lawyers here, but for those who aren’t, *mens rea* is the Latin term for the mental element of a crime. Not only must the Crown prove that an event happened, but the Crown also has to prove that the person who caused the criminal event to happen had a guilty mind about it and knew that what they were doing was wrong. Then they go on: “for example, that the accused knew or was reckless as to whether those depicted in the pornographic material did not consent or were not of age.”

Well, in response to that, I’m going to just read something from another person who appeared before the same ethics committee. This is someone who was known only as “Witness 2”. This is what she had to say. It’s just a few paragraphs:

I’m now 19 years old. I was 17 when videos of me on Pornhub came to my knowledge, and I was only 15 in the videos they’ve been profiting from.

“They” means the porn sites.

When I was 15, I was extorted by a man who was unknown at the time into sending massive amounts of videos and images of me.

Why she did that.... It was probably not very wise, but she did it.

Then, two years later.... She said:

This was the first time I had any knowledge of being on their site.

During this time, I stopped eating and leaving the house, and I was even considering suicide. I started getting hundreds of follow requests daily on my social media accounts and at least 50 messages a day sending me links of videos of me on Pornhub. That's when I realized that my name and social media had been posted alongside the videos.

• (3705)

**The Chair:** Mr. Van Popta, hold on one moment. We have a point of order.

Go ahead, Mr. Bittle.

**Mr. Chris Bittle:** In saying that the victim wasn't very wise, is Mr. Van Popta blaming the victim? Are we really getting into this for a filibuster, that we're blaming victims for the crimes that are committed against them?

**Mr. Larry Brock:** It's not a point of order. That's debate, Madam Chair.

**Mr. Chris Bittle:** Mr. Van Popta, if you're going to delay this bill, at least have the decency not to blame the victims.

**Mr. Larry Brock:** If Mr. Bittle wants to intervene, perhaps he should put his hand up.

**The Chair:** He did.

**Mr. Larry Brock:** Well, tell him to wait until his time. It's not a point of order.

**Mr. Chris Bittle:** To whoever's heckling me, I can't hear you in St. Catharines. You're going to have to yell a little louder than that.

It sounds like Mr. Brock is defending his friend who's blaming victims. It is unbelievable that, in a filibuster, the Conservatives would engage in this. I thought they pretended to care about victims.

**The Chair:** Thank you, Mr. Bittle.

**Mr. Francis Drouin:** I have a point of order, Madame Chair.

[Translation]

**The Chair:** I am listening, Mr. Drouin.

[English]

**Mr. Francis Drouin:** I have the opportunity and the pleasure of sitting with Mr. Brock on the public accounts committee, and he knows very well that the chair at public accounts will not allow any reading when members are filibustering—any reading from any material. I'm just wondering, are we applying the same rules? I'm sure that Mr. Brock would follow the same rules at every committee meeting where we appear. I'm just wondering, is this the standard here or are we applying different standards at other committees? Mr. Brock knows very well this is what we are...but it happens to be a Conservative chair, so maybe the rules are different.

**Mr. Larry Brock:** Madam Chair, on the same point of order—

**The Chair:** That's a point I'm willing to suspend to look into.

Go ahead, Mr. Brock.

**Mr. Larry Brock:** While that may be the practice in the particular committee that Mr. Drouin references, I stand corrected if I am wrong, but I don't believe that is a standing order. Perhaps the clerk can weigh in on that. It has been customary for you, Madam Chair, to allow some flexibility in terms of how we present, whether

knowledge is readily available in one's mind or they are simply refreshing their memory by using material before them.

I think the danger is that you don't want to have a member reading verbatim for hours on end simply to waste time. I don't believe Mr. Van Popta has been doing that at all, from what I've heard and seen so far today and in his brief intervention yesterday.

Ultimately, Madam Chair, you are the chair of this particular committee. You can set your own rules, and you've done a very good job of finding that fine balance. Just because a chair in another committee does something differently, that doesn't necessarily mean that it is a precedent to be followed at every parliamentary committee.

**The Chair:** Thank you, MP Brock. I actually appreciate those words.

Give me a couple of minutes, please. I'm not in public accounts, so I would like to....

Before I do that, go ahead, MP Drouin.

**Mr. Francis Drouin:** There are just standing orders. I want to thank Mr. Brock for providing me with a great quote, because I will bring this up with our chair.

Chairs would normally chair their meetings fairly the same way across committees. Committees are bound by standing orders.

[Translation]

All committees of Parliament must follow the Standing Orders in the same way. It doesn't differ from committee to committee; it's the same Standing Orders.

**The Chair:** I agree.

[English]

I'm going to suspend for a few moments simply to confer with the clerk.

Thank you.

• (3705)

(Pause)

• (3710)

**The Chair:** Thank you very much.

I do appreciate the interventions from all parties on this.

Mr. Van Popta has been on this committee for quite a while—certainly since I've been chairing it. I'm going to allow leeway because I understand Mr. Van Popta is a very honourable member.

There is a rule, though, at page 1,059, with respect to repetition and relevance. I think we all understand that.

As long as you take that into consideration, aren't too repetitive, keep it on the topic at hand and don't go off the topic too much, Mr. Van Popta, please continue.

**Mr. Tako Van Popta:** Thank you.



**The Chair:** Mr. Drouin, you can take that to the public accounts committee, I guess. If there's anything else for next time, I would certainly love to entertain a lot more on that, because I think it might be helpful to keep things a bit more in order and make things go a bit more quickly.

Thank you for that.

**Mr. Francis Drouin:** Thank you, Madam Chair.

I look forward to Mr. Brock's support at public accounts.

**The Chair:** I'm sure he will support you.

**Mr. Larry Brock:** I'll back you 100%, my friend.

**The Chair:** Mr. Van Popta, go ahead, please.

**Mr. Tako Van Popta:** Thank you, Madam Chair.

To that point about reading documents or not, I was reading quotes from testimony. I thought it was important to get the words in, as the witnesses had testified in their own words. I was not reading from any other documents. I did read two paragraphs out of the ethics committee report, which I think was important to get on the record to frame what we're talking about today.

I want to just highlight what one other witness said to the committee. She actually had a name, Serena. I won't read it, but I will just summarize very quickly.

She was a young girl in elementary school, maybe middle school. At her new school, she had a boyfriend who put her under a lot of pressure to film herself undressing. She gave consent at the time. She wasn't old enough to give consent, but she did give consent—but not for what he did with it. For a few dollars, he sold it to a porn site. The story goes on how, for several years, she fought and fought for her dignity and her protection. She was an A student until this happened, and she almost failed going through high school. She transferred to a different school. By the time she got there, she thought she might be safe, but no: Everybody at the new school already knew what had happened. That was the nature of the Internet.

There's no protection for victims like her, and that is why this bill is so important. This bill would prohibit the posting and the commercialization without prior consent in writing from the person depicted in the videos. I think it is a good bill. I think that everybody should support it.

We know that there has been criticism of this bill from the Liberals. Once we get into the debate of the bill itself, I'm sure we'll hear more of that. They voted yes at second reading, intending to gut it; "serious reservations" is what they're saying they have. I believe what they want is a watered-down bill to come back to the House, one that they can vote for but that won't have any teeth. The last thing they want is for this bill to come back to the House unamended, because I believe they will vote against it, which politically is going to be very difficult for them to do.

The way I see it, there are three options.

Number one is that we get their 30-day extension, which we're saying is not necessary. The Liberals have mismanaged the legislative agenda, not only here but also in the House, and now they're trying to buy extra time. I'm saying that we could have had witness-

es in the last couple of meetings already. We could certainly have them right now.

They can let the 60-day deadline pass, but then the bill will go back to the House unamended. They don't want that.

They can prorogue Parliament to get rid of this problem and some other problems that have been caused by their inability to manage the legislative agenda, both in committees and in the House.

There's a fourth option, and that's the one I would recommend, which is that the Prime Minister takes a walk over to the Governor General's mansion and asks for her to dissolve this Parliament so we can go ahead and have an election and let the people decide who is right.

With that, Madam Chair, I'm going to cede the floor. I will have more to say later on, but I know that some of my colleagues also want to speak.

Thank you.

• (3715)

**The Chair:** Thank you very much, Mr. Van Popta.

I've taken MP Jivani's name off the list. He's not in the room. If he enters again, we can put it back on subsequently.

We will now go to MP Brock.

**Mr. Larry Brock:** Thank you, Madam Chair.

I think I will start my intervention by recapping some of the important points and areas that I've heard from my colleagues yesterday and today.

The most important point that I wish to reiterate is for what I trust to be thousands of Canadians who are following this and watching this particular committee. I'll give them advance notice that this committee will potentially sit until 11:30 this evening.

The important point that I wish to make—this is following up on my colleague Mr. Van Popta's earlier interventions—is that there is an overriding theme that is being developed here. It's not being propagated and established by any party other than the Liberal Party of Canada, supported by their coalition partners, the NDP.

If they truly cared about victims—I intend to go through some legislative history over my three-plus years as a parliamentarian that demonstrates the complete opposite of empathy towards victims in this country—they would not be engaging in this particular position that they are taking. This is nothing more than political gamesmanship. It is partisanship and, quite frankly, it's petty politics, which I find extremely disgusting.

As Mr. Van Popta pointed out, this particular bill reached our committee before we recessed this past summer, in June 2024. We returned to Parliament in mid-September, and committees resumed toward the end of September. While the justice committee was studying two important reports regarding the rise of both anti-Semitism and Islamophobia, Bill C-270 was always waiting in the wings. You, Madam Chair, would bring it up from time to time.

I'm also mindful of the fact that we had many meetings over the course of two-plus months that ended early. Some meetings didn't actually happen at all. I can't say with any degree of confidence that all the meetings that have been scheduled for the justice committee since we returned this past fall have been utilized effectively in terms of utilizing all the resources that we had available to us. Here we are now, with a looming deadline that we were all made aware of weeks ago.

Not to put too fine a point on it, Madam Chair, but the Conservative Party of Canada submitted a significant list of witnesses—subject matter experts in this particular area. That was last Friday. In that interim, we had a meeting on Monday. We had a meeting yesterday. We're meeting today. Perhaps we're meeting again next week, but there is absolutely no sense, no urgency and no direction from this committee that this committee is prioritizing the hearing of witnesses.

• (3720)

When I listen to some Liberal members—

**Mr. Chris Bittle:** I have a point of order, Madam Chair.

**The Chair:** Yes, I have two on the line with points of order, so please proceed.

**Mr. Chris Bittle:** Thank you, Madam Chair.

I just have a correction. Mr. Brock was the one who denied unanimous consent to have us hear witnesses yesterday, starting with Mr. Viersen, so I hope he corrects that in his lengthy commentary that's about to follow about us being the ones blocking things, since he denied unanimous consent.

**The Chair:** Thank you.

I will now hear MP Maloney.

**Mr. James Maloney:** Thank you, Madam Chair.

I was going to make the same point as Mr. Bittle, but I will add to it.

It's inaccurate to say that there's been no sense of urgency on the part of the Liberal members of this committee. We've been trying to move this bill forward on the agenda for some months. If there's any lack of urgency, it's on the other side. Now there's total obstruction, because they're just refusing to proceed because they do not want Mr. Viersen to speak at this committee.

Mr. Van Popta addressed the issue of having an election, which raises the question, are they going to hide Mr. Viersen and prevent him from running in that election, whenever it may take place?

• (3725)

**Mr. Philip Lawrence:** I wish to speak on that point of order, Madam Chair.

**The Chair:** Mr. Lawrence.

**Mr. Philip Lawrence:** Inaccuracies are not a point of order. They are a point of debate, because if they were, in fact, a point of order, I would be constantly raising points of order whenever a Liberal spoke. Thank you.

**The Chair:** On those points, I think it's a matter of factual information. A number of times, it's incumbent on me as the chair, with

the help of the clerk, to ensure that members have the accurate dates of when things have happened and how they happened. If I need to, over the course of the testimony, repeat them, I will do that, to make sure everybody understands the dates.

**Mr. Philip Lawrence:** Madam Chair, I have a point of order. Could you please provide me with the rule on that?

**The Chair:** I'm sorry, Mr. Lawrence?

**Mr. Philip Lawrence:** That the chair has the obligation to correct inaccuracies, could you please provide me with a rule on that?

**The Chair:** Absolutely. The chair has to keep order and decorum and ensure, with the clerk's help and the analysts' help, as may be, that the information that stems out of sending notices of meetings and asking for witnesses and whatnot...that the committee members have that information.

**Mr. Philip Lawrence:** I understand that order and decorum are completely necessary, but it does not say anything nor did you quote anything with respect to inaccuracies or perceived inaccuracies.

**The Chair:** Certainly. Let's suspend for a few minutes. I'm happy to do that.

• (3725)

(Pause)

• (3725)

**The Chair:** We're back.

I will simply say, for the members who are here with us on this committee, that they are very well aware that the members were consulted back in the fall as to the agenda and as to what we study next and what we do. Certainly the chair was at the whim of the committee and the members who were either on the subcommittee or on the committee.

Having said that, I'm going to ask Mr. Brock to continue with his intervention.

• (3730)

**Mr. Larry Brock:** I thank you for the clarification, Madam Chair, but I will emphasize the point that a list of at least eight, if not nine, potential subject matter experts was submitted to this committee last Friday, and here we are, 12-plus hours removed, with a potential another 12 hours today, setting aside talking about the merits of this bill without hearing from witnesses.

That could have happened as early as Monday. It could have happened yesterday, and it could have happened today. But—and this is the big “but”—with the assistance of their coalition partners, the NDP, the Liberals are insisting that the Conservatives are silencing one of their own, the sponsor of the bill, Arnold Viersen. I'm not going to repeat the interventions that I had last Thursday on this particular issue, but I think it's important, because we heard at great length yesterday from both Mr. Maloney and Mr. Bittle about the necessity of hearing from Mr. Viersen, and they asked why we are preventing Mr. Viersen from speaking to this bill.

As I indicated to committee last Thursday, and I've emphasized this already in my opening remarks, the Liberals, with their NDP partners, want to play petty politics. They don't want to hear from Arnold Viersen, because he is a true, passionate pioneer when it comes to advocating for victim rights. If this were any other Conservative member who sponsored this bill, we would be questioning witnesses today. We would have questioned witnesses yesterday. We would have questioned witnesses this past Monday, and I dare say that we would have been questioning witnesses as early as last Thursday.

No, what they want to do—and when I say “they”, I'm referring to the Liberal members with the NDP—is get on their soapboxes to vilify Mr. Arnold Viersen for his personal views.

