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Thursday, May 9, 2019

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Chair

Mr. Anthony Housefather

Standing Committee on Justice and Human Rights

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• (0850)

[*English*]

Mr. Michael Cooper: I'll call the committee to order.

We are continuing our study on online hate. I'd like to welcome all of the witnesses.

We are going to start with the witnesses who are joining us via video conference: Seifeddine Essid and Mohamed Labidi from the Centre culturel islamique de Québec.

You have eight minutes.

[*Translation*]

Mr. Mohamed Labidi (Former President, Centre culturel islamique de Québec): Good morning, honourable members.

First, we would like to thank the House of Commons Standing Committee on Justice and Human Rights for inviting us to appear as witnesses. This work is very important for the future of the country, and the Centre culturel islamique de Québec is honoured to participate in it.

The virtual world is becoming increasingly significant when it comes to transactions and communications. Just as the market is moving to the virtual world, so are social and media interactions.

Although hate speech has always existed, the shift to virtual communication, particularly through social media, has exacerbated the situation as a result of two factors. These factors are the easy access to an audience and the perception of anonymity online.

Unfortunately, we're witnessing a form of impunity online. Some statements are considered serious in the physical world, but are trivialized in the virtual world. In addition, federal and provincial public law enforcement institutions are powerless to deal with the serious statements that benefit from some form of immunity in the virtual world. A useful exercise would be to introduce into the real world some of the rampant hate speech that goes unpunished in the virtual world.

I'll let you look at some examples of hate messages found on social media. This is only a tiny sample of what's unfolding before our eyes. The goal is simply to give you an idea of what's happening.

In the virtual world, there are two sources of hate speech. These sources are journalistic and media entities represented by writers and columnists, and individuals who act openly or under the guise of partial anonymity.

I'll now talk about the impact of hate speech in the virtual world. Whether the hate speech concerns calls for the murder and extermination of minorities, the glorification of hate crimes, or direct and indirect threats, Canadian society is suffering tremendous harm. The impact of hate speech in the virtual world can be summarized as follows. It undermines the well-being and sense of security of victims; undermines the sense of belonging of victims; marginalizes groups of people; leads to widespread radicalization of consumers of hate speech; and leads to the risk that sympathizers of hate speech will take action.

With regard to the last point, it's worthwhile to look back at what happened at the Grande Mosquée de Québec on January 29, 2017. The killer, although he had few friends, became radicalized as a result of his Internet use. This theory is confirmed in the judgment. Lastly, we can't separate the virtual world from the physical world, hence the need to update the legislation to counter the imbalance.

The current legislation is clearly insufficient and not enough of a deterrent. As a result, we must strengthen our legislation to protect all Canadians from rampant online violence. To address this issue, we're submitting the following three recommendations.

First, we must legislate against hate speech in the virtual world. Freedom of expression must be protected. However, it mustn't undermine public order. As a result, criminal consequences must be established to stop the spread of hate speech.

Second, we must give law enforcement institutions the necessary tools. Law enforcement must be able to use mandates, but also the necessary resources to confront this scourge. We can see that the crimes are shifting to the virtual world. Our law enforcement agencies must be given the tools to prevent and fight crime in all its forms.

Third, we must make media platforms accountable. The Canadian Radio-television and Telecommunications Commission should have an official mandate to oversee media players and impose consequences for non-compliance. Media platforms must report to the authorities any hateful messages or messages that incite violence, and log or delete hateful and violent content.

Thank you for your time.

[*English*]

Mr. Michael Cooper: Thank you very much for that.

We will now move to Professor Jasmin Zine, professor of sociology and Muslim studies option, Wilfrid Laurier University.

Welcome. You have eight minutes.

•(0855)

Dr. Jasmin Zine (Professor, Sociology and Muslim Studies Option, Wilfrid Laurier University, As an Individual): Thank you to the chair and members of the committee for this opportunity to contribute to the parliamentary study of online hate. I am a professor of sociology and Muslim studies at Wilfrid Laurier University. I specialize in anti-racism and Islamophobia studies.

Currently, I'm conducting a study funded by the Social Sciences and Humanities Research Council on mapping the Canadian Islamophobia industry, along with the National Council of Canadian Muslims. By the term "Islamophobia industry", I am referring to a constellation of individuals, groups, think tanks, politicians, academics, institutions, grassroots organizations, media outlets and donors who manufacture, produce, distribute and attempt to normalize fear, bigotry and hatred toward Islam and Muslims.

The research I am doing examines and maps the political, ideological, institutional and economic networks that foment Islamophobic fear and moral panic in Canada. This is essentially an industry of hate, which operates through a variety of tacit and overt means and intersects within a broad, interconnected transnational network. The web of associations in this network connects Canadian white supremacist and white nationalist groups—who, according to Barbara Perry's research, have grown in number from upward of 100 in 2015 to almost 300 in 2018—with a variety of other groups, organizations and individuals that form the soft power behind this industry and the dog-whistle extremist rhetoric often disguised in liberal discourses about upholding free speech, preserving Judeo-Christian democracy and safeguarding Canadian values from the threat of Muslim infiltration. They use online platforms to purvey their ideologies of hate, racism and xenophobia, and connect with other alt-right groups that are rooted in neo-fascism, misogyny, homophobia, transphobia and other forms of bigotry.

This is conceived of as an industry because there are donors who provide financing for the activities of these groups. According to a report by the Council on American-Islamic Relations and the University of California at Berkeley, in the United States a \$200-million, small, tightly networked group of donors, organizations and misinformation experts circulate funding to advance certain political interests. A recent report released by CAIR in the United States, entitled "Hijacked by Hate", expands this funding base to include philanthropic and charitable donors contributing almost \$1.5 billion to 39 Islamophobia network groups.

There is no doubt that this funding is being used to support, maintain and proliferate the online reach of the network of organizations to whom this money is being filtered on such a large scale. Many of these U.S.-based groups have interests tied to Canadian counterparts. We've seen some evidence of Canadian organizations that promote Islamophobic agendas being funded by U.S. donors, which increases the base of their ideological support and opportunities for political mobilization. For example, the anti-Muslim think tank Middle East Forum in the United States—headed by Daniel Pipes, a key player in the Islamophobia industry—provided funding to a conference in Canada for a group called Canadians for the Rule of Law. I attended this conference with some of my students, and was physically assaulted and forcibly removed for asking Christine Douglass-Williams about the kind of Islamo-

phobic rhetoric that had her removed from the Canadian Race Relations Foundation's board.

Further, there are global ties and transnationally linked spheres of influence that circulate with impunity both online and within the public sphere promoting widespread hate and bigotry. A recent report by the U.K. group Faith Matters investigated Rebel Media, described as a platform for the globalization of hate that promotes white nationalism and Islamophobic fearmongering to an audience with over 1.5 million subscribers on YouTube. Rebel Media also received \$2 million of funding from the Middle East Forum.

We also know that online forums are the primary site where radicalization is taking place. Even online gaming sites have become spaces for organizing and role-playing racist forms of violence. Online hate propagation creates an ideological breeding ground to inspire terrorists like Alexandre Bissonnette, responsible for the Quebec massacre, as well as the New Zealand shooter and Anders Breivik in Norway.

I provide this context from my research as a preamble to contextualize the formation and scope of contemporary industries of hate, bigotry and Islamophobia that operate online and in the public sphere. I'd like to put forth two areas of consideration for the committee today. The first is the controversy between hate speech and free speech. Two, I'd like to offer some recommendations from the European Commission against Racism and Intolerance of the Council of Europe in terms of "General Policy Recommendation No. 15 on Combating Hate Speech", which was adopted in December 2015.

•(0900)

First I'll speak to the hate speech versus free speech controversy.

Challenges to section 13 of the Canadian Human Rights Act were contested on the basis that provisions that protect prohibited speech inciting hatred of people based on race, religion, sexual orientation or other protected characteristics would violate freedom of speech.

Free speech is not an unbridled right, so it is important to consider its limits. It is vital to differentiate between the legitimate dissent that may include unpopular or controversial views, and speech acts that incite hatred and create poisoned and threatening environments. This critical discernment is what these politically fraught times require and is the work that must be done to balance free speech as a limited right with the protection of human rights, dignity and equity. Only then will we be able to uphold the greater good for all.

Sacrificing human rights on the altar of free speech has become a strategy in the alt-right tool kit of bigotry. In the midst of growing concerns about neo-fascism, white supremacy and white nationalism, alt-right groups are weaponizing free speech and using it as a rhetorical prop in their campaigns of hate and ideological intimidation. These groups engage in tactics such as vandalism, harassment and online doxing under the cover of a free speech alibi. Now, newly emboldened neo-fascist groups are coming out from the shadows of Internet chat rooms and entering the public sphere.

As a flagship case in Canada, I want to remind us of James Keegstra, the Alberta high school teacher who communicated hateful rhetoric against the Jewish community in his classroom, depicting Jews as evil and denying the Holocaust. In 1984 he was prosecuted under subsection 319(2) of the Criminal Code for publicly and wilfully promoting hatred. The Supreme Court of Canada concluded that even though the legislation infringed on freedom of expression, it was a reasonable and justifiable limitation, in a free and democratic society, to protect target groups from hate propaganda.

Mr. Michael Cooper: Ms. Zine, you have one minute.

Dr. Jasmin Zine: Okay.

I'm going to jump ahead, but I want to emphasize the fact that the Supreme Court said that hate propaganda denotes any expression that is intended or likely to "circulate extreme feelings of opprobrium and enmity against a racial...group". I think that's an important area to be included, if there is going to be, at this stage, a reconstitution of section 13.

