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# **Standing Committee on Justice and Human Rights**

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**EVIDENCE**

**Tuesday, May 13, 2014**

**Chair**

**Mr. Mike Wallace**



## Standing Committee on Justice and Human Rights

Tuesday, May 13, 2014

• (1100)

[English]

**The Chair (Mr. Mike Wallace (Burlington, CPC)):** Ladies and gentlemen, I'm going to call this meeting to order. Thank you for coming. We're the Standing Committee on Justice and Human Rights. This is meeting number 24. Our orders of the day, pursuant to the order of reference of Monday April 28, 2014, involve Bill C-13, an act to amend the Criminal Code, the Canada Evidence Act, the Competition Act and the Mutual Legal Assistance in Criminal Matters Act.

We have a number of witnesses here today to talk about their own personal aspects regarding Bill C-13.

You do see, committee members, that we have committee business, the votes on the estimates. If we run out of time, we'll put that on Thursday's meeting. But if we have time, we'll do it quickly today.

Today our panellists are Carol Todd, Allan Hubley, Glenford Canning, and Alycha Reda. Kimberly Chiles is with us by video conference.

Our first presenter for 10 minutes is Ms. Todd.

**Ms. Carol Todd (As an Individual):** Honourable members, thank you for asking me to submit testimony as a witness for Bill C-13. I have submitted written testimony also, and this is my oral statement today.

My name is Carol Todd. I am an educator in British Columbia, but I am best known as the mother of Amanda Todd. Amanda has become a prominent figure worldwide in the fight against cyberbullying, sextortion, and revenge pornography.

She was born on November 27, 1996, and died too briefly at the age of 15.

While Amanda died far too young she left a legacy. The legacy is one of promoting greater awareness and education to the issues that surround cyberbullying, social media safety, and ultimately, mental health. Amanda was able to share this with us on her YouTube video, which has been viewed approximately 30 million times across the world.

Just recently someone was arrested and jailed in the Netherlands, being held responsible for some of the digital abuse and sextortion that Amanda had to endure online. The enforcement groups around the world must be commended for having worked together to make this happen.

I have travelled broadly to share her legacy. I watch the faces of young people, their parents, and their grandparents when I speak about my daughter and her legacy. They all understand the tragedy of Amanda's cyberbullying, but too often these families think that this could only happen to someone else, to someone else's child, or someone else's grandchild—ultimately, not in my backyard.

I might have thought the same thing before the perfect storm that resulted in my daughter's death.

I often talk about Amanda's story as the perfect storm. Her life from ages 12 to 15 encompassed the following areas: sextortion, bullying online and offline, cyber-harassment, mental health that included depression and social anxieties, learning challenges, and a medical diagnosis of ADHD. There were also ongoing moves from school to school that resulted in unstable peer relationships. The once bubbly daughter I had became reclusive and quiet. Unfortunately, Amanda was no longer able to handle the stress of what was going on around her.

Each of us can face our own special perfect storm, and while we cannot control everything, we can control some things. Creating a law to criminalize sextortion and revenge porn is a powerful first step in our fight to stop cyberbullying.

In order to stop cyberbullying, we will need additional things to Bill C-13's cyberbullying provisions. It will need to include education and awareness in our communities, in our schools, and in our governments. Both adults and youth need to step up to make the changes that will, in effect, make the necessary differences in our world and in our society.

We will need to have mental health programs improved and prioritized. We will need to teach families to communicate better and provide digital supervision. We will need the assistance of industry members such as Google, Facebook, Instagram, Microsoft, and Apple. We will need to gather the non-profit leaders together with community leadership organizations to develop local and national programs. We also need a place where families can go for help.

I have been working closely and have ongoing conversations with other parents in Canada and around the world who have lost their children to cyberbullying and revenge pornography. I have also been in discussions with various organizations in Canada and in the U.S. about what has been going on in our social media world with respect to issues and legislation, and ultimately, change.

I've spoken to numerous young people, parents, law enforcement agencies, industry leaders, and governmental representatives in my mission to spread Amanda's legacy on her behalf, in addition to the many more who have watched via the videos and the documentaries that have been filmed and screened about her story.

Bill C-13's cyberbullying provisions are needed for my wish to come true as a mother of a cyberbullying victim. While I applaud the efforts of all of you in crafting the sextortion, revenge porn, and cyberbullying sections of Bill C-13, I am concerned about some of the other unrelated provisions that have been added to the bill in the name of Amanda, Rehtaeh, and all of the children lost to cyberbullying attacks.

I don't want to see our children victimized again by losing privacy rights. I am troubled by some of these provisions condoning the sharing of the privacy information of Canadians without proper legal process. We are Canadians with strong civil rights and values. A warrant should be required before any Canadian's personal information is turned over to anyone, including government authorities.

We should also be holding our telecommunication companies and Internet providers responsible for mishandling our private and personal information. We should not have to choose between our privacy and our safety. We should not have to sacrifice our children's privacy rights to make them safe from cyberbullying, sextortion, and revenge pornography.

● (1105)

Social media sites should also be held accountable to what is happening on the Internet highway.

Some of the areas that could be addressed include: having a central number or a list of numbers that include police or parents that could be called when something is online and needs to be removed quickly; consequences for social media sites that do not respond or address the problem with removal of the reported information or photos in a timely manner; identifying and holding people responsible for inappropriate photos and images, and negative statements made towards other people on social media sites, and organizations where incidents can be immediately acted upon; and most importantly, there needs to be serious consequences for the sites that do not respond. For example, having an international accord could be a possible solution. It should also include wording that allows similar sites to be covered under these laws. That would be the Facebooks and the Instagrams of the future.

Personally, I would like to see compensation for the surviving victims similar to a crimes compensation board, not necessarily in the form of a cash settlement, but compensation that takes into account costs associated with incidents, such as lost wages, therapy, and whatever else is necessary for a grieving person or a person suffering from post-traumatic stress disorder. For the finer points of the privacy concerns, I defer to the privacy professionals also providing testimony on Bill C-13.

On my own behalf, I have one request. If there is any way we can separate these controversial provisions from the law designed to help other Canadians avoid the pain experienced by Rehtaeh and my Amanda, I would support that process. This would allow this bill to

be free of controversy and to permit a thoughtful and careful review of the privacy-related provisions that have received broad opposition.

I do not want my privacy invaded. I don't want young people's privacy compromised. I don't want personal information being exploited, without a protection order that would support individuals. I do not want any Canadian hurt in my daughter's name. I want her legacy to continue to promote hope, celebrate our differences, and give strength to other young people every where.

I use the snowflake as an example of how precious, unique, and individual all of our children are. A snowflake is one of a kind. There are no two snowflakes that are the same. Our children, too, are one of a kind; no two are the same. A snowflake is brilliant and beautiful, as so are each of our children, and sadly they are very fragile. No matter how tough and strong our modern children appear, or how much they know about technology, they are still children and extremely fragile.

In conclusion, I want to thank all of you for the time and effort you have put into creating a law to address an abuse that has cost the lives of too many wonderful children. I want to thank you for inviting me to speak here before you today and submit my formal written statement in support of the cyberbullying provisions of Bill C-13, and also to include my thoughts about the other privacy issues that have been added to this bill.

I want to thank Canadians for their support and the Canadian government for putting cyberbullying at the centre of its safety and security strategies. I also want to thank the global community for all the support it has shown to Amanda's legacy, our personal family tragedy, and those of other families represented here today, as well as those who are not able to be here.

The voices of the children we have lost are silent, so it is through Amanda's legacy that we can continue to make those silent voices be heard. Please remember on behalf of my daughter Amanda, she wanted the world to be a better place, free of bullying and harassment. If she only knew the impact that she was making with the simple making and posting of her YouTube video.... When it comes to stopping cyberbullying, we are all in this together.

Thank you.

● (1110)

**The Chair:** Thank you, Ms. Todd, for your comments, your opinion. What will happen is that we'll hear from all the speakers and then there will be question and answer period afterwards.

Our next speaker is Mr. Hubley. You have 10 minutes, sir.

**Mr. Allan Hubley (As an Individual):** Thank you for inviting me to speak with you today in support of this bill and also in support of the other families here today to share their experience with you.

We are all here because we are concerned with the issue of bullying, and we want to bring about change. Over the past two years, I've been talking to neighbours, friends, and people across our city, our province, and our country. I sincerely believe that change is coming if we work together to help address this challenge facing families in every community.

By way of introduction, I will give you a little background on me and what has brought me here today. I first moved to Kanata in the late 1970s and have been actively involved in building our community for many years. I organized youth forums where we brought young people together to talk about their issues. I started the Sandra Ball youth recognition program, where I gave out over 400 awards to young people for doing good things in our community. I was also the founder of the Bill Connelly charity, which paid the tuition for young people wanting to go into the building trades. So I know many of our youth in our community, and I believe I have an understanding of some of their issues.

In 2007 I was named the City of Ottawa's citizen of the year and then in 2008 I received the Governor General's Caring Canadian Award, but my proudest accomplishment was to be blessed with three wonderful children. Christine Leigh is over 30 now. James should be 18, and Josh is now 15. I say Jamie should be 18 because we lost him to suicide in 2011, after years of bullying that left him in a severe depression despite our best efforts to save him. I need to confess that I am still literally learning how to deal with the pain from the loss of my boy, and I want you to know that I appreciate the kindness that our community has shown my family as we find our way without him.

It's almost three years later and a lot of people now know how beautiful my boy was, and I feel that others share our sense of the immense loss. Since losing Jamie, my family chose to honour his memory by doing all we can do to ensure that no other family will suffer the unbelievable, indescribable pain of a preventable loss of life with so much promise. Nobody's child should be coming to that conclusion when they think about their life ahead in our beautiful country. In fact, people from across Canada and around the world have reached out to us, sharing their personal pain and also their survivor stories. We know we are not alone in wanting a better world for our children.

Dr. Levy, who is Ottawa's chief medical officer of health, tells me that we have over a thousand people a year, just in our capital city of Ottawa, who are seriously attempting suicide. I pray that together we will conquer each of the factors one by one, including bullying, that can lead to this fateful decision that my boy and others are making all too often, before it affects one of your families.