As a case in point, Mr. Maloney, in a Twitter feed—or X feed, I should say—lowered the gauntlet on October 25, 2024, when he stated in a tweet, “Justice Committee is ready to study @ArnoldViersen's Private Member's Bill. We'd like him to appear to speak to this Bill before the deadline. Arnold: will you appear? Or is Pierre gagging you because you keep fighting against women's right to choose?”

That has nothing to do with his position regarding victims, what this bill is about—and I will be speaking about the merits of this bill during the intervention.

Mr. Maloney followed that up with a couple of other tweets. On November 1, he posted, “So do you want to hear from Arnold, or not? Two hours of filibuster, and @ArnoldViersen is still missing in action on his own Bill. Conservatives made one thing clear—they're blocking him from talking. Makes you wonder...is it something Arnold said?”

He doubled down on that earlier tweet, and then yesterday James Maloney said in a tweet, “How far are Conservatives willing to go to censor their own team? Entering hour 4 of a Conservative filibuster with the sole goal of stopping @ArnoldViersen from presenting his own Bill at Justice Committee. Free Arnold from CPC witness protection program. #WheresArnold”.

• (3735)

You want to hear Arnold's voice. I'm going to be his surrogate and read out Arnold's voice. I'm going to read into the record his debate at second reading.

**The Chair:** Give me one moment, Mr. Brock.

Mr. Bittle, go ahead.

**Mr. Chris Bittle:** On a point of order, Madam Chair, I don't know if Mr. Brock is going to do an impression of Mr. Viersen. He eloquently read Mr. Maloney's points, but he still hasn't addressed why they're hiding Mr. Viersen.

**Mr. Larry Brock:** That's not a point of order. This is debate.

**Mr. Chris Bittle:** He can read all he wants. He can do an impression, but—

**An hon. member:** This is still debate.

**Mr. Chris Bittle:** Again, if they're going to yell loudly, they'll have to yell loudly enough so that I can hear it in St. Catharines.

**The Chair:** Thank you, Mr. Bittle.

**Mr. Damien Kurek:** I have a point of order.

**The Chair:** Mr. Kurek.

**Mr. Damien Kurek:** Thank you very much, Madam Chair.

I would note that Mr. Bittle's previous point was not a point of order, but rather debate. I would ask—

**The Chair:** Wait a minute. You haven't been sound-tested. I'm sorry.

Mr. Kurek, we're going to suspend.

• (3735)

(Pause)

• (3735)

**The Chair:** I call the meeting back to order.

I'll need unanimous consent if he wishes to speak, because he's an extra member.

**Mr. Philip Lawrence:** On a point of order, Madam Chair, because this is a motion, I do not believe UC is required.

It's debate on a motion, not questioning time. Therefore, you don't require UC.

**The Chair:** Thank you. I appreciate that.

Okay. Give me just a moment, please.

Let me suspend for a moment.

• (3735)

(Pause)

• (3740)

**The Chair:** Okay. Standing Order 119 says a member can, “unless the House or the committee...otherwise orders, take part in the...proceedings”. They can't vote, can't move any motions and can't be part of a quorum, but if the committee concerned says they can, then they can.

Again, I'm at the whim of the committee whether he's allowed to or not, and that's final. That's it. It's up to the committee whether an extra person is allowed to make interventions.

• (3745)

**Mr. Damien Kurek:** I have a point of order, Madam Chair.

**The Chair:** No, it's up to the committee. I'm asking the committee—

**Mr. Larry Brock:** Okay, so let's make this easy. Who's subbing—

**Mr. Damien Kurek:** I have a point of order, Madam Chair.

**Mr. Larry Brock:** —for Michelle Ferreri at this point?

Actually, no, it's Tako. He'll be subbing in for Tako for the time being, Mr. Clerk.

**Mr. Damien Kurek:** I have a point of order, Madam Chair.

**The Chair:** Hold on a minute. I think we're subbing you in to take the place of another member, so just one moment, please.

Just for the record, Mr. Lawrence, now you're an extra member according to the documentation here.

**Mr. Philip Lawrence:** I have to leave the room then, I think, if—

**Mr. Damien Kurek:** I have a point of order, Madam Chair.

**The Chair:** I'm sorry, but who am I hearing?

**Mr. Damien Kurek:** It's Mr. Kurek, appearing virtually.

**The Chair:** Oh, Mr. Kurek, yes, go ahead.

**Mr. Damien Kurek:** Thank you very much, Madam Chair.

When it comes to Standing Order 119 and the standard practice and interpretation, you are correct in that it is the will of a committee. However, to specifically exclude one member would require direction from that committee in the form of a motion. As duly elected members, all members are entitled to participate in proceedings. However, as stated in Standing Order 119, they are not able to necessarily vote or be a part of quorum but are entitled as members to participate.

As a result of that, whether or not I am subbed in, I know the government, in an unprecedented way, changed the Standing Orders. One of the changes to the Standing Orders that was made earlier in this Parliament was to make it very clear that virtual members are entitled to the same rights and privileges that in-person members are entitled to. As a result, regardless of whether or not I am specifically subbed in and whether one is an extra member fulfilling their duties as a member of Parliament and not a regular member of the committee, I would ask to be placed on the speaking list.

I would just note that I did not hear you use the gavel in the meeting.

**The Chair:** Mr. Kurek, you're trying to make a point of order. I'm not sure what it is. You're subbed in, so you're a member. If you would like to be placed on the list, that's not a problem.

**Mr. Damien Kurek:** Just to be clear, I didn't hear you use the gavel in the meeting, so are we in the active proceedings of the meeting or are we still in a suspended format?

**The Chair:** We're in the meeting.

**Mr. Damien Kurek:** Okay. I didn't hear you call it back to order after the previous suspension.

I'm glad that my previous point of order about participation was on the record. I am pleased to be back to justice and I'm glad to now be on the list.

Thank you very much.

**The Chair:** You're very welcome.

MP Brock, go ahead.

**Mr. Larry Brock:** Thank you.

To recap, members from the government and the NDP want to hear words from Mr. Viersen. This is what Mr. Viersen had to say at second reading:

Madam Speaker, imagine being the parent of a teenage daughter who has been missing for months and somebody discovers 50 explicit videos of that daughter being sexually abused on Pornhub, the most popular porn site in the world.

Imagine how one would feel if intimate images of one's sibling was uploaded and Pornhub refused one's request to remove that content. Now, imagine if those videos of their exploited loved ones were being monetized and published for profit by Pornhub and were made available to Pornhub's over 130 daily visitors.

I think "130 daily visitors" is a typo. I would imagine it's probably in the millions worldwide.

He continues:

How would someone feel if Pornhub's only response was an auto-reply email? Understandably, one would be outraged. One would be furious, yet this happens over and over. Survivors, including a 12-year-old from Ontario, have had to seek justice through their own lawsuits because in Canada, the onus is on survivors and on law enforcement to prove, after the material has been uploaded, that the individuals depicted in those videos are either under age or have not consented to their distribution. This is a serious problem that Bill C-270, the stopping internet sexual exploitation act, seeks to fix.

It's important to note that for years survivors, child protection agencies and the police have spoken out about this exploitation. They have not been silent. Survivors have shared how pornographic companies like Pornhub have been profiting from content depicting minors, sex trafficking victims, sexual assault, intimate images and gender-based violence for years. As early as 2019, companies like PayPal cut ties with MindGeek due to the availability of exploitive and abusive content.

In March 2020, a few parliamentarians and I wrote a public letter to the Prime Minister to alert him about the exploitation that was happening on MindGeek. We followed up in November 2020 with a letter to the then Minister of Justice, urging him to ensure that our laws were adequate to prevent women and girls from being exploited by Pornhub.

It was The New York Times exposé on December 4, 2020, in a piece written by Nicholas Kristof, that finally got the public's and the government's attention. It was entitled "The Children of Pornhub: Why does Canada allow this company to profit off videos of exploitation and assault?" That article finally kicked off a firestorm of international attention on Pornhub, which is one of many pornographic websites owned by MindGeek, a Canadian company based in Montreal. About a year ago, it was bought and rebranded as Aylo by a company called Ethical Capital Partners, based in Ottawa.

- (3750)

A few days after that article, the House of Commons ethics committee initiated an investigation into Pornhub. I joined the ethics committee for its study on Pornhub and listened to the harrowing stories of young women who had videos of sexual assaults or intimate content shared without their consent.

I know Mr. Van Popta has shared some of those quotes.

Mr. Viersen continues:

Many of these women were minors when the videos were created and uploaded to pornography sites like Pornhub. I want to take a moment to share some of their testimony.

Serena Fleites, whose story was covered by The New York Times exposé, had videos of her at age 13 uploaded by her ex-boyfriend. After that, her whole life came crumbling down. She experienced depression and drug use. She was harassed by people at her school who found her video and sent it to family members. She was blackmailed. She had to pretend to be her mother to have the videos taken down from Pornhub. This was all while she was 13 years old. In the end, she stopped going to school. She told us:

I thought that once I stopped being in the public so much, once I stopped going to school, people would stop re-uploading it. But that didn't happen, because it had already been basically downloaded by [all the] people...[in] the world. It would always be uploaded, over and over and over again. No matter how many times I got it taken down, it would be right back up again.

It basically became a full-time job for her to just chase down those images and to get them removed from Pornhub.

Some witnesses appeared anonymously to protect their identities. One witness stated, "I was 17 when videos of me on Pornhub came to my knowledge, and I was only 15 in the videos they [were] profiting from." She went on to say, "Every time they took it down, they also allowed more and more videos of me to be reuploaded." That witness also said, "Videos of me being on Pornhub has affected my life so much to the point that I don't leave my house anymore. I stopped being able to work because I [am]...scared to be out in public around other people."

Another survivor who spoke to us at committee is Victoria Galy. As a result of discovering non-consensual images and videos of herself on Pornhub, she completely lost her sense of self-worth, and at times, she was suicidal. She told us at committee, "There were over eight million views just on Pornhub alone. To think of the amount of money that Pornhub has made off my trauma, date rape and sexual exploitation makes me sick to my stomach." She added, "I have been forced to stand up alone and fight Pornhub".

● (3755)

It is a serious failure of our justice system when survivors have to launch their own lawsuits to get justice for the harms caused by companies like MindGeek. This Canadian company has not faced a single charge or consequence in Canada for publishing its videos of exploitation and for profiting from them. This is truly shameful.

Last year, a survivor named Uldouz Wallace reached out to me. Uldouz is a survivor of the 2014 iCloud hack. She is also an award-winning actress, executive producer, activist and director of Foundation RA. Uldouz had photos and videos taken in the 2014 iCloud hack and uploaded onto porn sites like Pornhub, and she fought for years to get them taken down. As a result of this, she told us, "I lost followers, I lost everything that you could think of. It was just such hard time for me. I ended up spending over a million dollars over a three-year span just to get the content taken down on me with no success.... They're making so much money off of the non-consensual uploading of images and videos. The re-uploading is also a billion dollar industry." She added, "There's still no federal laws. There's barely any laws at all to hold anyone online accountable. There's currently foreign revenge laws but for people like me there's nothing."

Rachel, a survivor from Alberta, said that it was devastating and that it is going to haunt her for the rest of her life. She said that she will always be someone's porn.

I want to point out the incredible courage of Victoria, Serena, Uldouz, Rachel and many other survivors who have spoken out. In the midst of one of the most difficult moments of their lives, they are fighting back against a billion-dollar industry that seeks to profit from their pain and exploitation. I thank Victoria, Serena, Uldouz, and Rachel for refusing to back down. I thank them for their courage. I thank them for their relentless pursuit of justice. I would encourage members to listen to their full testimonies, and they can do so at [www.siseact.ca](http://www.siseact.ca).

Throughout the ethics committee hearings and from the interactions I have had with survivors since, it is clear that this is a common problem. Pornographic companies are publishing and monetizing content without verifying the age and the consent of the people depicted in them. This is particularly a problem for Canada as many of those websites are hosted here

● (3800)

That is a shameful legacy of this country.

He went on:

Bill C-270, the stopping Internet sexual exploitation act, would stop this. I am going to quote right from the summary of my bill. It states that the SISE act would:

...prohibit a person [including companies] from making, distributing or advertising pornographic material for commercial purposes without having first ascertained that, at the time the material was made, each person whose image is depicted in the material was 18 years old or older and gave their express consent to their image being depicted.

The SISE act would also allow individuals to revoke their consent. This is an important part to express the ongoing consent. Finally, the SISE act would provide for aggravating factors when the material created or published actually depicts minors or non-consensual activity.

I am also pleased to share that I consulted on the bill with a variety of child protection agencies, law enforcement groups and the Canadian Centre for Child Protection to ensure that there are no gaps and that police have the tools to ensure they can seek justice.

The heart of the bill is consent. No one should be publishing sexually explicit material without the express consent of everyone depicted in that material. Children cannot consent to exploitation. Victims of sex trafficking and sexual assault cannot consent. Those filmed without their knowledge cannot consent, yet pornography companies freely publish this content and profit from it because there is no onus on them to verify the age or the consent of those depicted.

That is why the second recommendation of the 2021 ethics committee report is:

That the Government of Canada mandate that content-hosting platforms operating in Canada require affirmation from all persons depicted in pornographic content, before it can be uploaded, that they are 18 years old or older and that they consent to its distribution, and that it consult with the Privacy Commissioner of Canada with respect to the implementation of such obligation.

We have heard from survivors who testified that their images of abuse would not be online if companies like Pornhub had bothered to check for age and consent. Bill C-270 would fulfill this important recommendation from the ethics committee report and, importantly, I should add that this report was unanimously supported by all parties at the ethics committee.

The recommendation also suggests consulting with the Privacy Commissioner. I am happy to share with my colleagues that on February 29, 2024, the Privacy Commissioner released his investigation into Pornhub's operator Aylo, formerly MindGeek. The report was initially scheduled to be released on May 23, but it was delayed for over nine months when MindGeek, or Aylo, and its owners, Ethical Capital Partners took the Privacy Commissioner to court to block the release of that report.

● (3805)

The Privacy Commissioner's investigation into Aylo, MindGeek, was in response to a woman whose ex-boyfriend had uploaded intimate images of her to MindGeek's website without her consent. The young woman had to use a professional service to get it taken down and to remove her images from approximately 80 websites, where they had been re-posted more than 700 times.

The report shared how the publishing of the woman's intimate images led to a permanent loss of control of the images, which had a devastating effect on her. It caused her to withdraw from her social life and to live in a state of fear and anxiety. The Commissioner stated:

"This untenable situation could have been avoided in many cases had MindGeek obtained direct consent from each individual depicted in content prior to or at the time of upload."

