

Privilege—Mr. Cossitt

comment which I hope the House will accept in good faith. I did not comment on the kind of argument which the Prime Minister offered in response to the question of privilege raised by the hon. member for Durham-Northumberland. The reason was that neither of them addressed the matter of privilege, except for one saying that he had a question of privilege and the other one saying there was no question of privilege.

I do not want to unduly charge the hon. member, but I feel that since he did not address the question of privilege in a way that was satisfactory to me but aligned facts in order to expose what kind of divergence existed between the two points of view, the other intervener had no choice but to respond to those facts and align a new series of facts which he thought were related to the particular question.

However, that is not part of the ruling. I just wanted to make that remark since I do not want anyone in the House to feel that I am trying to unduly protect the Right Hon. Prime Minister; I do not think any member of the House needs that.

I quote Section 19 of Beuchesne:

A dispute arising between two members,

The kind of debate we have had this afternoon indicates quite clearly that this is a dispute between two members.

—as to allegations of facts, does not fulfil the conditions of parliamentary privilege.

The failure of a minister of the Crown to answer a question does not constitute a question of privilege. Nor does the fact that a former minister did or omitted to do something that he should have done during the course of his mandate constitute a question of privilege.

Charges in respect of that former responsibility can be made and are acceptable as long as they are made in a parliamentary way. We are talking about the responsibility of the hon. member for Durham-Northumberland in his capacity as a former minister. References were not made to his present role as a Member of Parliament. That does not constitute a question of privilege. It might be something which the hon. member would want to explain, and I think he did that abundantly today. I listened to him very carefully to see whether there was anything else but those explanations of his actions when he was a minister.

Even evasive answers, a matter which was raised during the course of debate, do not constitute a question of privilege. They are merely an invitation to probe the matter further. There are, of course, many occasions in this House to pursue matters in debate, but not by raising a question of privilege.

Therefore I must rule that in this case it is a matter of a difference of opinion, a dispute between members, but certainly not a question of privilege. I find no prima facie case.

MR. COSSITT—ALLEGED DENIAL OF RIGHT TO SPEAK

Mr. Tom Cossitt (Leeds-Grenville): I rise on a question of privilege, Madam Speaker.

Madam Speaker: The hon. member for Leeds-Grenville on a point of order.

Mr. Cossitt: It is a question of privilege, Madam Speaker, not a point of order. I know that you would probably prohibit me from speaking on a question of privilege on which you have apparently already ruled. I would like to raise this point as my question of privilege, that in effect I am being prohibited from speaking in this House—

Mr. Nielsen: “My mind’s made up, don’t confuse me with the facts.”

Mr. Cossitt: —on an issue on which I have as much right to speak as anyone else because I raised the matter of the Taschereau papers at least three years ago and on a continuous basis since that time. I had information available which I could have used if you had recognized me on the previous question of privilege—

Mr. Trudeau: Give it to the press.

Mr. Clark: He will.

Mr. Cossitt: —showing that on October 16, 1979, the then solicitor general replied to me by saying that he had ordered an investigation—

Madam Speaker: Order, please. As the hon. member himself stated, it is not possible for me to hear him on this matter since I have already ruled.

I remind the hon. member that it is in the discretion of the Chair whether to continue to hear interveners on a particular question of privilege. It has been my inclination when the first speaker had not convinced me that there was a foundation for a question of privilege that I would not go to any further speaker. If the member who feels that his or her privilege has been breached cannot bring forward arguments to prove that there is a question of privilege, it does not make sense that another person not involved in the privilege would be able to muster arguments in favour of that privilege. It is for the first member who raises the question of privilege to convince me there is a prima facie case. That has been my inclination. That is the way I want to deal with questions of privilege, and it is in the interests of the entire House to do so because every member of this House has things to say. Every member’s right to say those things has to be protected within the confines of our rules.

Mr. Cossitt: On a point of order, Madam Speaker.

Madam Speaker: Is the hon. member rising on a point of order?

Mr. Cossitt: I would like to conclude what I started a moment ago.

Madam Speaker: I am sorry.

Mr. Cossitt: This is a point of order, Madam Speaker.

Madam Speaker: I am sorry.