I also want to point out—and it's in my brief, even though I cannot read it now—that there needs to be a clear definition of what constitutes hate. I've included in the brief, from Justice Rothstein in 2013, a definition that I think could be built upon and elaborated. I also point out that there needs to be consultations around this definition with academics, community organizations, NGOs, social media companies, Internet service providers and experts in new media and technology who can provide information relating to encryption software and artificial intelligence.

In the couple of minutes I have left, I want to refer—

Mr. Michael Cooper: You have four seconds, so perhaps we'll end it there. There will be an opportunity to pick it up when there are questions.

You've cited Justice Rothstein. Could you just cite the case, if you have it?

Dr. Jasmin Zine: In my notes, it's "speaking for the unanimous court, Justice Rothstein, with respect to the Saskatchewan Human Rights Code".

Mr. Michael Cooper: Is it Whatcott? What paragraph?

Do you have that? If not, we can find it.

Dr. Jasmin Zine: It's Whatcott, yes. It's from 2013. It's paragraph 41.

Mr. Michael Cooper: Very good. Thanks for that.

Dr. Jasmin Zine: I'm happy to talk more about the recommendations during Q and A.

Mr. Michael Cooper: Very good.

We'll now turn to Bernie Farber from the Canadian Anti-Hate Network.

You have eight minutes.

Mr. Bernie M. Farber (Chair, Canadian Anti-Hate Network): Thank you, Mr. Chair.

Honourable members, thank you for inviting me today.

Good morning, my name is Bernie Farber. I am the past CEO of the Canadian Jewish Congress, where I worked for almost three decades. I am also the son of a Holocaust survivor, a survivor who was the sole Jewish person to survive in his village of over 1,500 Jews, so I have some visceral understanding of what hate is.

During my time at the congress, I spent much of it monitoring hate, extremism, white supremacy, racism, anti-Semitism and xenophobia. We undertook this work because, of all people, we understood that hatred run wild is a deadly virus without a cure.

Today I am retired, or as I prefer to say "rewired", since I still act as a social justice consultant with various boards of education, as well as Human Rights Watch and Community Living. I also chair the Anti-Hate Network. The Anti-Hate Network itself is non-partisan. We monitor, expose and counter hate groups. We are journalists, researchers, court-recognized experts, lawyers and leaders in the community. We've held workshops in schools with law enforcement. Our investigations have shut down some of Canada's worst neo-Nazis and exposed so-called patriot groups that are actually anti-Muslim hate groups. We've become the go-to experts nationwide.

Our strategy to counter hate is really one of containment. We monitor and expose the worst of the worst hate propagandists so that they face social consequences. We put pressure on platforms to make the principled decision to remove hate groups both online and in communities across Canada, and we file criminal complaints. I just returned yesterday from a meeting with Facebook. Facebook called this meeting to deal with this exact issue of online hate. I give them credit for becoming, finally, a corporate leader. Let's see where it goes.

I want to emphasize that online harassment is harassment, and that online threats are threats. Our laws apply to the Internet and we need to enforce them. That means holding individuals accountable for what they post and holding social media companies accountable for giving them a platform. Our goal should be to drive the worst hate groups offline, to de-platform them. Often we hear the counter-argument that by driving hate groups off of the largest online platforms that it gives them attention. It helps them grow. We hear that people will seek them out in the darker corners of the Internet or that it makes them more dangerous. I want to be very clear. There's no evidence for these arguments. They're simply not true.

Last year, our investigations took us down one of the largest alt-right, neo-Nazi forums used by Canadians and we had the opportunity to watch what happened very closely. They had user names on these forums and they got to know each other and trust each other and they got to vouch for each other. They had a huge audience. They had a network. They had propaganda materials. Suddenly it was all gone. When they lose these online platforms, one or more of them may try to move people to a new one but many of them never make the switch. They lose their megaphone. They lose their network.

Most importantly, it means that the high schooler who has been watching hate propaganda on YouTube and has started to believe that women shouldn't have rights and that some races are biologically inferior, is going to have a much harder time finding one of these online echo chambers where he would be exposed to even more insidious propaganda and people trying to recruit him or her to hatred.

When we deal with online hate targeting the platforms, we're preventing countless untold incidents of radicalization. It's similar with hate groups in the anti-Muslim movement. They mostly use Facebook and when they get barred from Facebook, they usually come back with a new Facebook, but they lose all of their previous work and they have a 10th of their previous followers. It defangs them.

The problem is that while Facebook is taking a lead in responding to online hate, it's really only dealing with the tip of an iceberg. For example, it has yet to remove some of the worst Canadian groups out there. Take the Yellow Vests Canada page, for example. We and other organizations have documented hundreds of incidents of overt racism and death threats. That page is still up and we're worried that the next Quebec City mosque shooter is reading that page and pumping himself up with anger.

This is why we need the government to enforce the Canadian Human Rights Act when it comes to social media companies. It's the law that no company in Canada can discriminate in providing a good or service in this country. If I were a baker, I couldn't refuse to bake a wedding cake for a gay couple. Social media companies are breaking this law because different people have very different experiences on social media. Persons of colour, women, LGBTQ+ persons, Jews, when these Canadians go online, they are much more likely to experience harassment, threats and propaganda that dehumanizes them or calls them vermin.

● (0905)

The act says that every company has an obligation to give people non-discriminatory service. The government could give the Human Rights Commission a clear mandate and the resources to enforce the law and beef up our legislation with stricter financial penalties to hold social media companies accountable for their role in spreading hatred.

Of course, it's not just the platforms at fault here. Very bad people are spreading hate propaganda and they are getting away with it. We can deal with most haters by exposing them to the natural social consequences, but we do have subsection 319(2) of the Criminal Code, which makes spreading hate propaganda illegal. However, realistically, these investigations take a long time and few charges are laid.

Most importantly, we need section 13 of the Canadian Human Rights Act back. Section 13 allowed an individual to make a complaint about online hate speech to the Canadian Human Rights Commission. If the commission's investigation said it was a reasonable complaint, it would go to the tribunal. The Human Rights Tribunal would hear the case, render a decision based on the evidence and could order the person spreading hate to stop and maybe pay a small fine. The Supreme Court ruled this law was constitutional but the government of the day repealed it in 2013 anyway. This was an effective law. It shut down some of the worst online purveyors of hate in its day and neutered a generation of white supremacists and neo-Nazi leadership.

Additionally, the CHRC has a central role in enforcing the act and protecting Canadians from the social destruction of online hate. It should be resourced accordingly. Simultaneously with the re-establishment of section 13, we need to continue to encourage individuals and groups within society to file complaints. Over the years, this has proven to be the best mechanism to enforce regulation. The loss of section 13 has left us terribly vulnerable. I can't stress this enough.

We also need the Human Rights Commission and the tribunal to have the resources to hear cases in a reasonably speedy manner.

● (0910)

In conclusion, we need the best tools possible. We've been fighting a losing battle. Our intelligence services acknowledge that they dropped oversight of extremist hate groups many years ago and only in the last year have they tried to re-establish a presence. Police services no longer have dedicated hate crime units so their expertise has waned and hatred is getting worse. It has moved from evil words to evil actions, from minor property damage to outright murder.

We count on our leaders to lead. I ask you today to lead. Be brave. Be bold. Give our country the tools it needs to protect us from this growing menace before it's too late.

Thank you.

Mr. Michael Cooper: Thank you, Mr. Farber.

We'll now turn to Mr. Mustafa Farooq and Ms. Leila Nasr from the National Council of Canadian Muslims. You have eight minutes.

Mr. Mustafa Farooq (Executive Director, National Council of Canadian Muslims): Thank you, Mr. Chair and members of this committee for the opportunity to offer our thoughts on this committee's study of online hate.

My name is Mustafa Farooq. I am the executive director at the National Council of Canadian Muslims. I am joined today by Leila Nasr, communications coordinator for the council.

By way of background, NCCM was founded in 2000 as an independent, non-partisan, non-profit grassroots organization dedicated to defending the human rights and civil liberties of Muslim communities in Canada.

The NCCM has a long-standing record of participating in major public inquiries, intervening in landmark cases before the Supreme Court of Canada and providing advice to security agencies on engaging communities and promoting public safety. With the independently documented rise in racism and Islamophobia faced by our communities, we are concerned about online hate. Since the Quebec mosque massacre—and we are here with our brothers and sisters from the Quebec mosque—many Canadian Muslims have been on edge.

Justice Huot, in his decision on Alexandre Bissonnette, held that it was clear from the evidence that Bissonnette had consulted sources on the Internet before carrying out attacks on our Canadian brothers and sisters. Bissonnette was on YouTube. He was on Facebook, and he consulted #muslimban on Twitter.

There is no clearer evidence of the existential threat presented by the dangers of online hate to the Canadian Muslim community but also to Canadians in general. Our brief goes into more detail in providing more empirical data and summarizing some of these potential harms relating to the effects of online hate on other communities, including the rise of anti-Semitism, the growth of the incel community, and issues around democracy and misinformation.

My submissions before you today are squarely around three key recommendations.

First, we are asking that the government reopen the Canadian Human Rights Act, the CHRA, for legislative review.

Second, we are asking that the government begin a specific parliamentary study on creating a new regulatory system that would include some form of penalizing social media companies for not taking down material that breaches the Criminal Code and human rights legislation. Such a study would focus on creating the framework for a regulator that is effective, does not limit freedom of expression and does not overly burden industry.

Third, we are asking that the government consider combatting online hate through digital literacy grants so that industry and civil society actors can conduct research and develop tools and programming to combat online hate.

First, let us discuss reopening the act. Many of our colleagues and friends have already made submissions before you on the question of the since repealed section 13 of the CHRA. Indeed, in the invitation to the public from this committee, the repeal of section 13 was specifically identified as a gap in the legislation in countering online hate.

