

Privilege

acquires certain privileges by virtue of being a member of this assembly.

An hon. Member: And responsibilities!

Mr. Broadbent: And certain responsibilities. I agree entirely with the hon. member. What we are talking about cannot be reduced, either in morality or law, to something that is equivalent to the notice of moral or legal rights of other citizens of Canada. It is a comparison of apples and oranges. It is not the same situation.

I wish to deal very briefly with the substance of what I see to be at stake here. As the Solicitor General (Mr. Blais) has indicated, it is very important if a security document which is labelled "top secret" finds its way into the hands of a member of parliament or any other citizen who is not authorized to have such a document. That is a serious situation. I think all members will fully agree with the Solicitor General that it is not something one can simply laugh off. The Solicitor General and the Prime Minister (Mr. Trudeau) have to be concerned about it.

What I understand, both from what the hon. member for Leeds and the Solicitor General have said today, is the following. There is good reason to believe that documents of this kind are in the hands of the hon. member for Leeds. There are good grounds for that belief. However, from what the Solicitor General has said, there have been three or four earlier discussions in the House about these documents. This is not something that just came to the attention of the Solicitor General this morning. These documents have remained in the hands of the hon. member for Leeds for some time, presumably, if they are the alleged documents we are talking about.

Earlier in the conversation before noon today, there was discussion about certain courses of action that would be open to the hon. member for Leeds. In one sense that is an entirely reasonable set of proposals for the Solicitor General to present to an hon. member of this House, whether on this side or the other side.

In the presentation of those choices, I do not necessarily see intimidation. It depends in part what use is made after that of those options as to whether you can reach a conclusion of intimidation having taken place, or other inappropriate action. It seems there is an infringement here of the rights of a member in one sense of that term, namely, that there has to be basic trust and acceptance of the honesty and integrity of members of this House. That is why we cannot say that members on either side deliberately mislead the House.

● (1542)

What seems to be disturbing about what has been outlined today is this: the Solicitor General has had a conversation with the hon. member for Leeds, and among the options which he himself proposed was a situation in which consultation with the hon. member's lawyer would play a crucial role, and whether he would go for that option—

[Mr. Broadbent.]

An hon. Member: No.

Mr. Broadbent: The Solicitor General is shaking his head. But it seems to me if you are talking about the possibility of arrest to a member you are raising the appropriate option of consultation with a lawyer, among other options. This was presented to the hon. member for Leeds around noon hour, and the hon. member for Leeds gave his word as a member of the House—I forget the precise wording, but this was certainly the sense of his comments—that he would not destroy the documents, that he would not take any other course of action between now and Monday, but that he just wanted time between now and Monday to think about the situation.

I am not attributing blame. I am appealing for a reasonable and amicable solution. If there was a sense of trust—the Solicitor General says he has had three or four conversations in the past with the hon. member for Leeds—

Mr. Blais: In the House. I answered questions. He has never talked to me and I have never talked to him.

Mr. Broadbent: Well, the point I want to make, Mr. Speaker, is that the Solicitor General has had reason to believe for a number of days that these documents were with the hon. member for Leeds. Then he presented him with a set of options. I agree that at some point, as Solicitor General, he should act in terms of exercising his responsibility. The hon. member for Leeds has said "Give me until Monday morning". If a sense of trust and integrity is to be maintained, it seems to me the appropriate course of action would have been for the Solicitor General to have said, "Yes, let us wait until Monday morning." Instead, he has closed off the options. This is so, because one of the options discussed was the possibility of legal action involving consultation with a lawyer. He has foreclosed the hon. member's opportunity to consult with a lawyer.

This is an important matter of privilege, Mr. Speaker, because we all get documents. They come to us involuntarily, sometimes in little brown envelopes or in other ways; people recognize that we are members of parliament and they send these documents. The future is at stake here. I appeal to you, Mr. Speaker, or through you to the Prime Minister perhaps, to extricate us from this unpleasantness by undertaking to give the hon. member for Leeds until Monday morning to reach his decision.

Mr. Joe Clark (Leader of the Opposition): Mr. Speaker, it had not been my intention to enter into this debate and I do not intend to discuss the matter now at any great length. I will say, though, that the subject under discussion seems to have changed its nature as the debate has proceeded.

As was stated by the hon. member for Leeds (Mr. Cossitt) and the hon. member for Yukon (Mr. Nielsen), I did receive a call from the Prime Minister's office and had a brief conversation with him in his office at his request. I should make it very clear that at that time I very much had the idea that the invitation from the Prime Minister (Mr. Trudeau) was extended to me as a matter of courtesy by him to notify me of events