"Pornhub's own Monthly Non-Consensual Content reports suggest that non-consensual content is still regularly uploaded and viewed by thousands of users before it is removed."

"We find that by continuing to rely solely on the uploader to verify consent, MindGeek fails to ensure that it has obtained valid and meaningful consent from all individuals depicted in content uploaded to its websites."

Ultimately, the Privacy Commissioner recommended that Pornhub and its owners adopt measures that would verify age and consent before any content is uploaded. I would urge all members to read the Privacy Commissioner's report on Pornhub.

While Pornhub and its owners are the biggest pornography company in the world, this bill would ensure that age verification and consent applies to all pornography companies because whether it is videos of child exploitation, sex trafficking, AI deepfakes, sexual assault or an intimate encounter filmed by a partner, once a video or image has been uploaded, it is virtually impossible to eliminate. Each video can be viewed and downloaded millions of times within a 24-hour period, starting an endless nightmare for victims who must fight to get those videos removed, only for them to be uploaded again within minutes or hours.

Canada must do more to prevent this exploitive content from ever reaching the Internet in the first place. I hope I have the support of my colleagues in ending this nightmare for so many and in preventing it for so many more. To the survivors, some of whom are watching today, we thank them. Their voices are being heard.

● (3810)

I want to thank the organizations that have supported me along the way in getting this bill to this point: National Centre on Sexual Exploitation, National Council of Women of Canada, Ottawa Coalition to End Human Trafficking, London Abused Women's Centre, Defend Dignity, Vancouver Collective Against Sexual Exploitation, The Salvation Army, Survivor Safety Matters, Foundation RA, Montreal Council of Women, CEASE UK, Parents Aware, Joy Smith Foundation, Hope Resource Centre Association, Evangelical Fellowship of Canada, Colchester Sexual Assault Centre, Sexual Assault and Violence Intervention Services of Halton, and Ally Global Foundation.

Those, colleagues, are the words of Arnold Viersen, whom you so passionately asked that he present this bill—

● (3815)

**Mr. Chris Bittle:** I have a point of order.

**The Chair:** Yes, Mr. Maloney, I believe it is....

I'm sorry. It's Mr. Bittle.

**Mr. Chris Bittle:** Thank you so much.

I want to clarify that though it was well spoken, Mr. Brock is embarrassed to bring his colleague before this committee to say those actual things.

**Mr. Larry Brock:** That's not a point of order, Chair.

**Mr. Chris Bittle:** We can continue with witnesses if Mr. Viersen comes to testify.

**Mr. Damien Kurek:** This is clearly debate. I look forward to hearing Mr. Bittle when his time comes on the speaking list.

**Mr. Chris Bittle:** I think I have the floor, Madam Chair. Mr. Kurek is interrupting—

**Mr. Larry Brock:** It's not a point of order.

**Mr. Chris Bittle:** —and I think that's unfortunate.

**The Chair:** Thank you, Mr. Bittle.

Mr. Brock, the floor is yours.

**Mr. Larry Brock:** You know, I find it—

**Mr. James Maloney:** I have a point of order, Madam Chair.

**The Chair:** Because there are quite a few members who are virtual, I'm going to ask you to please put your virtual hand up, so I can properly recognize you. If I don't recognize you, I'll get help from the table here if I don't see you. I'll do my best to do that, but please don't speak...because there are several of you speaking at the same time. That's so I can visually be able to monitor both those who are virtual as well as those who are in the room in person.

Mr. Maloney, I see you have your virtual hand up.

Please go ahead.

**Mr. James Maloney:** Thank you.

It seems we're making some progress. We now have what appears to be Mr. Viersen's view on his own bill, but I'm wondering now if Mr. Brock will provide Mr. Viersen so that we can ask him some questions on that speech.

**The Chair:** I'm going to—

**Mr. Larry Brock:** That's not a point of order either.

**The Chair:** No. I'm going to ask Mr. Brock to continue with his intervention.

**Mr. Larry Brock:** Thank you.

I invite the Liberal bench, the NDP bench and the Bloc, if they wish, to point-of-order me all you want. Ultimately, it's just going to delay the number of hours that I have set aside for this intervention. If you want me to speak until 11:30, continue to interrupt, because that's how long it's going to take for me to complete the intervention, and then, maybe—

**The Chair:** Mr. Brock, give me a minute.

Mr. Bittle has his virtual hand up.

**Mr. Chris Bittle:** Thank you so much.

I'd just like to clarify that Mr. Brock is acknowledging that he'd rather speak for 12 hours than have Mr. Viersen come. That's how embarrassed he is about Mr. Viersen—

**Mr. Philip Lawrence:** Madam Chair, this is not a point of order.

**Mr. Chris Bittle:** —and how ashamed the Conservative Party is about—

**Mr. Philip Lawrence:** On a point of order, Madam Chair, you have to stop him. This is not a point of order.

**The Chair:** Thank you.

Mr. Bittle.

**Mr. Chris Bittle:** Again I'm being shouted down during my point of order, which is shocking. That's how embarrassed they are.

**The Chair:** Mr. Kurek, you have your virtual hand up.

Members, before that, please, for those in the room, put your hand up so that I can acknowledge you. It's pretty hard for me to look at the screen as well as at every single person.

Now it's Mr. Kurek's turn.

**Mr. Damien Kurek:** Madam Chair, I actually have a point of order, unlike the previous intervention.

For the benefit of those of us who are virtual, I would ask that you share what the speaking list is. That would be most helpful for those of us who are not in the room.

**The Chair:** Yes, I will. Thank you.

[*Translation*]

Mr. Fortin is next on the list.

[*English*]

I had Mr. Lawrence, but I am informed by the table that you are not on the members' list anymore.

Then I have Mr. Jivani—

**Mr. Philip Lawrence:** I have a point of order, Madam Chair.

Before I can be removed, in accordance with Standing Order 119, it would have to be expressed in a motion as a will of the committee for me to not be able to speak, so that's inappropriate and actually a violation of my privilege. Please put me back on the list.

**The Chair:** No, but you're—

**Mr. Philip Lawrence:** It's a point of order. Put me back on the list in accordance with Standing Order 119. Do your job.

**The Chair:** I haven't removed you yet—

**Mr. Francis Drouin:** I have a point of order, Madam Chair.

**The Chair:** —but you are an extra member right now, because Mr. Kurek was subbed in for Ms. Ferreri.

**Mr. Philip Lawrence:** For a member who is not subbed in, in accordance with rules 115 and 116, I am still allowed to speak unless the committee has expressed its will. I therefore get to stay until the committee has said, in the form of a motion, that I am not to speak unless I'm subbed in. They have not done that, so I shall stay on the list.

**The Chair:** Yes. That's fine. If the committee decides otherwise, then that's fine.

I was reading who is on the list. I think that's all I had.

Mr. Kurek, did you also have your hand up to be put on the list?

• (3820)

**Mr. Damien Kurek:** Yes. Thank you, Madam Chair.

In my initial intervention, I had a request. I think it was about 50 minutes ago [*Technical difficulty—Editor*]

**The Chair:** I haven't put anybody in since you've been in, so you're on the list now.

Thank you.

**Mr. Damien Kurek:** Okay. I do appreciate that [*Technical difficulty—Editor*]

**The Chair:** You're very welcome.

**Mr. Damien Kurek:** About 45 minutes ago I had requested to do so, but I appreciate the work that you and the clerk are doing to help keep things running here.

**The Chair:** We're doing our best. Thanks for appreciating it.

Mr. Brock, we'll go back to you.

**Mr. Larry Brock:** Thank you.

Before I was interrupted again by a point of order from Mr. Bittle... I have lost track of how many points of order he has made, and all he has done, Madam Chair, is engage in debate.

I just telegraphed to Mr. Bittle and his team that the more they stop proceedings and allow me to not continue with my intervention, ultimately it's just going to delay the amount of time I have set aside.

**Mr. Chris Bittle:** I have a point of order, Madam Chair.

**Mr. Larry Brock:** I have numerous articles that I want to speak to as well as describing experiences—

**Mr. Chris Bittle:** I have a point of order.

**Mr. Larry Brock:** See? There's a point of order again.

**An hon. member:** [*Inaudible—Editor*]

**The Chair:** Okay. I see the virtual hand.

**Mr. Larry Brock:** Perhaps it may be the first point of order and not debate.

**The Chair:** I'm having difficulty recognizing who's trying to get my attention, because there are too many of you.

My role is to try to maintain order as best I can, so help me out, members. I recognize that you're all men and I am a woman, but just give me a bit of a break.

The ladies who are in the room are being fabulous, so thank you very much for that.

Mr. Bittle, I do recognize your virtual hand, so please go ahead.

**Mr. Chris Bittle:** Thank you very much.

As we have gone through, repetition is not appropriate. Mr. Brock is intentionally repeating himself. Points of order or not, that's not an excuse.

Despite how ashamed and embarrassed he is to have Mr. Viersen come, he cannot be repeating himself. That is a violation of the Standing Orders.

**The Chair:** Mr. Lawrence, I know you have your hand up. Can I suspend for a minute or two?

I just want to review the rules for a second with respect to extra members, because you are still an extra member. Just give me a moment.

**Mr. Philip Lawrence:** Yes, Chair.

**Mr. Jamil Jivani (Durham, CPC):** Could I just add, though, that you made it very clear that it was Mr. Van Popta that Mr. Kurek was replacing? Mr. Lawrence should not have been taken off the list at all.

**The Chair:** Just give me a minute.

• (3820)

(Pause)

• (3825)

**The Chair:** We are returning.

Let's get the members back.

Failing anyone's hand being up, I'm just going to say, Mr. Brock, can you continue?

**Mr. Larry Brock:** I'd love to. Without interruption, absolutely, I'd love to, Madam Chair.

**The Chair:** Do your best.

**Mr. Larry Brock:** Thank you.

**An hon. member:** Is Mr. Bittle okay with that?

**Mr. Larry Brock:** Yes, it depends on Mr. Bittle. I think the only thing that's shameful and embarrassing is the way he has conducted himself with unnecessary points of order.

**Mr. Chris Bittle:** I have a point of order.

**Mr. Larry Brock:** He also indicated, which—

I touched a nerve.

**The Chair:** Mr. Bittle, I'm recognizing you.

**Mr. Chris Bittle:** Personal attacks are not allowed under the Standing Orders.

I guess Mr. Brock is so embarrassed by Mr. Viersen that he's going to engage in personal attacks against me—

**Mr. Jamil Jivani:** Is that not a personal attack?

**Mr. Chris Bittle:** —even though I've conducted myself under the Standing Orders. He's the one who's repeating himself, delaying this and preventing Mr. Viersen, and ultimately this study, from proceeding.

**Mr. Larry Brock:** That is not a point of order, Chair.

Chair, I want to—

**The Chair:** Go ahead, Mr. Brock.

**Mr. Larry Brock:** —seek clarification, because this is Mr. Bittle's game. This is what he does.

Despite other members of the Conservative team and I voicing concerns that every one of Mr. Bittle's points of order were in fact debate and not points of order, I have yet to hear any direction from you, Madam Chair, who are charged with the responsibility of determining the validity—or the lack thereof—of points of order.

If we continue at this pace, perhaps we're going to be here all next week with me continuing my intervention and listening to Mr. Bittle again trying to debate. He will have the opportunity at some point. I don't even know if his name is on the list. What he likes to do is distract, divide and confuse. That's his game, and that's petty politics.

**Mr. Chris Bittle:** I guess I'm getting under someone's skin.

**Mr. Larry Brock:** That brings me to the original point I was making about the Liberals' game with respect to this particular study. I'm asking you, Madam Chair—

**The Chair:** Yes, go ahead.

**Mr. Larry Brock:** —to please exercise rulings and determine whether points of order are legitimate or not legitimate.

Thank you.

**The Chair:** Okay. We'll do so.

I have Mr. Maloney next. Then I have MP Drouin's hand up. I would just like to hear everybody first.

**An hon. member:** [*Inaudible—Editor*]

**The Chair:** Thank you. I appreciate that.

We have MP Maloney.

**Mr. James Maloney:** Thank you, Madam Chair.

Look, I have the greatest of respect for Mr. Bittle. I also have a great deal of respect for Mr. Brock. It is completely unnecessary and totally inappropriate to be casting aspersions at another member and imputing motive. We're all professionals here.

What does come to mind is the old saying, the pot calling the kettle black, but I think that perhaps.... I know that Mr. Brock thinks that relevance is subjective, but if he's going to start asking the chair for rulings on every single intervention, he's going to be interrupted more frequently, not only by Mr. Bittle but by every other member in this committee.

The point is, look, I don't think Mr. Bittle is doing anything inappropriate. He is addressing issues of relevance. He's trying to keep his conduct professional, as he always does, and I think Mr. Brock's comments towards him are not only one hundred per cent wrong, they're completely inappropriate. I hope we can rise above that moving forward.

Thank you.

**The Chair:** Thank you, Mr. Maloney.

My list has grown. It's all on the point of order, so that's great. I'd love to hear them all.

I will go with Mr. Drouin.

● (3830)

[*Translation*]

Then it's Mr. Jivani's turn.

[*English*]

Then we have Mr. Lawrence, and then I could have more.

Go ahead, please, Mr. Drouin.

**Mr. Francis Drouin:** Madam Chair, I listened attentively to Mr. Brock's argument. I'm just wondering if he could explain to this committee the rationale he was posing in terms of a member making a statement in the House and therefore they don't need to appear. I'm just wondering if that was the same logic for the member from Perth—Wellington, who spoke on Bill S-227 and sponsored Bill S-227 and was not afraid to appear before a committee.

I would ask him whether or not he's had a discussion with Mr. John Nater, who had the courage to appear before a parliamentary committee to testify on a bill that he was sponsoring himself. I would assume that Mr. Viersen would have the same courage.

**The Chair:** Okay. Thank you for that.

I'm not familiar with Bill S-227, but point taken.

Next is MP Jivani, please.

**Mr. Jamil Jivani:** Madam Chair, I think Mr. Brock's point is that the point of order is being abused and is being turned into something of an open mic night—



**Mr. Francis Drouin:** It's Friday.

**Mr. Jamil Jivani:** —where people can just chime in however they feel, Mr. Bittle in particular, abusing the virtual aspect of this, but when he's here in person, he slinks around and doesn't make a lot of noise. Now he's unmuting his mic whenever he feels like throwing in jibes and comments, and he's not being corrected. He's done this while Mr. Brock was speaking. You have not addressed him at all when he interrupts and just throws things. If we were doing that in here, you would say something. He's abusing the virtual format, and I think he needs to be corrected, Madam Chair.

