

*Privilege—Mr. Robinson*

and Solicitor General at Millhaven Institution, so, in effect, Mr. Avery could be present via telephone to make submissions to the committee and to his co-inmates who were on the inmate committee. The Hon. Member for Burnaby objected to this particular course of action.

We carried on with our responsibilities that day. When we returned to the hotel, the Ramada Inn in Kingston, the mother of Mr. Avery and his wife, together with a number of other wives of inmates, were at the hotel. They met with the Hon. Member for Burnaby. I also met with the women involved. I spoke to the father-in-law of another inmate who had been transferred. They asked me to visit Mr. Avery at Kingston Penitentiary. I told them I did not think it was necessary at that point in time.

As I understand, the Hon. Member for Burnaby did in fact go to Kingston Penitentiary that Monday night to visit with Mr. Avery, presumably to discuss the conditions at Millhaven Institution and to obtain whatever information was necessary to satisfy the Hon. Member. The following day members of the Standing Committee on Justice and Solicitor General met with the inmate committee of Millhaven Institution. Mr. Avery was on the line from Kingston Penitentiary by way of a telephone hookup. He was able to hear what was happening at that particular meeting. He was able to make submissions. The chairman of the justice committee gave members of the inmate committee every opportunity to make submissions with regard to conditions at Millhaven Institution. Mr. Avery was given every opportunity. I, as a member of the committee, asked Mr. Avery a number of questions. I asked members of the inmate committee a number of questions. Documents were in fact presented to the committee by members of the inmate committee.

Mr. Avery did indicate over the telephone that he felt certain documents were missing from his file. Notwithstanding, Mr. Avery made submissions with regard to conditions at the penitentiary. This is where I part company with the Hon. Member for Burnaby. Rather than participating at that meeting, rather than trying to understand what was happening, the Hon. Member for Burnaby was not present at the meeting. He chose not to be present. Of course, he was not present with Mr. Avery at Kingston Penitentiary. Rather he chose to occupy his time elsewhere while the committee was meeting with Mr. Avery.

On the first point, with regard to the transfer of the inmates from Millhaven Institution to Kingston Penitentiary, it would be my respectful submission that there is not a breach of privilege. We might very well question the reasons these inmates were moved, and I intend to pursue that particular matter. I pursued the matter with the warden at Millhaven Institution. I asked him the reasons, and whether he considered it appropriate to move those inmates. Having made that decision to move the inmates, including Mr. Avery, the Correctional Service of Canada did give Mr. Avery the opportunity to speak to the committee. If the Hon. Member

for Burnaby had acted responsibly and participated in that meeting—

• (1600)

**Mr. Speaker:** I would ask that the Hon. Member for York South—Weston to put aside for the moment whatever views he might have of the conduct of any other member of the committee, and again confine his remarks, which he has done at least partially, to the question of privilege.

As I understand it, the Hon. Member for York South—Weston is taking the position with the Chair that, with respect to the movement of Avery or others, in his opinion, that does not constitute a question of privilege.

However, there is the other part of the question of privilege which is a serious matter as alleged by the Hon. Member for Burnaby, and that is the question of whether there was interference with employees of the service either designed to or having the effect of limiting the information that they wanted to give to the committee. I would ask that the Hon. Member for York South—Weston address that particular point.

**Mr. Nunziata:** Thank you, Mr. Speaker. To conclude the first point, the committee, the inmates involved, were given full opportunity to address the committee, make submissions, and present documents. At the conclusion of our meeting, we also invited the inmates' committee to forward any other documents to the committee for its consideration in its deliberations.

With regard to the second aspect of the Hon. Member's point of privilege, at that meeting on Monday evening at the staff headquarters in the Westlake Building, the parole officers made some very serious allegations.

I should point out that during the evidence given before the committee one particular parole officer read from a brief. At the conclusion of his submissions I asked that parole officer if he was prepared to leave a copy of the brief with the committee. Quite understandably, the parole officer was concerned with regard to his own future employment. At the beginning of his submissions he asked the committee if he could be given witness status. He also asked the committee if he could receive any assurance that his evidence could not be used against him. He made some very serious allegations. But I should point out that the evidence given by the parole officers was not direct evidence. The Hon. Member for Burnaby indicated that. He stated that the parole officer was told that his supervisor had attended a separate meeting. The parole officer was not present at the meeting, but he was told by someone else that that person was present at the meeting and certain information had transpired.

As a lawyer, Mr. Speaker, you understand the weight that ought to be given to hearsay evidence. Based on the evidence that was given to the parliamentary committee, the Hon. Member for Burnaby has drawn the following conclusions which I submit the evidence does not lead one to conclude, at