Earlier I shared with you that I believe change is coming. I believe this because many people have pledged to stop bullying in Jamie's memory and in the memories of others. That gives us hope for a better day. We have an opportunity to right some serious wrongs, and if we are successful, we can make a better place for the future but it will take effort and determination.

Winston Churchill once said that change is inevitable; however, progress is optional. On this issue, progress cannot be optional. How can we make sure the changes we are working on mean progress and a better future? Do we have the opportunity to make a difference in

the lives of young people? Together, I sincerely believe that we do. I'm going to share my view and hope that you will agree with me, because I can't do this alone. Everyone in this room has a story to tell about bullies. You may have been bullied. Maybe you were physically bullied. Maybe you were verbally assaulted. It doesn't matter because both hurt and both can cause a lifetime of damage.

When many of us were younger, you could go home to avoid a bully, or you could go to a friend's house for protection. It was possible to feel safe, but that is not the case anymore for today's children. Today we have cyberbullies who can attack you with an email or text message. They can attack you through social media and sites like Twitter and Facebook with little to no consequences, and all behind a cyberwall so you don't even know who your attacker is today. You may be fortunate and only be bullied a few times, while others must endure the relentless attack on their mental health for years. Imagine how many lives have been negatively impacted because of bullying. Studies can present various numbers, but for me the bottom line is that one is too many.

● (1115)

People get bullied because they are tall or short, because of the colour of their hair, because of how thin they are, or just maybe because, like me, as I prefer to think of myself, they are built like a teddy bear. A bully will attack you based on your place of birth, your religion, perhaps your financial status, or even your sexuality. To limit our protection against bullying to only identified groups, as some propose, is wrong. Every child deserves our best effort to protect them.

Whatever distinguishes you as an individual can make you a target. We need to work together to turn that around. As a proud Canadian, I believe we should celebrate our differences, respect each other for who we are, and rejoice in the fact that in Canada we have the freedom to be different. Jamie was trying to advance that goal in his school before we lost him. He had a vision of a club where everyone could go to be themselves. Members would learn to respect each other's differences and support each other, and one day kids could be safe to walk the school halls or the streets of our community and everyone would be accepted for who they were. He was going to make the world a better place, and I know in my heart he would have succeeded if given the chance.

I believe that much in the way we have done with impaired driving or spousal abuse, if we can start today to attach a stigma to bullying, we can reduce the damage that this is causing to Canada's future potential. Bullying is not a character flaw that you are born with. It's one that you learn, so there must be a means to stop it. We could make Jamie's vision of acceptance a reality and in doing so make a better future that does not include bullies.

Even though this is an issue that is contributing to the loss of life and damaging many more lives, and it is entirely preventable, we still have people trying to find ways or excuses not to do more to protect our children.

I would like to know why we, as users, are not compelling those who are responsible for social media sites, for example, to cooperate with law enforcement. If they owned a coffee shop or a physical place of business and we saw this activity, which we see happening on Twitter and Facebook, for example, we as patrons would demand change. Parents want to know why we are struggling to add muscle to our criminal code so that police can act on complaints of cyberbullying. You will meet other families like mine who have already paid too high a price while we wait for laws to protect our children from the invisible cyberbully.

Bill C-13 in my view is meant to help reduce cyberbullying and help police obtain the evidence needed to punish those among us who prey on our beautiful children. Our children need you to use your power as parliamentarians to protect them. Parents across Canada are watching and hoping you will do something to help them.

Remember the words of Churchill and please ensure change is progress by passing this bill and giving law enforcement the tools needed. Please find it in your hearts to make the right decision to help ensure that no more young people are damaged. They are our future. Let's do what all of us can to help them.

Thank you for listening.

• (1120)

**The Chair:** Thank you, Mr. Hubley, for your comments.

Our next presenter is Mr. Canning.

You have 10 minutes.

**Mr. Glenford Canning (As an Individual):** Thank you, Mr. Chair.

Good morning, and thank you for allowing me to come here today and express my thoughts on Bill C-13.

My name is Glen Canning. In April 2013, my daughter Rehtaeh Parsons ended her life following a very traumatic sexual assault and months of cyber-harassment. The worst part of the harassment she endured involved a photo that was spread by text messaging and on social media.

I would first of all like to clarify that the lens I'm looking through is much different from the lens many others are using when they are looking at Bill C-13 and in searching for a workable solution. I'm a father who has lost a daughter. A beautiful, intelligent, kind, and promising daughter. Because of that I'm angry, I'm hurt, and I'm determined to do what I can to address and attempt to fix a serious flaw in our criminal justice system.

The more serious aspect of the flaw has left police officers trying to fight what I liken to guerrilla warfare, using conventional tactics that are outdated, slow, ineffective, and often misguided. Many families facing a crisis similar to ours share much of the same story. Officers are unsure what to do, what laws apply, or how to gather evidence from online sources.

I recently spoke to a young woman who was stalked online and had an image passed around her high school. The image showed a young man holding a hunting rifle. He was standing in front of a tree with the photo tacked on it. The photo was the young woman, and

her eyes were shot out. The police officer who spoke to her told her the best way to fight this was to stay off Facebook.

The first and most important step we need to take to combat online crime involving harassment, stalking, threats, and image sharing, is to stop treating the victim like they are part of the problem. They are as innocent as the drunk-driving victim.

Our family has been deeply and forever changed by what happened to Rehtaeh. Much of Rehtaeh's story has been very public.

A fifteen-year-old girl going to a sleepover at a friend's house. It's innocent enough, and most parents can relate. During the night she has a drink, then a few too many, and she is young, and hasn't yet experienced the quick effects of alcohol. In the next few days a story spread that she has slept with four boys. She recalls nothing. Then a photo is shared. It shows Rehtaeh hanging out a window naked from the waist down while a male performs a sex act on her, and looks at the camera smiling, giving a thumbs up. Rehtaeh has no idea that any of this even happened.

The police are called. The photo goes viral. Police officers are told who took it, who has it, and what is being done with it. They do nothing. They seize no cellphones, track no phone numbers, speak to no witnesses, and gather no evidence. In the end, the only cellphone they went after was Rehtaeh's. They had warrants in for cellular data, but those warrants took months to process, and the damage was done. Hundreds of people had, and most likely still have, that photograph of Rehtaeh.

The police later claim that what happened with the photo was not a police or law enforcement issue. They stood by and did nothing as her life was destroyed, and they told us it wasn't an issue for them.

I'd like you now to consider something a little different: the same girl, same incident, and the same photo. In this version of the story, the police see a clear violation of the law. They immediately turn to telecom companies to find out who has the photo, who it's being shared with, and they do everything they can to stop its spread and to hold the sharers responsible. They do this in a matter of hours. Most importantly, they make sure when Rehtaeh Parsons tries to start her life over again in a new school that image isn't going to show up and tear her apart all over again.

Our daughter's story remains a very public story, and it's easy for anyone to picture her in their minds: her smile, her glasses, and her long hair. Most of you have families and children of your own. Picture someone you love, and ask yourself which story ending you would have preferred.

Bill C-13 is not going to replace indifference or incompetence when it comes to addressing cybercrime, but hopefully due to stories like Rehtaeh's, Amanda's, Jamie's, and Ally's, police departments across Canada are getting the message that this can be deadly, and it needs to be addressed quickly and effectively.

We live in an age of instant messaging and viral videos. Every day Canadians go online to enrich their lives, to share their dreams, to reach out to family and friends, and expand their horizons. Others do so to hunt children, lure teenagers, spread hate, terrorize and torment, and rejoice in bringing pain and sadness to others.

• (1125)

Social media, the Internet, text messaging, email, shares, and numerous other means of mass communication have all dramatically changed the way we reach out to each other. When Rehtaeh died, her mother shared a post on Facebook that spread throughout the world in literally a matter of hours. It's that fast and it's that powerful

In the wrong hands, it's just as fast and it's just as powerful. Someone in Rehtaeh's shoes won't be helped unless the speed of that help is as viral as the problem is.

I do believe, if properly enforced, the amendments to Bill C-13 would have made a difference to Rehtaeh. I will never know if the police had the power and ability to stop that photo from spreading. If they had, it's quite possible I'd be looking at my daughter's picture in a yearbook instead of a newspaper article.

I respect privacy as much as any Canadian does; however, I believe Bill C-13 is not about an invasion of privacy. It's about allowing police officers to effectively address the many challenges of instant mass communication and abuse. Technology has changed our lives dramatically, and we need to provide new tools so police officers can hold accountable those who use this technology to hurt and torment others.

I am not standing before you today with concerns or worries about what Bill C-13 might mean to privacy. I am before you today because we can't have another Rehtaeh Parsons. It seems so out of place to complain about privacy while our children openly terrorize each other to death for "likes" on Facebook.

I'm not presenting you with evidence of one whose life has been destroyed by an invasion of privacy. In fact, I don't know if anyone's life has been destroyed by an invasion of privacy. I'm here to underscore the impact of a life lost because we failed to prevent the distribution of images that could have saved that life—Rehtaeh's life, my daughter's life.

Thank you.

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

Our next presenter is Ms. Reda.

**Ms. Alycha Reda (As an Individual):** *Bonjour.* Hello. Thank you, Mr. Chair and members, for taking the time to invite me to speak about Bill C-13.

I speak to you today not only as a victim, voter, or Canadian citizen, but as an advocate for all victims whom this bill could have helped; not only such people as Rehtaeh Parsons or Amanda Todd, but the nameless victims of cyberbullying, sextortion, and sexual violence across this country.

I'm happy to be here today to understand and address the public's controversy with Bill C-13, and as well its privacy restrictions, although—I will be honest—I do not fully support this bill, because in the end I don't really understand it. I understand that sometimes, though, we must be willing to compromise a bit of our privacy for our own safety.

What is privacy? In constitutional law, it is the right of people who make personal decisions regarding intimate matters, while under the

common law it's the right of people to lead their lives in a manner that is reasonably secluded from public scrutiny. This is the privacy that I am fighting for, Mr. Chair, the privacy that ensures safety and security and that as well may save lives one day, such as the lives that we have lost.

Today, in our generation, we are witnessing incredible advancements in technology. The Internet, for example, has become one of the most significant forms of communication used today. It is a fantastic, addicting tool. We use the Internet as well as our mobile devices to gather information, share photographs, pay our taxes, chat, or gossip, and now we use this tool to exploit young men and women and as well to bully and create and distribute child pornography. We also lure, and now we hear rumours of our own government trying to use this bill to essentially break the privacy of law-abiding citizens just so that we can catch the bad guys.

