

I am sure if that is the interpretation the government House leader places upon the matter, since he is now prepared to reconsider the question of televising and radio broadcasting of the proposals, he would also be prepared to submit a change in the terms of reference which would allow interim reports to be made if it was found necessary for them to be made.

I think what is at issue here is a fundamental principle. We are in a situation where there have been two gags applied to Parliament so far, one in closure which cut off the right of this House of Commons to debate the Constitution of Canada, and a second in the insistence of all of the government, with the exception of the government House leader in the other place, on the December 9 deadline. We hope that the government House leader in the other place will prove to be persuasive and bring members of the government to his point of view so that there will in fact not be an artificial limitation on the right of Canadians to be heard on this important question. That is a two-piece gag. We hope there will not be a three-piece gag by also refusing the people of Canada the right to see and hear discussions by their Parliament about their constitution.

What is at issue here is the principle that the public of Canada has a right to know about the Constitution of Canada. That is a position that is upheld universally here. I am pleased to see that as a result of frequent pressure there is now at least some willingness to reconsider the refusal to let the people of Canada see and hear what is being said about their constitution by their elected and appointed representatives. I hope that decision will result in a reversal of the position that the government has taken to shut the public out of constitutional discussions.

I repeat my point that even a decision of that kind, if it is taken by the government, may not necessarily dispose of the question of privilege which is before us, nor will it of itself clarify the question as to whether a committee of this House has the right to decide on its own whether to have its proceedings covered live by radio and television.

Hon. Perrin Beatty (Wellington-Dufferin-Simcoe): Madam Speaker, on this question of privilege I want to augment what my leader was saying with regard to comments by the government House leader a few minutes ago when he read from the French version of Beauchesne as to the ability of the committee to make interim reports. There are a number of matters which are before the committee at present which may require the committee, so that it may conduct its affairs properly, to make reports to both Houses.

● (1610)

Before you make your ruling on this question of privilege, Madam Speaker, it would be useful to bring to your attention the fact that on Monday night in the Senate a motion was moved to amend the main motion. The amendment was moved by Senator Smith, and in it he asked that the time given to the committee be extended before it makes its report. While that debate was taking place, Senator Ray Perrault, Leader of the Government in the Senate and a member of the cabinet, intervened to explain why he felt it was unnecessary for the

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Senate to amend the motion and to lengthen the time available to the committee before making its report. Senator Perrault said this as the government House leader in the Senate, as reported at page 1146 of the Senate *Hansard* of November 3:

As far as the proposal to extend the time of the hearings is concerned, I have received advice from the Clerk of the Senate because advice was sought on this point, that it would be possible for the joint committee to recommend extended hearings. The joint committee in an interim report to both Houses could ask for an extension of the reporting date. Both Houses, of course, would have to adopt such a report simultaneously. The possibility exists, then, according to our Senate procedural advisers, that an extension of time could be considered by the joint committee, and I want to assure honourable senators on that point.

On the basis of that assurance from the government House leader in the Senate that it would be possible for the committee to make an interim report to request that the time limit be extended, the Senate then proceeded to vote against the proposed amendment.

I would request from you, Madam Speaker, a ruling on the matter raised by the government House leader when he said that any report made by that committee would result in the termination of that committee, because clearly the information given by his counterpart in the Senate was completely contrary to that. It was given to the Senate on November 3. We saw yesterday and today that the government House leader in this House refuses to feel bound in any way by commitments made by the government House leader in the Senate, but clearly a joint committee is in existence, the membership of which is drawn from both the Senate and the House of Commons. It is incumbent upon the government to speak with one voice and to make it clear whether or not members of a committee ought to have their hands tied, or whether they will be able to report to both Houses to request that important changes be made to the terms of reference. This is essential, and I do not see how the committee can continue its work unless it knows the rules under which it is operating.

So I would request from you that when you give your ruling on the question of privilege raised by the hon. member for Winnipeg North Centre (Mr. Knowles) you also clarify, for the benefit of the House, the point raised by the government House leader in contradiction of the explicit undertaking made by the government House leader in the Senate.

Hon. James A. McGrath (St. John's East): Madam Speaker, there is a very important element to this and I hope that the Chair will not lose sight of it. It is one that causes me considerable concern. I say to the Chair with great respect, and to those who advise the Chair, that I am not at all satisfied that there was no knowledge on the government Treasury benches of this ruling by the Special Committee on Television and Radio Proceedings of the House of 1977 or by your immediate and distinguished predecessor. It seems to me that Mr. Speaker Jerome ruled on this matter as well. I find it passing strange that when the government House leader was giving me an assurance on October 24, as reported at page 4074 of *Hansard* of that day, that:

It will be up to the committee to decide whether the debates should be televised.

—the existence of this letter, or the report of the Special Committee on Radio and Television Proceedings of the House