

had been impeded by this unnecessary imputation that we, as members of the House, may not be taken as people of our word.

I will outline the four offensive statements that I was to agree to if I wished to go into the lock-up. The document was to be dated November 23. First, it was to acknowledge receipt of a copy of the report of the Auditor General to the House of Commons for the fiscal year ended March 31, 1978. I took no objection to that.

The four parts of the declaration to which I did take objection are as follows: First

I undertake not to remove them—

Meaning the actual report of the Auditor General and the *Conspectus* which was also to be furnished. It continues:

—from Room 308 West Block before the report is tabled in the House of Commons.

I agree not to leave this room without escort before 2 p.m. this date.

I understand that interviews on the publications mentioned above are not to be given until the report has been tabled in the House of Commons, and I agree not to divulge the content of these publications until after tabling.

The basis of my privilege would turn on two related but, I would suggest, separate points. First, I believe there should be an adjudication as to whether once you give the existence of a lock-up, and there has been no dispute about that, the lock-up was agreed to by the public accounts committee of this chamber, any member should feel free to attend if he wished. The only qualification stated by the chairman of the public accounts committee with respect to the lock-up was that the usual requirements of lock-ups would somehow be acknowledged and followed.

As I understand it, the actual drafting of the declaration that I was requested to sign was done by the office of the Auditor General. In short, the public accounts committee said that there would be a lock-up and the usual requirements would apply.

Having met that declaration I feel we must consider, given the existence of the lock-up to which I have referred, can a member be forced to sign a declaration saying he will divulge nothing? Can a member's freedom of movement be restricted as one of the conditions of that lock-up? What I am about to say, Mr. Speaker, turns very heavily on what is meant by that term "hon. members of this House". What is meant when we swear the oath before we take our seats in this House? I would say, when one relates the tradition of this House to the very heavy precedent that we are to be treated as men of honour, that our word is to be accepted, there is a serious challenge to that premise in the whole context of the draft declaration that members were confronted with on November 23.

In support of what I am saying I would point out that we have standing committees of this House that not infrequently hold in-camera sessions to prepare their reports for further tabling. This type of thing is dealt with from time to time in *Hansard*. At no time, to the best of my knowledge, has it ever been suggested that a member of this House who chooses to attend an in-camera meeting of one of our standing committees with a view to preparing any report, whether or not it is to

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be tabled in this House, has been required to sign a declaration such as the one I was confronted with on November 23, to give any indication that he would not discuss the report. As I understand it, that is taken for granted. It is understood. If a member is invited and does attend any type of secret session or one that is generally regarded to be off the record, as a man of his word, he will not breach that trust.

You will recall, sir, that on May 19 at page 146 of *Hansard* there was a question of someone apparently speaking out of turn concerning something that had transpired in an in-camera session of a then committee of this House. At that time it was generally felt that the proper course to follow, if someone breaches the traditional rules of this House, was that an hon. member should then get up on a question of privilege and ask that that individual member be dealt with. I would refer you, sir, to Beauchesne, citation 46, where the question of secret sessions of the Canadian House of Commons and the British House of Commons is explored. The keeping of the secrets that presumably might be revealed in those secret sessions is held as a member's duty.

There is no suggestion that any member has to sign some separate type of declaration or take any oath that he will not reveal whatever he learns in such a session. Again, I would say that the whole requirement that a member of parliament remain in a specific place until a specific time is obviously a restriction of his freedom of movement and his ability to serve as a member of parliament generally. Should we not accept that members who have due regard for secrecy whether locked into a room or not, since they are not locked up, for example, until a committee reports, to which I have just referred—

**Mr. Speaker:** Order, please. While the hon. member is on that subject, in the circumstances to which he is referring, would he be proposing that, given this lock-up, which is an arrangement that I might have to look at in terms of the rights and duties of members, when he or any other hon. member had appeared and entered the room and secured copies of documents, that they ought equally to be free to leave the room with copies in their possession, also on the understanding that they would have to be trusted not to break secrecy?

● (1512)

To keep them in the room once they have entered, even though voluntarily and without signing any declaration, even to prevent them from leaving the room with the document in hand, would somehow be equally an interference with the freedom of the hon. member in the circumstance. I would like the hon. member to deal with that.

**Mr. Stevens:** Yes, Mr. Speaker. As I understand the thrust of your general comment, I feel that in truth would be another breach of our privilege in this House. The reason I am raising this is not so much to point the finger at any particular group, certainly not at the Auditor General. It is simply to get a new focus on something that I feel has not really been properly dealt with in this House. It is the question of how do we treat relatively confidential matters such as the tabling of the