Mr. Chair, I mentioned previously that I am a victim of this disgusting act. When I was 16 years old, I was lured, sexually assaulted, and blackmailed by Canada's most prolific online predator, Mark Gary Bedford from Kingston, Ontario.

Many Canadian citizens are still unaware of who this predator is, and for the last seven years, before my publication ban was dropped, I broke that ban and travelled all over parts of Canada, bringing awareness of the effects of sexual exploitation, revenge porn, who my offender is, and how dangerous it is to give out personal information online.

Many of us Internet users have positive and negative experiences online. With just the click of a button, we can say, witness, and pretty much do anything. The excessive availability of information and constant access to one another's personal lives can certainly be useful, but are we aware of the dangers that it can create, of the criminal acts that you may not know are even criminal—bullying, rumours, gossip, threats, exploitation, luring, social ostracization, and even human trafficking?

What is my role in all of this? As a public speaker, it is my role to reach every Canadian citizen, including the members of Parliament as well as Prime Minister Harper. My role is to continue supporting and encouraging our youth to participate in the online world, while providing awareness and education that will continue to empower our youth to be safe and respectful online.

I will continue to fight for the rights and privacy of our Canadian men and women of all ages, races, and sexual orientations, including those who are still not here today. I will continue to be a public speaker and take a role as an activist and supporter. My role as a supporter and activist has been more proactive than my own government's in trying to make a change. It is very sad that I am more trusted by strangers, when I come into their community to speak. It is also unfortunate that the citizens of this country cannot rely on their own police, MPs, and leaders of this country, yet they trust a victim.

Unfortunately, when I was going through the events that led me to where I am today, not only did the legal system fail me, but so did certain organizations geared towards aiding people like me, as did my government as well.

All of this in the end relies on you, the leaders of our country. I spoke about roles earlier and what my role in this country is. Now your role is as a leader of this country. It is your role to help protect us and our children, my child. I also hope that we as a country can make the right decision in better protecting ourselves.

Thanks.

• (1130)

**The Chair:** Thank you, Ms. Reda, for those comments.

Now we're joined by Ms. Chiles on video conference from Edmonton, Alberta.

Ms. Chiles, the floor is yours. You have 10 minutes.

**Ms. Kimberly Chiles (As an Individual):** Thank you.

I will preface this with the fact that I'm taking a slightly different approach and being very open about my experience in the hope that it can help others.

My name is Kimberly Chiles and I have been asked to speak to Bill C-13, as a victim and a survivor of what is commonly referred to as "revenge porn".

On the last Friday of October 2013, I began to get an absurd amount of "friend" requests on Facebook from men all over the world. Facebook had just changed its privacy settings and I thought I might have missed something, so I frantically set about trying to rearrange those. I was still getting the same amount of requests by Sunday evening, so I made a public post on Facebook, asking my friends if I had missed something. Somebody sent me a private message to let me know that this was not a coincidence and sent me a link to a website called MyEx.com, and there I was. My images were shared with the world at the click of a button. He found them because a popular online celebrity magazine had this website, MyEx.com, in their favourite links.

To make matters even worse, someone had commented three comments down—visible to anyone—adding a direct link to my Facebook profile, so anyone that visited this site then proceeded to visit Facebook.

The anguish that was instantly triggered was like nothing I'd experienced to date. Panic set in, and I began to shake and sob. My mind raced, realizing quickly how swiftly these images could and would be seen. Family, colleagues, students, potential clients, friends, and strangers alike were privy to my personal...my privacy, my body. I was violated, I was in shock.

How could someone be so malicious? I called my current boyfriend, and he immediately took action. He spent the next hours determining ways to get these images taken down. We Googled, we looked for support, and on MyEx.com, there is the option to pay \$500 and have it removed by removenames.com. They are the same people. This is extortion. My images and personal information was posted on a heinous site and they know exactly what people do when

they find these images of themselves: they panic, and they will do anything to get them removed.

We were quick to find out about a group called DMCA Defender—that's digital millennium copyright—and their fantastic track record and their reputation via endrevengeporn.com. My boyfriend hired them that same evening and we began working on my case that evening. They started contacting the web hosts, the site itself, and the search engines, to have my images removed.

This is not an expeditious process and with every second that passed, the panic and mortification of this experience grew. The unwanted attention from around the globe continued as men filled my Facebook "other" inbox with their opinions about me or my profile. They hit on me, made comments about my body, and about myself. I even received offers to connect or hook-up because they would be in town. Some took the route of warning me and trying to strike up a conversation, because apparently some people actually believed what was written about me was true. The shame of this scenario continued.

This was actually the pinnacle of a year and a half of ongoing issues. I immediately knew who was to blame. I split on amicable terms with the man these images were sent to. He and his ex-wife were in a battling, drama-filled relationship. They had a young daughter. I gave him an out and he took it. I had not spoken to him since then.

At one point in our relationship, which was brief—only four months long—he had mentioned that she may have my name; he caught her with his phone. I said that I was not concerned, that we would deal with whatever, never thinking that this would take place. These images had not been shared at that time.

She had initially contacted me through my business website a year and a half prior, and made it clear that she was spiteful. Her messages were crass and mean-spirited and placed the blame on me for her broken marriage. He had already left her and moved out long before I'd met him. However, I did not respond, knowing that any kind of response would show her that she had my attention. She continued to contact me through various forms of social media, directly and indirectly, sometimes pretending to be her, sometimes pretending to be him, signing crude, derogatory, hateful messages. I never responded to her cyberbullying and harassment.

I am a business owner. I am self-employed, and I also teach at the University of Alberta. I have an active online profile and do much of my networking by online means. She had crossed a line and I was stricken by fear of who might see it, shame for the people who did and what they might believe or the conclusions they might make about me. I was horrified at the seemingly bottomless pit of who this may end up in the hands of. It was just the worst feeling, and it was paralyzing.



•(1135)

The next morning I called the Edmonton Police Service. The officer who answered the phone listened to most of my story and then cut me short to let me know there was nothing he could do, that this was not a crime. I had no proof, and he guessed I shouldn't have put my pictures on Facebook, to which I quickly responded that was not what I had told him at all. I asked him if he had a daughter and said that he might change his tune if his daughter had come to him and said this is what was happening. I then told him I expected him to send an officer to my house to take a statement from me, and by day's end that did happen. We chatted at length about what had taken place and I had him leave the statement forms with me. I filled out a three-page statement and was able to attach seven pages of evidence from her of her online harassment.

In the meantime, the constant barrage of unwanted attention continued. I feared going out in public, responding to LinkedIn, Facebook, or emails, afraid that everyone had seen my pictures. It made me paranoid and ashamed. I started feeling like this would never go away and that the abyss of the World Wide Web would devour my images and information, making them forever available to anyone that Googled my name.

DMCA Defender continued their efforts, regularly checking in with me to update. They were supportive and reassuring and never once minimized what I was going through. They work until the images are down and unsearchable. Meanwhile, I had to continuously follow up with the police myself, and while the constable who was looking after my case seemed relatively supportive, he made it clear that it would be difficult to find recourse for this because, again, it was not technically a crime. Over and over again my brain went back to the idea that this was debilitating to me, a 38-year-old woman, confident and successful, and that 14-year-old me would not have been able to cope. I would have ended my life then. I say that without hesitation.

That awareness and empathy kept me fighting. I knew that I would continue to research and to find resources. I would connect with other survivors and advocates in the U.S. and Canada. I followed up regularly with the EPS to see if they had contacted the accused. I wanted to sue. I wanted to get a lawyer. I wanted justice. I wanted to nail her to the wall for doing this to me, to my reputation, and to my psyche. My bank account, however, was not in a position to do that.

I had my partner and best friend searching online for my name every day, because I was physically ill and could not do so myself, to see if anything had changed. I trusted no one outside my circle, fearing that everyone had ulterior motives. I am still burdened by this today, wondering if every attempted new contact has somehow seen something that they shouldn't have. It's been an awful experience. I found it frustrating that I could pick out each attack and label it under other things, like bullying, harassment, assault, copyright infringement, non-consensual sharing of personal information. But there wasn't one thing in place that I, as a victim, could refer to, or the authorities could refer to, in order to protect me and other victims and survivors, that made this a criminal act, that gave me some recourse.

Over a month went by and my images now appeared in a basic Google search, not just on the MyEx site. DMCA confirmed underage girls were also now on this site and that they were working with the FBI to have the host and the site shut down. Meanwhile, in my case, they had successfully contacted the accused, and they had denied any involvement. I had to keep fighting. I had lots of proof and I knew there had to be a way. I continued steady contact with everyone involved and relied on my network to keep me going. I was experiencing heightened anxiety and was quick to cry. I lost weeks worth of work. My focus was terrible. My time was spent researching this topic and related cases. This was the hardest thing I've been up against. Finally, on December 6 of this last year I was advised that the DMCA Defender was successful in having my images and connected information removed.

These explicit images, my personal information, my Facebook page, were all posted without my consent. Those images were shared with the expectation of privacy. My trust and privacy were violated. The ownership of those images is not transferable. I share my story in relation to Bill C-13.

This bill is being labeled the revenge porn bill. I liken my experience to sexual assault, to rape, to harassment, but not to pornography. Internet crime existing in that grey area that it does provides no recourse for the victims of these experiences. My own judgment and decision matrix should not be called into question when I call the authorities and police for help. The lack of resources within the municipal force definitely played into their inability to delve into this, but so did their awareness and education on Internet crime.

•(1140)

I was advised that the RCMP have a small task force dealing with Internet crime, but what step does a person take to move this from what is viewed as a civil hearsay matter at a municipal level up to a federal level? The lack of sensitivity and abrupt condescension and callousness I experienced was unacceptable, as were the excuses and dismissals.

As I understand, the purpose of a search warrant is to allow investigators to locate, preserve, and examine evidence relevant to criminal liability. A search warrant can be used not only for collecting evidence supporting a criminal charge but also as an investigative tool for alleged criminal activity. A search warrant makes valid an act that would otherwise be considered trespass. The charter requires that for all warrants police must provide reasonable and probable grounds established upon oath to believe that an offence has been committed and that there is evidence to be found at the place of the search. Those requirements are set out as a minimum standard, consistent with section 8 of the charter for authorizing search and seizure.

