

We have seen over the weeks and months that some of that correspondence has been brought into the House to be used for political purposes, to impugn the character and abilities of Ministers on this side, and never a question has been raised as to whether that was proper. If a question can be raised in this case that in fact this is improper, then I suggest to you, Mr. Speaker, that in every one of those previous cases—

Miss MacDonald: Oh, come on.

Mr. Evans:—where a letter, private, privileged correspondence between a Member of Parliament and a constituent—

Mr. Blenkarn: You missed the point.

Mr. Evans:—was brought before the House for political purposes, that letter also has to be considered a violation of the rules of the House.

Hon. Bill Jarvis (Perth): Mr. Speaker, in terms of the broader issue, as my servant and the guardian of my rights, I would say, without attempting in any way to indicate to you what all of your responsibilities are, that there are responsibilities, I would dare suggest, to us and to those who might succeed us. If I, as a lawyer, a head of a company, the president of a charitable organization or special interest group, took it upon myself in my representative capacity to correspond in private life with a Minister of the Crown and subsequently decided to seek office in this Chamber, on the basis of the intervention of the Parliamentary Secretary and on the basis of what the Minister has done, I would have to ask myself what were the contents of the letters which I wrote to the Minister before I succeeded to office in this Chamber. That is the basic issue. The second question that I would have to ask is to what degree I could be subjected to illegitimate intimidation by the threat of making that correspondence public. As a Member of Parliament I would be in an impossible Catch 22 situation. In reply to a question of the Minister, "Can I make this public?", I would have to say either no and be intimidated by the accusation of engaging in a coverup or hiding something; or, say yes and let the documents be made public, even though I wrote them in a totally different capacity years ago. That, therefore, is the broad issue.

I am not sure that the Minister's accurate interpretation of the correspondence or gross distortion in the interpretation is pertinent, although I welcome the apology which was made today. The issue is whether a Minister may, by requesting the right to table documents, have the concurrent right of putting a Member of Parliament in such an intimidated position that there is no possibility of his coming out even by saying yes or no to the request to table. That is the issue and it is a deeply disturbing one. I would not relish the challenge you have, Mr. Speaker, in dealing with it.

I wish to deal with a much narrower issue with respect to the same set of facts, and I believe it cannot be severed from the main point of order. It deals with the accuracy of documents in possession of the House, those documents which form Sessional Paper No. 322-7/2. In your ruling, Mr. Speaker,

Point of Order—Mr. Epp

delivered last Tuesday with respect to the question of privilege raised by my colleague, the Hon. Member for Wellington-Dufferin-Simcoe (Mr. Beatty), concerning the obligation of Members to correct contradictory or misleading information which forms part of the record of the House, you noted that Citation 19(1) of Beauchesne's Fifth Edition states:

A dispute arising between two Members, as to allegations of facts, does not fulfill the conditions of parliamentary privilege.

• (1640)

I have concerns about the reach of Citation 19(1), Mr. Speaker. For example, when a Member deliberately takes another's words out of context or so distorts them as to cause them to lose their original meaning, I do not understand how the defender could be permitted to hide behind the provisions of Citation 19(1). Indeed, it seems evident to me that Citation 319(3) of the same edition of Beauchesne would overcome the provisions of 19(1) in certain circumstances. Citation 319(3) reads as follows:

In the House of Commons a Member will not be permitted by the Speaker to indulge in any reflections on the House itself as a political institution; or to impute to any Member or Members unworthy motives for their actions in a particular case; or to use any profane or indecent language; or to question the acknowledged and undoubted powers of the House in a matter of privilege; or to reflect upon, argue against or in any manner call in question the past acts and proceedings of the House, or to speak in abusive and disrespectful terms of an Act of Parliament.

However, in the present instance, Mr. Speaker, we are not dealing with a dispute as to facts between two Members, nor are we dealing directly with an imputation as to the motives of a Member or the meaning of the words chosen by a Member of the House. Instead, we are dealing with a case in which a Minister of the Crown has tabled some documents, among which are numbered letters written to the Minister, his predecessor, and an official in his Department. I have heard no objection as to the authenticity of those documents by the Leader of the Opposition (Mr. Mulroney) or by any other Member in this House, nor did the Minister of Finance (Mr. Lalonde) comment on the substance of those documents when tabling them in the House.

What is of concern and what is the nature of my intervention, is the accuracy of the French translation of the documents which were tabled by the Minister of Finance. As you have already heard, Mr. Speaker, the Minister of Finance clearly referred to a single letter when he made his allegations in the House last Tuesday. That letter was said to have been sent not to the Minister but to officials in his Department. What is most interesting about the package of documents that was tabled by the Minister is the fact that only one of the documents took the form of a letter sent by the Leader of the Opposition to an official. That letter is dated April 13, 1982, and was addressed to Mr. Ian Stewart.

As you will recall, Mr. Speaker, the Minister of Finance alleged that the letter sent to his officials contained a representation calling for an advantage to be given to the rich. Nowhere in the English text of the letter can such a request be found. The Leader of the Opposition, writing, as he was then, in his capacity as President of the Iron Ore Company of