**The Chair:** Thank you for your comments.

I do recognize that members are now waiting to be acknowledged, whether it's virtually or in the room, so I appreciate that.

Thank you very much.

**Mr. Jamil Jivani:** Not him, though.

**The Chair:** They have all been acknowledging that.

We will go to Mr. Lawrence, and I do see that, virtually, Mr. Kurek, you'll be next. Then I see Madam Dhillon after you.

Mr. Lawrence, go ahead, please.

**Mr. Philip Lawrence:** Thank you, Madam Chair.

As you rightfully pointed out, it is your responsibility to maintain order and decorum, and that looks increasingly difficult. You have my condolences with respect to that responsibility. You rightfully called me out earlier for talking too loud with Mr. Drouin. You were completely within your rights, and I apologize for causing any distraction.

I will say that there has been, as Mr. Jivani has said and as Mr. Brock has said, a pattern of Mr. Maloney and Mr. Bittle creating fake points of order that are equally, if not more, distracting than having a sidebar conversation with a colleague. I'm not going to tell you how to do your job. That would be presumptuous. However, I've certainly seen in other committees where there is a pattern, the chair will make sure that the individual starts with a rule that they're citing for that point of order. Before they are allowed to commence, they have to cite that rule. I think that it might be a fair practice.

Thank you very much.

**The Chair:** Thank you very much.

Mr. Kurek, go ahead.

**Mr. Damien Kurek:** Thank you very much, Madam Chair.

I look forward to continuing to hear what Mr. Brock has to say and to hear the specificity in which he is addressing the very important issues related to Bill C-270 and the motion that Mr. Maloney moved, which is actually on the agenda.

I would just note, Madam Chair, that in terms of departure from the Standing Orders, the continual introduction of issues of debate into the conversation at hand by, in particular, members from the Liberal side, I would just suggest that those members simply put their names on the speaking list. I look forward to hearing from them when their names come up on the speaking list.

I would just ask that you outline again for the committee who exactly is on that speaking list. I know there's been a bit of discussion, with people going back and forth, and I know there was some discussion around a member who is present, although he is not a regular member of the committee. Perhaps we could have some clarity on that. I know you appreciate and respect having clarity and acting with precision, which is key for the smooth functioning of these parliamentary proceedings.

**The Chair:** Thank you, Mr. Kurek. I'll come back to you.

I have Madam Dhillon. She's been very patient.

[*Translation*]

Thank you very much for your support.

The floor is yours, Ms. Dhillon.

[*English*]

**Ms. Anju Dhillon (Dorval—Lachine—LaSalle, Lib.):** Thank you, Madam Chair.

I just wanted to raise that I've been noticing for the last two hours that the Conservative members are talking down to you. They are talking aggressively to you and are making insinuations about how you are managing the committee. Under the guise of polite suggestions, they are saying things like, “may we suggest”, “may we do this”, “may we tell you how to do that”.

• (3835)

**Mr. Jamil Jivani:** We're polite.

**Ms. Anju Dhillon:** This is very condescending towards you. You pointed it out, but I was going to before you did, because it's really disturbing to see that a bunch of male Conservative colleagues are telling you how to manage the committee.

Shame on you. I am sick and tired of hearing this. Yes, you are surrounded only by males.

I'm sorry if I'm getting loud. I'm sorry to the interpreters.

This needs to stop. If we're going to do this for the next nine hours, bring it on. Who cares?

Madam Chair, I don't want to hear anyone speak condescendingly towards you.

**Mr. Jamil Jivani:** That's disrespectful.

**Mr. Larry Brock:** Have her apologize.

**Ms. Anju Dhillon:** Points of order are points of order. It's up to you to qualify them, Madam Chair, but you're not even being allowed to listen to them.

[*Translation*]

I wish you lots of courage, Madam Chair.

[*English*]

**The Chair:** Thank you, Madam Dhillon, and I wish you a good recovery. I know you're not feeling well this week.

Are we finished with the points of order now?

I do appreciate everybody trying to work together again so that we can continue with the meeting.

Why don't we take a two-minute break?

Thank you. We'll suspend for a few minutes.

• (3835) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (3845)

**The Chair:** Everybody, welcome back to our meeting.

I just want to inform you that, due to a number of events that are happening, I'm suspending for the day.

*[The meeting was suspended at 2:45 p.m., Friday, November 8]*

*[The meeting resumed at 3:48 p.m., Monday, November 18]*

*[Translation]*

**The Chair:** We are now back in session.

Good morning, everyone.

*[English]*

I will ask all in-person participants to read the guidelines written on the updated cards on the table, as a refresher. These measures are in place to help prevent audio feedback incidents.

*[Translation]*

This is to protect the health and safety of all participants, including interpreters.

*[English]*

You will also notice a QR code on the card, which links to a short awareness video.

*[Translation]*

I remind you that this is the continuation of meeting 121 of the Standing Committee on Justice and Human Rights.

*[English]*

The committee is meeting in public to continue its study of Bill C-270, an act to amend the Criminal Code regarding pornographic material. We are here in public to resume debate on the motion by James Maloney, a request for an extension of 30 sitting days to the period of committee consideration for Bill C-270 and reporting the bill back.

I am now ready to give the floor to members wishing to speak. I'm going to start a new list, because I'm not sure who ended last time.

Was it you, Mr. Brock?

**Mr. Larry Brock:** It was.

**The Chair:** Okay. The floor is yours.

**Mr. Larry Brock:** Thank you very much, Madam Chair.

Before I continue my remarks, Madam Chair, could I ask you to refresh our collective memories as to who currently is on that list, besides me?

**The Chair:** I know you are on it, because you are speaking. The floor is yours.

In terms of anyone else, members were going in and out. To be quite frank, I don't believe the list from 10 days ago exists. I don't have one, so I'm putting down names.

I have Mr. Bittle, Ms. Ferreri, Mr. Jivani and Mr. Van Popta, so far.

*[Translation]*

That's right, you were also on the list, Mr. Fortin. I'm sorry I forgot about you.

**Mr. Rhéal Éloi Fortin:** I was indeed on the list, Madam Chair, but I must confess that I don't remember what I wanted to tell you, so please forget me.

**The Chair:** I remember very well now that you were on the list, after Mr. Brock.

*[English]*

That one I remember very clearly, because you were patiently waiting last time.

It's Mr. Brock, Mr. Fortin, Mr. Bittle, Madam Ferreri, Mr. Jivani and Mr. Van Popta.

Okay?

*[Translation]*

Thank you.

*[English]*

**Mr. Larry Brock:** Thank you, Madam Chair.

I welcome back all colleagues after our constituency week. I hope we all had some rest. I know most of us, if not all of us, usually have schedules chock full of activities in our ridings. I was no exception to that, so it's good to be back, and it's good to be back to continue our discussion on Bill C-270.

Where I left off was providing the voice of our colleague Arnold Viersen. Clearly, there were certain members of the Liberal Party who were so eager to hear from him, but at the same time, they were not hiding from the fact that they had ulterior motives to hear from Mr. Viersen to fully cross-examine him on his personal views.

I might reiterate, just as I started off my last intervention, how disappointing and, quite frankly, shameful the actions being taken by certain Liberal members are in voicing their ulterior motives. This is because, as I indicated at the outset, weeks have now passed since a list of key stakeholder witnesses who wanted to participate in this debate was submitted not only to the clerk, but also to you, Madam Chair, with a recommendation that the last couple of meetings be set aside to hear from witnesses, as opposed to demanding that the sponsor of the bill, Arnold Viersen, attend and speak to the matter first.

In fact, if the schedule had been adhered to, today would have been set aside for clause-by-clause consideration after we had heard from those stakeholders, who definitely want to weigh in and add their voices to this discussion. It's shameful that political gamesmanship has been resorted to instead of dealing with the substance of Bill C-270, which would stop the Internet sexual exploitation of the most vulnerable members of our community.

Continuing my train of thought of providing voices to this discussion, I want to return to one church group, the Evangelical Fellowship of Canada, which has submitted a brief that I wish to read into the record at this time. It is entitled, "Submission to the Standing Committee on Justice and Human Rights on Bill C-270", and it is dated November 5, 2024. It reads:

The Evangelical Fellowship of Canada (EFC) appreciates the opportunity to participate in the committee's review of Bill C-270. We believe it's crucial for Parliament to require pornography platforms ensure child sexual abuse materials and intimate images shared without consent are not uploaded to their sites. It is evident many of these platforms will not take such measures unless required to and held accountable for doing so.

The acronym for Evangelical Fellowship of Canada is EFC.

The EFC is the national association of evangelical Christians in Canada. Established in 1964, the EFC provides a constructive voice for biblical principles in life and society and a forum for engagement and collaboration for the roughly 2.2 million Evangelicals who are part of our constituency.

Our approach to this issue is based on the biblical principles of respect for human life and dignity, justice and care for those who are vulnerable. These principles are also reflected in Canadian law and public policy.

Under the heading of "The impact of posted images", it reads:

There are devastating, lifelong consequences for those whose images are uploaded and distributed online. Children and youth face severe and extensive impacts when images of their abuse and exploitation are streamed and distributed.

In its 2021 hearings on the protection of privacy and reputation on platforms such as Pornhub, the Ethics Committee heard harrowing testimony from survivors whose intimate images, including images of abuse, had been posted on pornography platforms without their knowledge or consent. Some of the witnesses whose images had been posted on Pornhub were as young as 13 years old at the time the images were taken.

One young woman told the Ethics Committee how she was pressured to send the boy she liked an intimate video of herself when she was [only] in Grade 7. She then discovered the video had been uploaded to pornography sites. This video has been viewed millions of times. This young woman dropped out of school and her social circle, became homeless, fearful, anxious and suicidal.

Madam Chair, I want to pause for a moment. I want to reflect on my former career, when I prosecuted matters such as this, particularly those dealing with the possession, distribution and making of child pornography images. A point the experts unanimously agreed on, in unison with all of the victims I had the privilege of working with and assisting in the prosecution of these matters, is that they are a special class of victim.

They are unlike victims of sexual assault, which is horrendous in its very nature. They are unlike victims of a personal injury offence. Again, this could have lifelong implications for those victims. By and large, those two classes of victim are victimized once, with long-term—sometimes lifetime—consequences. The difference with victims in this particular area of the law is this: Each and every time their image is viewed, uploaded, saved and shared, they are revictimized. It's over and over again. As my esteemed colleague Mr. Van Popta eloquently put it, once an image hits the internet, there are limited means by which you can take it down. What you can't do is stop the purveyors of this filth from resharing those images on the Internet. That's why these victims hold a special place in my heart.

In this particular case, in reference to this 13-year-old girl, imagine the legacy she is going to carry for the rest of her life because she trusted a boy and shared an image. It is disgusting.

I'm going back to the report. It says:

One witness told of her discovery that her partner had taken videos and pictures of her without her knowledge or consent which were then posted on Pornhub. She described the destructive impact on her life, emotional trauma, suicidality and the toll on her health and employment.

Another witness told the Ethics Committee about discovering a video of herself on Pornhub in which she was unconscious, with a tag that said "sleeping pills."

The viewers, rather than being turned away by sexual assault videos, were actively searching out that content. The tags made this possible, and they knew what they were watching before they clicked. It is a profound betrayal to know that thousands of men saw your assault and not only did nothing to flag it but actively sought it out and enjoyed it.... This video is not a one-off that slipped through a filter. Sexual assault is not an anomaly on the porn sites; it is a genre. This leaves little incentive for these sites to moderate such content.

These are real people in vulnerable moments who shared with parliamentarians the devastating impacts of their abuse and intimate images being shared online.

In each of these cases, the victims found the platform either unresponsive or slow to respond to their requests to have their images taken down.

Once a person's intimate images or images of their abuse or exploitation are uploaded, what happens to those images is beyond their control. They may be downloaded, shared or reposted countless times. A report by the Office of the Privacy Commissioner of Canada in February [of this year] told of a professional take-down service that found 700 copies of one person's intimate images on more than 80 websites. The report noted the devastating effects on employment, social network and mental health.

Once these images are online it is nearly impossible to have them permanently removed. In a report by the Canadian Centre for Child Protection, survivors of recorded child sexual abuse indicated that the imagery impacted them in a different way than the initial abuse. "The information shared by the respondents to this survey makes it clear that the recording of abuse and its distribution adds an extraordinary layer of trauma for a victim".... Survivors describe feeling powerless to stop the destruction of the images. It is ongoing trauma.

Then we have under the heading, "Scope of the Problem":

Child sexual abuse material (CSAM) online

Over 20 million suspected images of child sexual abuse were triggered for review by the Canadian Centre for Child Protection's web crawler between 2017-2020.

According to Statistics Canada, 15,630 incidents of online sexual offences against children and 45,816 incidents of online child sexual abuse material were reported by police from 2014 to 2022

Studies show that prepubescent children are at the greatest risk of being depicted in CSAM and 84.2% of these videos and images contain severe abuse.

Approximately one million reports of child sexual exploitation are received by the National [U.S.] Center for Missing and Exploited Children...CyberTipLine each month. The hotline has received, in total, more than 45 million reports.

That's just the United States.

The report continues:

Lianna McDonald, executive director of the Canadian Centre for Child Protection, described a "tsunami" of victims coming to organizations like theirs for help to get their images removed from the internet.

Non-Consensual Distribution of Intimate Images (NCDII)

Police-reported Canadian data indicate 896 cases of NCDII [have been] reported in 2022 [alone].

In police-reported incidents of NCDII, youth aged 12 to 17 years accounted for almost all(97%) victims with the large majority (86%) of victims being girls.

NCDII may include:

-images which are recorded without consent, including images of sexual assault or rape (no consent to sexual activity, e.g., drugged or sleeping individuals) or of a person's exploitation, and then distributed; or

-images which were recorded with consent, but where no consent was given to their sharing or distribution.

The 896 police-reported cases of non-consensual distribution of intimate images in 2022 are likely a fraction of the incidents of NCDII. These numbers only reflect the images that have been discovered and reported to the police.

It begs the question:

How many Canadian women and teens don't yet know their images have been posted without their knowledge or consent, or who to approach for help if they do?

One can only imagine, on this committee, the staggering numbers that really exist in this particular area.

The report continues:

As Canada's Privacy Commissioner notes in his report, "Investigation into Aylo (formerly MindGeek)'s Compliance with PIPEDA", Canadian adults who are the victims of NCDII face a variety of risks:

Individuals who have had their intimate content disclosed without their consent have experienced severe consequences including reputational, financial and emotional harm. These harms can come in the form of targeted harassment that occurs online or in person, loss of job opportunities and mental health impacts up to and including suicide.