We take no position on the controversy that led to section 13 eventually being repealed. However, it is clear that many academics, activists and policy-makers believe that section 13 or a version of section 13 should be revisited by way of legislative amendment to the CHRA.

This is not our position. The case law around section 13 demonstrates that section 13's utilization was not in line with what we might deem to be best practice. Indeed, despite the controversy around section 13, complaints arising from that section constituted only 2% of the total number of complaints brought to the Canadian Human Rights Commission.

Rather, we recommend that the government initiate a comprehensive legislative review of the CHRA. If we examine, for instance, the 181-page report in 2000 from the Canadian Human Rights Act review panel, it put forward a robust and well-considered analysis of the act, which, at the time, had not been comprehensively reviewed since 1977.

We believe that the CHRA is due for such a comprehensive review process, especially with the modern forms of hate, violence and discrimination that have arisen in the last two decades since the original review. Such a comprehensive review process would enable a panel to review not only the overall impact of a revised section 13 but also the impact of such a provision in light of the entire act. Revisiting the act would allow parliamentary study on other issues related to the commission, including addressing the well-known backlog of cases. I can address more questions about that, if questions arise.

Moving on to our next recommendation, it is clear that the current state of affairs, where online hate spreads rapidly through social media networks, is not healthy for democracy or safety in Canada. A number of jurisdictions, like Germany and Australia, have already acted to address these concerns.

However, we would not recommend that the government adopt a single model from a particular system. Rather, we recommend a formal parliamentary study on the question of regulating social media companies specifically. Such a study would generate the appropriate exploration it deserves through internal Government of Canada experts, external experts in human rights legislation, as well as through academics and industry.

● (0915)

The parliamentary study would explore how to create a new regulatory system that would include some form of penalizing social media companies for not taking down material that breaches the Criminal Code and human rights legislation. This study would ensure that the new regulatory system is effective, does not improperly limit freedom of expression and does not overly burden industry.

Lastly, as alluded to above, we recommend that government adopt changes to provide further digital literacy training to Canadians so that Canadians, and especially young Canadians, can deal with hate and misinformation online.

The UN report of the special rapporteur on minority issues in 2015 held that education and building resilience were key elements to combatting online hate targeting minority communities.

Our recommendation to the government is to consider creating a special grant program to develop digital literacy programming. Such a grant program would be available to academics, entrepreneurs, anti-racism organizations and NGOs that have expertise in thinking about digital literacy, democracy and online hate. It would also allow the government to foster further innovation in Canada. It could provide grants to everything from psychologists conducting innovative research to funding programs directly addressing anti-Semitic beliefs among a given population.

I also note, in closing, that we expand significantly on the submissions before you today in our full brief that has been submitted. Subject to your questions, that concludes my submissions.

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

We will now move to one round of questions starting with Mr. MacKenzie.

Mr. MacKenzie, you have six minutes.

Mr. Dave MacKenzie (Oxford, CPC): Thank you, Chair.

We've been studying this for a few days now. Obviously, we're not at the bottom of it and I don't know whether we're at the middle of it yet. I think one of the things that comes through loud and clear to all of us is that we do have a concern—all of us, again—about online hate, and that how we handle it is a very important part of the question.

Everybody would like us to find a way to police that online hate that goes across borders. It doesn't just occur in Canada. People can access the information from around the world. If we're going to do something with it, I would like to know if you have a suggestion on how we deal with that issue. It is in fact international. How do we get to the information in the first place so that we can ask those companies or tell those companies what they have to do?

I will go across the line here. Can just give us some suggestions on what you believe?

Ms. Zine.

● (0920)

Dr. Jasmin Zine: Thank you.

I think that, obviously, these are transnational and global kinds of networks. I do think, though, that many other nations have taken it upon themselves to institute policies to curtail hate speech within their domain. I was trying to share, and have done in a full brief, what the Council of the European Union has come up with as recommendations and considerations from their vantage point of how they can successfully curtail hate speech. Some of those are going to be included in the larger brief.

One of the things I want to point out from those recommendations is that they recognize that criminal prohibitions are not, in themselves, sufficient to eradicate the use of hate speech and are not always appropriate, but nevertheless, they are convinced that such use should be, in certain circumstances, criminalized.

It is important to have a national policy in Canada, one that also creates codes of conduct. This was another area that the European policy covered for the self-regulation of public and private institutions, including elected bodies, political parties, educational institutions and cultural and sports organizations, as a means of combatting the use of hate speech. They encourage the adoption of appropriate codes of conduct that would provide for suspension and other sanctions for a breach of their provisions, as well as effective reporting channels.

I think those are helpful and instructive for the Canadian context. I think also, in tandem with that, is the recommendation that they have to withdraw financial and other forms of support by public bodies from political parties or other organizations that use hate speech or fail to sanction its use by their members, while respecting the right to freedom of association and the possibility of prohibiting or dissolving such organizations, regardless of whether they receive any support from public bodies where their use of hate speech is intended—

Mr. Dave MacKenzie: Thank you.

I only have a limited amount of time.

Mr. Bernie M. Farber: I'll be very quick.

In my meetings yesterday with Facebook, it was very clear that they do have the technology to limit country by country. Places like France, for example, have some significant limitations that Facebook has to deal with. Germany is exactly the same. Holocaust denial is absolutely illegal in Germany. They have completely blocked it and Facebook has acquiesced, as have others. It can be done.

Last, I want to take issue with my colleague Mustafa here. I am a big proponent of bringing back some kind of facsimile, if you will, of section 13. It's true that it dealt with a small number of cases, but if you take a look at the cases it dealt with, they were the most egregious. If we can knock off people who are listening or hearing, even if it's 2%, I think it's well worthwhile.

Mr. Dave MacKenzie: I have a view on section 13 too, and I may be closer to someone other than you on that one.

Mr. Bernie M. Farber: That's quite all right.

Mr. Dave MacKenzie: I think our problem, honestly, when we dealt with it here, was the abuses of section 13.

Mr. Bernie M. Farber: That's why I say "a facsimile" thereof. You can tweak it and make changes, but we need it. It's a dangerous world out there.

Mr. Dave MacKenzie: Mr. Farooq, I wonder if you could comment on my question.

Mr. Mustafa Farooq: First of all, on your question, I think it's a very important question because one of the things I learned when I was in law school was that the law has difficulty keeping up with the logarithmic growth of new technology. That's why we think a parliamentary study specifically on the question of regulating social media companies should be initiated. That could explore these kinds of questions: How do we deal with ISPs? How do we deal with local content? How do we deal with transnational issues?

These are very complicated questions where we need the best minds in Canada to be getting together and thinking about these questions in a very specific way so that we're not curtailing the rights and freedoms of Canadians who use social media companies. We know that the vast majority of Canadians, especially young Canadians, are on social media companies. That's why it's very important that, when we think of bringing in regulatory changes, it's dealt with appropriately.

If you'd like, I can expand on the section 13 question or we can pass it along.

Mr. Dave MacKenzie: We're fine. We have less than a minute left.

Mr. Labidi, do you have any comments?

[Translation]

Mr. Mohamed Labidi: I'll give the floor to Mr. Essid.

Mr. Seifeddine Essid (Social Media Officer, Centre culturel islamique de Québec): Our brief focuses on the distinction between the virtual world and the physical world. A crime in the physical world should be a crime in the virtual world. This first basic concept must be incorporated into the legislation so that the legislation is up to date with technology.

The other notion is deterrence. There were threats to bomb mosques in Quebec City. The person who made these statements was arrested and then released. If we compare the comments before and after this arrest, we can see a significant amount of moderation in the comments of the person and the people in their circle. Any actions can produce positive results.

We must take action. We made a distinction between legislative measures and the measures that platforms should take. We must take action on platforms, including Facebook, YouTube and Twitter, but also in the various mass media. We're seeing some disparities in the violence of comments in these media—which I won't name—but it's not the same thing. The commenting policies are probably different. That's why we said that the CRTC could help by regulating not the commenting rules, but the moderation mechanism on Facebook pages, in particular. As you know, we can moderate comments on a website in a preventive way, whereas on a Facebook page, we suffer a little damage.

I would like to talk about the specific experience of people who have made an effort—

● (0925)

[English]

Mr. Michael Cooper: Could you just wrap up in 15 seconds?

[Translation]

Mr. Seifeddine Essid: Okay.

They reported comments, which led to the withdrawal of publications in a mass media entity. This small action by individuals produced results. I think that Parliament could provide more tools and, above all, mandates for law enforcement agencies.

Thank you.

[English]

Mr. Michael Cooper: Thank you very much.

We'll now turn to Ms. Khalid.

Ms. Iqra Khalid (Mississauga—Erin Mills, Lib.): Thank you.

Thank you to the witnesses for coming in and sharing your experiences with us. I will go to Mr. Farber first.

Mr. Farber, you spoke about some of the challenges that exist for CHRC in really implementing its mandate, and Mr. Farooq spoke about opening up the CHRA for a legislative review. What kinds of benefits could we receive going through such an exercise? Would this be an opportunity, then, to strengthen the tools for CHRC? What kinds of tools would CHRC need in order to be effective?

Mr. Bernie M. Farber: I'm a huge proponent of reviewing law and order to create tools necessary to fight hatred. As I said, we've moved beyond hateful words, which are bad enough, to terrible, violent, hateful actions, and we are way behind. I think there needs to be a two-pronged approach.

We do have a section of law that's a little problematic, and that's why it went through a whole repeal process back in 2012. However, let's remember that the Supreme Court of this land found section 13 to be constitutional. The government of the day still went ahead and repealed it and took away a tool that we desperately need if we're going to get even close to being even with the game.

