

*Question of Privilege*

In any event, Mr. Speaker, you say this is the practice, but that is a matter of opinion. There is no rule on the matter, whether or not there is a practice. Under our rules there is nothing to preclude what I have done or what the Minister of Justice did.

**Mr. Fulton:** Why do you keep on asserting what is not correct?

**Mr. Martin (Essex East):** What was that observation?

**Mr. Fulton:** Why does my hon. friend keep on asserting what is not correct?

**Mr. Martin (Essex East):** The Minister of Justice is now encouraging the usual avalanche of obstruction from this government that regards its majority as a way of delaying—

**Mr. Speaker:** Order. I suggest we try to follow a straight line. We seem to be embarking on a number of cross currents and explanations. If the hon. member would complete his reference to the question of privilege which he raises, then I think the matter would be concluded.

**Mr. Martin (Essex East):** I quite agree, Mr. Speaker.

I hope I shall never allow any member to be struck in his honour and integrity on the basis of a motion such as this, suspicion fortified by questions with a member of the house holding the high and responsible position of Leader of the Opposition refusing to accept his personal responsibility to make a charge—

**Some hon. Members:** Order.

**Mr. Martin (Essex East):**

—on the basis of his opinion and belief with respect to the alleged findings of a judge—

**Hon. Howard C. Green (Secretary of State for External Affairs):** Mr. Speaker, a point of order—

**Mr. Speaker:** A point of order has been raised by the minister.

**Mr. Pickersgill:** Can a point of order be raised on a question of privilege?

**Mr. Green:** Your Honour stated a few minutes ago that it was not the practice to read from these preliminary takes, as they are called, of statements made in the house, yet the hon. member for Essex East, ignoring that statement and ignoring the practice, is going right ahead and reading it as though nothing had been said. Now, as a matter of common sense, it would be very unfair if we permitted these preliminary takes to be read. They have not been checked by the editor of *Hansard*. They simply come from the reporter and are placed on the desk of the editor of *Hansard* to be corrected.

I know from personal experience that quite frequently there will be an obvious mistake. The reporter may be called in by the editor to check up and be sure that the transcript is right. These first takes frequently have errors in them, and it would be absolutely ridiculous to establish a practice in this house under which members could get up and quote these first drafts as the gospel truth, and go on to base arguments on them. If we are going to allow a practice of that kind, then there is no telling where we will end up. I suggest to Your Honour that Your Honour should find that these takes should not be quoted in the house.

**Mr. Speaker:** I should like to hear the hon. member for Essex East on the same point of order.

**Mr. Martin (Essex East):** Your Honour will recognize that it is a well established rule that when a question of privilege is being raised it is wholly improper to raise a point of order as the hon. gentleman has just done.

**Some hon. Members:** No, no.

**Mr. Martin (Essex East):** Hon. members say "No, no". I ask them to look at the famous case of Mr. Gladstone and see whether that is not the situation.

**Mr. Speaker:** As the matter has now been raised as a point of order I feel that I cannot leave it at the observation which I made previously. No precedent has been cited to me on this point, as to the propriety of reading this unofficial first transcript of the reporter's notes. If the hon. member can cite any authority I should be glad to have it. It was on the advice of the Clerk of the house, who is experienced in these matters, that I called the hon. member's attention to the situation and said that it had not been the practice to do this. I did not stop him because I am not sure there is an established rule which prevents him from reading this document for the purpose of establishing that there was a change. The Secretary of State for External Affairs has raised the question, and I am at a loss to decide whether or not there is an established practice of the house which prevents the hon. member from proceeding.

However, I think it is not in issue that there was a change. As I understood the Prime Minister, from his explanation or his answer to the question of privilege raised by the hon. member, he felt that the changes he had made were in accordance with the practice of the house. The hon. member does not have to pursue the point in order to establish that changes were made.