One study found that young women who have experienced NCDII "revealed declines in overall mental health, anxiety, depression, post-traumatic stress, suicidal [ideation], increased alcohol and drug consumption, and low self-esteem and confidence." Victims of NCDII also face ongoing trauma and an ongoing violation of their privacy as they live with the permanence of their intimate images on the Internet.

The following is under the heading "Generative AI":

A new and escalating threat is the use of AI technology to generate child sexual abuse materials depicting either real or fictional children, and intimate images or pornography made of a person. "According to one study, more than 96% of AI generated pornography was produced without the consent of those featured in it..." The use of images created through AI harasses, harms and humiliates victims, like all CSAM and NCDII. We need urgent action to develop legislation that protects victims of all ages from generative AI and deepfake pornography.

A study by the University of Toronto professors notes that Canada is one of the countries that has not yet taken meaningful action on this front. It also states, "These manipulations thrive in the pornography industry, where women's faces are superimposed onto others' bodies to create video illusions, resulting in non-consensual sexual image abuse and other harm." The study's authors go on to say, "The sheer volume of CSAM that can be generated and distributed using AI tools, a number that is growing exponentially every year, far exceeds the existing capacities, resources, and abilities of law enforcement organizations, NGOs, platforms, moderators and tech companies to respond to, investigate, and address."

Next we have under the heading, "The urgent need to act":

Commercial pornography sites must be held responsible to ensure exploitive and non-consensual images are not uploaded in the first place.

The onus must not be on children and youth to monitor commercial pornography sites to ensure that depictions of their abuse and exploitation are not posted or, if discovered, to ensure they are swiftly removed. The onus must not be on victims of non-consensual uploads to watch for their content and ensure it is removed.

Companies must be responsible for ensuring that the content they host and profit from is not child sexual abuse material, that the people depicted in images or videos are not minors, and that they consent to their image being posted.

Bill C-270 would prevent illegal content from being uploaded in the first place. This is essential, as once the images or video are uploaded—

—as I've mentioned already—

—it is nearly impossible to control their circulation and remove them.

Testimony to the Ethics Committee and the report by the Office of the Privacy Commissioner both describe the extensive spread of such images to other platforms and the extreme difficulty in having images removed once posted. As we noted above, the Privacy Commissioner's report told of a professional take-down service that found 700 copies of one person's intimate images on more than 80 websites.

By requiring that the age and consent of every person depicted in sexually explicit material be verified before it is posted online, Bill C-270 puts the responsibility where it belongs.

Bill C-270 would fulfill the second recommendation in the Ethics Committee report, Ensuring the Protection of Privacy and Reputation on Platforms such as Pornhub.

We note and recommend to this committee the Privacy Commissioner's recommendations to Aylo...as a template of what should be required of all those who create pornography for a commercial purpose. The Privacy Commissioner recommended that

the company: (i) cease allowing the upload of intimate content without first obtaining meaningful consent directly from each individual appearing in that content; (ii) delete all content that it previously collected without obtaining such consent; and (iii) implement a privacy management program to ensure that it is accountable for information under its control."

Canada's legal frameworks must require verification of the age and consent of all individuals depicted in sexually explicit content created or hosted for a commercial purpose. This framework must also include AI-generated content.

The current version of Bill—

**Ms. Michelle Ferreri (Peterborough—Kawartha, CPC):** On a point of order, Madam Chair, the member opposite is heckling and mimicking everything my colleague is saying. It's hard to hear my colleague. I can't concentrate.

It's unnecessary. He doesn't have the floor.

**Mr. Chris Bittle:** On the same point of order, I'm definitely not heckling. I'm just reading along word for word what—

**Ms. Michelle Ferreri:** You don't have the floor.

**Mr. Chris Bittle:** I'm just reading along. I wasn't heckling, just to point that out—

**The Chair:** Okay. No, it—

**Mr. Jamil Jivani:** Maybe he forgot he's on Zoom. He can't just chime in any time he feels like it.

**Mr. Chris Bittle:** On that point of order, it's very bizarre to heckle me and say I don't have the floor when everyone else is now yelling at me—

**Mr. Jamil Jivani:** I know he thinks he's very important and special, and everyone needs to hear what he has to say on a wide range of topics—

**Mr. Chris Bittle:** I don't know why Mr. Jivani is yelling over me about the fact he doesn't have the—

**Mr. Jamil Jivani:** —but he's actually not that important or special. He should respect the process and allow people to speak when they have the floor.

**The Chair:** Okay, members. I appreciate all of you.

One, it's not a point of order. Two, I neglected at the beginning to ask members as I did last time, and it worked very well, to please wait to be acknowledged by the chair before making an intervention.

Thank you very much for that.

I see a hand up from Mr. MacGregor.

**Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP):** Madam Chair, this is just for my clarification. Did Mr. Brock say this was a briefing? Did we have this submitted? Is it available on the website?

I was just curious about that.

**The Chair:** That's a fair question.

Mr. Brock, would you mind answering that? I know you're reading from something, but is it something that's available to members?

**Mr. Larry Brock:** I believe the clerk emailed all members with this particular document I'm reading out.

**The Chair:** Okay. Thank you. It makes sense why Mr. Bittle had it.

I think we're clear now. Thanks very much.

Mr. Brock, you can continue.

**Mr. Larry Brock:** Madam Chair, I'll continue with the quote:

The current version of Bill C-63, the proposed Online Harms Act, has some needed provisions but is insufficient. It would require online platforms and social media services to make images that sexually victimize a child or survivor or intimate images communicated without consent inaccessible in Canada within 24 hours after a complaint is made. This still relies largely on a user or victim to detect the image and file a complaint.

**Ms. Michelle Ferreri:** On a point of order, Madam Chair, isn't it the rule that whoever has the floor is the only one speaking?

Right now, the member—

**The Chair:** Unless you're acknowledged....

**Ms. Michelle Ferreri:** He is speaking over top of Mr. Brock.

**Mr. Jamil Jivani:** Has he been acknowledged?

**Mr. Larry Brock:** On the same point of order, Madam Chair, I think Mr. Bittle has the ability to read to himself quietly without reading aloud so as to offend not only the person who has the floor—I can hear him chirping in the background—but also, clearly, my colleagues, who have noticed this. We don't need him to repeat verbatim what I'm saying. He'll eventually have the floor. He needs to wait for his time.

**The Chair:** Thank you.

I think we are all grown-ups here, and we understand.

**Mr. Jamil Jivani:** Tell him to stop doing what he's doing.

**The Chair:** I'm concentrating on Mr. Brock, to be quite honest. I still have inflamed ears, so I wasn't really hearing on the right side.

**Mr. Jamil Jivani:** I would also like to hear, but he's making noise.

**The Chair:** Those are fair points from everybody.

Mr. Brock, thanks for clarifying, and I think the clerk clarified.

That was a good question, Mr. MacGregor. All of these have already been delivered to and shared with members of the committee. I think members of the committee can read them, as well, but I'm not sure.

If you want to continue to read them, please proceed.

**Mr. Larry Brock:** Madam Chair, I'll continue:

Between the time an image is uploaded, detected and taken down, it could have been viewed, shared or reposted millions of times—even if all of this occurs within a 24-hour period. Platforms must be required to have mechanisms in place to verify age and consent of those depicted in sexually explicit material to ensure illegal content is never uploaded in the first place.

We urge the committee to support Bill C-270's measures to ensure illegal content is not uploaded in the first place. Please ensure AI-generated content is addressed.

I now want to move on and read out the personal stories of various victims, some of whom have testified at committee.

**The Chair:** Wait one moment, Mr. Brock.

I hear a point of order on the right side.

Yes, Mr. Bittle.

**Mr. Chris Bittle:** Madam Chair, I'm just curious. I hope Mr. Brock can let us know whether he's going to read victim statements to filibuster the fact that he's embarrassed to have Mr. Viersen come. I'm wondering whether he's going to use those victim statements for the sole purpose of preventing him from appearing here today.

**Mr. Larry Brock:** Can I speak to the same point of order, Chair?

**The Chair:** Yes, Mr. Brock.

**Mr. Larry Brock:** First, that is debate. That is not a point of order. I encourage the chair to have the member cite the particular measure through which he believes I offended this committee by reading things out.

Second, I want to highlight how completely disgusting and disrespectful—

**An hon. member:** [*Inaudible—Editor*]

**Mr. Larry Brock:** I have the floor.

**Mr. Chris Bittle:** Point out the point of order. How hypocritical you are. You're a hypocrite. Point out the point of order.

**Mr. Larry Brock:** —this individual, Mr. Bittle, is to St. Catharines, with respect to victims of sexual violence.

**The Chair:** Okay.

**Mr. Chris Bittle:** I have a point of order.

He's sticking his middle finger out at me. That's shocking.

**The Chair:** I think it's getting a little heated in here. I've heard some language and comments that are not, in my opinion, parliamentary.

I'm going to suspend for two minutes to give you a cooling break.

• (28020) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (28020)

**The Chair:** Members, we can resume now.

Mr. Brock, please proceed.

Are you reading from the documents that were shared?

**Mr. Larry Brock:** What I intend on doing is to read testimony from various victims of sexual abuse in this particular area who have testified at various committees.

I would hope, Madam Chair, and my expectation is that given the sensitive nature of what I'm about to read out, the Liberal members would show a decorum of respect, not belittle what I have to say and not interrupt what I have to say, because these are the words of lived survivors who are continually subjected to abuse by all of those individuals worldwide who look for this type of filth.

This victim was known as Witness 2. She gave testimony at the ethics committee on February 19, 2021:

I'm now 19 years old. I was 17 when videos of me on Pornhub came to my knowledge, and I was only 15 in the videos they've been profiting from.

When I was 15, I was extorted by a man who was unknown at the time into sending massive amounts of videos and images of me. He would tell me what I needed to do, for how long and even as far as what positions I had to be in. There were things he even asked me to do that were so disturbing that I cut contact with him, even though I was scared to do that.

I eventually found out that I wasn't the only one this had happened to because I was sent a link to a Tumblr account that was selling Dropbox files of me and hundreds of girls so other people could use our exploitation to make fake accounts to sell to men online who thought they were really speaking to us.

It's not something that anybody wants to hear, but I think it's important you understand the type of stuff I was subjected to that night and how depraved the man behind it was, so you can truly understand what Pornhub's been profiting from. There made me—

I'm reading her words:

—send videos of vaginal and anal masturbation, videos of me removing my clothes, videos of me spitting on myself and more. The videos that made me quit contact was when they went on to ask me to eat my own feces and drink my own urine. Although the videos that I did were embarrassing enough, I feel more sad for the girls who did the rest and got their footage uploaded to Pornhub.

I contacted the police when I found the site, but their only help for me was to delete my social media. From there a girl who I thought was my friend started circulating images of me, even going as far as to upload them on my 17th birthday and tagging me in them. I started getting so much abuse and harassment from people who lived close to me, and then in September 2018, someone from my city posted a video of me to Snapchat, which was screen recorded from Pornhub. This was the first time I had any knowledge of being on their site.

During this time, I stopped eating and leaving the house, and I was even considering suicide. I started getting hundreds of follow requests daily on my social media accounts and at least 50 messages a day sending me links of videos of me on Pornhub. That's when I realized that my name and social media had been posted alongside the videos. Some of those people were respectable and reported them when I told them I was only 15, but the majority of them enjoyed it even more.

It was a really scary time, and it seemed to just get worse and worse. A lot of the men felt entitled to me once they'd seen me on Pornhub. When I didn't want to speak to them, they would try to blackmail me or threaten me even more. Even now, I have some of the same people from 2018 still trying to contact me.

Pornhub would remove my videos once I found them, but I believe that's only because I provided a police reference code and because I mentioned suicide. I think they knew all too well that another death at their hands wouldn't look too good. Every time they took it down, they also allowed more and more videos of me to be reuploaded. The videos would get hundreds of thousands of views and

contained my personal information, including my address and my family's social media.

One of the worst days was when their viewers started sending videos to my mum and dad. I barely speak to my dad, so to know he saw that video made it really hard for me to continue to visit him and feel normal.

Videos of me being on Pornhub has affected my life so much to the point that I don't leave my house anymore. I stopped being able to work because I was so scared to be out in public around other people. I feel like everyone who looks at me is looking at those videos. Because I couldn't work, I started my own business so I could stay in my bedroom where I felt safe, but even then, Pornhub's viewers started sending my customers the videos of me and making fake accounts of me.

To see Corey Urman smile and explain that he uses aliases to protect his identity, when he has the choice to post or not to post, is disgusting, because I had no choice about being uploaded to Pornhub and having my personal details exposed to the world. Hearing about Mr. Antoon buying his third property with the money he made from our exploitation but refusing to speak about how much he earns in a year was more than frustrating, because I wake up every day in the same room where my exploitation took place. I don't have the choice of simply going to another property to escape from that.

My anxiety got so bad to the point where I couldn't eat at all, and I dropped down to only 80 pounds. I still struggle to manage to eat properly to this day, causing me to struggle with not only health issues but body dysmorphia. So many of their viewers commented on my body, discussing whether it was fake or real, messaging me to insult me or to talk how much they loved my small 15-year-old frame.

I had a lot of friendships that had to come to an end because I refused to go out and see them. I didn't want to go to parties or out in public, because being around people makes me have panic attacks. Going to the shops with my mum makes me have panic attacks, even going on public transport does. I even had someone turn up outside my house and take some pictures of my door, telling me that they'd found me on Pornhub and calling me by my name, which isn't on my social media. It's only on Pornhub. It just gave me more reasons not to go outside.

Pornhub always told me that I needed a link to get the videos removed. It was difficult because I couldn't always find the videos that were being sent to me. When I started questioning Pornhub on why they allowed anyone to just upload anything, they just told me that I needed to upload my videos to their third party site. I told them that not only was it illegal for me to do this, but it was illegal for them to ask me to do this because it's child porn and I'm not even allowed to have the content of myself. I told them there was nothing I could do, I felt suicidal and I was even considering getting legal advice if it didn't stop. They ignored me, and I never contacted them again.

They say they tried to tell me there was nothing they could do without a link, but that was a flat-out lie, given the fact that as soon as they were sent cease and desist letters, all footage of me was removed from their site straight away.

Also for them to say they've been forever "evolving" and the takedown of a million videos was just another step forward is debatable, because it's either one of two options. Option one, Pornhub honestly never thought of the idea to make verification needed to upload videos, which to me just clearly shows a lack of common sense and thought capacity to safeguard and run a business of this size. Option two was that they did think about the idea and they chose to ignore it for more money. Given that I asked them why they don't regulate this back in 2019 proves they were already suggested this idea by me, one of their victims, and they chose to just ignore it.