My suggestion is that we take Mr. Farooq's suggestion in terms of a review that will give us ongoing protection down the line, and that we also look at an immediate way of returning section 13—or a facsimile thereof—tweaked to ensure it doesn't cause any more administrative issues but is available for us to use. Right now, we have only one tool and that is subsection 319(2) of the Criminal Code. It's kind of like taking a cannon to kill a fly, when we could use a civil remedy that we know works quite well.

Ms. Iqra Khalid: Thank you.

Mr. Farooq, you spoke about section 13 and the fact that you didn't agree with its contents. Is there some amended language that you would like to see addressed if there is a new section 13 that's drafted?

Mr. Mustafa Farooq: For clarity, it's not that... We don't take a position on section 13. We think that the impetus and the idea behind section 13 are noble ones. Many of the things that were done under section 13, including by our colleague, Richard Warman, were noble causes in many cases. Again, as my esteemed colleague pointed out, they targeted some of the worst offenders.

What we are concerned about, however, is.... First of all, we have many complainants coming to the National Council of Canadian Muslims who are facing all sorts of issues of discrimination. Oftentimes when we tell them to go and file complaints with the Canadian Human Rights Commission, they face significant issues in terms of backlog and in terms of getting fair remedies. Maybe part of it is because this act hasn't been reviewed in 20 years. As online hate grows, as we have more and more self-represented litigants who face real significant challenges, as we have folks in Calgary who walk down the streets and are spit on just for wearing the hijab, and as people face challenges when they go to work and when they go to pray, we need to think about how to update this act. It hasn't been reviewed in almost 20 years. How do we modernize it? How do we make sure that this version of section 13, if we were to consider that, would be effectively balanced against the original concerns that were raised?

This would be an opportunity to really think about how we define hate—and again we summarized this a little more in our brief—and some of the other significant questions that are directly on point with respect to section 13 and the act in its entirety.

● (0930)

Ms. Iqra Khalid: Thank you.

I'll turn the discussion around a little bit, to social medial platforms.

Mr. Farber, you mentioned that you do have a current method of removing—or trying to advocate for the removal of—what you and what real people identify as hate groups on social media platforms like Facebook and perhaps Twitter. What is your current method and how successful are you in it?

Then I'll turn to Ms. Zine and get her commentary on that process.

Mr. Bernie M. Farber: I'm not going to tell you the method because then we won't be able to use it anymore. Suffice it to say that we have researchers who go online and are able to assess the kind of violent language that's used. We expose it publicly. Of course, most of that language crosses a criminal line. Of the three that we have exposed, all have been shut down.

This includes the largest, called “This Hour has 88 Minutes”. It's a podcast. The “88” was standing for the 8th letter of the alphabet, “H”, so 88 is “HH” meaning “Heil Hitler”. It was a neo-Nazi podcast that had over 25,000 listeners in Canada and we don't know how many thousands outside of Canada. We were able to shut it down once we were able to get the information out there and actually expose the people doing it.

We're one small group with a very limited budget. You can imagine that if we could work with intelligence groups, with the police in co-operation.... There are certain things we can do that the police can't do and vice versa, but nobody is co-operating.

Everybody is working on their own little schtick and what happens is that hate takes the lead.

We have to find ways to work with CSIS, with local police and with the RCMP. It has to be a coordinated effort. Until that happens, I think we're going to be in really dire straits.

Mr. Michael Cooper: Thank you.

You've out of time, Ms. Khalid.

Mr. Garrison.

Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP): Thank you very much, Mr. Chair.

Thank you to all the witnesses for being here today.

I'm very pleased to be on the justice committee today, because as a member of the LGBTQ community, we're all in this together. Hate spreads like wildfire, as Mr. Farber said, and if we don't combat it collectively, we will all suffer.

This also reminds me that not only is the law behind the technology; Parliament is always behind the community. In my community, I was very pleased to join more than 400 Victorians in a hands around the mosque event for Friday prayers. I want to give credit to the mosques across British Columbia that held an open mosque day. In my community, in Victoria, a thousand members of the community showed up to learn more about Islam.

The community is responding in positive ways on education. Organizations like Mr. Farber's are helping with enforcement, but we have to do more collectively, as the government, to combat this. I just heard one person the last week, in my community, saying they didn't feel safe going to the synagogue in Victoria, and another saying very much that they did not go to the mosque for Friday prayers. That's a serious problem in our communities.

I was very interested to hear many of you mention the question of resources. I want to ask Mr. Essid and Mr. Labidi, if there are more resources to be provided from government, what would be your priority? Where should more resources go first?

[Translation]

Mr. Mohamed Labidi: Personally, I believe that establishing a squad to track down hate messages on the Internet will be a priority. Immediately after the tragedy of January 29, we continued to receive hate messages. We're still receiving them to this day. So there's a problem somewhere. It's up to you, as legislators, to find ways to address this issue and to identify a solution to limit the spread of hate messages over the Internet.

• (0935)

Mr. Seifeddine Essid: I would add that we need a clear definition of what constitutes “hate,” as Ms. Zine said. This definition would draw the line between legal and illegal activity. From that point on, the law enforcement agencies will have a free hand to take action. There's also the prevention aspect. Since CSIS is involved in a number of cases where, unfortunately, evil prevails, it could include this area in its prevention research.

Thank you.

[English]

Mr. Randall Garrison: Thanks very much.

I want to put the same question to others, because I know that the mandate of the justice committee is to work on legislation, but I think on the question of resources, it's something that could happen now.

Maybe I'll start with Mr. Farber. How would you have the government prioritize this?

Mr. Bernie M. Farber: The resources have to go to two places. They have to go to protecting places of worship. There already is a resource available that the government has set forth and that synagogues and mosques are taking advantage of. It's a slow process to get that, but even putting cameras outside doors and potentially hiring security guards costs a lot of money.

I know we don't like it. I know we don't like to see guards at our places of worship, but if that could prevent one death, I think it's worth the cost. That's the first place.

Second, I really go back to the legislation that's already in place. There is legislation in place under the Canadian Human Rights Act that deals with, and can potentially deal with, online hatred through social media. I mentioned it in my address. My fear is that the Canadian Human Rights Commission just doesn't have the proper resources to even apply the law right now. A review has to be undertaken but it has to be done quickly.

If I can get you to understand anything, it's that we're not just behind, but we're way behind. I never would have dreamed that it would be possible in 2019 to fear that if I walk into my synagogue, I could be shot down. It's just unimaginable to me, yet it happened and it happened in this country.

My biggest fear, when I was with the Canadian Jewish Congress, back in the early 2000s, was that some gunman would walk into a synagogue. It didn't happen until 2017 but it happened, and I believe it will happen again, sadly, unless we get ahead of the ball. If that means finding the resources, we must find the resources.

Secure the buildings, first and foremost. Put the other resources toward limiting online hate. Those are the two things that have to be done yesterday.

Mr. Michael Cooper: You have one minute left, Mr. Garrison.

Mr. Randall Garrison: I'll just ask the other two members quickly: Mr. Farooq and then Ms. Zine.

Mr. Mustafa Farooq: Before I pass to Dr. Zine.... One of the recommendations we were asking for in the end was to look at creating specific language around a long-standing and continued

grant program so that resources could be delivered to, for example, training hate crime units across Canada on how to counter online hate and how to lay charges.

The Fort McMurray mosque has been targeted numerous times, as we lay out in our brief, with threats to burn it down, including very recently after the New Zealand attacks, when folks were posting in Canada about having a pig roast at the mosque—really disgusting and abhorrent things. To our knowledge, no charges have been filed against the perpetrators.

In large part it has to do with a lack of training and also the very high threshold of the Criminal Code, but obviously, training around how to interpret and how to lay charges under the Criminal Code and section 319 would be helpful.

Mr. Michael Cooper: Professor Zine, please answer very briefly.

Dr. Jasmin Zine: I'll echo the sentiments expressed earlier about the need for a broader form of critical media literacy as well. Many nations have been very active. I've worked with the Council of Europe on some of the initiatives they've had going on for the last 10 years on anti-hate campaigns. They've worked very successfully by bringing youth together from across the European Union to make them more aware and encourage counter-speech, and to have an emphasis on the communities that have been targeted by hate and help them to be able to come forward. We know these cases are under-reported. Stats Canada revealed that between 2010 and 2017, police reported 374 cases of cyber-related hate crimes, but we know there are far more than that.

There needs to be an empowering of the vulnerable and marginalized communities experiencing this to be able to bring their cases forward, to be heard and to have swift action based on that.

• (0940)

Mr. Michael Cooper: Thank you very much.

We'll now move to Mr. Virani and Mr. Boissonnault, who are splitting their time, beginning with Mr. Virani.

Mr. Arif Virani (Parkdale—High Park, Lib.): Thank you.

We're going to take three minutes each, so I'm going to ask all my questions at once.

I'll start by saying *as-salaam alaikum* and shalom. Thank you very much for being here. Your work is incredibly important.

[Translation]

I want to thank the witnesses from Quebec.

What you experienced in Quebec City was a disaster and a terrorist crime. Your leadership is greatly appreciated across Canada.

[English]

Your advocacy is critical. Know that. We respect your work and its thoroughness.

Know that your advocacy leads us to good places, but somewhat sad places. When you talk about the security infrastructure fund quadrupling in two years, that's a good thing, but it's a sad state of affairs if we're talking about fortifying places of worship. Know that we incorporate your work into our national anti-racism strategy development and into the \$45 million anti-racism secretariat that we announced this year.

But more needs to be done, clearly, so I'm going to ask you a series of questions. If possible, try to get through them in about two minutes.

First, if section 13 isn't a perfect tool, could it be remedied simply by some sort of clause attached as a rider, to the effect that nothing in the aforementioned clauses is intended to derogate from an individual's constitutional right to freedom of expression, protected under section 2(b) of the charter? Would that be sufficient?

