

Members of Parliament. The actions he took led to a view which would be that there are two standards of justice in Canada, one that applies to cabinet Ministers and the other that applies to every other ordinary Canadian citizen. For that reason, I believe that I do have a *prima facie* of privilege and would like to present support for my case. By and large, that is the essence of the question of privilege.

As I said earlier, I would like to begin by very briefly suggesting that the appropriate section of the Canada Elections Act states the following:

The Chief Electoral Officer shall appoint a Commissioner of Canada Elections—whose duties, under the general supervision of the Chief Electoral Officer, shall be to ensure that the provisions of this Act are complied with and enforced.

In the case of the Minister of Energy, Mines and Resources, the Commissioner of Canada Elections inquired into the allegations of the Elections Act violations as they were brought to his attention and did in fact find that violations had occurred.

You are likely aware, Mr. Speaker, that after the investigation took place, the former Commissioner, Mr. Gorman, caused charges to be laid against three officials and one company involved in the Minister's election campaign. Three individuals were charged in Thetford Mines, Quebec. Mr. John Vincent, the campaign organizer, was charged with five offences under Section 62(6) of the Canada Elections Act. As well, Gilles Remillard, the campaign auditor, was charged with violating Section 62(6) of the Canada Elections Act and Section 115 of the Criminal Code. Marthe Lefebvre, a campaign worker, was charged with one violation of Section 62(6)—

Mr. Speaker: Everything the Hon. Member is presenting may well indeed be factual, but I am having difficulty ascertaining how that particular information touches on a question of privilege which, after all, as we define it, means that something has been done which is affecting the ability of a Member or Members to carry on their duties.

I may be having difficulty accepting a position that may be more clear to others than it is to me. I would ask the Hon. Member to come back to the point of how it has affected himself or any other Hon. Member.

• (1510)

Mr. Riis: Mr. Speaker, I appreciate your intervention.

There are precedents which I could quote where there was found to be a *prima facie* case of contempt of Parliament. As Members of Parliament who must face our constituents virtually every day, we have an obligation to take whatever steps are necessary to maintain respect for Parliament and the work done by parliamentarians. This must be done in the eyes of the public and we must make that effort wherever and whenever possible. I believe that the decision taken by Mr. Gorman sends a very clear message to the people of Canada in

that it casts a pall over all Members of Parliament and their activities during an election campaign.

If there was a message it was that, yes, the commissioner indicated in a confidential letter, which has now become public and therefore I feel comfortable in quoting from it, to the Minister of Energy, Mines and Resources that even though the evidence demonstrates that the Minister took part in an infraction of Section 62(6) of the Canada Elections Act, in his, Mr. Gorman's judgment, a prosecution against the Minister would not be in the public interest or in the interests of justice.

What I am suggesting is that that says to the people of Canada that here is an individual whose job it is to make recommendations to the Prime Minister (Mr. Mulroney) but who says, in spite of the fact that he suggested charges be laid against a number of individuals in the Minister's campaign as well as a corporation, it was not appropriate to charge the Minister who was obviously involved in his own campaign. My contention is that that appears to be a two-tiered system of justice.

While the commissioner felt it quite appropriate to recommend charges be laid against a number of ordinary Canadians, when it came to the Minister he felt it was in the public interest and in the interest of justice to not lay charges. I believe that reflects on all Members of Parliament. It appears that certain Members, those in the Cabinet, are not subject to the same rules and regulations that others would be.

I can, if you like, point out a whole number of precedents for a *prima facie* case of privilege being cited against individuals who are not in this House. Of course Mr. Gorman is not in this House. I could refer to the case, in May 7, 1976, when a *prima facie* case was found against a former Member of this place who had alleged that Members of Parliament took bribes. Clearly that was an instance of contempt of this House and, as in this case, had the effect of diminishing respect for the House of Commons.

That is my point. I believe the respect Canadians hold for Parliament and its elected Members has been affected and set in some disrepute as a result of the decision by Mr. Gorman. If you were to examine those actions by Mr. Gorman in light of the precedent I have just referred to and other similar ones, you would clearly find a *prima facie* case of contempt of Parliament has taken place.

It might be useful to remind ourselves of the wide scope permitted in allegations of this sort. I refer you to the 19th Edition of Erskine May, page 68, outlining the difference between a breach of privilege and contempt of the House:

When any of these rights and immunities, both of the Members, individually, and of the assembly in its collective capacity, which are known by the general name of privileges, are disregarded or attacked by any individual or authority, the offence is called a breach of privilege, and is punishable under the law of Parliament.

Each House also claims the right to punish actions, which, while not breaches of any specific privilege, are offences against its authority or dignity . . . Such actions, though often called "breaches of privilege" are more properly distinguished as "contempts".