I feel that anyone I come into contact with has either seen the videos or will find them eventually. No one seems to believe I was a child because they tell me Pornhub is 18+ so you can't be underage.

There was a time when I tried to take my own life. Luckily, it wasn't successful. I now have people around me who are really supportive, but not all of Pornhub's victims have been so lucky and not all of Pornhub's victims have had the same support. I don't understand how many women's lives have to end or be ruined before there is accountability for what they've done.

Thank you.

That person is simply known as Witness 2. What a shame it is that this witness is not here in person to give us viva voce evidence, with the committee members able to help her through this process in order to understand how we can improve legislation so that other would-be victims do not fall into the same trap. It is shameful, and I'm very much disappointed in this committee.

I'll move to Witness 1, who also testified on February 19, 2021.

She said:

When I was 24, I met someone I thought was a really nice guy. I married him, and as soon as he thought I was stuck, he stopped being nice pretty quickly. In April 2020, I moved away from our home to be safe, and obviously, we're not together anymore.

During our relationship, I had let him take some pictures. I was uncomfortable at first, because I had never been in any picture like that, but I trusted him and I wanted to keep him happy. It wasn't until August of 2020 that I discovered those private photos had been uploaded to porn sites, including Pornhub.

I was upset about the photos, but it was about to get worse. Finding the photos led me to a video. I did not know the video existed. I found out about it by watching it on Pornhub. In the title of the video, it says I'm sleeping. The tags include "sleeping" and "sleeping pills". Whether I was asleep or drugged is impossible to know after the fact, but what is clear in the video is that I am not conscious and there is nothing to suggest consent. The video is clearly home-made and was uploaded by an anonymous email address. This is the content that the Pornhub moderators supposedly viewed and decided belonged on their porn site. My video had been uploaded in August of 2017, so by the time I found it, it had been active on Pornhub for over three years, and I had no idea.

I didn't try to get the video down right away because I showed it to the police the next morning, and they told me to leave everything until they were done with it. However, sometime between August 16 and 19, the Pornhub video became no longer playable. It said "technical difficulties". About that same time, I noticed that Pornhub was pulling their tags that directly indicated non-consensual content. For example, if you searched "sleeping pills" in early September, it didn't return any results. This was, of course, not the case in mid-August, so my best theory is that the video disappeared as they tried to clean up those kinds of tags.

In all that time, the video did not get flagged or removed. The viewers, rather than being turned away by sexual assault videos, were actively searching out that content. The tags made this possible, and they knew what they were watching before they clicked. It is a profound betrayal to know that thousands of men saw your assault and not only did nothing to flag it but actively sought it out and enjoyed it.

On Pornhub, there is a comment section, so the night I found my video, I also got to read a man describe in graphic physical detail just how much he enjoyed himself watching it. On another site, thousands of men watched my video and instead of flagging it, they awarded it top-rated for a certain body part. This video is not a one-off that slipped through a filter. Sexual assault is not an anomaly on the porn sites; it is a genre. This leaves little incentive for these sites to moderate such content.

To give an idea of the scope of the spread, as of early January 2021—after the December purge, and after the RCMP had removed a bunch for me—googling the name of my Pornhub video still returned over 1,900 results. One cause of the spread is, of course, users downloading it and reuploading it. There are definitely some of these floating around, but the most significant way my video was spread was through links. MindGeek did this by putting links to my Pornhub video on their other sites as a cheap way of adding content to those sites. Many of the other third party sites also use this method, so they too linked to my video on Pornhub. Of the 1,900 search results, Pornhub is the source for all of them.

The upside with linking is that when the video is removed from Pornhub, it's not playable on these other sites either. The downside is that Pornhub creates a thumbnail image file for all the videos uploaded to its site, and this image can be downloaded even if the video is only a link. There are still quite a few of these thumbnails on porn sites and in search engine caches. The thumbnail is still a picture of me naked. I don't want it on the Internet. Also, when Pornhub deleted my video, they didn't delete any of the data surrounding it like the title and the username. That is also a problem.

I contacted Pornhub in January to get them to remove the data and the thumbnails associated with their site. At first they pretended not to know what I was

talking about. I sent them all the information again. They sent me a link to Google and told me to go do it myself. After a month and a half and eight emails, Pornhub has removed some of the data and thumbnails that were associated with their site, and they indexed a few things on one search engine that's still not all gone. I think they're just ignoring me now.

I also asked them for help in removing the thumbnails and the content that spread from Pornhub to these other sites. They told me that they can't remove their content from the other sites it spreads to. However, they have an entire program where they proactively do exactly that for their exclusive model content. They advertise it. They monitor the Internet for where these videos spread, they take them down for them and they even pay them a bonus. All I'm asking is that they pretend to care as much about their non-consensual content as they do about their paid, exclusive content.

Nothing will ever be able to undo what has been done. At this point, I just want to be off the Internet.

Thanks to Pornhub, today is day 1,292 that I have been naked on these porn sites.

We can certainly add another two years' worth to that particular statistic. Again, I'm disappointed that Witness 1 was denied the opportunity of testifying at this committee.

I'll move to an identifiable victim. Her name is Ms. Victoria Galy. She also testified at the ethics committee on February 19, 2021. She said:

Thank you.

First, thank you for having me and for allowing me to participate. My statement is a little lengthy. I'll try to get through it as fast as I can and not take up too much of your time.

My name is Victoria Galy. I live in Hendersonville, Tennessee. I'm a victim of sex trafficking under the legal definition in Tennessee in the United States. I've had numerous non-consensual pornographic images and videos of me posted on Pornhub.com.

Beginning in 2018, I found the videos and reported them to Pornhub. Many of the videos were labelled "teen" and were clearly of a person who was drugged and/or intoxicated, as evidenced by the occurrences in the videos. Most of these videos were made by an ex of mine on a trip we took to Las Vegas, Nevada.

Upon finding these videos in 2018, the first thing I tried to do was to flag them. This led me nowhere. The videos were not removed. The next thing I tried to do was to report the videos. I found out that you had to create an account in order to do so. I had to provide my full name and my email address. I was hesitant, as I wasn't the type of person who watched porn or subscribed to anything like that. I didn't really want my name or my email address associated with it. However, I reluctantly set up the account and began to try to report the videos.

In 2018 I reported approximately 30 videos. Only three of those videos were removed at that time. For the remaining videos, I was told that I needed to submit a DMCA takedown notice to Pornhub before they would remove them. I wasn't familiar with what that meant or even what a DMCA takedown notice was.

As a result of the initial trauma in finding these videos, I suffered great emotional distress, resulting in what my doctor has now defined as a dissociative condition wherein I basically removed the memory of these videos and events from my present recollection, as it was too painful for me to process. It's called dissociative amnesia. People who suffer from this escape reality in ways that are involuntary and unhealthy, which causes problems with functioning in everyday life. This was obvious in my behaviour and my interactions with friends, family and co-workers from 2018 to 2020. I completely lost my self-worth and was engaging in risky behaviour that was very different from my typical self prior to 2018.

It wasn't until the summer of 2020, when these flashbacks and memories began to return, that I sought treatment with a psychiatrist and a sexual abuse trauma therapist. That is when I received my diagnosis and began taking medication for depression and PTSD. I have been undergoing cognitive processing therapy and making leaps and bounds in my recovery, but this is the hardest thing I've ever had to face in my life.

At times I was suicidal. After 16 years with one law firm as a paralegal, I had to take a leave of absence as I could no longer function on a daily basis nor make it through even one day at work. I left my house. I moved in with my mother for approximately four weeks so she could help me care for my children. I have a 16-year-old son and a seven-year-old daughter with Down syndrome. I also suffered from severe anxiety and fear. I didn't feel safe. I was having intense nightmares, irritability, anger, embarrassment and such physical symptoms as pounding heart, nausea, etc. I lost at least 20 to 30 pounds. I couldn't eat. I was very sick.

In August of 2020, when my memories began to return, I began contacting Pornhub again regarding these videos. Upon visiting their website, I found that there had been many more videos made over that two- to three-year period. I reported many videos, including the ones claimed by Vicky Lust. There were approximately 60 to 65 videos. These were made by my ex, Brandon. Some of the videos were removed, but the ones that were claimed by Vicky Lust were not. I was told that they were claimed by a verified model and that they would not remove them. I sent them numerous emails explaining that the videos were of me and my ex, Brandon, but they refused to listen. I sent them photos of my birthmark, pointed out that I said Brandon's name in at least one of the videos, and even submitted photos of my various body parts to prove that it was me. They still refused to remove them.

I contacted their legal department directly through the email [legal@pornhub.com](mailto:legal@pornhub.com), providing a clear PowerPoint presentation detailing why it was me in the videos and not the couple claiming them—who I found out later was in Helsinki, Finland—named Laura and Lauri. I received no response to that email.

In addition to the clear PowerPoint presentation that was provided to them, the comments that were posted and deleted on the Vicky Lust videos evidenced their non-consensual nature. It was not until after December 2020, when I filed a civil lawsuit against them *pro se*, I emailed them a copy and the article came out in The New York Times titled “The Children of Pornhub”, that they have now, at least temporarily, suspended these videos. They are of course all over the Internet now, having been downloaded by who knows how many users, and on a plethora of other websites. I will never be able to remove these videos. There were over eight million views just on Pornhub alone. To think of the amount of money that Pornhub has made off my trauma, date rape and sexual exploitation makes me sick to my stomach.

On Tuesday of this week, Chantelle Pittarelli, the director of legal and business affairs, finally responded to my emails. He or she refused to admit that it was me in the videos, but noted that they had decided at this time, due to the seriousness of my allegations, to delete the Vicky Lust account and that they fingerprinted the content to prevent future uploads to their site.

This, however, does nothing to remove them from the other sites all over the Internet, nor take back any of the destruction that this has caused in my life. Had they done this back in 2018 when I first contacted them, my life would look much different now. They never cared about my well-being, and they've profited from these illegal activities. I've had Facebook friends send me messages with links stating things like “Vicky, this looks like you”. I've been stopped at my home by an unknown man on at least two occasions and even propositioned by a stranger on Facebook asking if I had considered his offer to make videos. When I asked him, “What videos?”, as I did not know this man nor to what offer he was referring, he never responded.

Not only does Pornhub make it difficult or impossible to get these non-consensual videos removed, they make it difficult to sue them, insisting that I serve them with my lawsuit in Cyprus. Having been a paralegal for over 16 years, I've familiarized myself somewhat with the Hague Convention and have initiated service of process by postal means, as allowed under the convention for Cyprus residents. However, the typical victim would not have such means or familiarity.

Pornhub has training blogs and articles for teaching models and or perpetrators at being successful on their platform. They recommend virtual private networks and the best editing apps to use and so on, which makes it more difficult for victims to prove their cases and get justice. In my particular case, my ex used a fake foreskin to appear uncircumcised in the videos, which caused the police department to not believe me and the district attorney to decline prosecution, despite me later providing clear evidence of this. Pornhub, to this day, has active videos

showing this “toy” being used, which only educates perpetrators in the ways of avoiding detection by authorities.

As stated in the New York Times article that I mentioned, I too feel like Pornhub has become my human trafficker, and they have been relentless in doing so. The background profile photo for Vicky Lust prior to August 2020, when I reported it to the police, was a full-body photo of me, naked, with only a mask across my nose and part of my eyes, similar to a Mardi Gras mask. I have been recognized in public by many people who wouldn't say from where it was and tormented emotionally.

If it weren't for the help of my amazing therapist and her cognitive processing therapy, I would not be here before you today, but I refuse to be a victim any further. I will advocate for myself and for all the other victims who may not be able to or may not want to stand up, or who may have committed suicide, as we will never know. For me personally, I came very close to suicide, and I've never been so broken as I have been throughout this process.

I've been forced to stand up alone and fight Pornhub, so when I heard about your inquiry into the ethics of this company, I gladly came forward, willing to testify openly about my situation. I appreciate being allowed to participate in this process and the possibility of effecting change and/or holding this company accountable.

Thank you for hearing from me.

Again, it's too bad that Victoria Galy was denied the opportunity of testifying at this committee.

Another victim who testified at ethics identified herself as Ms. Serena Fleites. She said:

I grew up in a small town in the mountains, and I didn't have Wi-Fi or really even electricity up there. I never had an iPod or a phone or access to the Internet before I moved to the city. The school there was really small, too. There was only one school in the entire town, pre-K to grade 8. That was the school I grew up at. Then, when I moved to Bakersfield, there were 3,500 kids at one school and it was only two grades. I went from having five kids in my class all day to having 30 kids in a class, eight different classes in a day. It was all super new to me.

I never had a crush or a boyfriend or a first kiss or anything like that before, so I was picked on quite a bit for the first couple of weeks that I was attending school. They would make fun of me for not being up to date with everything. Being from the mountains, I didn't know the slang and I didn't know what was popular. And so, when a guy finally did take notice of me and was interested in me—or I thought he was interested in me—we started my first relationship.

After a while of being in a relationship with him, his friends would come up to us at school during the lunch break and ask us a bunch of questions and try to pressure me into doing different things like kissing him—when I'd never had my first kiss before—and just saying all sorts of things.

One night—this is during the last semester of my grade 7 year—the boy I was dating at the time asked me to send him a video of myself. I didn't really understand what he meant at first. He had sent me a video from Pornhub of a girl undressing herself and just basically showing herself off to the camera. He asked me to do that and I told him I wasn't really comfortable, so he continued to ask me every night after we got back from school. I had gotten my first iPod at this point and I'd gotten a messenger app on it called Kik to talk to people at school.

He would message me on that app every night after school, asking me to send the video, and I always told him no, I wasn't comfortable doing that, I didn't even know what to do. And he's like, “It's perfectly fine, you know. Everybody does it. Everybody our age is doing that. If we're really in a relationship, if you truly loved me, then you would send me something like that.” I still, for a while, told him no. I wasn't really comfortable doing that. After a couple of weeks of it, he was like, “Fine then. You know what? This isn't even a real relationship. I don't know why I continue to bother you. If you're not even willing to send me something that I'm going to send you, then it will be over, whatever, unless you're going to send it and then I'll send you one, too.”



And so I took a quick little video, like a minute long, and I sent it to him, and for the first couple of days afterwards I didn't notice any difference. But then his friend group started coming up to us during lunch and making little comments about my body and how I was a freak and about how they wish their girlfriends would do stuff like I do. And so, at that point, I was getting upset, because I had a feeling that he had shown it to them, when he had told me that he would delete it right afterwards.

