

Senator Perrault: Honourable senators, it is not my intention now to make a major speech on this particular motion. I merely wish to say that because certain matters related to the privileges and immunities of members of the Senate have come before the courts recently, it is not, in my view, appropriate at this time to proceed with this motion.

In light of this situation, and in accordance with the view expressed by a number of other senators, I move, with leave of the Senate, that the order be discharged and the motion withdrawn.

Senator Flynn: Honourable senators, I have no objection to the suggestion of the Leader of the Government, but I should like to say that I cannot associate myself with the reason he gives, namely, that there are matters before the courts affecting this problem. I cannot agree with that at all. The only matter before the courts is an action taken by Sky Shops against a member of the other place in respect of matters which are not related at all to this motion. I cannot agree with the leader, therefore.

The matter which gave rise to the incident which led to this motion did concern a member of this house, but that matter was not at all what we were asking the committee to investigate. We wanted them to look into the privileges and immunities of senators to ascertain what they were, if indeed we had any. If the Leader of the Government is worried that some people might conclude that this committee was being struck because of, or to look into, the Sky Shops business, then I would agree that that is perhaps a legitimate source of concern. But I would have preferred that he give that as the reason for withdrawing his motion.

Naturally, I reserve the right to raise this question again—perhaps at a more appropriate time. Certainly, I think the question, and our going into it in depth, is important.

Senator Perrault: Honourable senators, that is certainly an allied reason for my suggesting that the motion be withdrawn at this time.

● (1450)

In past weeks there has been comment in the media, as honourable senators have noted, suggesting that this proposal for a special committee is really designed to preserve certain rights for the Senate which are not available to other members of the public. I think our intent has been misconstrued by at least some observers in this country, and I know that all honourable senators believe this to be a

totally incorrect construction of the purpose of this proposal.

I agree with the Leader of the Opposition that it may be more appropriate to bring this matter back for further consideration by the Senate at some future time. There is no doubt but that it is an important question. In moving the motion, I made some comments on this particular subject. I stand by those comments. I know that the Leader of the Opposition also stands by the comments he made at that time. I agree with him, however, that for a number of reasons this is not the most appropriate time for the Senate to proceed with this examination.

Senator Forsey: Honourable senators, I am very glad to hear the Leader of the Government and the Leader of the Opposition say what they have about the possibility of raising this matter again at some other time, because it seems to me that the discussion which took place on this subject earlier revealed a considerable degree of uncertainty about exactly what the privileges of senators were in circumstances of this kind, and I think it may be important that at some suitable time—and perhaps this is not a suitable time—this thing should be cleared up. Otherwise, another incident of the sort might occur and we shall be plunged again into the twilight zone in which we found ourselves on the earlier occasion and would not know exactly what was what or who was who or who could give the necessary permission, if permission can be given, and what the proper steps are to take. I think in the long run it is a matter of considerable importance to the Senate, and should not be allowed simply to go by default. I hope we have not got to the stage where years will pass, and I shall be long gone from this chamber, and the thing will come up again in a fresh crisis.

Senator Perrault: It may be very appropriate at some point in the future to refer the whole matter to one of the standing committees. I agree with the honourable senator that it is an important question, but I agree as well with the thought that has been expressed by the Leader of the Opposition that this may not be the most appropriate time. As I say, it is an important question that must be dealt with, but perhaps there will be a better time for it.

The Hon. the Speaker: Honourable senators, is leave granted?

Hon. Senators: Agreed.
Motion agreed to.

The Senate adjourned until Tuesday, February 10, at 8 p.m.