Second is digital literacy. Seven million dollars has already been dedicated to this, but how much more needs to be dedicated?

Third is empowering complaints. Some of you received complaints because Jews or Muslims, or black or indigenous Canadians feel more comfortable going to civil society groups of their own kith and kin, rather than going to law enforcement. How do we leverage that?

Fourth, can you supply us with a definition of hatred? You're not the first witnesses to come before us and talk about this.

Mr. Bernie M. Farber: I'll deal with the last question first.

The Supreme Court has already established two excellent definitions of hatred: Rothstein in *Whatcott*, and the Dickson definition in *Keegstra*, which I still think is the best. You don't have to reinvent the wheel. It's already there. Both of them say the same thing in different words. Look at it. I can't think of anybody else who's going to come up with a better definition of hatred.

On section 13, let me emphasize that I don't think there is anything wrong with section 13. I'm backed up by the Supreme Court of Canada, which found not once but twice, that it is perfectly constitutional. It may leave some people uncomfortable, but murder and hatred leave me even more uncomfortable. If it leaves a few people uncomfortable, tough luck. I think we have to have what we have to have. It's constitutional.

We spend so much time reinventing the wheel, it makes me crazy. I wake up every day wondering what the next hate act is going to be, and inevitably something shows up. I tear my hair out, because we have the tools. You've taken away some of them. Give them back to us. Give it back to society. Help protect society. Don't go tinkering.

It's okay. If the Supreme Court didn't think it was okay, they would have told you so. Twice they said it's okay. They're giving us a message here, folks. Let's bring it back.

Mr. Michael Cooper: We're at the three-minute mark.

Mr. Randy Boissonnault (Edmonton Centre, Lib.): Thanks, Mr. Chair.

[Translation]

I want to thank my colleagues and the witnesses.

By the way, I would like to point out that I'm the first openly gay member of Parliament elected in Alberta at the federal level. For me, that's an example of progress. It should also be noted that Edmonton is the location of the country's first mosque, the Al Rashid Mosque.

My colleagues from Quebec City, how do you feel when the leader of a political party here in Canada responds publicly to a terrorist attack that killed Muslims in New Zealand, but doesn't mention the faith of the victims?

Is it important to you that political party leaders mention people and their faith in the event of these types of terrorist acts?

• (0945)

Mr. Seifeddine Essid: I don't think that the attacker's faith should be a key element, because it could lead to a generalization. We've been fighting against this ourselves.

Mr. Randy Boissonnault: I'm talking about the faith of the people who were killed.

Mr. Seifeddine Essid: Yes, I understand. However, I want to address the second part of your question. I understand the caution against concluding that the crime is a hate crime. However, we know that some people are targeted because of their sexual orientation, religious choice or ethnicity. Unfortunately, the facts support this. I think that we need to provide clear information when we clarify these facts. We must say that the crime happened in a mosque. It wasn't a shopping centre or a park, but a mosque. We must provide the context, without drawing—

Mr. Randy Boissonnault: Sorry for interrupting you, but I have only one minute left.

Thank you.

[English]

Mr. Farber, we all have to be held to high standards of conduct.

I have a question for you. How do you feel, and what kind of tacit support does it lend, when a leader of a political party attends an event for whatever great intent at the outset, but an event that is well known to be infiltrated by the self-described Canadian yellow vest movement, which has promoted violence against elected officials and has anti-immigration rhetoric?

Mr. Bernie M. Farber: We have always stated at the Canadian Anti-Hate Network that leaders have to lead. It's as simple as that.

I have no problem with the leader of the opposition attending the convey and giving out his message. I think that it was important for politicians to do that. I deeply regret that he had an ideal opportunity, in my view, to point out and to call out the racists, and there were many. There were about 200 on the Hill. Almost one-third were involved with the yellow vest movement, and many of them were engaged in horrible racist rhetoric. They knew it. The leader knew it because we got that information to him. All we needed to hear was for him, or if it was Mr. Singh or Mr. Trudeau....

When they are confronted by racists and they know racists are around.... My father used to say that if you want to get something done, if you want to tell somebody something, you have to open a mouth. He has to open a mouth. Leaders have to open a mouth.

Mr. Michael Barrett (Leeds—Grenville—Thousand Islands and Rideau Lakes, CPC): And he has.

Mr. Bernie M. Farber: He did not then.

Mr. Michael Cooper: Mr. Farber, you're well out of time.

Mr. Bernie M. Farber: I'm sorry. Thank you.

Mr. Michael Cooper: Thank you very much.

Thank you to the witnesses. Your testimony was very helpful.

We'll suspend for a minute and commence with the next round.

Thank you.

• (0945) _____ (Pause) _____

• (0950)

Mr. Michael Cooper: I call the meeting back to order. We are going to begin with our next panel.

I want to welcome the next panel to the justice committee, continuing with our study of online hate.

As we traditionally do, we're going to go to those who are appearing via video conference first, in case we run into technical difficulties. We have one witness appearing via video conference, namely Robert Dennis, assistant professor in the department of religious studies at the University of Prince Edward Island.

Welcome. You have eight minutes.

Dr. Robert Dennis (Assistant Professor, Department of Religious Studies, University of Prince Edward Island, As an Individual): Thank you very much.

Thanks to the committee for the opportunity to appear this morning.

Recent events in New Zealand and Sri Lanka show how hate is not confined to the electronic world but very much that online hate can and does translate into *[Technical difficulty—Editor]* and real-world consequences. Sometimes the electronic world and the virtual world are not separate.

I'm a tenured member of the religious studies department at the University of Prince Edward Island, where I teach courses on the Catholic intellectual tradition, and I have, specifically, a specialization in Catholic social teaching.

I want to talk to you for a few moments about online hate as faced by Christians, particularly Roman Catholics, and give you some sense of the discord between Catholic social teaching and the liberal *[Technical difficulty—Editor]*.

Most research shows that the majority of Canadians who identify themselves as Catholic do so as what we would call a limited identity, meaning it is one identity of many that can be other identities and the values of other identities. In short, the lion's share of Roman Catholics—Canadian Catholics—are cultural Catholics and are, otherwise, as secular as most other Canadians holding

[Technical difficulty—Editor], as has been the Canadian tradition since the 1840s.

Catholics who are most affected by online hate, I would suggest, are the much smaller segment of Canadian Roman Catholics who take their faith—and I mean here, the knowledge and the tenets of Catholic social teaching—very seriously. These Catholics tend to be pro-life. They tend to hold traditional understandings of marriage, of the family, of gender identity, etc.

There are some people who may look upon these positions as, themselves, being incompatible with liberal values in Canadian society. What's overlooked in moments is that the right to conscience is a foundational value of the liberal and democratic tradition, and sometimes it's these values that come into conflict.

Let me show you, just for a moment, how this conflict can play out in the online world, whether it be through online platforms, such as Twitter, Facebook, etc., or simply using electronic media. I'm going to draw an example from the U.S. context to show how this analysis relates to Catholics experiencing online hate.

In recent months, Brian Sims, a Democratic member of Pennsylvania's House of Representatives in the 182nd district, has been doxing Catholics. In many cases these tend to be people who are elderly, who tend to be teenagers, who were quietly praying the rosary outside of Planned Parenthood clinics in Philadelphia. The representative offered cash in exchange for the identities and the coordinates of these individuals who, in the U.S. context, were expressing their constitutionally protected right to assembly.

• (0955)

Moreover, the representative was filming these encounters and broadcasting them live on Twitter, with *[Technical difficulty—Editor]* threats such as “Bring it, Bible Bullies”, “You are bigots”, “You are sexist”, “You are misogynists”.

What we see in many cases is a conflict about what are deemed to be the essential values of particular systems. The liberal tradition, as you well know, is dedicated to a form of possessive individualism that privileges one's ability to control their body, their own individuality in a conceptual sense, whereas Catholic social teaching is dedicated to the family, the family being the smallest unit in society. Therefore, that brings into question questions of life, of marriage and of the family.

I would like to underscore that the health of a liberal democracy is predicated upon the ability of people of goodwill to disagree about fundamental questions. I submit here that questions of life are the most fundamental. People—in this case I'm talking about the small segment of Catholics described in my introduction—expressing opposition to dominant value systems need protection. It's healthy for a political system to have these conversations without the fear of repercussions, reprisals, online—

• (1000)

Mr. Michael Cooper: Professor Dennis, you have one more minute.

Dr. Robert Dennis: I would underscore, first, that this group needs protection, and second, that the mere value of *[Technical difficulty—Editor]* are in no way forms of online hate.

Thank you very much.

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

We'll now move to Mr. Greg Oliver and Leslie Rosenblood from the Canadian Secular Alliance.

You have eight minutes.

Mr. Leslie Rosenblood (Policy Advisor, Canadian Secular Alliance): Good morning. My name is Leslie Rosenblood and my colleague is Greg Oliver. We are here on behalf of the Canadian Secular Alliance. We greatly appreciate the opportunity to come before you and speak today.

The Canadian Secular Alliance is a non-partisan and registered not-for-profit organization whose mandate is to promote the separation of religion and state in Canada. Our goal today is to provide a robust defence of three core principles that are central to all liberal democracies: government neutrality in matters of religion, equality for all under the law, and free expression.

For government neutrality, people deserve protection from harm. Ideas do not warrant protection from criticism. This distinction is crucial to today's discussion and it is imperative that these are not conflated. Assaults on religious people must be deterred, prevented and prosecuted. But just as Canada's political parties can and do vigorously attack each other's platforms and proposals, criticism of religious tenets, no matter how vitriolic, must be fully permissible.

Religious beliefs are ideas and should not be treated any differently from other philosophical doctrine: political, economic, philosophical or otherwise. Attacking the ideas in a book should never be considered equivalent to an attack on the people who revere those words.

