

Privilege—Mr. Lawrence

I think the history has been a sorry one. First, we have the Mackenzie report of 1969 which has never yet been acted upon. We have the 1970 directives from the present Prime Minister. We have the setting up of the McDonald commission. The McDonald commission has been sitting in camera. We do not yet know what has been going on. We may never know. As I understand it, that royal commission will report to the government and not to parliament or the people of this country. It will be a fairly easy matter, as was the case with the MacKenzie report, to abridge the report of the McDonald commission and perhaps not to expose the whole matter.

We have the question of the deliberate shutting down of the Keable inquiry in Quebec. I know that was done on constitutional grounds. I know it was done on jurisdictional grounds, but there is no question that it was at the instigation of this government that the Keable inquiry was shut down. A bill was presented in the last session with respect to this matter. That bill would have generated debate, but it was not proceeded with. To my knowledge there is no sign of its reintroduction in this session, but I stand to be corrected by the Deputy Prime Minister (Mr. MacEachen).

I suggest that it would be a travesty of the traditions, the history, and the responsibility of this House if the government does not proceed with this motion and permit the referral of this terribly important matter to the Standing Committee on Privileges and Elections.

Mr. Stuart Leggett (New Westminster): Mr. Speaker, in addressing ourselves to this question it is important that we do not spend too much time on its merits because Your Honour's ruling clearly indicates that a prima facie case has been made. Clearly the only place to determine whether there is a case of privilege is before a committee.

● (1602)

My purpose in rising is to urge government members in the House to give serious consideration before they again oppose a ruling of Mr. Speaker that a prima facie case of privilege has been made. The hon. member for Northumberland-Durham (Mr. Lawrence) pointed out that since 1965 it has only occurred in the House once that a government majority has rolled over the ruling of Mr. Speaker and denied the opportunity to a member, whose privileges have been violated on the surface in a prima facie way, of making any further inquiry into that case. You may remember that case because it was a sworn affidavit of one Mr. Warren Hart who stated, under oath, that he was working for and employed by the RCMP, and that in that capacity he was ordered to tape record at that time the previous solicitor general, at present Minister of Consumer and Corporate Affairs (Mr. Allmand), and also ordered to tape record, which he did, the hon. member for Nickel Belt (Mr. Rodriguez). The circumstances, as outlined in that case by the then solicitor general, contradicted the evidence given by Mr. Warren Hart.

Your Honour ruled at that time there was a prima facie case. In order to avoid the embarrassment of having Mr. Warren Hart come here and testify before a committee, this

[Mr. Lawrence.]

government took the expedient route that said, "We will not bother being embarrassed. It is so important that we do not lose any political brownie points on this matter that we will therefore simply act against the ruling of Mr. Speaker."

If this House is to maintain any kind of credibility, it will have to honour those kinds of rulings and also make the inquiry into an effective inquiry. We have a committee system in this House which is a disaster area. If there is one thing of which the people of this country are sick and tired, it is watching the amateurishness of our committee system. You can go to the United States, for example, and watch how their committee system works. You will find it works effectively, their committees deal with subjects and provide counsel.

The hon. member for Northumberland-Durham spoke about how we could improve this inquiry, and I want to say how much I agree with him. We have all had considerable experience before these committees. First of all, the use of counsel is absolutely essential. It is embarrassing—and I must say I am as guilty as any other—to watch some members of the House perform in front of committees. It is unfortunate from time to time that the public is invited to these meetings, because we waste the public's money over and over because we do not organize our time and we do not use counsel to direct reasonable and pointed questions to the subject we are questioning.

I hope this House will decide today that the matter will be referred to committee. If, by some chance, we find that the government members decide that again they cannot support the ruling of Mr. Speaker, I hope they will reflect on the position in which they have placed Mr. Speaker, because it will now be routine for Mr. Speaker's ruling, on a matter as important as the privileges of the constituents of members of the House—it is not really the member's privilege that is at stake but his constituents' privilege—to be overturned, if the government decides again to run roughshod over Mr. Speaker. In such a case Your Honour will have no job.

Serious consideration would have to be given by Mr. Speaker to resign his position because his credibility would continue to be attacked by the government at every turn. The numbers are there, and therefore the possibility of objectivity in this place will be gone.

The reason I rise is the suspicion that not merely the government might seek to vote against this motion to chalk up some brownie points, but the credibility of this place will start to crumble even further if this government decides again to roll over this ruling. I would like to quote from *Hansard* of March 9. In ruling on the case of the hon. member for Nickel Belt I think Your Honour set the case very well. You said this:

—It is not the function of the Chair to prevent the House from attempting to deliberate on matters which come reasonably close to being questions of substance.

The difficulty is that it is now the position of this government to stop those kinds of inquiries. I say that the position this government took in the case of the hon. member for Nickel Belt was a disgrace to this House, a disgrace to the traditions of parliament, and it certainly confirms a great