

SPEAKER'S RULING
REMARKS DURING SPEECHES

Honourable senators,

On December 14, 2011, after Question Period, a point of order was raised respecting a senator's statement earlier in the day. The statement at issue had commented on a ruling by the Speaker of the other place. A similar issue arose the day before, when a point of order was raised regarding the use of the word "mendacity" during debate.

Honourable senators, normal parliamentary practice holds that "[d]isrespectful reflections on Parliament as a whole, or on the House [of Commons] and the Senate individually are not permitted." This is found at page 614 of the second edition of *House of Commons Procedure and Practice*, and Erskine May also makes similar points. The need for care when referring to the House of Commons is manifested by the widespread—although neither universal nor obligatory—practice of referring to that house as "the other place."

More precisely, Beauchesne, in the sixth edition, at citation 71(1), is quite specific in saying that "[t]he Speaker should be protected against reflections on his or her actions." Likewise, *House of Commons Procedure and Practice*, at page 615, states that "[r]eflections must not be cast in debate on the conduct of the Speaker or other Presiding Officers."

More generally, rule 51 prohibits "personal, sharp or taxing" language as unparliamentary. There is no definitive list of such words or expressions in the Senate. Determination of what constitutes unparliamentary language is left primarily to the judgment of the Speaker and the sense of the Senate. The circumstances and tone of the debate in question play important roles in this determination. In *House of Commons Procedure and Practice*, at page 619, it is, however, noted that "[e]xpressions which are considered unparliamentary when applied to an individual Member have not always been considered so when applied 'in a generic sense' or to a party."

All honourable senators are encouraged to be mindful of these restrictions, and to avoid making reflections on the houses of Parliament and their proceedings or deliberations.