

The *Globe and Mail* article today, written by Lawrence Martin, confirms that Government employees have been used to investigate details about at least one Member of Parliament with the objective of using that information in the House of Commons to deter Opposition questions about the Government's handling of its administrative responsibilities.

You have recently been asked, Mr. Speaker, to consider a parallel instance where a civil servant threatened to withhold the services of a Government agency if a given Member of this House did not pre-screen questions to be raised in Question Period. That matter is now under your advisement. I submit there can be no doubt that if such a threat occurred, it was a contempt of Parliament. Similarly, if the threat is made, implicitly or explicitly, that private information about a Member will be released if that Member rises in the House to ask a question of a Minister for the purpose of obtaining information about the Minister's Department of his responsibilities or policies in respect of that Department, the threat is made for the purpose of restricting the Member's freedom of speech in the House, and that, fundamentally, is a contempt of Parliament. Such a threat has been made. Citation 55 of Beauchesne's Fifth Edition says this:

The privilege of freedom of speech is both the least questioned and the most fundamental right of the Member of Parliament on the floor of the House and in committee.

This fundamental privilege is under attack in the House. Members of the House can no longer rise in the House to ask questions of the Ministry without fear of reprisal for their action. Members sitting on this side of the House can no longer ask questions about matters pertaining to the official duties of Ministers—their public duties—without expecting that the Minister will respond by releasing information about the Member of Parliament in his or her capacity as a citizen of Canada either before or after that individual was elected to public office. That is what is at the core here.

Furthermore, the Government has engaged in this practice with the full knowledge of the fact that any such allegations as to facts made by Ministers must be accepted by the House and are privileged, and thus not subject to legal action outside of the House.

This concerted attack on Opposition Members seems to have been orchestrated through the Prime Minister's Office and therefore falls under his direct responsibility as a Minister of the Crown. If public employees working for the Prime Minister are engaged in activities designed to intimidate Members, obstruct them in their duties or malign them or impute motives to their conduct in the House of Commons, it is the Prime Minister and no one else who must take responsibility for that kind of sordid conduct.

Some Hon. Members: Hear, hear!

Mr. Nielsen: The *Globe and Mail* article established the fact that at least two employees in the Prime Minister's Office—indeed it was admitted today by the Deputy Prime Minister (Mr. MacEachen)—were engaged in researching, as he calls it, details about the conduct and behaviour of the

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Leader of the Opposition in his capacity as a private citizen prior to his election to the House. Furthermore, the article states that one of those individuals was hired specifically for the purpose of conducting this investigation, and that the job description under which he was hired was written by the principal secretary to the Prime Minister. In the interview conducted by *The Globe and Mail* reporter, it is clear that the principal secretary to the Prime Minister was entirely aware of the activities in which the PMO employees were engaged and that he sanctioned those activities.

Clearly there can be no doubt that this investigation into the activities of the Leader of the Opposition was conducted at high level within the Prime Minister's Office and that the Prime Minister was aware, or should have been aware, of the fact that this investigation was under way.

Admittedly, an investigation into the private life of a Member of Parliament by the political appointees of the Prime Minister, while distasteful and unconscionable, is not by itself sufficient to amount to a question of privilege. What must be demonstrated is that this resulted from actions undertaken or statements made by the Leader of the Opposition in the conduct of his duties in this place and that the objective of the Prime Minister's actions was to obstruct or intimidate the Leader of the Opposition in the carrying out of his duties. Such a connection, I submit, is established in that *Globe and Mail* article, which also appeared on the front page of *The Citizen*. The Prime Minister's principal secretary is described in *The Globe and Mail* article as having said that "the more intense research on Mr. Mulroney was in response to the Opposition Leader's use of the Iron Ore lay-offs as an issue".

Although the PMO employee who led the investigation into the actions of the Leader of the Opposition in the Iron Ore case had been hired before the Leader of the Opposition had taken his seat in the House of Commons, the article notes that it was only last fall that the operation moved into high gear. According to *The Globe and Mail*, that same official said that "gathering information on Mr. Mulroney has become a cottage industry in the Liberal hierarchy, with several groups involved". Should there be any question that this information was being gathered for use during the Question Period, that doubt is surely resolved by the closing paragraph of that article, which reads as follows:

Mr. Axworthy said that the public should not confuse the Prime Minister's Office with the Privy Council Office, which it often does. He called the PMO "a partisan office." Information gathering is "to prepare for Question Period... We have to know what the stands of the various players are."

What information on file with the Security Exchange Commission in the United States may have to do with the stands on issues of Members of Parliament during Question Period is a moot point. However, it is clear that the Prime Minister's hit squad was engaged in this investigation for the purpose of using the information during Question Period. Thus, two elements of the case for a question of privilege have been established. First, the investigation resulted from or related to issues raised by the Leader of the Opposition. Second, the