

evidence that the minister of state called to influence the outcome of the judge's decision and certainly he did not try to gain a benefit in any way. That was the minister of industry's comment.

[*Translation*]

The Minister of State (Finance) said: "I would have done the same, in the circumstances."

[*English*]

On March 12, 1976, Prime Minister Trudeau laid out the rule clearly for members of a government, I believe. Mr. Trudeau rose in the House of Commons and said, as reported at page 11771 of *Hansard* for March 12, 1976:

—in future no member of the cabinet may communicate with members of the judiciary concerning any matter which they have before them in their judicial capacities, except through the Minister of Justice, his duly authorized officials or counsel acting for him—

Will the Prime Minister communicate to the ministers I have cited and any others the rule set forth for members of the government, and will he tell the House whether the rule and guideline set forth by Mr. Trudeau in 1976 still applies to his administration?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my right hon. friend refers to some historical precedents. There is indeed reference in *Hansard* to a call made by the then President of the Treasury Board, I believe, Mr. Chrétien, to a judge which was referred to in an inquiry. There was a call made by Mr. Drury to a judge.

The Chief Justice of the Superior Court of Quebec investigated and indicated that it was a grave breach of convention and propriety. Notwithstanding that, I understand that the Prime Minister of the day indicated, and I quote from page 11771 of *Hansard* of March 12, 1976:

But the associate chief justice clearly was of the view that the call from the Minister of Public Works did not warrant formal protest.

A minister of the Crown had called a judge of the Quebec Superior Court. The Prime Minister then went on and said:

I do not excuse the minister's lapse of judgment in this matter. I sympathize with his good intentions, but I do not condone what he did.

Then the Prime Minister said, notwithstanding what took place:

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—I have come to the conclusion that I should not accept his resignation.

We had a situation where ministers of the Crown communicated with judges and the then Prime Minister decided that he should not accept their resignations.

I have come to the conclusion, a minister of the Crown having in good faith communicated with a judge, that I will accept his resignation because I believe that that is part of the finest traditions of this House.

Some Hon. Members: Hear, hear!

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Prime Minister has in no way commented on the statements made by his two ministers.

To be fair, Associate Chief Justice Deschenes examined the issue involving Mr. Chrétien and two other ministers at the time and found that they had been satisfactorily dealt with, so the Prime Minister is not fairly quoting from Mr. Deschenes' reply. Frankly, I do not think there is any reciprocal evidence that is valid before this House of Commons.

I want to ask the Prime Minister one further question. Now that he has accepted the minister's resignation from New Zealand, has he recalled the minister since he no longer has any role to play at the Commonwealth Games?

Some Hon. Members: Oh, oh!

Mr. McKnight: What's your continuing function, Turner? Still drawing a salary?

Mr. Speaker: Perhaps given the gravity of the matter that is being discussed, members, including ministers, on both sides could refrain from comment unless they have the floor. The right hon. Prime Minister.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my right hon. friend refers to the report by Mr. Justice Deschenes. Page 11777 of *Hansard* for March 12, 1976 reads as follows:

Mr. Justice Aronovitch has provided me with the following description of the event which he has authorized me to transmit to you:

Some time in October 1971, Mr. Jean Chrétien, whom I did not (and still do not) know, telephoned to find out when I would render judgment. He identified himself to me, not as a cabinet minister, but