For equal protection under the law, it would be ludicrous for the law to treat two, say, burglars differently based on which party they voted for in the previous election, yet our Criminal Code today does something analogous where the wilful promotion of hatred is concerned. Religious individuals are given preferential treatment under the law.

Paragraph 319(3)(b) of the Criminal Code exempts a person who would otherwise be subject to an indictable offence, if their hate speech is "based on a belief in a religious text". This is a clear violation of the principle of state neutrality in matters of religion. The harm suffered from vulnerable persons and groups is identical whatever the motivation of the hate monger. The Canadian Secular Alliance recommends that Canada repeal paragraph 319(3)(b) of the Criminal Code.

The majority opinion of the Supreme Court of Canada wrote last year that:

Accommodating diverse beliefs and values is a precondition to the secularism and the pluralism that are needed to protect and promote the Charter rights of all Canadians. State neutrality requires that the state neither favour nor hinder any particular belief, and the same holds true for non-belief. Either way, state neutrality must prevail.

Our legislature also recognizes that treating religious ideas as a form of thought warranting special treatment is detrimental to society and obsolete, as demonstrated by the repeal of Canada's blasphemous libel law last year. This action was a significant step

forward. Our country should not retreat from its commitment to humanitarian values that apply equally to all Canadians.

For free speech, while legitimate constraints to unfettered speech exist—including libel, impersonation, threats and incitement to violence—any exceptions must be limited, well-defined and serve the public interest. Any proposal that seeks to further limit free expression must pass a high burden of proof in order to counter legitimate concerns about overreach, ambiguity and selective enforcement.

Therefore, the goal of hate speech laws must be to protect individuals from physical harm. However, they rarely achieve this aim. After studying the issue in many countries, Human Rights Watch stated that "there is little connection in practice between draconian 'hate speech' laws and the lessening of ethnic and racial violence or tension". The same conclusion was reached by the European Parliament and the UN High Commissioner for Human Rights.

The key problem with hate speech laws is that hate speech is impossible to define in such a way as to meet the twin goals of targeting a significant portion of unacceptable expression while respecting the principle of free speech.

•(1005)

If the scope is very narrow and specific, any new law will have a minimal impact on Canadian public discourse, but a broadly worded act would necessarily encompass much speech protected by section 2(b) of the Canadian Charter of Rights and Freedoms. Additionally, in many countries, including established democracies, hate speech laws have often been disproportionately enforced against members of the very minority groups they were designed to protect.

Overly broad hate speech laws also have a non-trivial chilling effect on all public criticism. The Supreme Court has described "hatred" as speech "that is likely to expose" people to "hatred or contempt", "unusually strong and deep felt emotions of detestation, calumny and vilification", and "enmity and extreme ill-will...which goes beyond mere disdain or dislike."

How can a person know whether their strong negative opinion of a person or group will be considered "disdain", which is permissible, or "detestation", which is punishable? In a dissenting opinion on the Keegstra case, Supreme Court Justice McLachlin wrote, the "sanction of the criminal law may pose little deterrent to a convinced hate-monger who may welcome the publicity it brings; it may, however, deter the ordinary individual."

Hate speech laws leave three options for those inclined to engage in hateful, discriminatory speech: one, taking the forbidden expression underground; two, couching their ideas in more subtle rhetoric to evade punishment; or three, leaving the message unchanged or perhaps ramped up to make it even more provocative as the speakers seek the publicity that results from prosecution. Perhaps that is why Canada has so rarely invoked its existing hate speech law.

With the increasing prevalence of social media in the lives of Canadians, the CSA recognizes that the way we communicate and connect with each other has changed and new challenges have emerged. The CSA will defer to other experts for appropriate remedies. We urge the government to avoid the fallacious reasoning of “we must do something and this is something; therefore, we must do it.”

We urge this committee to maintain its commitment to crucial charter values of free speech and equality for all under the law. This can only be realized when government neither supports nor suppresses religious expression but remains neutral.

Thank you.

Mr. Michael Cooper: Thank you, Mr. Rosenblood.

Now we'll turn to Andrew Bennett from the Cardus Religious Freedom Institute.

Mr. Bennett, you have eight minutes.

Dr. Andrew P.W. Bennett (Director, Cardus Religious Freedom Institute): Thank you, Mr. Chair.

It's a pleasure for me to appear before the committee this morning as you continue to consider how we as a society should address the growing scourge of online hate.

To begin, let me say that as a Catholic I believe that the government has a necessary and essential role in upholding public order, dispensing justice, protecting citizens, and ultimately promoting the common good, which has as its end human flourishing. Therefore, it is right and appropriate to have criminal penalties against those in society who would advocate measurable objective harm against others, including through openly advocating hatred. Additionally, the government must respect and uphold fundamental freedoms, including freedom of religion and conscience, and freedom of expression, so as to ensure that Canadians might exercise their inherent freedoms to the maximum extent, all subject to such limits that are demonstrably justified in a free and democratic society.

The reach of online hate is extensive and its pernicious effects on targeted communities seem to increase day by day. The dissemination of online hate, whether it has its origin inside or outside of Canada, must be arrested and its capacity to incite dramatically curtailed so as to prevent further hate-inspired, violent acts.

Government, and all of us as citizens, must be able to recognize genuine hatred in which the dignity of the human person is grossly debased and physical violence is promoted, yet at the same time, such measures must bear in mind the role of government in defending and upholding genuine freedom of expression where such expression does not advocate or incite violent acts. Government must work together with communities to ensure an environment in which genuinely expressed and often profound differences in belief and opinion are countenanced and respected.

I'm aware that the committee has already heard from many expert witnesses, including those from communities who are often the targets of online hate, and has received specific recommendations on how both the Canadian Human Rights Act and the Criminal Code could be amended in response to the deeply worrying trends we are

witnessing. There are other witnesses more qualified than me to offer detailed recommendations on legislative changes, so with your permission, I'd like to focus my remarks to the committee today on how we as a society might understand online hate and on what needs to change at the level of our common life if we are to effectively check its pernicious spread.

We must be able as a society to distinguish between genuine hatred and those beliefs and opinions with which we profoundly disagree but which are expressed by our fellow Canadians in good faith and without any intent to violently target a particular group.

By way of illustration, last night I enjoyed some wonderful conversation with my good friend Rabbi Mendel Blum over some very fine single malt. I profoundly disagree with Rabbi Blum's rejection as a faithful Orthodox Jew of the Christian theology of the Incarnation, the Resurrection and our belief that Jesus of Nazareth is the promised Messiah, and Rabbi Blum disagrees with me.

My Christian belief is so fundamental to my entire life, it is the lens through which I see all things and this leads me to disagree profoundly with my non-Christian neighbours, but I don't hate them. Quite the contrary, I love them and I will defend until the end of my days their freedom to reject what I believe and to say so publicly, including online. How then do we continue to foster such a climate of encounter in the midst of the violent hate we see?

I'd like to use the rest of my time today to move beyond what are necessary discussions around statutory amendments.

Hate in the Internet age is especially diabolical because the hate is expressed and disseminated in an utterly dehumanizing and depersonalizing manner. Let me expand.

What is hate? Hate has been around since humanity's origins. Hate is prideful anger. Hate is the absence of truth. Hate is the absence of love. As a Christian, I believe that humanity fell from grace when through that first sin described in the book of Genesis we, in our pride, put ourselves above God and debased our human nature, leading to sin, corruption and death. I also believe as a Christian that through the message of salvation brought by Jesus Christ and through his life-giving passion, death and resurrection, that sin, corruption and death were conquered and we were restored to our true nature in Jesus Christ.

As a Christian, I believe with all the fabric of my being that every person is created, lives on this earth and dies bearing the image and likeness of God. This image and likeness is the source of our universal and objective human dignity.

● (1010)

At the very centre of our vocation in the world is the mission we bear to see in all people that image and likeness, and to love what we encounter there—to love the human person we behold before us. That dignity is intrinsic and not about external propriety. That dignity is borne by all, even and one might say most especially by those with whom we profoundly disagree. We must see that dignity. That dignity demands a response of love.

Beyond the necessary measures in the Criminal Code, government needs to find ways to enable and support attempts being undertaken by Canadians to build genuine community. As a society, we need to be able to distinguish genuine disagreement in belief and opinion, which can be profound, where no measurable objective harm is intended.

In accepting that genuine disagreement will exist, we must give it a broad range in the public square, and at the same time, reject hate that incites physical violence, objectively harms another person and fundamentally violates their dignity. When encountering online hate, it is absolutely imperative to ensure there is robust public dialogue between persons who hold fundamentally different beliefs, and that this dialogue is a personal dialogue, where we encounter each other face to face.

Government must make a greater effort, through an all-of-government approach, to promote and encourage public dialogue between different world views and belief systems, thereby advancing the common good and promoting human flourishing.

The Government of Canada must lead by example, through greater co-operation with faith and other belief communities, encouraging us to meet each other in the public square, to encounter one another as citizens with diverse beliefs and thereby develop a deep pluralism. The public square must not be a gated community where we push out certain genuinely held, non-violent beliefs and opinions that we disagree with. Government must absolutely refrain from any action that would marginalize people for their peacefully held and exercised beliefs.

●(1015)

In this context, state-sponsored legislation and measures such as Bill 21, currently before the Quebec National Assembly, are diametrically opposed to a deep and robust pluralism where difference is respected and recognized in the public square. These measures to privatize religious belief, or even non-religious belief, would actively suppress difference and generally expressed public faith, and counteract efforts to promote human dignity, which I spoke of above.

In conclusion, government must exercise both its roles in combatting online hate through robust criminal prosecution and, at the same time, by facilitating open public debate and engagement between different beliefs and opinions, thereby championing human dignity and advancing justice.

