

court of parliament because the contempt of court proceedings were still before the courts.

My point of order is that this is a spurious and unjustifiable claim. It is true that if a criminal proceeding is pending and may be prejudicially affected by a discussion in parliament, that discussion may well be out of order. However, proceeding by way of contempt of court is not a criminal proceeding. It is a civil proceeding. Moreover, it arises out of statements made by the minister at an earlier date. Discussion in parliament of the later attempt to secure intervention does not in any way affect the position of the appellate courts in the previous issue. Therefore, the minister has refused to answer to this parliament questions that are totally relevant, by claiming a privilege that is non-existent.

**Mr. Speaker:** The hon. member for Greenwood raises a point of order. Of course, the hon. member understands there is no obligation upon any minister to answer any question. Whatever reason the minister may give for refusing to answer may be his reason. The fact is the minister may be giving an explanation. He does not have to lean upon any kind of point of order or privilege not to answer a question. He is, in fact, under no obligation to answer the question. While I take the hon. member's representation as a sincere one, I cannot find that it is an established or well taken point of order.

**Mr. Lang:** Mr. Speaker, I rise on a point of order arising out of that comment. Hon. members should appreciate that the long-standing rule in relation to comments on cases before the courts applies to both criminal and civil cases.

**Some hon. Members:** Oh, oh!

**Mr. Lang:** It leads to a general rule of restraint that should lead members of parliament not to engage in debate here when a matter is before the courts in any way which can lead to any implication of impact or effect upon it. That rule is broader. I do not want to go further than that. While there are double grounds for the minister's position, it should be known there is that restraint that is appropriate in this House.

**Mr. Coates:** Mr. Speaker, the minister has seen fit to interject his opinion I presume as a former minister of justice. There is a responsibility on every member of parliament not to become involved in discussions in this House in so far as something that is before the courts is concerned. There is also a very heavy obligation on the part of every member of this House not to interfere with any judge who is hearing any case involving a person who happens to be a member of this House, or any other individual in this nation, when the judge is in a position to make a decision in that instance. That has been going on, and it is a well-known fact.

**Some hon. Members:** Oh, oh!

**Mr. Coates:** It is time the people of this nation were aware of that. Members of parliament should not interfere with judges.

**Some hon. Members:** Oh, oh!

#### *Anti-Inflation Board*

**Mr. Coates:** Mr. Speaker, the spurious argument that the minister just made was sticking in my throat and I could not stand it.

**Some hon. Members:** Hear, hear!

**Mr. Coates:** I wish to state, further, that in the 18 years I have been a member of this House I have never had an occasion where I felt justified in telephoning any judge in any part of this country, in any court, about any constituent.

**Some hon. Members:** Hear, hear!

**Mr. Hees:** That goes for all the rest of us on this side.

**Mr. Speaker:** Order, please. Notwithstanding the considerable contributions from both sides of the House in addition to the point originally raised by the hon. member for Greenwood, although it is a very interesting and important matter for discussion and debate with regard to the standard of conduct respecting these things, the fact is it does not constitute any reference to the privileges of members of this House. It does not constitute a point of order. Rather than get into a debate on this matter, which is clearly not permitted under our rules, the subject having been equally contributed to on both sides we will consider the matter closed.

**Mr. Brewin:** Mr. Speaker, may I make reference to the point made by the Minister of Transport? At a meeting of the Standing Committee on Privileges and Elections some months ago we had the benefit of advice from parliamentary counsel who looked into all the precedents and made it absolutely clear that criminal and civil proceedings were not to be lumped together. In civil proceedings there is no plea of privilege or *sub judice* that can be raised unless the matter is exactly an issue before the courts and unless it is directed to influencing that decision. I suggest to the minister that before he gets up to volunteer advice he should find out the facts.

**Some hon. Members:** Hear, hear!

● (1510)

## ROUTINE PROCEEDINGS

[English]

### ANTI-INFLATION BOARD

#### TABLING OF RECOMMENDATIONS RESPECTING ASSOCIATION BARGAINING IN CERTAIN INDUSTRIES

**Hon. Donald S. Macdonald (Minister of Finance):** Mr. Speaker, I should like to table copies of the Anti-Inflation Board's recommendations with regard to association bargaining in the construction, grain handling, longshoring, shipping and trucking industries.