

*Privilege—Ms. Capps*

responses. One witness stated that officials had in their possession copies of their resumé.

The Clerk of the Standing Committee on Human Rights who had invited all witnesses to contact him with any questions regarding the committee procedure had no prior knowledge of the secret meeting in the Prime Minister's Office. For officials of the Prime Minister's office, the office of the Minister of Justice, and the Parliamentary Secretary to meet secretly with and coach witnesses being called before a committee of the House is an extremely serious breach of privilege.

I draw Your Honour's attention to citation 638 of Beauchesne's Fifth Edition which reads:

To tamper with a witness in regard to the evidence to be given before the House or any committee or to endeavour directly or indirectly, to deter or hinder any person from appearing or giving evidence is a breach of privilege. Corruption or intimidation is not an essential ingredient in this offence. It is equally a breach of privilege to attempt, by persuasion or solicitations of any kind, to induce a witness not to attend, or to withhold evidence or to give false evidence.

I conclude by stating that if you find, Mr. Speaker, a prima facie case of breach of privilege, I am prepared to move the necessary motion.

**Mr. Svend J. Robinson (Burnaby):** Mr. Speaker, I gave notice this morning of a similar question of privilege arising from the events which took place yesterday in the Standing Committee on Human Rights. I should like to add some background to the question of privilege.

The appointments in question are made on the recommendation of the Minister of Justice pursuant to Section 38.1 and Section 38.2 of the Canadian Human Rights Act. These particular appointments are of a quasi-judicial nature to a very important tribunal position. The tribunal appointees in question are appointed by the president of the Human Rights Tribunal, a distinguished Canadian, Mr. Sidney Lederman, who in turn appoints people to hear complaints which have arisen under the provisions of the Canadian Human Rights Act. The Tribunal appointees have very extensive powers to call evidence and other powers of a quasi-judicial nature. I think it is important to underline the fact that we are dealing here with appointments of a quasi-judicial nature which are subject to review under the provisions of the Standing Orders. My colleague, the Hon. Member for Hamilton East (Ms. Capps), has already referred to the relevant Standing Order.

● (1510)

Under Standing Order 103 it is a Minister of the Crown who lays upon the Table the appointments and under Standing Order 104 it is up to the committee to which the appointments are referred to decide whether or not to examine the qualifications and competence of the appointee or nominee.

Surely there are serious questions about the integrity of this process when the Parliamentary Secretary to the Minister of Justice (Mr. Gérin) himself participates in a meeting to brief the appointees before their appearance before the Standing Committee on Human Rights. What we are dealing with here is a situation in which the Prime Minister's office has involved

itself for the purpose of briefing witnesses who are to appear before a committee of this Parliament. Why would the Prime Minister's office involve itself in this way? The Prime Minister's office was not responsible for these appointments. These people were appointed by the Minister of Justice (Mr. Hnatyshyn). The individual who briefed these appointees is a Mr. Denis Jollette of the Prime Minister's office.

I want to note as well that these individuals did not request any sort of briefing by the Prime Minister's office or indeed by anyone else. Rather, the secretary to the official from the Prime Minister's Office, whose name is René Levasseur, telephoned the appointees the previous day to urge them to attend the meeting which was held yesterday morning in the Prime Minister's office in the Langevin Block. There was no discussion whatever with the clerk of the Committee about this particular meeting. The clerk did not even know that the meeting was taking place. There was no discussion whatever with the full-time staff of the committee. They knew nothing about the meeting. There was no discussion with members of the committee. The Hon. Member from Hamilton East and myself and other members of the committee were not informed that this briefing, this coaching, by the Prime Minister's office was taking place.

The issue here is quite clear and yet is very fundamental, Mr. Speaker. We as a Parliament have embarked upon a process of scrutiny, of review, of the appointments made by the Government. Surely the process of review is tainted, is undermined, if prior to the committee in question conducting that review the Prime Minister's office meets with the people that are appointed and briefs them about what to expect before that review. That surely constitutes a breach of the privileges of all Members of this House. What it does is effectively undermine one of the very important new Standing Orders of the House of Commons itself.

It may be coincidence that the two people who were briefed that morning in the office of the Prime Minister (Mr. Mulroney) just happened to be the two people who were requested to appear before the committee by the two Opposition Members of Parliament on the committee. It may be coincidence, Mr. Speaker, but I doubt it. That again raises very grave questions about the purpose of this particular briefing.

Your Honour is aware of the maxim that justice must not only be done, it must be seen to be done as well. Yesterday in the committee the Parliamentary Secretary to the Minister of Justice was very candid and straightforward with the committee. He said that he did not know who had convened the meeting and that it was not himself. He said he did not know who was invited to attend the meeting because he did not issue the invitations. What we have is the Prime Minister's office involving itself in this process. As I suggest, what could give rise to a clearer prima facie case of a breach of the privileges of this House and of the Members of this House than that kind of political interference in the oversight process of Parliament itself?