

Privilege—Mr. Keeper

the agenda or more with a topical news item of particular concern to him.

Mr. Keeper: Mr. Speaker, I just want to respond to some of the statements that have been made by way of information.

First, I want to respond to two points which the Deputy House Leader made. I think he would want to be aware of these facts because they affect the operation of all committees, not just our committee. The Deputy House Leader said that I had an opportunity to present the motion. That was not the case. I invite him to read the record of the committee. There was no opportunity to present the motion.

Second, people leave committees. I want to inform the Deputy House Leader that these Members left the committee after there had been an understanding with the Chair that the resolution would be dealt with toward the end of the meeting. It was within the allotted time for the committee, between 9 and 11. It was not any unusual time. I wanted the Deputy House Leader to be aware of those two points.

Third, there was a standard set of orders, I think my colleague said. The business of the committee was discussed in an *in camera* session. I made my proposal at that point. I did not discuss it publicly because I wanted to respect the confidence of the committee, which has been a matter of controversy before. My first opportunity to raise the matter was in public session. I must say that even the order that came out of the *in camera* session was not presented to the public session by way of a motion, which I think would be a normal procedure. Whatever comes out of the *in camera* session to the public session to adopt as the business of the committee by way of a motion was not done.

The chairman on a previous occasion had allowed such a motion by a government Member to be tabled before the committee. That is in the minutes of the committee. On a previous occasion when hearing a witness, a Government Member introduced a motion for us to take certain action. He allowed that. He reversed his own ruling.

What I was seeking was an opportunity to deal with this matter in a public forum because I found that the *in camera* sessions had not dealt with it adequately. What I was seeking was an opportunity to call upon the committee to do its public work. Obviously, the media was there. That is part of our work in this environment. I do not know what else to say.

[*Translation*]

Mr. Gagliano: Mr. Speaker, I too would like to rise on this question of privilege because I was present at that committee meeting and I feel that my privilege as a Member was affected. I would like to make two sets of remarks, Mr. Speaker. I will start with the decision of the committee Chairman not to accept the motion because we had a witness, whereas in a similar circumstance, on December 4, 1986, when a witness was being questioned, the chairman of that same Committee, the same chairman accepted a motion by Government Members. Although some discussion had taken place, we

decided as opposition Members to accept the reasons put forward and for the sake of the witnesses and media attending, we reached an agreement that the motion would be debated after the committee had heard all the witnesses.

• (1520)

After hearing all the evidence, Mr. Speaker, Members left one after the other and the committee had to adjourn for want of a quorum. Mr. Speaker, although Members are free to withdraw at will from a Committee meeting, I consider that the chairman was applying a double standard system in his decision, and we also tend to think that the behavior of the Members on that occasion was not proper, unless they had good reasons, and I am willing to say that it was not the case, so we have serious doubts, we are left to wonder why. Why was there an agreement to debate the motion at the end of the meeting at which time in fact we were left without a quorum?

Mr. Speaker: I wish to thank Hon. Members for the views expressed. Hon. Members will know that it is unusual for the Chair to get involved in committee matters. This is therefore a very difficult situation for the Chair as we are dealing with a substantive claim, and also a difficult situation for the Hon. Member for Winnipeg North Centre (Mr. Keeper). I think the question is quite simple. Would there be a situation in a Committee meeting where the Hon. Member might have leave to introduce a motion or a statement, possibly in another form, the right to . . . It is of course a problem for the Chair, and I believe that in the present situation we might be better advised to adjourn this debate for a while to examine whether the possibility exists where a Member might raise the question on another occasion in a committee meeting. If that were the case, there would be no point in pursuing this discussion.

[*English*]

As a consequence, I will adjourn this debate and perhaps the Hon. Member can have a discussion with his colleagues in the committee to work out the problem among themselves.

If the complaint that comes to the Chair is that a Member has no opportunity at all to speak in a committee, that causes the Chair concern because it gets close to breaking the fundamental rule of privilege by closing off the right of free speech. I would reiterate by saying that I would hope the committees would work together in such a way that the Chair is not put in the position of exercising an authority which in the long history of Parliament it has been deemed wise for the Chair not to exercise. There can always be the accusation that the Chair is interfering in the affairs of the committee.

The Hon. Member for Windsor West (Mr. Gray) said that the Chair has a certain moral authority in a case like this, even if the Chair might not have the strict procedural authority to intervene. I recognize that the Chair, exercising common sense, and calling on the good sense of all Hon. Members, does have a certain moral authority, but that moral authority can certainly get pretty thin if the Chair exercises it too often.