

might or might not answer. I remind him, and all members in the House, that there are no categories of questions to which one might or might not answer. Ministers can choose not to answer questions though, which is their right. In support of this I cite *Beauchesne's* fourth edition, citation 181(3):

A minister may decline to answer a question without stating the reason for his refusal, and insistence on an answer is out of order, no debate being allowed. A refusal to answer cannot be raised as a question of privilege, nor is it regular to comment upon such refusal. A member can put a question, but has no right to insist upon an answer.

So this has been a matter of debate but, certainly, not a question of privilege.

I have written notice of a question of privilege from the hon. member for Winnipeg North Centre (Mr. Knowles).

MR. KNOWLES—BROADCASTING OF PROCEEDINGS OF SPECIAL JOINT COMMITTEE ON CONSTITUTION

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, thank you for giving me the floor in response to the notice which I sent to you about an hour ago. I raise a point of privilege having to do with the performance of the Prime Minister (Mr. Trudeau) in the House today, in which I feel he is grossly misleading this House, and in which he is also reflecting on Your Honour. He is also compounding the difficulties that we, as members of this House, have in doing our work.

First, may I flesh out the point that I made about the Prime Minister reflecting on Your Honour. As we all now know, you wrote a letter on August 13, 1980, not to a private member of Parliament, not a letter which was a piece of social correspondence, but an official letter in reply to a letter that the chairman of the Special Committee on the Handicapped and Disabled had written to you on July 11. I have a copy of that letter before me. It is a very interesting two-page letter about the desire, not just of the chairman, but of the committee, to have the facilities of broadcasting coverage for that committee.

As I say, that letter was written to you on July 11. It is obvious that you gave it very thorough consideration, as your reply was dated August 13. Again, your reply was written not just to "Mr. David Smith, MP," but to "Mr. David Smith, MP, Chairman, Special Committee on the Disabled and Handicapped, House of Commons, Ottawa, Ontario." In the letter you dealt with his request, which he made on behalf of the committee on July 11, for the right of that committee to have television and radio coverage.

In your letter you recounted how television came into being in the House of Commons, but you made the point that when the matter was settled in the House of Commons it was on very clear terms. This is spelled out in the last sentence of your second paragraph, which I quote:

With regard to standing and special committees, the committee submitted a report to the House which, among other matters, stated that it would be contrary to the order of the House for any radio and television coverage to take place in any standing or special committee on TV and radio broadcasting.

Privilege—Mr. Knowles

You developed that point further in the last paragraph of your letter and I like the first part in particular—in which you said:

Although I am personally very sympathetic to the endeavours of your Special Committee on the Disabled and the Handicapped, it is my opinion that any committee seeking to televise its proceedings must first get the authorization of the House.

I submit that is your opinion as the Speaker of the House of Commons. You stated that any committee seeking radio and television coverage would have to get the authorization of the House first. I resent very much the Prime Minister standing up today and saying that that might not be an opinion. He said, "How do we know it is an opinion? It is just a letter that the Speaker wrote to a private member of this House." We all know that we cannot ask you questions on the floor of the House. But we also know that the rule is that if any member puts a direct question to Your Honour, you are obligated to reply. I submit that the reply you made in that letter is an opinion. It is a firm ruling that, in your view, no committee could have authorization from you to institute radio and television coverage but would have to get the authorization of the House of Commons. The Prime Minister stood up today and said, "Oh, that was just a personal letter. It was a hypothetical position which members opposite are putting up."

Mr. Broadbent: Sheer rubbish!

Mr. Knowles: Madam Speaker, that is bad enough in itself. But bearing in mind that a question of privilege, to be valid, has to relate to something which is interfering with the capacity of the members of this House to do their job, I recount for you what we have had to endure in this respect when we have asked, from this side of the House, for television and radio coverage of the committee on the constitution. The answer has been that "it is up to the committee", "the committee can do it", "the committee is free", "the Prime Minister has no opinion", and so on. But when we get to the committee and we try to make a motion—the hon. member for Provencher (Mr. Epp) this morning presented a motion that we have radio and television coverage—we are met with the statement by the chairman of the committee that he has learned that there is a letter from Your Honour which deals with this matter which says that the committee cannot do so.

● (1520)

At that point I am satisfied that the hon. member for Hochelaga-Maisonneuve (Mr. Joyal) had not even seen the letter. I know that he had not seen it because he said things about it which turned out to be incorrect. He said that he understood that there was a letter from you, Madam Speaker, saying that it would be illegal—or at least that it would not be legal—to authorize the coverage of our committee. I pointed out that the Speaker never gives a legal or constitutional opinion, that the Speaker can only give opinions on points of order. The hon. member accepted that.

At the end of that procedural discussion the chairman agreed that it was possible for the committee to broadcast its proceedings if it received the authority of the House. So the