Thank you for your attention.

Mr. Michael Cooper: Thank you very much, Father Bennett and to all the witnesses.

We'll now move to a round of questions, starting with Mr. Barrett.

Mr. Barrett, you have six minutes.

Mr. Michael Barrett: Thanks, Mr. Chair.

I just want to go back to Mr. Boissonnault's comments from the previous round. I'll read a few excerpts from Hansard from April 8 of this year.

The Honourable Andrew Scheer said:

We will always denounce those who promote hateful ideologies while we stand up for energy workers who are fighting for their jobs.

Mr. Randy Boissonnault: Except on the Hill...

Mr. Michael Barrett: Here is another from April 10:

...I have always 100% denounced white supremacy and racism and anyone who promotes those hateful ideologies. The Prime Minister also knows that the senator withdrew and clarified his remarks and that I continue to denounce those types of messages.

It is a fundamental tenet of the Conservative Party that equality of opportunity and equality of protection under the law for all Canadians be preserved and protected.

Now for the record, Prime Minister Trudeau hosted a convicted attempted murderer and member of a known extremist group on a government-sponsored trip to India. Prime Minister Trudeau hosted a known al Qaeda sympathizer in the Prime Minister's Office, and without order by court, Prime Minister Trudeau paid the murderer of American medic Christopher Speer over \$10 million. I will take the moral leadership of the Honourable Andrew Scheer any day of the week.

Mr. Boissonnault, that type of divisive rhetoric and innuendo is—

Mr. Randy Boissonnault: I'm not a witness here, Mr. Barrett.

Mr. Michael Cooper: It's Mr. Barrett's time here, not yours, Mr. Boissonnault.

Mr. Michael Barrett: Am I not entitled to address my time as I wish?

Mr. Michael Cooper: It's your time, Mr. Barrett.

Mr. Michael Barrett: Thank you.

Mr. Boissonnault, I'll take the moral leadership of this Prime Minister...and I think it's reprehensible that you're using this opportunity, where we can come together and consult with this broad spectrum of stakeholders and witnesses, who are giving of their time to meet with us, to score cheap political points. It is a disservice to your party and it is a disservice to the spirit of what this committee is trying to do. You should be ashamed, sir.

To the witnesses...

Mr. Randy Boissonnault: I'm not.

Mr. Michael Barrett: That speaks to your lack of character and judgment.

Instead of confusing a motion for action—and picking up where you had closed, Mr. Rosenblood—and understanding that at this stage of this Parliament we're unlikely to effect legislative change, what would you see as important recommendations that could come out of this committee?

Mr. Leslie Rosenblood: There needs to be recognition of how the way Canadians communicate with each other has changed. I think it is appropriate to take a look at a considered approach on how existing legislation might be amended to reflect that. Our concern is that we take a look at the alarming trends, and rather than take a well-thought-out approach that we feel, based on evidence and research, is likely to have the greatest impact to mitigate these harms, we instead take a knee-jerk reaction, an instinctive approach, that will most likely have little to no effect and could very possibly exacerbate the harms we are attempting to reduce or eliminate.

•(1020)

Mr. Michael Barrett: Thank you very much.

Deacon Bennett, you had talked about bringing the spectrum of faith groups into the public square. Do you have any examples of where that's done elsewhere or how that could be implemented and how that conversation could be facilitated by government?

Dr. Andrew P.W. Bennett: I think it happens currently. There are numerous examples across the country of where different communities come together.

For example, I broadly agreed with what most of my colleagues had to say, but we obviously share very different beliefs. Government needs to ensure that people with very diverse views are able to engage in the public square and to have robust debate, recognizing that if that debate is carried out peacefully and in goodwill, you can have very deep disagreements.

I would agree with my colleagues here that you have to have a broad scope for freedom of expression in the country. There is definitely a red line where that goes into inciting violence and measurable harm against people. There are obviously others who are going to comment on specific legislative changes, but I think government, in the interest of serving the people, has to ensure that all voices can be present in the public square and that you don't push voices to the side. For those who are inciting violence, that's a different story, and obviously there are appropriate punishments for that.

Mr. Michael Barrett: Of course.

Thank you.

Dr. Dennis, what steps would you advocate for at this juncture in this Parliament, where we're unlikely to effect substantive legislative change? What recommendation should come out of this committee?

Dr. Robert Dennis: I realize you're at a tenuous place in your legislative process. I would underscore, as my colleagues have said, there is a great health to a democratic system when people who have profoundly different views can engage publicly, and that should be protected and respected, of course. The line is, where does free speech end and when does online hate begin? In that sense, I think that the moments when speech, as my case study tried to illustrate, can incite violence need to be legislated against. What you can do in the short time frame you have is of course beyond my expertise, but that needs to be legislated in a broader sense.

Mr. Michael Barrett: Thank you very much.

Mr. Michael Cooper: Thank you, Mr. Barrett.

Mr. Fraser.

Mr. Colin Fraser (West Nova, Lib.): Thank you, Mr. Chair.

Thank you to the witnesses for being here and giving your points of view on this. I would like to start with Mr. Rosenblood and Mr. Oliver.

Can I understand the position of your organization with regard to online speech or online content as it is now on Facebook and on other social media platforms? Do you think there is a problem?

Mr. Greg Oliver (President, Canadian Secular Alliance): Absolutely. In particular harassment, things like doxing, and misinformation campaigns are real problems that we're facing.

Mr. Colin Fraser: What do you mean by doxing?

Mr. Greg Oliver: That would be the revealing of personal information like addresses and phone numbers to the public against the intended target's permission.

Mr. Colin Fraser: Do you think, sir, that there are minority groups who are specifically being targeted and treated unfairly on social media platforms?

Mr. Greg Oliver: One of our own members was a victim of this when he was promoting the idea of removing public prayers from his city council in Saskatchewan.

•(1025)

Mr. Colin Fraser: Do you think there is a role for government to play in combatting what seems to be agreed upon as a rise of intolerance on social media platforms?

Mr. Greg Oliver: Yes, we do. We just urge caution that any measures taken are done cautiously and judicially, and there's no overreach.

Mr. Colin Fraser: When we're dealing with impressionable young people who are using social media platforms and, in their growing into adults, informing themselves about different world views, about different religious philosophies and about different ways to interact with other individuals, do you think there's a role for government to play in order to limit to a certain extent the abilities of individuals who are trying to exploit impressionable young people into certain hateful ideologies?

Do you think there's a role for government to play in order to try to curb that, or do you think it should be unlimited and up to the individuals...?

Mr. Greg Oliver: No, we lean towards more of a civil libertarian position with respect to free speech, but we certainly acknowledge that there are limits. This is a great debate to have as to where that red line is. We don't object to government action when needed, if that's your question, and certainly there are a lot of ugly ideologies out there. Also, it's a brand new platform, the Internet. There are all sorts of complexities to this issue that I think we're all grappling with.

Mr. Colin Fraser: If a certain religion is being targeted... I totally understand the point and agree that you can attack a person's ideas, but you can't attack the individual's dignity or character or their right to hold those different views. Do you see that it can be a blurry area between calling into question a person's ideas and ideology, and attacking their character and demonizing that individual?

Mr. Greg Oliver: Would you like to comment on that specifically?

Mr. Leslie Rosenblood: I think there is a world of difference between attacking an idea and attacking a person. One can attack Christianity without demonizing Christians. Similarly, you could insert Judaism and Jews or Islam and Muslims.

One can take a look at the sacred scroll of your choice and say, "This is why I believe this to be holy" or "This is why I believe this text to be vile". This does not mean that people who follow the words of that text are necessarily more noble or inherently evil for having genuine beliefs about that scroll.

Mr. Colin Fraser: On demonizing individuals, do you believe there's a role for government to play in combatting that type of demonization?

Mr. Leslie Rosenblood: The government already does have laws against the demonization of individuals, whether through slander, libel, defamation and so on. These are existing laws on the books, and we, as a secular alliance, do not object to the existence of these sections of the Criminal Code.

Mr. Colin Fraser: Demonizing an individual because of their beliefs, would you think that's a problem?

Mr. Leslie Rosenblood: It becomes a personal attack and not one on the ideas of the faith, if it's about the individual, and then you have to take a look at the specific context of what is being said. Saying, "I do not like you, sir" is not hate speech, but calling for violence against someone would be.

Mr. Colin Fraser: Do you think that these sorts of attacks that can happen online to individuals based on their beliefs can lead some to perhaps see them as less than equal humans?

Mr. Leslie Rosenblood: There are a lot of hypotheticals in there. I find it hard to draw a connection with an attack on a belief leading directly to demonization of an individual. If you are already directly attacking an individual and it happens to be because of their faith, then it's the attack on the individual that matters and not the criticism of the underlying faith.

• (1030)

Mr. Colin Fraser: Okay, if I—

Mr. Michael Cooper: You're out of time, Mr. Fraser. Thank you for that.

Mr. Garrison.

Mr. Randall Garrison: Thank you very much, Mr. Chair.

I want to start by addressing the defamatory attack on Representative Brian Sims, who represents the 182nd district in the Pennsylvania House. He has done so in a very distinguished manner for the last seven years. He was the first openly gay man elected to the Pennsylvania Legislature in 2012. He's won awards for his national and state work in advocating equality for the LGBT community but also for his advocacy for women's right to choose. He is sometimes a controversial figure and he has described himself sometimes as, unfortunately, having the mouth of a truck driver, but he has attracted many attacks of the kind we witnessed here this morning. I think Mr. Dennis is lucky that his remarks are protected by parliamentary privilege because they appear to be drawn simply from a Fox News editorial of the last couple of days, which defamed Mr. Sims by comparing him to a drug-addicted vagrant and using other terms I will not dignify by repeating.