Ensuring that there is specific legislation and criminal liability in these scenarios of harassment, assault, and attacks would set precedent and streamline the course of action that authorities have to investigate allegations or instances. I think it is important to point out that non-consensual gathering and/or sharing of personal data essentially make victims of us all, leaving us all vulnerable to privacy violation, unjust information sharing, judgment, and misconceptions. It makes sense to continue fighting for victims' rights and protect these rights within their own legislation, and to continue to consider the benefits of due diligence and process within our charter.

As it stands, it requires that for all warrants police must provide, reasonable and probable grounds, established upon oath, to believe that an offence has been committed and that there is evidence to be found at the place of the search. These requirements set out the minimum standard, consistent with section 8 of the charter, for authorizing search and seizure. As well, the standard of "reasonable grounds to believe" is greater than mere suspicion but less than on a balance of probabilities when the totality of the circumstances are considered.

If there is a reason to believe that a crime has taken place, the police and authorities already have the ability to obtain any data that they need.

Earlier this year I was advised that the accused was being served with a production order for two years based on evidence I'd provided. Someone in the EPS had enough IT experience to dig a little deeper and continue gathering damning evidence against her and him. At this time, I'm waiting for an update, but was unable to reach the constable prior to meeting with you today. I will continue to use my experience to create and document the process, persons, and organizations that are there to help. With any luck, those of us speaking to this bill will help dissuade you from moving forward with what could be seen as an omnibus bill and persuade you to consider the critical issues of revenge porn and search and seizure separately, so that the proper due diligence for Canadians is taken.

Thank you for providing me with the opportunity to share my story in the hopes of helping others.

● (1145)

**The Chair:** Okay, thank you, Ms. Chiles, for your comments.

We now go to the question and answer period. We're going to start with the New Democratic Party.

Madam Boivin, five minutes is yours.

**Ms. Françoise Boivin (Gatineau, NDP):** Thank you so much, all, for your presence here because I think you bring back what this bill is supposed to be about. I'm really happy that you're all here together at the same time so we can really focus or refocus Bill C-13 in a sense.

[Translation]

I agree that the bill should be split, quite simply because what should have happened is happening. We are spending a significant amount of committee time discussing the matter of

[English]

that concerns invasion of privacy, when we should be talking about the aspect of cyberbullying, which is the title of the bill. My heart breaks every time, because every time we talk about the other part, we're not talking about what has brought us to this bill.

I'm not sure I have questions for you, honestly. I mostly want to use my five minutes in a sense to maybe.... You told us, Ms. Reda, what our role is, and I really understand it. I think everybody understands that we're there for Canadians and are here to protect. It's part of our job to protect, and to do so in the best way. This is my hope and dream.

You were talking, Ms. Todd, about the legacy of hope of Amanda, and the same with Rehtaeh, and the same with Jamie. Your kids are heroes. You are also, by the way, just by virtue of the fact that many people would just.... The grief and everything that you're going through is just so hard that we can't fathom what you're going through. But at the same time you're stepping up, you're going public, and you may be helping people not to do the same thing and helping us to address the issue in the right way.

The only thing I'm hoping that Bill C-13 will achieve, through your kids and everything you've gone through, is that it might be the first bill we can look at in a bipartisan way. That's my ultimate hope, that we're all here for one reason and one reason only. We want to have the best measures in the Criminal Code to help out.

But we're all aware that it takes so much more education. I think, Carol, you were talking about the importance of education. I won't tell you how old I am, but bullying was on the ground in my school, when I was a young kid. It motivated so many people. For me, it was to become a lawyer to defend the people who were bullied, which I thought was disgusting. Now it's more defined, it's more—

**A voice:** Malicious?

● (1150)

I wouldn't say it's more malicious, because I think bullying by definition is malicious anyway, but it's more anonymous because of the tools that are accessible. At the same time, if there are ways.... We offered to separate the bill so that we could concentrate on one aspect that is less controversial. I'm not saying that the second part is controversial, but I'm saying it's more technical, more complicated. But the fact that it's more complicated shouldn't make the first part be adopted in a slow fashion. There is already an infraction that could be in the Criminal Code that is not there until we finish the whole.... So that was the reason.

I do hope—and this is the message to my colleagues around the table—that we'll try to make it law, because nobody wants to see.... I agree with you, Mr. Canning. In view of what happens, sometimes we tend to say, the heck with the rest, if we can save one life.

At the same time, if we know that because of the framework of laws that we have in Canada the whole inquiry will be killed in courts because everything that will have been obtained with a bad warrant.... That's what we're trying to make sure we're not doing. I want it to be very clear in everybody's head that it's not because we work for criminals. It's because we want to see the end result confirmed and not be destroyed because something wrong was done. That is that.

But I suffer for you, because I don't think anybody can understand, unless we pass through what you've passed through. I feel your pain, Ms. Todd, so much, and I really am impressed with the way you're able to look at the whole situation in a very reasonable way at the same time. I can tell you that on our part, we'll try to do exactly the same thing, because I think that is what all of your kids—and you, Alycha, and Ms. Chiles—went through.

By the way, I've asked, Ms. Chiles, that Facebook come here. They have vast interest in privacy and the access to.... I hope they hear what you have been saying today. We put them on our list because we know that many of the things happening right now go through Facebook and that they rather wash their hands, saying, well, it's not our fault; it's private PIAs. But they're hosting that, so they have to maybe hear the message that you're making.

Those are the comments I wanted to make. I really hope we can make the best bill out of Bill C-13. Maybe it will do more than we all hope. Maybe it will make a whole committee work in the same direction for the first time since I was elected in 2011. It's my dearest hope.

**The Chair:** Thank you very much, Madam Boivin.

Our next questioner, from the Conservative Party, is Mr. Dechert.

**Mr. Bob Dechert (Mississauga—Erindale, CPC):** Thank you, Mr. Chair.

Ladies and gentlemen, I want to thank you very much for being here today. Ms. Todd, Mr. Hubley, Mr. Canning, Ms. Reda, and Ms. Chiles, I want to express to you my deepest sympathies and condolences for what happened to you, to your children, to your families. I think what you have told us about today represents the greatest fears of parents in this country and of anyone who uses the Internet. Clearly, we're all here to try to address this situation and hopefully to make some changes, so that the things that happened to your children and your families and to each of you individually won't happen to anyone again.

It's a tall order, and our time is short, but you have all talked about how fast and powerful the Internet is, how quickly things can get out of control. Things that could start as an innocent exchange between two individuals can go the wrong way very quickly.

Ms. Todd, you've talked about how important education and awareness are. Just by being here today, and through all the comments you have made publicly previously, you have all raised the awareness among all Canadians of the dangers. I hear it when I speak to parents in my constituency about this concern. They have heard your stories and they're talking to their children. I think good has already come from that.

Certainly education in the schools and through other organizations is something we have to pursue. As I said, time is short.

You've all talked about where we draw the line. This is what we as legislators have to decide. Where do we draw the line between privacy and prevention of harm? What I want to ask each of you to talk about just briefly, if you can, and relate to your own personal experience, is this. What form of production of information and at what time, with respect to the identity and the location of the perpetrator, would in your case have prevented the harm that your children or you personally suffered? How fast do we have to go? What do we need to get? If you can, I would ask you to talk about that.

**The Chair:** Everyone was asked to answer, so we'll just go along the panel. We'll start with you, Ms. Todd.

**Ms. Carol Todd:** When my daughter was 12 and 13, she was on the Internet and she found some chat rooms in which to talk to people. She befriended some people. They pretended they were peers, her own age, and convinced her that she was beautiful and persuaded her to bare her chest. She did, and they took an image on the other side and then extorted her to do more things so that they could get some more images. My daughter started to ignore and decline them. At that point, on December 23, the RCMP, at 2 a.m., showed up on my doorstep looking for my daughter, because that person had released the image.

They had threatened her to say that they would release the image through her social media, which was Facebook at the time. What the person did was not release the image on Facebook. Instead, they used a porn site that I found, when I was looking into it, has literally thousands and thousands of young girls on it. They posted the link on her Facebook, sent it out to her friends and family, and that was the start of the end of my daughter's life, in that her friends saw the image and at that point started to bully and harass her in real life.

I think that if the RCMP had acted sooner and looked into the IP addresses, or had gotten in touch with Facebook sooner and then had gotten into the porn site to find out where the IP address had come from, we could have probably found the perpetrator a lot sooner. In our case, it was a year of harassment and ongoing digital abuse to Amanda. Now—

• (1155)

**Mr. Bob Dechert:** I'm sorry to interrupt you. If you had found the person and then had said something to that person, "Stop using these images; take them down", hopefully we could have prevented some harm.

**Ms. Carol Todd:** Hopefully, yes.

There has been a person charged in the Netherlands now, and that shows us how close people can come. They come into your own backyard, but the Netherlands is more than 4,000 miles away.

**The Chair:** Mr. Hubley.

**Mr. Allan Hubley:** Thank you.

Our case is a little different, because when the police got involved in the last month of Jamie's life, when things had moved to Facebook and to social media—Tumblr was another one being used—the issue was that there was nothing they could do; this is kids being kids.

I'm not sure that there's something in this bill that would have helped us save Jamie. Our family is here more to share our story so that you know what bullying is doing to kids, and also to support Carol and Glen, who have become good friends of our family.

**Mr. Bob Dechert:** I think your comments and your appearance here today will help, sir, very much.

Thank you.

Mr. Canning.

**Mr. Glenford Canning:** In the case of our daughter, Rehtaeh Parsons, it was text messaging. It was an image shared on cellphones, basically.

It would have been extremely easy to solve this crime. They were admitting what was happening in the photograph, that she had too much to drink, that she was throwing up sick and was drunk. They were openly admitting who they were, their names: this is him, him, and him, and we all did this.

If the sharing of this image was not against the law—and we had it explained to us very clearly by the RCMP officer in charge of this case that it was not against the law to spread that throughout the entire school district—my answer is very simple. If it had been against the law, could this have turned out completely differently? I think it would have. I think it would have taken a day. They could have gone and gotten this and asked who they had shared it with and seized their cellphones. They could have said, we'll find out who you shared this with and we're going to go after them.

