

# HOUSE OF COMMONS

Wednesday, May 5, 1971

The House met at 2 p.m.

## PRIVILEGE

MR. MACDONALD (EGMONT)—ANSWER TO QUESTION CONCERNING SECURITY AND INTELLIGENCE DIVISION OF ROYAL CANADIAN MOUNTED POLICE

**Mr. Speaker:** Yesterday the hon. member for Egmont rose on a question of privilege in relation to an answer given by the Solicitor General to question No. 1,199, which was reported in *Hansard* of May 3 at page 5423. The question asked by the hon. member for Egmont related to the security and intelligence operations of the Royal Canadian Mounted Police. The minister replied as follows:

The Royal Canadian Mounted Police is the main federal operational and investigative body in the field of security. Such authority—there is no explicit statutory authority—as does exist is derived from certain sections of the R.C.M. Police Act. It would not be in the public interest to divulge any further information in this connection.

The hon. member for Egmont claimed that the refusal of the minister to supply the specific information which he sought was a breach of his parliamentary privileges. In support of that contention the hon. member quoted citation 113 of *Beauchesne's Fourth Edition* as follows:

Libels upon members and aspersions upon them in relation to Parliament and interference of any kind with their official duties, are breaches of the privileges of the members.

I cannot agree with the hon. member's interpretation of that citation. It is correct, of course, to state as a general principle that a member should not be impeded in the discharge of his parliamentary duties. I suggest that this in itself does not create an obligation on the part of the government to supply any and all information sought by a member, either by way of an oral question or a written question. Indeed, there are many precedents to indicate that from time to time ministers have refused to answer questions on the ground that it would not be in the public interest to do so.

● (2:10 p.m.)

Citation 181, section 3, of *Beauchesne's Fourth Edition* states that a refusal to answer cannot be raised as a question of privilege. A similar opinion is expressed by Bourinot in this fourth edition of his *Parliamentary Procedure* at page 314, which I would like to quote:

An answer to a question cannot be insisted upon, if the answer be refused by a minister on the ground of the public interest, nor can the question be replaced upon the notice paper, nor the refusal of the minister to answer be raised as a question of privilege.

The same principle is expressed by Sir Erskine May in the seventeenth edition of his *Parliamentary Practice* at page 351. Again I quote:

An answer to a question cannot be insisted upon, if the answer be refused by a minister, and the Speaker has refused to allow

supplementary questions in these circumstances. A question to which an answer has been refused, like any other question which has been fully answered, cannot be replaced upon the notice paper. The refusal of a minister to answer a question on the ground of public interest cannot be raised as a matter of privilege.

It may well be that the hon. member has a grievance. He may want to seek information by some other means, perhaps by way of a motion for the production of papers or in the Committee on Justice and Legal Affairs which has before it the estimates of the RCMP. In any event, the Chair has to rule that the hon. member has not made a *prima facie* case of privilege.

## ROUTINE PROCEEDINGS

### COMMITTEES OF THE HOUSE

[Translation]

#### PRIVILEGES AND ELECTIONS

First report of Standing Committee on Privileges and Elections—Mr. Laflamme.

[English]

#### NATIONAL RESOURCES AND PUBLIC WORKS

Fifth report of Standing Committee on National Resources and Public Works—Mr. Hopkins.

[Translation]

#### FINANCE, TRADE AND ECONOMIC AFFAIRS

Fifteenth report of Standing Committee on Finance, Trade and Economic Affairs, in the two official languages—Mr. Clermont.

[Editor's Note: For text of above reports, see today's Votes and Proceedings.]

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## PRIVILEGE

MR. CAOUCETTE—CHANGE IN OFFICIAL NAME OF PARTY

**Mr. Réal Caouette (Témiscamingue):** Mr. Speaker, I wish to rise on a question of privilege to draw the attention of the House to the fact that on April 3 and 4 last, *Créditistes* from all provinces of Canada assembled in a National Council in Ottawa.

It was decided on that occasion to change the name of our party from "Le Ralliement créditiste" to "Le Parti Crédit Social du Canada" in French and "The Social Credit Party of Canada" in English, or for short "Crédit Social" and "Social Credit".

I hope, Mr. Speaker, that this change will lead the Prime Minister (Mr. Trudeau) to give more consideration to Social Credit.