

*Privilege—Mr. W. Baker*

● (1400)

**AFTER RECESS**

The House resumed at 2 p.m.

**Mr. Baker (Nepean-Carleton):** Madam Speaker, I should just like to reiterate the issue, which is the probability that funds have been used to support one political party in this House; that funds were authorized for that purpose.

I will say for the purpose of the prima facie case, that it can be identified in committee that the author of the Broadbent paper is a constitutional adviser in the FPRO, the Federal-Provincial Relations Office of the federal cabinet. Others will argue the significance of that but I want to mention it for the purpose of the prima facie case.

I want to turn to the argument just briefly. The hon. member for Winnipeg North Centre (Mr. Knowles) contributed to the argument on this point on December 7, 1979. When speaking to the prima facie case he said, as reported on page 2139 of *Hansard*:

Have the practices and rules of this House been offended?

That is, by the use of resources on that occasion. He then went on to say:

I feel that has been done in two ways. In the first place, I think that it is an affront to Parliament when a committee is set up which consists of members of only one party in the House. In the second place, I think that something is wrong when the government is able to provide money, whether it is only \$9,000, \$9 or hundreds of thousands of dollars, for a purpose not usually handled in that way.

Equally, Madam Speaker, if the hon. member for Winnipeg North Centre had been right on that occasion, he would stand in his place today and say that if it were established that the allegation that the New Democratic Party had received the services that I am talking about—assistance in drafting their document which is not available to another party in the House of Commons—then it too would be wrong. I expect the hon. member for Winnipeg North Centre to stand up and announce that this is the case.

**An hon. Member:** Where are they?

**Mr. Baker (Nepean-Carleton):** Madam Speaker, another important statement was made which I think relates to my question of privilege. On December 7, 1979, the hon. member for Yorkton-Melville, speaking in the course of the debate, said as reported at page 2136 of *Hansard*:

My question of privilege is as follows: Does it not infringe upon my privileges and rights as a member of Parliament not to have access to the same public funding—

Substitute “assistance” for “funding” in that statement. It continues:

—to the same services—

Substitute “assistance” for “services” in this particular case. Then he said:

We do not have that right as members of Parliament, and because of that I think it is a very serious question of privilege. I believe that this is a precedent.

It was a precedent on that occasion. This is a precedent. He continued:

I believe that this type of thing has never happened in the history of the country.

It had not happened until then. It was found wanting by Mr. Speaker then, and the same situation would apply today and it ought to be found wanting by Madam Speaker. I refer to the fact that party or government public resources are used to assist one party of the House of Commons rather than another.

The hon. member went on to refer to the position of Members of Parliament, and I quote again from page 2136 of *Hansard*:

Regardless of whether the Prime Minister thinks so or not—

He was referring to the then prime minister, the Right Hon. Leader of the Opposition (Mr. Clark):

—all of us in this House are equals and we must be treated as equals by the ministers of this cabinet and by all departments of the Government of Canada.

Given the fact that it is necessary only to find a prima facie case in this matter, one has to consider the coincidence, the alarming coincidence, concerning what appeared word for word in the so-called Broadbent paper—and I use his name from the point of view of title—and the paper prepared and submitted by the Government of Canada and tabled in this House, I believe last Tuesday. Others will argue with respect to the time, but I think the inquiry that must be made by the Chair is with respect to timing.

The interesting thing is that the evidence will show that the document from which the Broadbent paper was prepared was not tabled in this House, and that the Broadbent paper used the resources that were available to the government in the preparation of the paper of the Minister of Justice.

So the case is clear. I do not have to prove the case in this House beyond a reasonable doubt; I think at this point it will be up to the committee to deal with this matter—it will be up to members of the House who are on that committee to deal with the matter. My responsibility to the House is to make out a prima facie case.

I referred to your predecessor just before the adjournment, Madam Speaker. The particular case which I regard as a precedent was so serious, it being alleged that the then government of the Right Hon. Leader of the Opposition was involved in something of this nature, that there were six notices of privilege filed at that time. They came from the hon. member for Yorkton-Melville, the hon. member for Kenora-Rainy River (Mr. Reid), who is in the House and may want to argue the case again but from a different point of view, the then hon. member for Sault Ste. Marie, the hon. member for Vaudreuil (Mr. Herbert), who is in the House today and might want to argue the merits of the case, the hon. member for Broadview-Greenwood (Mr. Rae), who was in the House this morning and I am sure is still in town and lastly, the hon. member for York West (Mr. Fleming).

These Liberals and New Democrats argued that it was inappropriate to provide services, funding, to make resources