It would have been simple. It would have been easy, and I believe that it would have made a difference because it would have stopped this from happening, so that when Rehtaeh started a new school across the whole city of Halifax.... She moved from Cole Harbour to Halifax and lived with me. She went to school for three weeks and here was this photograph showing up again. We called the police, and they said, we already told you that it's not against the law.

**Mr. Bob Dechert:** So in your case, you knew who had the image, did you?

**Mr. Glenford Canning:** Absolutely. The police knew too. They knew exactly who did it, who had the image, what was going on with it, and who they were sharing it with. They had everything.

We had an RCMP officer come to our home one time with Rehtaeh's friend, and her friend said, "I'll get the photo", because they still hadn't seen it. This was after weeks of investigating, and they hadn't even done anything. Rehtaeh's friend said, "There it is", and then he forwarded it to the RCMP.

**Mr. Bob Dechert:** What would you say if you had not known who had the image?

**Mr. Glenford Canning:** I would have said, if I had not known who had the image, that you could still use cellphone data. You could still get it that way to find out. It shouldn't have been very hard to do whatsoever. But in this case, they were sharing it with texts, which meant that their number and name were right there.

**The Chair:** We'll have the other two witnesses respond to your question, but you're way over time, so I'm going to deduct it from Conservative time elsewhere.

Ms. Reda.

• (1200)

**Ms. Alycha Reda:** I met my predator on a social media website. I knew who my offender was, because he lived around the corner from my elementary school. Seeing him on there and recognizing him, I thought, "Whatever, everything will be okay. This isn't like a stranger that I don't know."

Sure enough, this man for an entire month groomed me. He made me gain trust in him. He made me run to him, to the point, ladies and gentlemen, that I sat in my living room with my mother sitting right across from me with her back to me while this offender masturbated on webcam. My mother had no idea, because I hid it from her so well, because he taught me how to hide it from everyone else.

When it came time for him to actually lure me off the Internet and sexually assault me, he started using all those images of me to extort more disgusting acts. In one instance, he told me to break a broomstick in half and shove the pointy side in. I want you all to hear this. He made a 12-year-old girl insert sharpened pencils into her vagina. He made a 12-year-old girl perform sexual acts on her dog.

What's sad about this, ladies and gentlemen, is that before he was caught, I went to my police, because he was impersonating me on the Internet. He was attacking my friends. He was telling them to go online, stand up, turn around, take your top off, and if you don't do it, I'm going to post this photo of Ally.

So what did my friends do? Now they were victimized because they were trying to help me. Now I'm left with the blame and the shame that maybe if something had been done, I wouldn't be responsible for all these young girls all over the world. I still live with that today.

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

Ms. Chiles, do you have anything to add?

**Ms. Kimberly Chiles:** I do not necessarily. I think the biggest thing for me was the instant jump that I shouldn't have done such and such, and that not having done it would have prevented all of this.

I don't feel that victim shaming and blaming is the way to go about this. I feel that when I called the police to tell them what had happened, they should have said, "Okay, we have this and this in place to take care of this. We are familiar with Internet crime, we have a process, and we will help you." That would be my biggest message about all of this; that they had no recourse.

**The Chair:** Thank you for those comments, everyone.

Thank you for those questions.

Our next questioner is from the Liberal Party.

Mr. Casey.

**Mr. Sean Casey (Charlottetown, Lib.):** Thank you, Mr. Chair.

To all of the witnesses, let me say that I haven't been here all that long—it's only been three years—but I don't know that I've ever attended a committee meeting at which the testimony has been as powerful as today. To all of you, thank you so much. Be assured that it has been extremely impactful.

I expect you also know that at the political level of this debate, we and the official opposition have urged a splitting of the bill to remove the elements that specifically deal with cyberbullying from the online surveillance elements that were lifted from an earlier piece of legislation. I appreciate the comments that have been made by each of you on that topic—your reference, Ms. Chiles, to an omnibus bill, and Ms. Todd, yours as well.

Rest assured that this has been heard and that the message has been conveyed and that this is still something that we would very much like to see. I can tell you that if this suggestion is taken, the measures that specifically deal with revenge porn and the non-consensual exchange of intimate images could be fast-tracked while we spend more time studying the implications of the online surveillance provisions. We continue to believe that this is the right way to go. I thank you for adding your voices to that issue.

I'm going to take a page out of Mr. Dechert's book. We spend a lot of time as parliamentarians talking about changes to the law. It's what we do; we revise and create laws. But I happen to think that on this issue, as on so many others, legislative change is a small part of what we as parliamentarians, and Canadian society, need to do to address this problem.

You touched on it in some detail, Ms. Todd, when you talked about the non-legislative measures—education and awareness, mental health programs, the role of industry, and help for families, including a place to go.

Perhaps I could start with you, Ms. Todd, and invite others also to talk about what advice you have for the government outside of changes to legislation that would make a meaningful difference.

What are the biggest things that the Government of Canada should be doing other than changing the law?

Thank you.

• (1205)

**Ms. Carol Todd:** I think I said it in my little speech. We need to bring together other organizations, other people, community leaders, in order to make the difference.

I say that laws are great. We have seat belt laws and we have drinking and driving laws. Having them sets the bar, such that if you do something criminal and break the law, there are going to be consequences for it. You are going to be penalized because you understood that there was a law.

We need those, but at the grassroots end of things we need to provide the education and awareness to our children at a younger age. We need the resources. For me, if it were mandated, it would be mental health programs and education in the schools and the programming.

As well, funding from the government would be there to help the various provinces. I remember that exactly a year ago we were in

Winnipeg, and we talked about mental health programs and education. I believe the government told us at the time that it was all legislated provincially. Well, it's really hard that everyone has to go to their province. All provinces are struggling with education and health care. To have it mandated at the very top of our government spectrum would help so much in making sure that the resources are there.

**Mr. Allan Hubley:** I would give an example of something the government is already doing. I'm quite happy with it and I feel that there's a lot of progress being made on bullying. That is funding programs such as the one with the Red Cross, whereby the Red Cross is going out to the schools, taking the leaders who are identified in the schools, and training them in conflict management, mediation, and those kinds of skills to help deal with bullying. In exchange, each of those children who are being trained under that program then goes forth and trains 20 more. That's part of their contract, if you will, for the training. That, in my view, was a fantastic initiative. We can't stop there. There is much more that needs to be done.

If I may take 30 seconds, I would like to address your question. There are other things that government can do, but the one thing that you all bring to this table is the ability to change the laws. This is what several of us are commenting on. We need this law, in addition to the laws that are there now, to tighten up and make it faster for police to deal with these instances. I don't want to leave you with a checklist of things that the government can do besides law. I really want to leave here knowing that you are going to do something with the law and do it soon.

**Mr. Sean Casey:** Thank you.

**Mr. Glenford Canning:** I think, sir, that among other things the government can do besides create laws would be to start engaging social media companies a lot more and start saying to them that they need to act like citizens of our country, that they need to be responsible like that.

It's not, to me, that you should make laws against Facebook, but why wouldn't Facebook want to have a hand in helping us? Why would Twitter allow people to be violated over and over again on their platform? This is their image.

I think it would rest with something like that. We need to start engaging social media companies a lot more and need to put much more responsibility right back on them. If I had a product out there that children were using to kill each other with, I don't think it would be for sale in Canada. But Facebook, Twitter, Instagram—all these things—are widely, openly used. We have examples here. Children are dying because of this. It's hard for me to understand why these companies aren't stepping up to the plate without having to be pushed or nudged or legislated.

In Italy, they have arrested people from Facebook. They've put out warrants for them because they allowed this to happen after people were complaining. Should we do that in Canada? I don't know. But the thing is, why would we have to? I think we really need to start engaging these companies a lot more, saying that they need to have a bill of rights for their users and need to strictly enforce it.

That would be my desire. It would be my desire that we not have to do any of this at all, but I know that's probably naive and unrealistic. If I worked for a company like that, I would want it to do this anyway, because it would be my image. Our families are on these websites.

● (1210)

**Ms. Alycha Reda:** I just want to take two seconds to quickly show you how fast social media is when posting stuff on the Internet. I just got a post saying that I'm apparently slamming the federal government right now. That's just how fast this happens. That's an example right there.

What I ask and have been asking from the government since the day I was assaulted, the day that my offender's charge was dropped because of a plea bargain, and given that my offender for an international case got two years and 11 months for abusing girls all over the world and sexually assaulting me—two years and 11 months....

What is my goal here today? I support this bill, I really do, because it's a change that we need. But I'm here to tell you that we need to make our laws stricter. We need to strengthen them. The offenders who do these things go in, get a slap on the wrist, come back out, and offend again and hurt another child. Then it's taxpayers' money going again. If we figure this out the first time, we won't have this problem.

**The Chair:** Ms. Chiles, do you have any comments?

**Ms. Kimberly Chiles:** One thing that is just a sidebar and that has just come to mind a bit more since we've all been chatting is that when I tried to tighten my privacy settings on Facebook, so that these people.... Many of us don't realize that we have an "other" inbox on Facebook. When you go onto your Facebook from your desktop or your laptop, you can actually see an "other" folder. In that folder were all of the people who were not my friends but had been able to link from this MyEx.com to me. I was unable, no matter what I did, to actually set my privacy such that those people could no longer message me.

So it was a free-for-all until the attention stopped, basically. There was absolutely nothing I could do, short of shutting my life down, which everybody recommended I not do, because when you have an active healthy social media presence, it actually helps push the garbage down. They encouraged me to stay active on Facebook and stay active on Twitter. It was hard for me to do that, knowing what was going on, but I felt exposed regardless, just because Facebook did not allow me to set the parameters so that I felt safe.

I'm all for freedom of speech. I think there is a very fine line between what we're trying to accomplish here and taking away people's rights to speak. There is a line between bullying and just being a jerk that is very grey. My biggest point here is about Facebook settings and having responsibility and awareness within these groups—online media companies, whatever. We shouldn't have to ask for those things. They should be there already. If we choose to have a tight ship, that should be our choice as citizens, and it's simply not like that.

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

Our next question is from the Conservatives, Mr. Goguen.

**Mr. Robert Goguen (Moncton—Riverview—Dieppe, CPC):** Thank you, Mr. Chair.

Thank you to all the witnesses for testifying today.

