

HOUSE OF COMMONS

Thursday, June 1, 1995

The House met at 10 a.m.

Prayers

[English]

PRIVILEGE

UNAUTHORIZED USE OF PHOTOGRAPH

The Speaker: My colleagues, a short while ago the hon. member for Saint John raised a point of privilege. I had suggested to the House that we wait until we hear from the minister who was involved. Today the Minister of Health is with us and I have been informed that she has asked to make a statement.

Hon. Diane Marleau (Minister of Health, Lib.): Mr. Speaker, I rise today to respond to a question of privilege which has been put before the House by the hon. member for Saint John.

The question concerns the inclusion of a photograph of the hon. member in a report released by Health Canada on May 19 of this year. The motion is serious and it is important that the House be apprised of the facts involved. According to the information provided to me by my officials, after looking into the matter, they are as follows.

The report contained the findings of an independent panel of experts which had been commissioned by Health Canada to assess the possible impacts of plain and generic packaging of tobacco products. I want to emphasize the independence of this panel. It was given the authority and responsibility to produce an objective and unbiased assessment of the issue. The research conducted by the expert panel included a visual image experiment. It was in this context that a photograph of the hon. member appeared.

A private company was contracted by the panel to provide test pictures for this study. The company has advised that the method by which the photograph of the hon. member was selected is widely used in consumer image research and that it is not common practice to use release forms.

In this instance images from a variety of public sources, including libraries, magazines, stock image inventories and

images in the public domain were compiled by a student on work placement with the firm. These images were then sorted and filed according to certain criteria which had been established by the panel. Final selections were made by the panel after it had reviewed all of the images.

The company has confirmed that numerous images were seen throughout the sourcing and selection process by all members of the project team but that at no time did anyone recognize one of the photographs as being the member for Saint John.

There are other points which I believe should be brought to the attention of the House. These pertain to several statements made by the hon. member when she rose on this question of privilege.

● (1010)

The first concerns the language used in the report to describe the photograph of the hon. member. The only description of that photograph is the one on page 91 of the report. Members will find that it does not correspond to the description that the hon. member has attributed to the report in her motion.

The second concerns the suggestion that this incident is similar to a 1985 question of privilege which the hon. member cited in her motion. It is important that the House be aware that unlike the situation in 1985, the hon. member in this case is not identified in the expert panel report by name as a member of Parliament or in any other manner.

The hon. member has asked for a public apology. I can inform the House that apologies were conveyed by all concerned without delay. I spoke to the hon. member and wrote to her within hours following the release of the expert panel report. I repeat today the regret that I expressed at that time.

The company that provided the photograph in question issued a public apology as did the expert panel. Canadians were advised of these actions through a statement issued by my department to the news media that same day.

The hon. member has also asked for an explanation of the events that accounted for the use of her photograph in the expert panel report. That explanation, which I have related here this morning, was provided in a letter to the hon. member which I am tabling today for the information of the House.