

*Question of Privilege*

this matter since yesterday should give us your opinion as to whether or not it is a matter that should be referred in accordance with the motion which has now been amended. I may say, sir, that we trust you if others do not.

**Mr. Speaker:** I think the matter has been sufficiently discussed now. In view of what I have to say there may be another opportunity, if hon. members wish, to debate the issue.

The position, briefly is that I have only to decide whether or not a prima facie case of breach of privilege has been made out by the matter which was brought forward by the hon. member for Timmins. If there appears to be a prima facie case, then it is for the house itself to determine whether anything is to be done, and if so what. I limit myself to the preliminary question. I want to say that I thank the Prime Minister, the Leader of the Opposition, and other members who have assisted me in this rather novel case of breach of the privileges of the house.

There is very little learning or precedent about the use of our *Hansard*, and if we turn to the practice of the United Kingdom, which we are entitled to do where our own is silent, we find that the practice there is very similar. The reports are published under the authority of the Speaker through the use of funds which are voted by parliament. The public are allowed freely to use these reports, provided they use them fairly. It is only when there is an abuse of the reports that a question of the privileges of parliament has been raised. I refer hon. members to May, sixteenth edition, at page 118, where there is a reference to the view I have just expressed.

The Prime Minister has indicated, and I think all members accepted the view, that we publish our *Hansards* and they are sold on subscription and are used freely, both in their original form and as copied in the press, without objection or complaint by any hon. members unless the report is so altered or varied as to give a wrong impression of what took place here. I think we must look at this document in that light. As I understand it, the pages quoted are correctly quoted from *Hansard*, pages 362, 363 and 364 of the issue of Tuesday, January 26, except that there is a large black arrow which obscures the remarks made by the hon. member for Dollard (Mr. Rouleau). He may, I think, complain that the proper relative importance has not been given to what he said.

The second thing is, of course, that this appears to be an official report published under the name of your Speaker, and to that

[Mr. Winch.]

extent I think there is a question of privilege with which the house should be free to deal if it sees fit to do so. There has been no complaint about misrepresentation or other improper use of our reports, except this one matter to which the Prime Minister and other hon. members referred, that it appeared that this was an official publication which had been circulated either by your Speaker or with his authority.

When hon. members wish to have reprints of their speeches circulated throughout their ridings they obtain such reprints, but those reprints do not go out with the name of the Speaker on the cover and do not, therefore, give that possible impression. It is suggested that this is not more than a technical breach. I do not comment on that; that is for the house. But I do think that anything that relates to control by the house present or future over its own reports, having the possibility of abuse of such publications in mind—which is easily imaginable—requires me to allow this matter to go forward by finding at least prima facie grounds for complaint.

I should now put the motion which has been suggested by the hon. member for Timmins in place of the other motion, and of course it is then for the house to decide what action it wishes to take. The motion is to the effect that the subject matter of this complaint be referred to the standing committee on elections and privileges for appropriate action.

**Mr. Diefenbaker:** In view of the stand taken by yourself with respect to this matter, that there is a prima facie case, and I do not challenge that in any way except to say this, that on the back page there appears the notation that this is sent out by the information branch of a certain organization and as you have pointed out that you are responsible for *Hansard*, and that people receiving this might conclude that it came out with your official approval, I have no reason whatever for saying that the matter should not go to the committee.

**Mr. Speaker:** The matter is open for debate if the house wishes. Is the house ready for the question?

**Some hon. Members:** Question.

Motion agreed to.

**LABOUR CONDITIONS**

ELLIOT LAKE, ONT.—REQUEST FOR ACTION ON UNEMPLOYMENT SITUATION

On the orders of the day:

**Hon. L. B. Pearson (Leader of the Opposition):** I should like to ask the Prime Minister a question arising out of the serious