It certainly takes a great amount of courage to share your experiences with us. It's painful, I would think, to remember these horrible events, and of course for those of you who have lost children, our deepest sympathies. Certainly you have our commitment to try to act in such a fashion so that these horrible acts don't repeat themselves in the future.

All of you have commented on the necessity of the police authorities acting rapidly. There's been some discussion on the protection of the privacy of the perpetrators. Obviously we don't live in a police state and there has to be some sort of balance in striking privacy rights.

Mr. Hubley, by way of example, don't you feel, as a victim, that privacy is invaded when you're cyberbullied?

**Mr. Allan Hubley:** I'm sorry, I don't quite understand. The victim's privacy is—?

**Mr. Robert Goguen:** Yes, obviously—

**Mr. Allan Hubley:** Yes. It's absolutely invaded when something like this happens.

I'm sorry. I'm not going to be here to protect the privacy of the cyberbully. I don't care what laws you guys want to pass to do to the cyberbully; the worse they are, the better, and you'll get my support. I'm here to protect the victims. I want you to do whatever you can to protect the victims, because in this case, and many other cases, it's our children. They can't always protect themselves.

● (1215)

**Mr. Robert Goguen:** Given the choice between protecting the privacy rights of victims—and they're numerous—and a minimal intrusion into the privacy rights of a perpetrator, isn't the greater good of Canada and Canadians in protecting the privacy of the victims versus the privacy rights of the perpetrators? Shouldn't that be where the line is drawn?

**Mr. Allan Hubley:** If choices have to be made, I would certainly agree with you.

In Canada, ideally we want to try to protect everybody in the scenario, but the priority has to be the victim. We're seeing the damage that this is causing, and how quickly. Glen and others have shared with you how quickly the damage can be done. Yet, if we can get in there right away and act....

What I've read in the bill here is that they have to get a warrant, so they have to appear before the judge to get a warrant. Therefore, a case has to at least be established in order to get that warrant. That's going to take a bit of time. It's not like you're going to have police officers running out and tapping into everybody's Facebook account to find out what they're doing. I don't want to see that happening.

**Mr. Robert Goguen:** Oh no, that wouldn't be possible. That's not the Canada we know and love.

We have the Canadian Centre for Child Protection that has created Cybertip. It's federally funded. Of course that's not the be-all answer to all of the crime that's on the Internet.

Some of you may know of this organization. Cybertip is a tip line. It's funded by the federal government. It's primary function is to receive, process, and triage reports from the public with regard to child sexual abuse material online, luring children exploited through prostitution, travelling sex offenders, child trafficking, and cyberbullying. It's a start, and that's why we're here, to build on it.

Since its inception, believe it or not, Cybertip has received over 53,000 reports from the Canadian public with regard to their concern of a child being victimized on the Internet, resulting in at least 70 arrests and numerous children being removed from abusive environments. It's only a start, obviously. That's why we're all here, and that's why you're here, courageously testifying of the horrors that you've lived.

Mr. Canning, do you think that cyberbullying and the tools provided to the police to find the perpetrators of crime are two distinct issues, or do you think they're one interrelated issue? In other words, do you think the law has to be modernized to adjust to the new technology of crimes, IP addresses, luring on the Internet, etc.? We're talking about the ability to act rapidly, the minimal infringement on the perpetrator's privacy, in order to protect lives.

What are your thoughts on that, sir?

**Mr. Glenford Canning:** My thoughts on this bill are that it is a law enforcement bill. This bill is going to be used by police officers, law enforcement agencies, to go after cyberbullies, people who harass, intimidate, and threaten, online.

I know that police officers can go into your home if they have reasonable grounds that there's a crime being committed, but you don't see police officers walking into every house in Canada for no reason whatsoever. We can't afford that. We expect more than that from our law enforcement. We expect that they're going to use the tools they have in the appropriate manner. I believe this is going to present them with another tool, a valuable tool.

I don't believe there's going to be all this massive abuse. There's a lot that they're going to have to deal with. Nova Scotia has new cyberbullying things, and they're just backlogged.

**Mr. Robert Goguen:** Absolutely.

**Mr. Glenford Canning:** It's not like they have time to go snooping on people in their neighbourhood. They're police officers. We have to have a level of trust and respect that they're going to be appropriately using the tools they have to do their jobs.

My prediction is that we're not going to see this bill result in a massive invasion of privacy. I don't believe that is what it's for, and I believe I have enough trust in the people you're going to hand this to that they're going to use it appropriately. I do know that there's a level of bureaucracy in Canada where a lot of privacy things have come up lately—one million requests last year from telecom

companies, and things like that. It's not like this bill is going to add this big problem of privacy.

**Mr. Robert Goguen:** That's not your fear.

The record should reflect that Ms. Reda is nodding her head in agreement. The transcript doesn't pick that up.

Thank you.

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

Our next questioner, from the New Democratic Party, is Mr. Chisholm. I'll give you the same time that Mr. Dechert had.

**Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP):** Thanks very much.

I want to thank the witnesses very much for coming and telling us their stories.

First of all, I want to acknowledge the losses of all three you, Carol, Allan and Glen, and to offer my condolences to you and your families. I want to thank all of you, not just for today but for the days and weeks and months and years you've been telling your stories to try to make change, to try to ensure that your memories and the memories of those you've lost are shared by others, and to try to ensure that we learn from what has happened to you. That takes a tremendous amount of courage, as has been suggested before.

I represent Dartmouth—Cole Harbour, where Rehtaeh lived and where Leah now lives. Leah was here about a year ago with the Premier of the Province of Nova Scotia and the Minister of Justice, and we talked about how—and Glen mentioned this—the Province of Nova Scotia was finally forced to respond and put in place a number of initiatives. A lot of work has been done to coordinate the different agencies that are involved—mental health services, victim services, justice, police efforts, and so on.

What can we do at the federal level in this whole picture, besides education?

They talked to us about changing the Criminal Code so that people are held accountable, so that there are consequences to the non-consensual distribution of intimate images. We in the NDP, in the official opposition, made a commitment then to do that, and, as you know, we introduced a private member's bill. I don't, by any stretch of the imagination, suggest it was perfect. It was two pages long, and it was pretty straightforward. It was meant to establish clearly the consequences of non-consensual distribution of intimate images and to change the Criminal Code where it was meant to be changed in order to make sure there were consequences.

Now we have a bill that has similar provisions. I'm sure the provisions are probably better as they relate to the cyberbullying aspect of it, but there are four pages, and then there are another 70 pages that deal with other matters. My concern has been that if we don't get it all right—these issues of privacy are very complicated—the law will end up getting struck down. It will end up getting tied up in the courts, and we will have failed in the attempt to reach our goal, which is to hold people to account and to ensure there are consequences for the non-consensual distribution of intimate images.

That's why, I would suggest to you, this business about anybody who's not 100% for this bill being somehow in favour of the perpetrators over the victims is absolute nonsense, and I am offended by it. I have to tell you that. I am offended by it. That's not why I'm here. That's not why I introduced my private member's bill in the first place. It was to stop it, and it was to do it clearly and simply and quickly, and we can do that. I want you to understand that is our intention.

We raise questions and we hear from people because the other part of this bill is complicated. I am concerned, because I believe this to be true—that it will end up causing problems, and we won't achieve the goal we are determined to deal with, which you have all worked so hard to try to get us to respond to.

• (1220)

I want you to understand that because we're committed to do that. We will continue to be committed to do that whatever happens with Bill C-13. I want to acknowledge and honour the commitment that you've made to this issue and thank you for all of your work.

• (1225)

**The Chair:** There's some more time.

Madam Boivin, do you want to take some of that time?

**Ms. Françoise Boivin:** Sure. I always like to talk after Robert. I also almost jumped out of respect because I so feel for you guys that I understand that anybody would raise any objection to Bill C-13... but not the part on the distribution of images. I'm even a bit against the title because it hints at something that is not there, because it's not the cyberbullying bill like it's called. It's really the anti-distribution of intimate images. That would have been more proper as a bill because that's what it...and plus the tools for police and which tools to give.

I don't think anybody around this table wants to pass too much time on protecting necessarily the cyberbullies, but we do want to make sure that the warrants that will be granted, issued, are legal and, as Robert just said more eloquently than I did before, that they will not be struck down because we all know how long it takes in court.

Some of you, such as you, Ms. Reda, have seen the justice system. It's not the fastest thing in the world and it's very highly emotional for victims who go in front of it. So imagine if you pass one, two, three years in front of the system just to see the warrant being struck down and all the proof that was with it struck down. That's what we're trying to avoid. So it's not protecting the cyberbullies. It's making sure that in our framework we have a Charter of Rights, we have some laws that have to be applied, we have some jurisprudence, and everything fits together.

That's why again I repeat, sadly, we have to take so much time on the second part to give the tools. We all agree it needs more tools because I often hear my esteemed colleagues from the Conservative Party saying we need to give the tools to policemen. Of course, we need to give them tools that are more in sync with the 2014 tools available. Yes, they have to be able to do things, but when we know that we can obtain a warrant by a phone call now, there are judges accessible so fast, a justice of the peace, if you have reasonable grounds and you know something has been committed....

You said something, Mr. Canning, that hit me. You said that no laws will give competence, or whatever. It's true because you can give the best of tools and if they're not applied there's nothing that will improve anyway.

So I think it's important to know, especially from you because I think Bill C-13 is all there because of you. It's sad that it took that, it took the death of kids, to make politicians realize that we needed to modernize certain aspects of the Criminal Code in this day and age, because everybody has been aware of bullying and all its forms for a long time. So it takes a will and sometimes it takes some dramatic events to make things move. So be it, but we still have to do it well.

That's all I want to say. I will never take kindly to those asking questions if it is seen that we are not protecting who has to be protected. We're just trying to do the best job and that's why my first message was that hopefully we can all work together. For the people who are more into police, we have a policeman at the table, an ex-policeman at the table. We have people with all types of backgrounds and we'll really do our best to put the best tools in the hands of the enforcers to make sure that our kids are safe as well as the whole population, because it's not a bill just about kids. It's about everybody.

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

Our next questioner from the Conservative Party is Mr. Wilks.

