

Privilege—Mr. Crosby

cannot do otherwise but hear them, and in doing so, I am fulfilling my duties as Speaker of the House of Commons. The Hon. Members of the Official Opposition are using one provision of the Standing Orders, while Hon. Members on the Government side use others. I respect Hon. Members on both sides of the House, and I am trying to conduct this debate as calmly as possible.

• (1600)

[English]

I have a question of privilege from the Hon. Member for Halifax West (Mr. Crosby).

MR. CROSBY—ALLEGED LEAKING OF TASK FORCE REPORT ON ATLANTIC FISHERIES

Mr. Howard Crosby (Halifax West): Madam Speaker, before I embark on my matter of privilege I think it behooves us to respond to some of the remarks of the Hon. Member for Nipissing (Mr. Blais) as to those who use the rules of the House.

Madam Speaker: Order, please. The Hon. Member was rising on a point of order. He said what he had to say, I ruled on that point or order, and the Hon. Member will not comment on that ruling. If he wants to expose a question of privilege, I will hear him.

Mr. Crosby: Madam Speaker, matters of privilege do not give rise to legal precision in the manner in which some Members have indicated in this House. In fact, no less an authority than our own Clerk of the House has said in the course of an article that the Canadian Parliament has always refrained from defining privilege too precisely in order to avoid anything which could be used to limit privilege in the future. I remind the Chair of that statement because, in order properly to raise a question of privilege, one has to lay the groundwork and refer to the—

Madam Speaker: Order, please. I see where the Hon. Member's question is coming from. The groundwork may be laid once the Hon. Member has told me what the question of privilege is. That is what the House wants to hear in the very first part of the Hon. Member's intervention. After that, if I feel I need some information, I will allow the Hon. Member to develop his arguments.

Mr. Crosby: Madam Speaker, if I may state my question of privilege as precisely as I can, it relates to the fact that the report of the task force on the Atlantic fisheries was prepared under Government direction and that matter has been reported on to the House. But what has happened over a period of time is that there has been systematic and deliberate leaking of items within the report by Ministers of the Crown, such as the Minister of Fisheries and Oceans (Mr. De Bané), the Chairman of the Task Force, J. Michael Kirby, and other persons connected with the task force. Publication of elements of the report has caused great confusion and difficulty for people in

my constituency, across my province of Nova Scotia, and to many who are concerned with the Atlantic fisheries.

Therefore, I rise to complain as a Member of the House of Commons that both my privileges and my ability to represent my constituents have been adversely affected by this deliberate action on the part of Members of the Government and others connected with the Government.

I can provide examples, Madam Speaker. In a statement printed in the Halifax *Mail Star* it is reported that the Minister of Fisheries and Oceans hinted there were differences within Cabinet. While he recognized the urgency of settling on a new policy, in those areas where there was no unanimity the report would have to be delayed.

In the case of J. Michael Kirby, Chairman of the Task Force, he has given interviews to members of the press also.

Madam Speaker: Order, please. The Hon. Member has said nothing since the beginning of his intervention which would allow me to think that he has even the beginnings of a question of privilege. The Hon. Member knows that the way in which the Government chooses to publicize its policies, programs or studies has nothing to do with privilege. That is quite a different matter and I will not spend any time defining privilege to the Hon. Member. He knows what it is.

The leaking of publications to one person rather than to another—we had one the other day and I ruled on it—is not a question of privilege. If the Hon. Member has a question of privilege, I would like him to come to the point immediately so as to allow me to judge whether he has one. If he speaks for ten minutes without telling me what the question of privilege is, I will have to assume that it is not very clear in his mind where the privilege lies. I am sure the Hon. Member can be clear, and I invite him to be.

Mr. Crosby: Madam Speaker, in order to respond to the challenge you have given me—

Some Hon. Members: Oh, oh!

Mr. Benjamin: What challenge?

Mr. Crosby: The challenge to state my question of privilege. It is simply this. On November 5, 1982 my colleague, the Hon. Member for South Shore (Mr. Crouse), asked the Minister of Fisheries and Oceans when the report would be published. The Minister responded that it would be published at some later date. Again the other day my colleague, the Hon. Member for Vancouver South (Mr. Fraser), asked when the report would be published and again the response was "At a later date". In fact, elements of the report are being published all the time by way of leaks to members of the press. That affects our privileges in dealing with this very important matter.

Without regard to the technicalities of privilege, Madam Speaker, which I would be pleased to discuss and provide documentation, I am simply saying that I am having difficulty dealing with this very vital matter of policy with respect to the