After that, I started noticing even more kids at school would look at me or make little comments to me. That was about a week and a half, two weeks, after I had first sent it. That was when I found out that it had been sent around to most of the school. After that, summer break happened. I had broken up with him because I did find out he had sent it to his friends and his friends sent it to their friends, who then sent it to their friends. And so, it went around the entire school and all the neighbouring schools.

During the summer break, before grade 8, we moved, so I thought things would be better. At that point, I didn't know that other people had seen it, or that it had been posted online. When I started at the new school, after about two weeks of being there, somebody sent me a link through Kik. Somebody who made an anonymous account sent me a link through Kik. It was the video I had sent to my ex-boyfriend. It had been posted on Pornhub with the caption "13-year-old brunette shows off for the camera".

After that, I started ditching school a lot. I started getting really depressed. I started getting into drug use. I begged my mom to transfer schools. I told her that this school was way ahead of what we had been learning up in the mountains, so I wasn't up to date. I asked her if I could just do home schooling instead, so I could get caught up. She was super busy, and she had five other kids to take care of on her own as a single parent. So obviously, she said no.

I just made it through grade 8. Before all of this, I was always a straight-A student. I was always on the honour roll or principal's list. I always got the achievement after every quarter, and at the end of the year. Toward the last quarter of grade 7, and all of grade 8, I barely passed my classes. My grades started rapidly slipping. It was mostly because I was no longer regularly attending school. I would ditch school a lot. Even on the days when I did go to school, I would hide in a bathroom stall for most of the day, or attempt to leave if I could.

After that, I messaged Pornhub to get the video taken down. I pretended to be my mother. I didn't want to tell my mom, because she was a single mother of six kids. She was raised Catholic. She had very strict views on stuff like this. I knew she would be angry. I knew it would cause problems for her. I didn't want to tell her.

I tried to deal with it on my own by typing in the "Report a problem" on the video. I flagged it. I said, "Hey, this is my daughter. She's only 14. This is child pornography. Please take this down." They took a week or two to respond. Once they finally responded, it was like, "Yes, okay, we'll take it down", and then proceeded to wait another two weeks before they finally did take it down.

Doing my research, I was told there was a system in place that when a video was labelled as child pornography on their site, it was flagged and tagged, and it could no longer be re-uploaded. But of course, that wasn't true, because a week after it was taken down, it was re-uploaded. All of the people my age—a couple of grades above me and even a couple of grades below me—had seen the video, even though when I transferred schools after grade 8, I transferred to a school all the way on the other side of town for high school. They had all seen the video as well. After that, I basically dropped out of public school.

Ever since, I've been.... The videos.... People find them and send them to me. They send them to me all the time, saying, "Oh my God, is this you?" People on the Internet, people I have never met in person, will find my accounts on social media and they will send it to me and say, "This is you, isn't it?" They then will try to ask me certain questions, or be really creepy toward me, or try to dox me or harass my family members. A lot of people in the grades above me, mostly guys, would try to harass me and blackmail me, saying that if I didn't do stuff with them, or if I didn't send more videos to them, they would send it to my family. They would send it to my grandma, to my mom, to all my sisters and my brother.

I just took myself off social media for a while. I stopped going to school. I got really depressed. I thought that once I stopped being in the public so much, once I stopped going to school, people would stop re-uploading it. But that didn't happen, because it had already been basically downloaded by people all across the world. It would always be uploaded, over and over and over again. No matter how many times I got it taken down, it would be right back up again.

That was the whole reason I ended up reaching out to Mike.

That's the statement of Serena Fleites. Again, Serena was denied the opportunity of testifying here at committee.

**Mr. Chris Bittle:** On a point of order, Madam Chair, it's wildly inaccurate that he's saying she's been prevented from testifying. Mr. Brock is filibustering, using the testimony of victims, because he is embarrassed by Mr. Viersen—

**Mr. Larry Brock:** I have a point of order, Madam Chair.

**Mr. Chris Bittle:** —and refuses to let him come and testify, as is the proper course of action. That is what always happens in committee.

**The Chair:** Thank you, Mr. Bittle. That is a comment and not a point of order.

Mr. Brock, go ahead.

**Mr. Larry Brock:** Thank you, Madam Chair.

I still have the floor.

What's embarrassing is that Mr. Bittle, the member for St. Catharines, continues to silence the views of victims on this very serious area—

**Mr. Chris Bittle:** I have a point of order.

**Mr. Larry Brock:** I will not be silenced, Madam Chair.

He can interrupt all he wants, like he did two weeks ago with countless numbers of points of order, which were never points of order—

**Mr. Chris Bittle:** I have a point of order.

**Mr. Larry Brock:** They were always points of debate, and I suspect this one will be a point of debate as well.

**The Chair:** Yes, I will recognize you in a minute.

Mr. Bittle, go ahead, please.

**Mr. Chris Bittle:** Madam Chair, this is an issue of relevancy. Mr. Brock is engaging in personal attacks. He, on the other hand, is just filibustering, using victims' testimony. That's what's happening. He's preventing Mr. Viersen from coming to speak to his bill. Let's start the study. Let's have him come on Thursday. Let's do this.

**The Chair:** Is your comment on relevance, Mr. Bittle?

**Mr. Chris Bittle:** Mr. Brock's comments definitely are irrelevant and don't speak to this motion at all. Therefore, yes, it's an issue of relevancy. He's just engaging in personal attacks.

**The Chair:** Okay. Let's take a two-minute break, because I see a lot of members who are coming in—

**Mrs. Laila Goodridge (Fort McMurray—Cold Lake, CPC):** I have a point of order, Madam Chair.

**The Chair:** —just to ensure that we have the correct members. I see people leaving and people coming. Let's suspend for two minutes, please.

• (28105) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (28110)

**The Chair:** We can resume. To those who are virtual, we have resumed.

Mr. Brock, were you continuing?

**Mr. Larry Brock:** Yes. I'm mindful of the hour, Madam Chair. While I have probably another 100 pages of material to read out and emphasize to make my point, I'm also mindful of the fact that I have to be at a subcommittee meeting at 5:30. Therefore, at this juncture, I am going to cede my time, but I'd like to be placed back on the speaking list, please. I'll be returning between a quarter to six and six o'clock, and I will be subbed out in the interim.

**The Chair:** Thank you, Mr. Brock.

[Translation]

We will now continue with you, Mr. Fortin. Thank you very much for your patience.

**Mr. Rhéal Éloi Fortin:** Thank you, Madam Chair.

We've been trying for I don't know how many hours to debate Bill C-270. It's been going on for a few days now. This is an important bill.

I listen to my Conservative colleagues, for whom I have a lot of respect, and my Liberal colleagues, for whom I also have a lot of respect, and I'm stunned. It's mind-boggling. Both sides say there are victims, and I agree. Mr. Brock has just come back to the poignant testimonies of young people who are victims of pornography. We're talking here about people under 18 appearing in photos or videos circulating on the net. We, the parliamentarians elected by the general public, could solve the problem. We agree on this and we know how to solve this problem. Mr. Viersen has tabled a bill. Each of us might want to propose certain amendments to it, when the time comes, but we all agree that this problem needs to be resolved.

I don't know how to describe our attitude. I say "our" attitude as a committee, because that includes me. I don't want to blame anyone, but it just doesn't make sense. The only reason for dithering and filibustering on this bill is that Mr. Viersen is against abortion. Everyone knows this, both in Parliament and across the country. Mr. Viersen makes no secret of it. He has given press conferences on the subject. Is he right or wrong? I have my opinion on that, but I don't think it's relevant to this bill.

On the one hand, the Conservatives don't want Mr. Viersen to testify, because they suspect the Liberals will ask him about abortion. So they are systematically obstructing him. They say he won't be heard and that another witness should be called. On the other hand, since the Liberals want to boost their election campaign by saying that Mr. Viersen is anti-abortion, they insist that he testify. So we're at war over whether or not Mr. Viersen will come to support his bill.

However, this is immaterial to us. If the victims whose testimonies Mr. Brock has been recounting were sitting here, they'd be discouraged to see us acting this way. They'd be reminding us how messed up they are and how much they need our help, when all we

can do is argue about whether or not Mr. Viersen will testify. Couldn't we declare a truce, agree to pass this bill, after which we'll have plenty of time to quibble?

I'm sure no one in Canada is going to vote differently in the next election because Mr. Viersen will have come here to testify. He's going to say he's against abortion, that's for sure. He's said it in every forum. He's not going to change his mind, he's going to repeat it. What will that change? The Conservatives won't be any less well represented or any different in the next election campaign. For their part, the Liberals have nothing to gain. We know as well as anyone that Mr. Viersen is against abortion. It's all over the media. Just recently, I read a few reports about it.

What's distressing, however, is that there are victims, young people under 18 who appear in pornographic videos circulating on the web. We all agree that this makes no sense. Yet it's simple: Bill C-270 says that, before distributing a pornographic film or publishing such images, the distributor will have to make sure that the protagonists are of age, i.e., over 18, and consenting. I simply can't believe that we're going to continue to bicker for weeks on end, and that at the end of the day, we're going to tell these people that they're going to continue to be victims and that we're sorry, but that it's not our fault, because that's the way things are, all because we're being stubborn.

I don't understand the reasoning behind this. Quite frankly, I find the situation very unedifying. As I've already said, I have a great deal of respect for my colleagues who, on both sides, are now systematically obstructing this bill. I believe they are intelligent men and women. Most of us are professionals, and we're all aware that the way we're acting right now makes no sense whatsoever. Couldn't we make a little effort? For my part, I'm ready. I don't know if there's anything I can do, but if there is, I'm going to do it.

Please, let's spare a thought for these victims. Instead of using them by saying that Mr. Viersen would come and say this or that, or that he would think this or that, let's think about these victims and pass Bill C-270.

Thank you, Madam Chair.

**The Chair:** Thank you, Mr. Fortin.

We will now continue with Mr. Bittle.

[English]

**Mr. Chris Bittle:** Thank you, Chair.

Let me repeat. It's genuinely surprising. If Liberals spent hours filibustering a bill using victim testimonies, I'd be genuinely curious about what the Conservatives would say. I guess it's easier to do this job sometimes if you don't have any shame. It's been shocking to watch what the Conservatives are willing to do to prevent Mr. Viersen from testifying for an hour. It's not like he's coming for weeks and going to be grilled for weeks. Mr. Fortin is right. He goes on podcasts quite a bit, it seems. I'm sure he's been stopped recently from going on podcasts and shouting his views from the rooftops. That's great. That's why we're here. We talk about what we believe in. However, using victim testimonials to prevent Arnold Viersen from testifying is shocking.

We could have started this bill already. We could have Mr. Viersen come later. Perhaps there are some things going on. We can have him come later, at the end of the day. I noticed on his Facebook page that he was on a hunting trip last week. He's not busy, so why isn't he here? This is important to him. I know it is. I have been hearing him talk about issues like this since 2015. For nine years, he has wanted an opportunity to do this. It's probably from the leader's office, because it takes some organization to set up a filibuster over multiple meetings. Yet, here his colleagues are, continuing to prevent this.

As a side note, I hope that, when the online harms act comes up, there's the same willingness to listen to victims. I doubt there will be. I'm predicting we'll see filibusters on the other side when that comes forward and we are dealing with the issue.

I have tried to move a motion for unanimous consent, in order to get this study moving quicker. It was denied. I sent an amendment to the clerk. I will move an amendment to the motion at the end.

The whole motion will now read:

That the Committee request an extension of 30 sitting days to the period of Committee consideration for Bill C-270,

The amendment is:

and that the Committee invite the Minister of Justice to appear for one hour on the Supplementary Estimates (B) and reinvoke Arnold Viersen to appear on the subject of C-270.

I think that's reasonable. Let's get on with business. Let's get Mr. Viersen here. Let's get the minister here. Let's get on with our job. I think Mr. Fortin is right. Let's do what we're here to do. Let's help the victims. Let's move things forward. I know Mr. Brock is shocked that questions may get asked of Mr. Viersen outside of the scope of something. I don't think I've ever seen a minister appear on the estimates where the questions were contained to the estimates, but let's keep things moving. Let's do what the committee is here to do. Let's get to work. Let's study this and also have the minister appear. You can ask him whatever you want on whatever topic you like, as is your right and as is the case. Let's keep this moving.

Thank you.

**The Chair:** Mr. Bittle, can you confirm again what you're requesting?

**Mr. Chris Bittle:** I'm requesting an addition. The amendment would be at the end of the motion. It would be, "and that the Committee invite the Minister of Justice to appear for one hour on the

Supplementary Estimates (B) and reinvoke Arnold Viersen to appear on the subject of Bill C-270."

I sent it to the clerk.

**Mrs. Laila Goodridge:** Can we see this in writing, Madam Chair?

**The Chair:** Yes.

I'll suspend for a few minutes.

Thank you.

● (28125)

(Pause)

● (28130)

**The Chair:** Members, that was sent to everybody's emails. Have you read it?

Can you confirm, please? I'll wait another minute if you like.

Mr. Bittle, are you asking for unanimous consent?

**Mr. Chris Bittle:** If it is given, I'm happy to receive it.

We can just stop talking and go to a vote. I think that would be the easiest way, but I doubt there will be unanimous consent on this.

**The Chair:** I see Ms. Ferreri.

I don't know if I heard Mr. MacGregor as well, but go ahead first, Ms. Ferreri.

**Ms. Michelle Ferreri:** Thank you, Madam Chair.

It's an interesting conversation to have. We're sitting in the justice committee, and I've heard my colleagues speak about the state of things. Mr. Brock spoke at length, reading victim testimony into the record, which I think is why we're all here. I really wanted to talk about some of the very disturbing stats that have increased over the time that our current Prime Minister took office.

I think if parents don't know what sextortion is, and if they're watching at home, I think this is a really important discussion that needs to be had at dinner tables. Our children are using cellphones at a rate that...never before. Many of our children will be considered the guinea pigs of a generation, and we don't actually know the consequences.

Sextortion, for folks who don't know, basically is where you are interacting with somebody online and they say to you, "Hey, send me a provocative photo."

**The Chair:** Ms. Ferreri, could I interrupt you?

Just to be clear, are you speaking to the amendment?

**Ms. Michelle Ferreri:** Yes, of course. Well, obviously the amendment—

**A voice:** To the motion.

**Ms. Michelle Ferreri:** Yes.

**The Chair:** I ask because Mr. Bittle still has the floor.

**Mr. Chris Bittle:** No, I'm done.

**The Chair:** You're done? Okay.

I guess you were next on the list anyway, so....