**Mr. David Wilks (Kootenay—Columbia, CPC):** Thank you, Chair, and thank you to the witnesses for being here today.

It's interesting. I'm retired from the RCMP and I've always struggled with this book, because it's the book we have to follow, whether we like it or not. The problem is that the evolution of crime over, certainly, the last 10 years has gone lightning speed compared to the evolution of this book, which hasn't changed, really, since about 1986.



I hear everyone here, and I want to ask one specific question at the end, but I wanted to give some context as to why I believe the bill has to involve the changing of the privacy laws as well. Right now, as it sits in the Criminal Code, we don't identify anything by "computer data"—absolutely nothing. It's not there. It says electronic data, it says a lot of things, but it doesn't say "computer data". So the police look at it and go, "I don't know if I can do that, and I don't want to create bad case law by something that may or may not be interpreted by a judge as something I could or couldn't do". This clearly defines it, and provides clear definition for the police as to what they can or cannot do.

One of the things they will be able to do if and when this law is passed is to create the clear understanding with regard to the preservation of data prior to a warrant, because right now, there's nothing. It's carte blanche. That's why it's difficult sometimes for the police to do things on Facebook or Twitter or Instagram, because they're trying to figure out if they can do it legally. Morally, they can do it; of course they can. But they have to get it past a judge.

That's one of the first things I wanted to say, because I think this provides a great opportunity to get it right and move forward.

There are things in this bill that should be better, in my opinion. Having used a lot of the Criminal Code, especially with regard to wiretaps, I can tell you, as an author to an authorization for a wiretap, for anyone in this room who thinks it's "wham, bam, done!", it doesn't happen that way. It takes months, if not years of investigation to eliminate every other possible way of doing the investigation before you go to the ultimate, which is a wiretap, because that's the ultimate invasion of someone's privacy. The police take it very seriously, because ultimately, they don't want to screw the investigation up. This provides them with the opportunity to preserve data that isn't there right now.

There are a couple of things that I think need to be better recognized in this bill, which I'll bring forward. People don't even recognize that upon completion of receiving computer data, you must within 60 days notify every person who has been intercepted, along with the entire other part of the investigation that you're moving forward, because the courts have said you have to have the accused in front of the courts within a certain time; you must disclose all of the data within a certain time. You have to do a whole bunch of things, and you also have to notify everyone within 60 days—just about impossible.

So we're going to try to get it right.

The one question I have, Mr. Chair, to each of the witnesses is how do we better educate police officers at the beginning of their training? Because that seems to be where we haven't caught up. The police just say, well, this is what I got. We need to educate them and say, listen, there are other things that you can do to make sure that the Alycha Redas, the Amanda Todds, and the Rehtaeh Parsons of the world know that we have compassion, because we do. We don't want anything to happen to anyone. That's the last thing we want, but we need to educate better.

• (1230)

What do you say to that?

**The Chair:** If you could be relatively succinct it would be helpful.

Thank you

**Ms. Carol Todd:** It's really funny because in Amanda's case, after a year of being harassed online by who we think is the person in the Netherlands, after the second or third report that I made to the RCMP and nothing seemed to be done, my daughter said she was giving up because nothing was being done, and then she started to go back into that shell.

I agree that we need more training for police officers and law enforcement officers—the direct line. How we're going to do that, I have no clue. That's not my job, but I agree that needs to be done and they need to show the empathy, care, and compassion when they get the reports out, because the victims, the targeted people are made to feel like crap. I would use other, more explicit words, but I can't.

You talk about Cybertip, and I had a conversation with the Canadian Centre for Child Protection, and they did get the reports about Amanda. They feel so bad that they couldn't do more for her at the time. They feel more could have been done, but it wasn't.

I know right after Amanda died, I saw Dany Morin on TV in October of 2012. I believe he introduced a private member's bill. I don't know all the details. I was in a shock fog at that time. It was defeated. It upset me that it got defeated because that was the first real thing I'd heard that something was hopefully going to be done.

Six months later, when I found out that Rehtaeh died, it killed me. It shocked me, because after that got defeated back in the fall of 2012, we heard no more about cyber-harassment or cyberbullying. If that conversation had continued, Rehtaeh might be here.

After Rehtaeh died, all of sudden in Nova Scotia, there's a cyberbullying act. The Province of Nova Scotia talked tonnes and tonnes about what happened and they passed a bill, and the Province of B.C. is doing different things. I felt my daughter's death was forgotten for a while, and it took another death to revive it. As a mother, that was horrible.

• (1235)

**The Chair:** Thank you very much, Ms. Todd.

We're going to have to move on. I'm sorry, we won't be able to hear from everyone.

So that was seven minutes and 40 seconds. Just so my colleagues aren't criticizing the chair, I'm treating everyone fairly. If you want answers from the witnesses, be succinct in your questions, please. Thank you very much.

**Mr. Allan Hubley:** If there's something being said around here that we're not getting a chance to respond to, will we have an opportunity at the end?

**The Chair:** Sir, my suggestion is to stick your hand up, so I know you have an answer. You can even pretend you're a politician. If you're asked a question and you want to answer something else, feel free to do so. It's your time.

Monsieur Morin.

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** Thank you.

Thank you so much, everyone, for being here today. All of your testimony has touched my heart once again.

I'd like to thank Ève. I'm not a sitting member of this committee, but she knows how deeply I care about this issue.

This is why, as Carol mentioned, when I was elected to Parliament in 2011, Steve and I, in my office, spent a full year investigating this issue. We wanted to put forward the bill that was introduced in the House in May of 2012; but with the different rules, as you all know, we were only able to debate it in the fall. I'm not going to complain about the fact that my national strategy on bullying prevention was defeated in the fall of 2012. Those who voted against it will have to answer for that.

I and my other NDP colleagues fully approve of the new rules in Bill C-13 about the distribution of intimate images without consent. However, my fear is that with a cyberbullying bill, the government will believe that after Bill C-13 is passed, the federal government will have done what it needed to do regarding cyberbullying.

Mr. Hubley, tell me if I'm wrong here, but in your son Jamie's case, there was no sharing of intimate pictures. But it was still cyberbullying that he experienced for so many months. I'm wondering if you can tell me a little bit more about what you think the federal government could do—laws or whatever else—that touch on other types of cyberbullying. It could be text messages full of hatred or name-calling. It could be a Facebook group that is created to humiliate an individual but where there are no intimate images being shared on that Facebook group, or it could be a fake social media profile where false rumours are being spread but there are no intimate images. All of those types of acts are cyberbullying.

Can you tell me a little bit more about what else the government should do about cyberbullying that does not involve intimate pictures being shared?

• (1240)

**Mr. Allan Hubley:** Those are all great examples.

In response, I'd like to go back to something that Glen mentioned. One of the things the government could do here is to help hold the providers of social media more accountable. Now, that could be that they have to watch what's happening on their sites a little better, or that when keywords pop up they're blocked. We see on some websites that they can do that quickly.

Maybe, if they're going to offer the service, they should be contributing to funds to pay for the front-line services that are required to deal with the fallout of these things, such as the Red Cross program or things like that. If this is a billion-dollar industry, maybe they would be willing to contribute to some of these services. Here in Ottawa we have the Youth Services Bureau, which does amazing work with young people. So there is a lot that could be done there.

You, as parliamentarians, have the clout to go to these providers and start that discussion with them. They're not responding to me when I say things to them, that they need to get control of what's going on on their sites, but they probably will respond to you.

**Mr. Dany Morin:** I have an idea that perhaps you can all comment on. My colleague Mr. Goguen mentioned Cybertip.ca, which is sponsored by the federal government, where people can denounce or report sexual exploitation acts happening.

Do you think something similar regarding bullying could be implemented? For example, a teenage boy being cyberbullied could go on this website, copy and paste the link of their *cyberintimidation*, or send a screen capture of the cyberbullying happening. Then some police force—the RCMP, I don't know—can investigate to see if the claim is valid. If it is valid, they can work with the Internet service provider to track down the bully and then contact the owner of the IP address. With kids bullying kids, the owner of the IP address will likely be the parents; they will receive the email.

Do you think something similar could be interesting—i.e., for parents to play a role in the lives of their children, especially if their child might be the bully?

**The Chair:** Who would you like to answer that question, Mr. Morin?

**Mr. Dany Morin:** Ms. Reda wants to speak.

**Ms. Alycha Reda:** For the last eight years, actually, I have been teaching children about Cybertip.ca, the centre for protection against bullying kids online, because I was a victim who the OPP did a video of, so I know all about that, and that's been around for years.

Recently I have been going into high schools, and I talk with kids about cyberbullying as well as how to report. We have a letter builder that can be found on Cybertip.ca. You can talk about the abuse, and you can talk about the bully. It's a breakdown, so it makes it easier for children. Then you can anonymously give that to your teacher, to your principal, or to your parents. It's just a little letter: fold it, put it in an envelope, and hand it to them. It's their job to figure it out, to bring it forward to the police. Children don't know what to do.

**Mr. Dany Morin:** Well, some kids nowadays are pretty tech-savvy, so I believe they could use an Internet platform to report cyberbullying...for those who can.

**Ms. Alycha Reda:** We do. It's there. People just don't know where it is.

There are people like Rob Nickel, a 14-year veteran of the OPP who has dealt with this and who hunts down child predators, etc. He has been seen on *Dr. Phil* and the Oprah show. He's from Canada. He has programs so that parents can put this software on their computer and information will be sent to their mobile device or to their email, and it will talk about if the kids are swearing, if they're cyberbullying.... There are programs out there; it's just whether or not the government wants to fully fund them.

• (1245)

**Mr. Dany Morin:** That's an interesting approach.

The other witnesses...?

**Mr. Glenford Canning:** We dealt with Facebook a little bit after Rehtaeh died. Someone set up a website, a Facebook profile page called "Rehtaeh Dead Parsons". It had images taken from her Facebook account where they bugged her eyes out and they put belts around her neck like she was hanging. I reported this to Facebook as soon as I became aware of it. I heard back from them within 24 hours. I think that was their response time. They told me that the page doesn't violate their community standards.

I don't think we can rely on these companies to do the right thing. I think they definitely need a nudge, which is what my hope would be, to try to force them a little bit and to say, "Hey, if this isn't violating your community standards, something like this, then you don't have any community standards and perhaps you have no business being a part of our community."

