

## Editorial ? Much ado about relatively little?

According to Justin Trudeau, the two members the federal Liberal leader has suspended from his small caucus have been accused of 'serious personal misconduct,' which others have since identified as some form of sexual harassment.

The U.S. Equal Employment Opportunity Commission (EEOC) has come up with a definition for sexual harassment in the workplace: 'Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.'

Normally, the relevant scenario sees the perpetrator as a male boss or relatively senior employee in the particular workplace and the victim as a young female. But in this case the workplace is on Parliament Hill and the alleged perpetrators and victims have different employers, the two complainants being members of the New Democratic Party who would normally have few, if any, contacts with MPs from the other parties.

Thus far, the two suspended MPs have both proclaimed their innocence, and both Scott Andrews and Massimo Pacetti are married with children.

Meanwhile, NDP Leader Thomas Mulcair has accused Trudeau of re-victimizing the two complainants, asserting that while one of the two had approached the Liberal leader Oct. 28, she had not expected him to go public with the matter.

Interestingly, Mulcair stopped short of suggesting what his rival party leader ought to have done, and Claire Hoy says Trudeau should have simply taken the matter to Commons Speaker Andrew Scheer.

But while the Speaker can discipline MPs who get out of line, this normally is while the House is in session and thus is done publicly. The Speaker's website says this concerning his role: 'To ensure the orderly flow of business, the House of Commons observes parliamentary rules and traditions, both written and unwritten. It is the Speaker's duty to interpret these rules impartially, to maintain order, and to defend the rights and privileges of Members, including the right to freedom of speech.'

The problem here is that there is no precedent for such complaints nor any set procedure for handling them, and had Trudeau done so privately he might have been accused of engaging in a coverup.

In the circumstances, it was appropriate for Globe and Mail writer Tom Flanagan to suggest that the three party leaders 'need to come together quickly to establish a regular procedure for handling such matters,' one 'that can establish the truth or falsity of allegations without destroying reputations on the basis of secret allegations and undisclosed evidence.'

As we see it, in the absence of such a procedure, either the complainants or Mulcair (or perhaps all three) ought to have gone to the Speaker and request a meeting attended by the four MPs, who could give their versions of what had transpired, and leave it to the Speaker to decide what action, if any, should be taken.

We say this because we strongly suspect that what happened was at least partly the result of a misunderstanding 'that the two NDP members see as forms of harassment some remarks or gestures that the male MPs see, rightly or wrongly, as neither inappropriate or offensive.

Or, as so often is the case, everything depends on 'the eye of the beholder.'