

Privilege—Ms. Copps

Premier of British Columbia before he became assistant to the Prime Minister of Canada. When questioned in committee with respect to his views on public policy he would not answer.

The job of the committee is to evaluate the suitability of a candidate to perform the job to which he or she has been appointed by Order in Council. There are several basis upon which this evaluation can be made. It can be done on the basis of the number of degrees the person has, the type of work experience he or she has, or any record concerning public attitudes. The other basis upon which the evaluation can be made is with respect to the candidate's attitudes on public policy that fall within the area in which he or she will be working. The gentleman to whom I am referring was involved in the area of federal-provincial relations. This is the type of examination which would take place before the American Congress.

What I think is of interest and of relevance to this question of privilege is that the official to whom I have referred refused to answer any questions with regard to his views on public policy. This left the appearance that he had been, shall I say, coached or instructed, or at least that he had had some conversations—

Mr. Speaker: Order, please. The Chair is reluctant to interrupt the Hon. Member. Apart from the propriety of proceeding with these remarks concerning another person in another place and in another situation, the Chair is wondering how helpful they are in terms of deciding this point. I ask the Hon. Member to ensure that his arguments, which are always helpful to the Chair, keep on the point.

Mr. Keeper: Mr. Speaker, I am endeavouring to keep to the point.

The point I am making is that the committee has been assigned a task. That task is to review a candidate's suitability for appointment by Order in Council to a specific position. I am suggesting that one of the basis upon which it is necessary for the committee to examine a witness is with regard to his or her attitude on public policy as it relates to the position. The experience we have had with regard to at least one such appointment was that the witness who appeared before the committee refused to answer such questions. I am suggesting to Your Honour that this had the appearance of having been done as a result of instructions from his civil service or political boss.

I suggest this is relevant in terms of Your Honour's consideration of this point. If Your Honour is dealing with the question of whether a witness has been coached or not before appearing before the committee and whether that is a breach of privilege, then the experience which I relate is relevant to Your Honour's ruling. It is something which affected our capacity to judge whether or not the person was suitable for the position. We had, shall I say, one of the legs of the three-legged stool with which we had to judge the quality of this appointment taken away.

Mr. Albert Cooper (Peace River): Mr. Speaker, I wish to participate briefly in this question of privilege. I wish to touch upon what I consider to be the four key points of discussion here. First, I wish to touch on the whole concept of what we are dealing with since it is a new process. Second, I wish to deal with the business of Citation 638 of Beauchesne's, that is, the concern about tampering with witnesses. Third, I wish to talk about the concept of briefing witnesses. Fourth, I wish to talk about the role of the committee.

Dealing first with the process that is under discussion, I think it is absolutely imperative that all Members of the House understand the dangers that we are now engaging in. One of the things talked about in the McGrath Task Force was the danger of partisan activity and partisan use of committee procedures and the impact that that would have on the reforms. The reforms that we are dealing with today are extremely important to the committees and extremely important to the House of Commons. I think they are extremely important to all Canadians. This type of partisan approach to the issue and this partisan use of the rules will subvert that process and destroy any reforms that possibly have a chance of succeeding. We have to remember that they are provisional rules and that we are now in the test run. If we wish them to survive, and I am certainly one who wishes that they do, then we have to be very careful with the type of things that are being brought before the House of Commons.

My second point is with respect to Citation 638 of Beauchesne's. The whole tone of that paragraph is with respect to the concern that witnesses have been tampered with, tampered with in the sense of not appearing before the committee or being discouraged to appear; tampered with in terms of their evidence; or tampered with in terms of the type of things they will say to the committee. I think it is absolutely essential to go back to that meeting and have a look at what happened there to see if in fact any tampering went on. The impression I have as a result of conversations I have had with members of the committee is that the meeting was extremely open and frank. There was no desire on the part of any of the witnesses or on the part of the Parliamentary Secretary to deny in any way the fact that this briefing meeting took place. So there was a very open procedure. There was no impression of tampering in any way.

As experienced Members of the House will know, if they are concerned about evidence that is being put before the committee by the House, then they have the right to swear a witness. There was no request by any member of the committee to have any of the witnesses sworn. Obviously, there was a sense that the evidence coming from the witnesses was in fact relevant and had not been tampered with.

The third point with which I would like to deal concerns the idea of briefing witnesses. I find it absolutely absurd that someone would rise in the House of Commons and take the position that witnesses should not be briefed by anyone but the clerk. Anyone who has spent any time in the House of Commons, or on any of its committees, will have realized and