

*Privilege—Mr. Kaplan*

merely wish to ascertain that I will have an opportunity to correct what once again is a complete inaccuracy on the part of the Solicitor General. Your Honour had indicated that the subject was closed and that the Solicitor General (Mr. Kaplan) had been given this opportunity. I indicated my view on the matter. Your Honour has now re-opened it and once again we have a completely erroneous statement. The government was asked to correct it, not merely with the Solicitor General, but all those persons who had been misled, including myself and the people of Canada. It was not merely to correct the misunderstanding of the Solicitor General.

**Madam Speaker:** Order, please. I want to remind the hon. member that the hon. minister rose on a question of privilege. I am obligated to listen to him to see whether he has a question of privilege. I might ask him to be brief in trying to expose it to me, but I just have to listen to see whether he has a question of privilege.

If the hon. member wants to answer to that once the question of privilege has been stated, he might seek the floor.

**Mr. Kaplan:** Madam Speaker, it is obviously a matter of interpretation between us. I am interpreting the letter one way and the hon. member for Burnaby (Mr. Robinson) has said that when Mr. Justice McDonald referred to "those" he meant "all those". He interjected the word "all". In his view, Mr. Justice McDonald wanted the parliamentary secretary to set the record straight for the country. Obviously, that is not the way the parliamentary secretary read the letter and that is not the way I read it. The letter has now been made public and the public can make up their own minds about it. It certainly does not say to bring this correction to the attention of "all those", as the hon. member opposite interprets it; he said simply "those who may have understood". The parliamentary secretary interpreted that to mean me, so he brought it to my attention.

On the question of privilege that was raised today I made it clear why I took the interpretation that I did. I feel that my interpretation is justified by what Mr. McDonald said last April in proceedings before him. It is a matter of public record and the public can look at that and draw its own conclusion about which interpretation of the transcript of the parliamentary secretary's statement and Mr. Justice McDonald's letter is accurate.

**Mr. Robinson (Burnaby):** Madam Speaker, in preface to my remarks may I say that I trust the Solicitor General will have no objection to this particular letter being made an appendix and being tabled in the House, if he is genuinely concerned that the public be informed of the facts. At the conclusion of my remarks I would request that it be appended to the *Hansard* of today.

The Solicitor General has indicated the remarks of Mr. Justice McDonald as follows:

I trust that you will bring this correction to the attention of those who may have understood that the position of my fellow commissioners and myself was as indicated—

He then went on to indicate the position. The Solicitor General indicates that if the parliamentary secretary brought it to the attention of the Solicitor General, then he was satisfying the requirements of Mr. Justice McDonald.

Madam Speaker, it is a ludicrous proposition to state that when the parliamentary secretary replies to a question in this House suggesting that the government is taking a certain position because a certain statement was made by Mr. Justice McDonald—when that statement to the House of Commons, to the members of Parliament and through them the people of Canada is made, it is erroneous for the Solicitor General to stand up and say that that statement can be corrected by a quiet conversation or perhaps by a letter to himself, when the parliamentary secretary was allegedly speaking on his behalf in the first place. It is completely and utterly without foundation.

• (1710)

Clearly, the record must state that the House was misled. It is not good enough just to say that the Solicitor-General might not have understood and now he understands, even though no one else was informed of the inaccuracy. I would ask that the House grant consent for this letter to be appended to *Hansard* so that the people of Canada and members of Parliament may make their own judgment as to exactly what Mr. Justice McDonald was referring to.

**Madam Speaker:** Obviously there is disagreement as to whether the facts were the right ones or not. The hon. member did not say the minister had deliberately misled the House. His interpretation of what went on is that he misled it. The hon. minister put the facts to the House in the belief he did not mislead the House. I think we will let the facts stand on their merits. I do not see a question of privilege in this particular case.

If the minister wants to table certain documents, he may do so in due course, but we have now passed the time when documents can be tabled. He may choose to table same at another time and perhaps accommodate the member, as he has so asked.

The hon. member is rising on what may I ask?

**Mr. Robinson (Burnaby):** Madam Speaker, I would ask for leave of the House to have a copy of this letter appended to the *Hansard* debates of today.

**Madam Speaker:** We do not have the document on the Table yet. I would say that we should continue the proceedings of the House. The minister might table the document at some other time if he so desires and at that time it will be appended.

**Mr. Robinson (Burnaby):** Madam Speaker, I am rising on a point of order. I would ask for leave to table a copy of the document, and that a copy of this document be appended to the *Hansard* of today's proceedings.