

Speaker's Ruling

[*Translation*]

If the Chair appears to belabour the point, it is simply to insist upon the potential complexity and length of the process initiated by the characterization of a question of privilege as *prima facie*.

[*English*]

The Chair states clearly that it would have very little difficulty in characterizing the revised motion as privileged, yet the Chair is reluctant to unleash the consequences of that decision. At this stage I wonder if I could prevail upon the hon. parliamentary secretary to consider, in view of the deletion of part of the proposed motion, whether he wishes to proceed with this matter as a privileged item at this time.

I would ask the hon. parliamentary secretary if he would help the Chair in that regard.

Mr. Cooper: Mr. Speaker, I have no problem at all in accepting the ruling that you have made today or the word of the hon. member for Windsor—St. Clair. It also would be my intention, as I understand it, to go ahead with the amended motion. I do not have a problem with that, if I am sure I have the right words.

Mr. Speaker: I take it the hon. parliamentary secretary has accepted completely the words of the hon. member for Windsor—St. Clair, and that is the hon. parliamentary secretary's declaration to this House. The hon. parliamentary secretary wishes to move the motion.

Mr. Albert Cooper (Parliamentary Secretary to Leader of the Government in the House of Commons) moved:

That the entire matter of the demonstration held in the public gallery on Wednesday, October 17, 1990, during Question Period be referred to the Standing Committee on Privileges and Elections.

Mr. Speaker: The House has heard the motion. Is there agreement?

Some hon. members: Agreed.

Motion agreed to.

Mr. Howard McCurdy (Windsor—St. Clair): Mr. Speaker, I appreciate that at last a judgment has been rendered by the Chair on this matter which has, according to your opinion, dissolved itself into a question of the behaviour of students, the appropriateness or otherwise of student demonstration, and a peculiar motion to send

the question of student demonstrations to the committee on privileges.

This is a matter that will require considerable reflection on my part to understand, in view of the statements and actions which precipitated it.

What we have with respect to this member is a decision that says that a member is to be taken at his word in the context of an allegation of contempt against this House that is based upon the unretracted deliberate statements of a member which brought forth contrived evidence to this House, and yet the only judgment is whether or not I am to have my word accepted.

It seems to me in the circumstances that we should review the nature of such charges in the mother Parliament where, if a member brings a charge of contempt against another member and which charge fails, that member is open to charges of contempt of the House himself. I would suggest to you, Sir, that the member who brought the charges to the House in the first place was far more in contempt of the House than were the students or his confreres who behaved in an atrocious way subsequent to that student demonstration.

• (1120)

Mr. Thacker: Nonsense.

Mr. McCurdy: The member brought a charge that was completely unsubstantiated; charges that were unsubstantiated according to his own—

An hon. member: He should retract them.

Ms. Mitchell: He hasn't apologized.

Mr. Speaker: Just a moment. The hon. member may well have another occasion to continue this debate, but just so that all hon. members understand it and so that the public that is watching understands it, the hon. parliamentary secretary made certain accusations on a question of privilege. I have found, on the basis of the absolute denial of those charges by the hon. member for Windsor—St. Clair, that there is no *prima facie* case to put to the House.

If the hon. member for Windsor—St. Clair wishes to debate this further at some other place, he of course can find his appropriate forum to do so. Perhaps he will want to discuss it at the committee.