One of the times I was most proud to call him a friend was in 2016 when he read into the record in Pennsylvania the names of each of the victims in the Pulse nightclub shooting—victims of a hate crime directed at a community.

I wanted to put that on the record since I was very disturbed by the remarks, which Mr. Sims would have no chance to respond to.

Turning from that to the very interesting question, I think, that Mr. Fraser just raised, I want to go back to Mr. Rosenblood. He was very careful to say that when ideas relate to individuals, he accepts that there has to be a limit.

In my community just last week, we had the rental of a public facility to a group and to a speaker who attack transgender people as threats to all women and threats to children. While in that speech that takes place, there's no identifying of individuals, it does promote hatred against a group. Since you focused on individuals last time, I'd like to ask whether you accept that there is a limit and that there should be criminal sanctions against promotion of hatred against a group and not just individuals.

Mr. Leslie Rosenblood: Yes, criminal sanctions should not simply be against identified, named individuals. Saying that Leslie Rosenblood should be attacked because he's Leslie would be, or should be in our opinion, equally an offence under the law as saying that all members of the Canadian Secular Alliance, of which I happen to be one, should be attacked. Whether the group in question is one of voluntary membership as in the Canadian Secular Alliance, one of religious affiliation of any sort, or a member of, for example, the LGBT community, calling for attacks or violence against unspecified members of an identifiable group should be subject to criminal sanction to an equal extent as a named individual.

Mr. Randall Garrison: It's not a federal jurisdictional question, but it's about the use of public facilities for promotion of hatred against groups. Do you believe public entities, whether it's a municipality or even, say, the House of Commons, should have policies in place that would prevent the use of public facilities for the promotion of hatred?

Mr. Leslie Rosenblood: There are a number of complexities in there. Whether the public facility is open to the public or whether it's reserved for certain specific purposes would have a bearing. Assuming, for the sake of this discussion, it's open to the public, there is no implied approval or endorsement by a municipal, provincial or federal government of the ideology or background of whoever is renting the facility, simply because they're using the facility.

If illegal acts are being conducted as a result of that, they must be prosecuted accordingly. However, should you fall short of that and they simply have highly distasteful or objectionable goals, the government should neither endorse nor condemn speech from people who rent those facilities. The government must remain neutral, again assuming that the facility is open to the public and that no criminal incitement is happening as a result of that transaction.

• (1035)

Mr. Randall Garrison: In the case I'm referring to, it's pretty clear in the title of the speech that was submitted to the municipality that the purpose was to promote hatred against an identifiable group. I have to say, I was very pleased in my community that there were approximately 15 people attending the talk and approximately 300 people outside demonstrating for tolerance.

Mr. Michael Cooper: Mr. Garrison, you're out of time, so just wrap up.

Mr. Randall Garrison: I'll leave it there.

Mr. Michael Cooper: Thanks, Mr. Garrison.

Mr. Ehsassi.

Mr. Ali Ehsassi (Willowdale, Lib.): Thank you, Mr. Chair.

To all the witnesses, thank you for your testimony.

My first question is for Mr. Rosenblood and Mr. Oliver.

Having heard your testimony, I understand you're saying we should be amending existing legislation. I also understand you're very much concerned about the overreach of the law. That said, you delved into paragraph 319(3)(b). I understand you're in favour of repealing it. Do you think any such action would restrict freedom of religion?

Mr. Greg Oliver: Essentially, we don't. We strongly believe in freedom of religion, and of course, the freedom to hold no religion. We think all citizens ought to be treated equally under the law, and that should also include criminal proceedings. If one commits a hate crime, just simply being able to be exempted from prosecution due to the citing of a religious text is inappropriate.

It is not really going to have any impact on religious belief, but it would strengthen equality rights under section 15 of the charter. We think it would be beneficial.

I'll give you a tangible example, since we've been talking a bit about LGBT issues here. Let's say person A calls for violence against male homosexuals, and person B does the same but invokes Leviticus or passages from Hadith. In our eyes, both ought to be prosecuted equally. We think this is a moral principle that ought to be reflected in the Criminal Code.

Mr. Ali Ehsassi: Speaking of hate speech, which is exempt from prosecution if it's derived from a religious text, do you think this constitutes a violation of equality rights?

Mr. Greg Oliver: Do you mean as the law currently stands?

Mr. Ali Ehsassi: Correct.

Mr. Greg Oliver: Yes, we do.

Mr. Ali Ehsassi: Mr. Bennett, would you like to comment on that?

Dr. Andrew P.W. Bennett: I would broadly be in agreement with what Mr. Oliver had to say. My concern is that paragraph 319(3)(b), as it is right now, would need to be amended to capture the aspect of incitement of violence.

There are going to be people such as me who hold different views on questions of life and questions of marriage that some might deem to be intellectually violent, but I hold those views out of genuine belief in my Christian faith. I don't seek to harm anyone by those beliefs. They are the beliefs I hold.

If you were to do anything with that paragraph, I would suggest adding some appropriate text whereby the person, in establishing the opinion on a religious subject or an opinion on a belief in a religious text, must not incite physical violence against an identifiable group or a member of such a group.

Mr. Ali Ehsassi: Thank you. That is very helpful.

Now I'd like to share the remainder of my time with Mr. Virani.

Mr. Arif Virani: Thank you, Mr. Ehsassi.

Let's continue on this theme.

I'll confess to you that I found a bit puzzling, Mr. Rosenblood, your opening submissions about paragraph 319(3)(b), first because the preamble of the Constitution talks about the supremacy of God and the rule of law, and second because it's well known in law that we carve out accommodation or exemptions for religious or conscience beliefs, most recently in the one issue that I think all of us will remember for our entire parliamentary careers—medical assistance in dying—wherein you had a direct conflict within people who felt, pursuant to their conscience, that they didn't want to be compelled to perform a certain type of medical procedure. That was enunciated in the penultimate paragraph of the Carter decision, since you're citing Supreme Court case law. It's also entrenched in Bill C-14.

I just put that forth as a talking point.

You also mentioned, Mr. Rosenblood, that you're cautioning us not to act quickly. I would actually say to you, if you were listening to the people earlier, that there's a real need to act quickly. I think the need to act quickly is that people are being radicalized towards violence online in Canada—that's part of the court record in the Bissonnette sentencing hearing—and around the planet. I think it is incumbent upon us to act quickly.

I was also a bit puzzled by your citation of a dissenting decision in Keegstra, rather than the unanimous decision of the Supreme Court in more recent jurisprudence, which is Whatcott, in which Rothstein, writing for the entire court, upheld section 13 of the Canadian Human Rights Act as striking the appropriate balance.

There's no doubt that balance needs to be struck. The question I have for you, then, is this: Is section 13 of the CHRA, whose analogue was upheld in Whatcott in a unanimous 6-0 decision by the Supreme Court, the right balance? If it isn't, what's needed? Is what is needed what would effectively be a redundant but perhaps necessary political paragraph that simply says, "Nothing in the aforementioned passages derogates from the constitutionally held right to freedom of expression held by all individuals within Canada under section 2(b)"?

•(1040)

Mr. Leslie Rosenblood: It is because we feel that this issue is important that the Canadian Secular Alliance feels it is more important the government act correctly, over quickly.

Acting quickly may not achieve the goals we are trying to reach. That's why we believe that, because it's new and is unfamiliar territory for the vast majority of Canadians and parliamentarians, we need to consider what needs to be done properly and not simply do something for the sake of doing something.

As for your direct question on the repealed section 13 of the Canadian Human Rights Act, we feel that the current law strikes a reasonable balance in terms of restrictions on free speech. We feel that existing provisions can be enforced more rigorously and more consistently across Canada and that the larger problem we face is not a lack of legislation addressing hatred in all of its forms but a lack of enforcement of existing provisions.

Mr. Michael Cooper: Thank you, Mr. Virani. Thank you, Mr. Rosenblood.

Before we suspend to go in camera to deal with a very small amount of committee business, I would ask Assistant Professor Dennis, since I don't think he was asked any questions, whether he has anything to add, based on any of the questions that were posed by other members of the committee.

Dr. Robert Dennis: Thank you, Mr. Chair.

Speaking through you to the member who addressed my comments about representative Brian Sims, my [*Technical difficulty—Editor*] to be an attack on Brian Sims in his accomplishments as a politician. I think you may have read more into what I was saying than I actually said. The point simply is that when techniques such as doxing are used against any community that is otherwise—

Mr. Randall Garrison: I have a point of order Mr, Chair.

Mr. Michael Cooper: There is a point of order for Mr. Garrison.

Mr. Randall Garrison: Mr. Chair, what you've done is simply give the witness the opportunity to repeat his smears against

representative Sims, and I believe it is quite out of order to do so as the chair.

Mr. Michael Cooper: Mr. Garrison, I'm going to agree with you. I would ask the professor just to address any of the substantive issues that were raised, if he could confine his remarks to those. I was merely trying to provide him with an opportunity to respond to the substantive issues, not an issue involving the state assemblyman.

Dr. Robert Dennis: My point would be that the virtual world and the online world are highly integrated and quickly evolving. Techniques such as doxing and things that we haven't even had the chance to consider fully as a society have very dangerous repercussions.

How the committee is able to account for fast-moving social media techniques will be a challenge for this committee and will be a challenge for existing legislation. I would urge the committee to keep a close eye on the things that take a legitimate disagreement, which is healthy, and create genuine discord or even, in some cases, violence.

●(1045)

Mr. Michael Cooper: Thank you very much, professor Dennis.

Thank you to all of the witnesses. Your testimony was helpful.

We will suspend for a few minutes.

[*Proceedings continue in camera*]

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