**Ms. Michelle Ferreri:** That's right. That's what I thought we were doing.

**Mr. Damien Kurek:** I have a point of order.

**The Chair:** Go ahead, Mr. Kurek.

**Mr. Damien Kurek:** Thank you very much, Madam Chair. It's good to be back at the justice committee.

Just to clarify, do you have a new speaking list, or is it a continuation of the previous list?

**The Chair:** Ms. Ferreri was on the list next in any case. Whether she's speaking to the motion or on the list, she was there anyway. I'm not sure what she's speaking on, but....

**Mr. Jamil Jivani:** Do we need to add ourselves to the new list right now?

**The Chair:** I think we'll continue with the list as is.

Ms. Ferreri, you're there, and then Mr. Jivani will go next.

**Mr. Damien Kurek:** Before my colleague jumps back in, I'd like to be added to that list as well.

**The Chair:** I have added both you and Madam Goodridge.

**Ms. Michelle Ferreri:** Thank you, Madam Chair.

As I was saying, what are we doing here today? Well, we're talking about a bill, and then an amendment that was put forward. Bill C-270 is much, much needed. It's an act to amend the Criminal Code related to pornographic material. What I was speaking about at the beginning of this was sextortion. For a lot of parents, you know, this is a tough conversation to have at home, but it's important that we know what this is.

What is sextortion? Well, it is where people are having a conversation online through an app. It can be Snapchat or Instagram or a lot of these applications that our children use every day and that adults use, but obviously it's a different can of worms when minors are impacted or involved. There is an exchange or an ask for an image, an intimate image. That person says okay and they send it to them. That picture or image or video, or whatever it is, is then used to extort that person. They are asked for money.

**The Chair:** Ms. Ferreri, let me clarify this a little bit.

We are speaking to the amendment. I believe the amendment was sent to everybody. It deals with reinviting and asking the minister to appear on supplementary estimates.

**Mr. Damien Kurek:** I have a point of order.

**The Chair:** This is where I have Mr. MacGregor and Mr. Kurek, I guess, if we're—

**Mr. Alistair MacGregor:** Sorry. I don't want to be added. I have nothing to say.

**The Chair:** You don't want to be added? Fabulous.

Mr. Kurek, you'll be after Ms. Ferreri.

Can I just conclude with the amendment portion before I go back to the main one?

**Mrs. Laila Goodridge:** I have a point of order.

**The Chair:** Go ahead, Ms. Goodridge.

**Mrs. Laila Goodridge:** Madam Chair, I believe that was actually the point of order that was raised by my colleague Mr. Kurek a few minutes ago. It was to clarify the speaking order and consider whether we needed to reset the speaking list, as we are speaking to the amendment that was brought forward by Mr. Bittle. I can understand that there's perhaps some confusion. I do believe my colleague Ms. Ferreri is talking specifically to the amendment that was brought forward by Mr. Bittle. As you're aware, there's a lot of latitude given in committees to get back to our point. This is directly relevant to the piece at hand.

I would ask you to clarify this. We are speaking to the amendment. You had earlier stated that the speaking order from prior to the amendment was going to carry. Is that no longer the case? I'm very confused.

**The Chair:** That's fair enough.

Ms. Ferreri is speaking to the amendment. When we have completed the amendment, she'll be back on the list as the first one on the main motion.

After Ms. Ferreri, on the amendment itself, we only have Mr. Kurek and no one else.

**Mrs. Laila Goodridge:** Okay.

**The Chair:** Then we also have everyone else on everything else.

**Mr. Jamil Jivani:** Madam Chair, I'd like to be added to the speaking list.

**The Chair:** You would like to be added to the list for the amendment, and Ms. Goodridge would, as well.

Thank you.

Ms. Ferreri, go ahead.

**Ms. Michelle Ferreri:** Madam Chair, this is just for clarification for anybody who's following at home.

We had a motion on the table:

That the Committee request an extension of 30 sitting days to the period of Committee consideration for Bill C-270.

The amendment put forward was to add “and that the Committee invite the Minister of Justice to appear for one hour on the Supplementary Estimates (B) and reinvite Arnold Viersen to appear on the subject of Bill C-270.”

What that means is that we're talking about this amendment. We're debating an amendment that's been put forward. However, when we ask a minister to come in and talk about supplementary estimates, we now have a lot of latitude in terms of what we're going to discuss.

This is the justice committee. As you can imagine, there's not a person or a Canadian, I assume, who isn't watching at home who hasn't felt the impact of the increasing crime after nine years of the Prime Minister.... What we're doing now is really trying to ask the Liberals, the NDP and the Bloc to really dive into the crisis that this country is under.

I have so many things, obviously, as the critic for families, children and social development. This is one of the biggest impacts to families across this country. Public safety should be there for everyone, and it's not.

In my community, in Peterborough, for example, it feels like at least every day there is a headline of another stabbing or a shooting in what was once a very sleepy, sweet town. That is really what we're here to discuss. How do we improve that? That's what committees are designed to do. You can't correct a problem if you don't acknowledge a problem.

In this committee, we are tasked with bringing forward information, listening to experts and really having tough discussions about what's happening.

Let's put it into the context of data. I think everybody knows there's nobody out there who has gone outside who can't say that things don't feel less safe in Canada after nine years of Justin Trudeau. That's just a fact. Total sexual assaults are up 75%. Sexual violations against children are up 119%. Forcible confinement or kidnapping is up 11%. Indecent and harassing communications are up 86.4%. Non-consensual distribution of intimate images is up 801%.

**Mr. James Maloney:** I have a point of order, Madam Chair.

The motion and this amendment are purely about scheduling, and the comments of my colleague opposite have nothing to do with that, so I suggest that unless she has something—

**Ms. Michelle Ferreri:** Madam Chair—

**Mr. James Maloney:** —relevant to scheduling, we move on.

**Ms. Michelle Ferreri:** Madam Chair, this is—

**Mr. James Maloney:** Also, I would ask her to have the courtesy to stop talking until I'm finished.

**Ms. Michelle Ferreri:** That's not a point of order, Madam Chair.

**Mr. James Maloney:** Allow me to finish.

I think the point is that this is all about scheduling. It's not about the merits of the bill. It's not about the content of what the minister may or may not say or may or may not be asked when he attends. If we could keep the submissions focused on that, then, I'd be grateful.

Thank you.

**Ms. Michelle Ferreri:** Thank you, Madam Chair.

Again, I've already said this, but obviously the member wasn't listening, which is fairly normal. When you add the ability to bring in a minister, that is the latitude to have a discussion about the supplementary estimates and everything that falls under the purview of the justice committee. It's no wonder the member wanted to interrupt me right when I was saying that after nine years of his government, the non-consensual distribution of intimate images is up 801%. That is why he would have interrupted me, Madam Chair.

I want to get back to these discussions about our children and keeping them safe.

I started this today by talking about sextortion. I hope many folks who have heard this term have never had this experience, but if you

have children at home, you know they are on their cellphones. Children are getting cellphones at younger and younger ages.

What we've seen after nine years of Justin Trudeau is sextortion having gone up almost 3,500%. That's 3,500%. In 2015, there were approximately 65 cases reported. In 2023, there were over 2,500 cases reported. These aren't just numbers on a piece of paper. These are young children who are actually dying. They're dying by suicide because of these outrageous statistics.

Sextortion is used in a multitude of ways. It could be an exchange between two people and one asks for intimate images, which can be in a video or a photo. They then extort that person if they don't give them money, and they share the materials online and distribute them. There are also very big crime rings involved in this. We have—

**The Chair:** Ms. Ferreri, I'm going to suspend for a few minutes. I need to speak to the clerk about a number of items—

**Ms. Michelle Ferreri:** Okay.

**The Chair:** —that are happening right now. Give us just a few minutes.

• (28140)

(Pause)

• (28150)

**The Chair:** I'm going to ask members to return.

After discussion with the clerk and reading the process, I am ruling that the amendment to the motion, as presented, is out of order because it is irrelevant to the main motion.

I'm going to return to you, Mr. Bittle. I don't need any more points of order, unless you really have to. However, I have to say that what you put forth is out of order.

I'm going to let you continue, because you had the floor.

**Mr. Chris Bittle:** Thank you so much, Madam Chair.

Again, it's fundamentally clear that the Conservatives will do anything to prevent Mr. Viersen from testifying. They are embarrassed by even the thought of what he might say. It's not that they—

**Mrs. Laila Goodridge:** I have a point of order.

**The Chair:** Yes, Ms. Goodridge.

**Mrs. Laila Goodridge:** Madam Chair, I think it's worth pointing out that the government and Mr. Bittle, who is a member of the governing Liberal Party, were incapable of making an amendment that was acceptable. The entire power of the Government of Canada couldn't produce an amendment that was acceptable and in the right format.

**The Chair:** That's not a point of order.

Mr. Bittle, go ahead.

**Mr. Chris Bittle:** It's dripping with hypocrisy, Madam Chair, the things they call out when we rise on points of order are repeated on the other side. It is without irony that Ms. Goodridge rises on that.

I'll continue.

Again, it's clear they have no intention of letting him come to testify. It's not like they can prepare him for a week. They've had weeks to sit down and prepare him. They could have taken the hours of time they've spent on this to prepare him. When I practised law, we used to prepare witnesses before they came to testify. They don't even have faith that they can prepare him. They think so little of us, but they think we can overwhelm Mr. Viersen and make him reveal things. That's how little they think of him. They think we will run roughshod over Mr. Viersen. I guess he's willing to give up that information. On Mr. Erskine-Smith's podcast, he very easily gave it up. I'm surprised he went on that podcast. Again, they have had weeks to prepare him. I know he was busy on his hunting trip this week. He couldn't spare an hour or two to prepare to be a witness.

They talk a good game in terms of caring about victims, but when the rubber meets the road, they'd rather spend weeks to prevent someone from testifying than prepare him to start this study. We've been ready to start this study now for weeks. We could have done it. Maybe we could have agreed that he didn't have to lead the study. He could have gone last. I've seen ministers appear last on studies. There was no willingness to do that. They would rather get their gold stars and have the whip read victim statements that should have been heard, if they were willing to come to this committee. I sat through testimony similar to this when we studied Hockey Canada. All of the parties got together and said, "This is something we need to do and something Canadians want."

Clearly, the fear of Arnold Viersen is so compelling for this party that they're willing to line up for hours with binders full of material to read off. It's hundreds of pages. Mr. Brock bragged that he had hundreds of pages he could keep reading before he had to go to another event. I'm sure that binder has been passed off to other people.

**Mrs. Laila Goodridge:** I have a point of order.

**The Chair:** Yes, go ahead with your point of order.

**Mrs. Laila Goodridge:** Madam Chair, they're not allowed to make commentary as to whether someone is or is not participating in debates. It is very similar to the rules that are in the House.

**The Chair:** This is public, so I think everybody sees who is in the committee.

**Mr. Chris Bittle:** That's in the House.

**The Chair:** Mr. Bittle, the floor is yours.

**Mr. Chris Bittle:** Thank you so much, Madam Chair.

I think from the camera angle that Ms. Goodridge was captured on you could see the presence and absence of members. I won't call attention to it.

He said what he was going to do. We can go back in Hansard and read that he was going to another committee. He said it. He called attention to his own presence and absence. He is going to go and do more work.

I will move on.

Again, the embarrassment of Mr. Viersen is shocking. The Conservatives are so afraid of what he might say that they cannot even prepare for his testimony. It is ultimately very clear that they are willing to go all night and all day tomorrow to prevent this. They see this as a victory: talking this out for hours and hours, preventing witnesses from testifying and preventing Mr. Viersen from coming.

I hope there will be unanimous consent for the following motion: That the committee invite the Minister of Justice to appear for one hour on the supplementary estimates (B), and the committee—

**Mrs. Laila Goodridge:** I have a point of order.

**Mr. Chris Bittle:** Seriously?

**Mrs. Laila Goodridge:** Actually, it's quite relevant, Madam Chair.

**The Chair:** On a point of order, I have Ms. Goodridge.

**Mrs. Laila Goodridge:** We are currently debating a motion, and you can't just move another motion—

**Mr. Chris Bittle:** It's seeking unanimous consent.

**Mrs. Laila Goodridge:** No. You can't use—

**Mr. Chris Bittle:** Yes, I can.

**The Chair:** How about we direct comments through the chair?

Ms. Goodridge, please continue.

**Mrs. Laila Goodridge:** Madam Chair, I believe the process is flawed, because you can move an amendment to a motion, but we have a motion that is currently on the floor, so I believe that Mr. Bittle is out of order once again in his process.

**Mr. Chris Bittle:** On the same point of order—

**The Chair:** Mr. Bittle, I'm going to hear you on that, and then I will take a minute to review.

**Mrs. Laila Goodridge:** Perhaps you could consult with the clerk.

**The Chair:** Go ahead, Mr. Bittle.

**Mr. Chris Bittle:** The committee can do whatever it likes by unanimous consent.

I hadn't even finished my motion before Ms. Goodridge cut me off. She claims to be an expert on parliamentary affairs and has lectured me on it today and wouldn't even let me get through my motion. This committee can do anything by unanimous consent, and I was seeking unanimous consent from the committee.

**The Chair:** Mr. Bittle, you are correct. The committee has the ability on unanimous consent to agree on that motion.

**Mr. Chris Bittle:** It's a separate motion. I'm asking for something different.

**Mrs. Laila Goodridge:** No—

**Mr. Chris Bittle:** Madam Chair, if Ms. Goodridge would let me finish, we could get to it, and I think she might even like the motion and grant unanimous consent, so again—

**The Chair:** Can we hear it, please?

**Mr. Chris Bittle:** I would love that, Madam Chair. Thank you so much.

Since the Conservatives again will talk this off, cut me off and won't let me get through anything, I believe that if you seek it, you shall find consent for the following motion:

That the Committee invite the Minister of Justice to appear for one hour on the Supplementary Estimates (B) and adjourn the meeting.

**Mrs. Laila Goodridge:** Can we have it in writing, Madam Chair?

**Mr. Chris Bittle:** It's one line. Seriously, I give up.

**The Chair:** As the chair, I'm asking the committee if there is unanimous consent.

**Mr. Alistair MacGregor:** Is there unanimous consent on the motion, right?

**The Chair:** Yes. Is there unanimous consent on the motion?

I hear there is unanimous consent.

(Motion agreed to)

**The Chair:** I guess we've done many things, but it never ceases to amaze me.

Thank you very much, colleagues. Have a nice evening.

The meeting is adjourned.

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