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POINT OF ORDER

Statement by:

The Honourable Claudette Tardif

Wednesday, February 4, 2009

THE SENATE

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POINT OF ORDER

Hon. Claudette Tardif (Deputy Leader of the Opposition): Your Honour, I rise on a point of order. Having reviewed the transcripts from yesterday, I discovered that Senator Duffy made certain comments during his speech on the budget inquiry that were extremely offensive.

Your Honour, citation 321 of *Beauchesne's Parliamentary Rules & Forms*, 6th Edition, at page 97, states:

A point of order against procedure must be raised promptly and before the question has passed to a stage at which the objection would be out of place.

Although I recognize that this incident happened yesterday, I believe it is in order to deal with it now since honourable senators have had the opportunity to review the audio recording as well as yesterday's *Debates of the Senate*.

I will not repeat the comments in question because they were just read out by my honourable colleague, Senator Cook, during Question Period. I will say that these comments were not only distasteful but also clearly out of order. These kinds of comments should never be taken lightly and are in clear violation of rule 51 of the *Rules of the Senate*, which states:

All personal, sharp or taxing speeches are forbidden.

This rule is not new; in fact, it has existed since Confederation.

• (1500)

These comments are sexist; they are offensive to senators; they are offensive to the citizens of Newfoundland and Labrador; and they are offensive to Canadians.

I do not want to limit any senator's right to speak freely in this place, however, it is paramount that we maintain the utmost respect for one another in our exchanges and that only healthy and orderly debate derives from our deliberations.

There have been several rulings from the Speaker in the past dealing with unparliamentary language. I wish to cite a ruling on this subject from 2004:

This is not to deny the right of all Senators to a vigorous debate with contending views and exchanges strongly expressed. Rather, it is an admonition to avoid rancour and bitterness that are clearly counterproductive to the healthy exercise of free expression.

Honourable senators, I have every confidence that Senator Duffy did not intend to offend any member of this place, nor did he intend to offend the people of Newfoundland and Labrador. Therefore, pursuant to rule 53(2), I ask that Senator Duffy retract his remarks immediately and apologize, not only to the members of the Senate but to all Canadians.

The Hon. the Speaker: Honourable senators, if there is no further comment on the point of order that has been raised, for a number of reasons, I will take the matter under advisement. One likes to reflect on such matters; therefore, I thank the honourable senator for raising the matter and the Speaker will examine and report back shortly.