

Privilege—Mr. Crosbie

Miss MacDonald: Madam Speaker, it is my contention that the House has been misled by the minister's reference at page 17592 of *Hansard* where he referred to a two-year delay in imposing jail sentences on operators of small retail food stores who have not adopted metric measurements. That has to be compared with the letters being sent out to those same small food store operators by officials from the weights and measures section of his department. I presume they are being sent with the authority and approval of the minister. There is no mention in those letters of a two-year delay in the imposition of a jail sentence. Such a letter was sent to a Mr. and Mrs. Menikefs of Kingston which states that the conversion period for their store was from January 4, 1982 to March 3, 1982. It goes on to say:

It is now an offence in this location under Section 7 of the Weights and Measures Act and Section 339 of the regulations to use a weighing device that does not measure in metric units of measurement.

This department will enforce the Weights and Measures Act which provides for penalties of a fine not exceeding \$1,000 and/or imprisonment up to six months for each offence.

There is absolutely nothing in that letter, Madam Speaker, about a two-year delay in the imposition of a jail sentence. It states instead that the recipient of this letter must contact the district manager of that department as soon as possible to—

Madam Speaker: Order, please. I have listened to the hon. member for about five minutes and it seems to me that she might have a grievance. She might have found some discrepancy or lack of clarity in certain instructions as compared to what the minister has said in the House. That is a matter which the hon. member might want to clarify in the future through other means at her disposal, but it certainly is not a question of privilege and I have to rule on the basis of what the hon. member has been telling me for five minutes.

MR. DE JONG—REPLY OF MISS BÉGIN DURING QUESTION PERIOD

Mr. Simon de Jong (Regina East): Madam Speaker, the Minister of National Health and Welfare (Miss Bégin), in a reply to me during question period, suggested that Mrs. Stavro was dead. To the best of my knowledge, the lady is alive. In fact, she settled out of court with the Upjohn company in March—

Madam Speaker: Order. Whether someone is dead or not is not very much a matter of debate, but the hon. member is debating the question and it is not a question of privilege.

MR. CROSBIE—ALLEGED IMPROPRIETY RESPECTING DOCUMENTS FILED WITH SUPREME COURT OF CANADA

Hon. John C. Crosbie (St. John's West): Madam Speaker, it is a privilege to be alive sometimes! I want to give notice of a question of privilege arising out of question period. There has been a most serious lapse of propriety by the government through the Department of Justice and—

Madam Speaker: Order.

Mr. Crosbie: Madam Speaker, this is a matter which deals with the administration of justice.

Madam Speaker: There is no need to give oral notice of a question of privilege. The hon. member can raise a question of privilege which arises from today's proceedings, but the hon. member rises and says he is giving notice. I have said several times in the House that oral notice is not appropriate; I must be given written notice of a question of privilege.

Mr. Crosbie: Madam Speaker, my question of privilege, of which I am not giving notice, arises out of question period. There has been an apparent serious interference with the judicial system of this country which just came to our notice this morning when we had a search made at the Supreme Court registry to see what documents were filed in connection with this offshore reference. Three documents were filed: a notice of motion on May 20 by the Department of Justice; an order in council on May 19; a political press release of the Minister of Justice (Mr. Chrétien) dated May 19 in St. John's, and filed on May 20. It is headed "Statement by the Minister of Justice and Attorney General of Canada, the Hon. Jean Chrétien, on the Newfoundland offshore reference".

It then gives a series of alleged reasons why the government is filing this reference before the Supreme Court of Canada. It gives arguments why the federal government is ignoring the fact that the provincial government had recently filed a reference to the provincial Court of appeal dealing with the same series of matters, saying that they are too complex and much broader, and giving the alleged reasons why the government is proceeding as it is.

• (1210)

It is totally improper to file a document in the Supreme Court of Canada containing a series of political arguments by a minister who is a politician, where the judges can see the document. I know the hon. gentlemen opposite do not think there is any impropriety in this or that the matter is a question of privilege, but in any event I will make my point.

This is an interference with the judicial system by a member of the government. It is a breach of the privileges of members of this House. The matter has to be dealt with by this House. This kind of impropriety has to be stopped either on the instructions of the Speaker, the House or someone else.

In all my years as a lawyer, I have never experienced such a blatant attempt to influence a court by filing political press releases in the court docket in a place where judges could see them if they ask to see the file, as no doubt they will. The docket number is on the document as well; the number is 17096.

I put this matter before the House. In my view, it is a breach of privilege and it should be referred to a committee, although I am certainly prepared to hear other suggestions as to what should be done about it.