There are alternatives to Facebook. I know that you hit people where it counts. You hit them right in the wallet. That's what matters. A man in Vietnam used Rehtaeh Parsons' picture on an ad, "Meet Single Ladies in Canada". It was all over the news, but the thing is, it was instant that Facebook had that down, because money was involved, and because people started targeting who was advertising on Facebook and asking, "Hey, are you okay with this?" or "Citibank, are you okay that your ad appears alongside 'Rehtaeh Dead Parsons'?"

That's where you hit Facebook. It hit them real hard. It hit them right in the wallet, you know, but it took that to do it.

**The Chair:** Thank you for that.

I believe we are going to have Facebook come in to see us as a witness in the next couple of weeks.

Our next questioner is Mr. Seeback from the Conservative Party.

**Mr. Kyle Seeback (Brampton West, CPC):** Thank you, Mr. Chair.

Just at the start, I think I have to point out something. Some people have been commenting at committee today that if a section of the bill is found to be unconstitutional—and I say "if"—then somehow the entire bill is gone. Of course, we know that's not true.

If a section is struck down, the rest of the bill survives, so I don't think we need to go down that road.

Somebody mentioned a code of conduct for social media—I forget who it was of our witnesses today—and I have to say that after hearing some of the things I've just heard, especially from you, Mr. Canning, it seems like a really interesting idea that at some point we perhaps could look at. It sounds to me as though that could be one road that we need to look at, because if there's a code of conduct that prohibits these types of activities, then these companies could shut down these accounts and other things. But that's just an aside.

Ms. Todd, I wanted to ask you this just quickly. When you gave your opening statement, you talked about your concerns with privacy. I want to understand where your concern comes from. Which part of the bill do you find concerning with respect to privacy?

**Ms. Carol Todd:** I read over parts of the bill and there were little clauses—I don't have the bill with me—that talked about cable and talked about.... There were three different clauses and amendments that confused me, and I wasn't sure how that fit to cyberbullying and cyber-harassment and the sharing of intimate images, which is why I put that in there.

**Mr. Kyle Seeback:** Right...in your statement.

**Ms. Carol Todd:** But in respect to a crime that was committed, where someone shared an image or someone has cyber-harassed and has said defaming words—Glen and I could talk to you for hours about that—that all comes with the need for processes and the things to search those out. I do agree with that, but they need to be done expediently, before someone hides or throws their computer into the ocean.

**Mr. Kyle Seeback:** That's what everyone's talked about at the committee. We want to try and get the balance right, and we do. We recognize that the distribution of intimate images has to be part of it, but I think we also recognize that we have to find the way to make sure the police have the powers to move quickly, to make sure that distribution ceases as quickly as possible.

If anyone wants to respond to that, that's fine. I'll use the rest of my time to say, if any of the witnesses want to respond to anything else that's been raised, please, go ahead.

**Mr. Allan Hubley:** Thank you. If it's all right, I'll respond first to that.

When the bill was first tabled, we actually sat and started looking at it, and our three families got to spend time that night actually looking over things and talking about it. There was the question around the cable part. It was something to do with the cable signal. The way I interpreted that personally, an example I was thinking of, is how you have someone parked outside your house, your Wi-Fi is open, and they tap into your Wi-Fi and start sending out images or messages to people and attacking people under your name, if they can get into your account like that. That's what I saw that clause as being able to deal with.

Now someone else I heard on a talk radio show interpreted that to mean that your bill is going to make sure that I pay my Rogers bill on time. Well, I haven't heard any parliamentarian worried about me paying Rogers or Bell, or whoever my provider is.

● (1250)

**Mr. Kyle Seebach:** We're not worried about that.

**Mr. Allan Hubley:** I was on a talk radio show in Montreal, right after the bill was tabled, and they had a legal expert on there. I was saying, I'm not the expert here on law, give me an example in this bill that causes you concern that we should allow the cyberbullying piece to continue while we sort out these concerns. What I want is protection for the kids. If there's something wrong in this bill, a clause or whatever, as you mentioned earlier, it can be struck down; it can be taken out.

I listened to the gentleman that tabled the bill—and thank you very much for your kind comments—but no one's giving me specifics about what's wrong with this bill. It's not that we doubt that there are concerns with the bill. I'm sure there are, but give us a specific about what's wrong in there. What's the damage it's going to do to somebody, in the interim, while it protects Canadian children? That's our concern.

I read into this bill—and I'm going to wrap up, Chair—there's a need for a warrant. I saw a lot more language in there about who you have to go to in order to get a warrant, the steps that you have to go through, and the production, and all that stuff, than I read about cyberbullying. If anything, if you want to improve that bill, as the lady at the front said—I'm sorry, I didn't get your name—put some more stuff in there about cyberbullying. Great idea. You know, we can offer, all of us can offer you some great suggestions on that.

I'll sum it up as this. Give us some examples of what's wrong with this bill. Why can't we go forward with it? Then maybe we could be a little more sympathetic as we try to protect our children while waiting for this bill. Thank you.

**The Chair:** I have at least two more people who want to speak to it.

Ms. Reda, and Ms. Todd.

**Ms. Alycha Reda:** I actually want to direct it to Mr. Wilks' question, if that's okay, about what police officers can do.

**The Chair:** He opened the door, so you can say what you want.

**Ms. Alycha Reda:** Okay.

Well, I agree, because I'm going into policing. I want to be a police officer, one day. In my travels around Canada, and speaking with children, the one thing that I noticed when having police officers invite me into their community, a lot of kids, when they come forward to me, and I bring the disclosure to the police officer, they come back and they say, "Why weren't you in the room with me? They made me feel like crap. They told me to not lie." A female officer, I won't say where, said, "You better not be lying to me. I have way too much time on my hands right now." She said that to a young girl who was 13, who ended up being abused by her stepbrother, who came forward to me years later.

So revictimization.... Learn to just take the time and have patience. Sit down with them. Don't revictimize them. This is why kids and

adults, and people in general, do not trust officers. I still some days do not trust officers, even in my own community.

**The Chair:** Ms. Todd.

**Ms. Carol Todd:** I keep hearing about Facebook, but I want everyone to know that there are many other social media sites that kids go to besides Facebook that are causing harm out there with the images and with the words. I'd put in that, if we had an international code of conduct.... There have been times in Canada, when we try and get a social media site that's in the U.S., or like Ask.fm, that's in Latvia, and we can't cross those international boundaries. We need those international boundaries crossed in order to protect our kids.

**The Chair:** Mr. Canning, you had your hand up.

**Mr. Glenford Canning:** Yes, sir.

I want to address your point, and I think right now when you look at Bill C-13.... I've read opposition to it the last few days. I've read people's concerns about it, and some of them raise some legitimate stuff, but no one is offering something better right now. That's my problem. I don't want to see this whole thing thrown out, but at the same time, I would like the people who are saying.... I'd prefer it if they said they had a better idea. If it's a better idea, I'm 100% for it. I don't care where it comes from or who's doing it or anything like that. If there's something better, let's go with that, but please do something.

● (1255)

**The Chair:** Ms. Chiles, do you have anything you would like to add?

**Ms. Kimberly Chiles:** With regard to what Carol Todd is saying, one of the things that I came up against was that these sites are often set up offshore, so an international code of conduct would be very lucrative in the sense that they wouldn't be so untouchable.

Host sites as well, things like GoDaddy. It took an instance of possible child pornography for the FBI to act on this, but I feel as an adult maybe the issue of bullying is often made to be a childhood issue. I think it's very much an issue for everyone, and I would like to see us have more power when it comes to fairly obvious accusations. When I say my picture is online and I didn't approve it and you can look at it, what more proof do you need?

I think section 230 makes them untouchable, so the battle over section 230 begins. There was an update a couple of days ago, and it's entering Congress in the U.S. It's an international issue, I think.

I'm not used to public speaking, so I apologize for my being all over the place, but I think it's really important that everybody is familiar with as many aspects of this as they can be. I'm very much of the mindset that an international code of conduct would be beneficial and possibly more so than something like this bill that covers a few too many details at once.

Thanks.

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

Our final speaker with a couple of minutes is Madame Boivin.

[Translation]

**Ms. Françoise Boivin:** Thank you, Mr. Chair.

We have indeed been talking a lot about Facebook, and this applies to more or less everyone. There's a tendency to pick a fairly high-profile group that all young people and adults are familiar with. I want to use my last few minutes to send a message, because I'm sure it will be heard by the right people.

The Facebook people made a special point to come and see us. No doubt, other colleagues met with them as well, given their concerns about the bill's effect on privacy.

And I think, like us, the politicians, the Facebook people have a vested interest in hearing what you have to say about cyberbullying. So, just as we made ourselves available to meet with them and hear what they had to say, we feel it is important for them to appear before us and answer the committee's questions. Once again, my message is this. I know the clerk is doing everything humanly possible to invite them, as well as representatives from Google and other such companies, to appear before the committee. I hope they will hear this message and not avoid us.

Mr. Canning and Mr. Hubley, fear not. We are going to propose some real measures. That is the message I want to send today.

[English]

The idea today was more to hear your stories, to see what you need, and what needs to be done. We're no fools. We're not going to say this is no good. That's not the way we proceed, not on our side anyway. We want to see a few tweaks, not necessarily super-major, but things could be done to this bill to make it palatable, so we're reasonably sure it won't have problems in court that we can foresee.

Nobody ever claimed that if one clause is gone then the whole bill falls. I don't think anybody would be that idiotic, especially around this table, but if the court arrived at a conclusion that a warrant was obtained on bad...and it has a problem constitutionally, and all the proof is attached to it, everybody knows what happens then. That's what we want to avoid. We'll make sure the tools are there for the police to do their job fast and make sure that no other situations like this happen and that it is supported by our framework of laws.

That is the important message we wanted to say, but of course we have some amendments that we will present to make sure of all those aspects. Some witnesses came to our committee and made some pretty good suggestions, knowing full well how to make sure that this bill is all right and does what it's supposed to do. That's the message I wanted to convey to you guys.

Thank you very much.

● (1300)

**The Chair:** Merci, madame.

I want to thank all the witnesses for joining us today. It was a very special meeting for us hearing your individual and very personal stories. We want to thank you for sharing those with the committee and with Canada. Hopefully this bill will move forward over the next few weeks and get through committee and back to the House so that it can move forward.

Thank you very much.

We will see you on Thursday. The meeting is adjourned.

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