

bring to my attention, if the Chief Justice deems it appropriate, information that may be in his possession and which he considers appropriate to pass on to me.

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[Translation]

INQUIRY OF THE MINISTRY

Mr. Gilbert Rondeau (Shefford): Mr. Speaker, I want to put a question to the right hon. Prime Minister.

Since the alleged dispute between the provincial Liberals of Quebec and the Liberals of Ottawa will provide an excellent theme for the next election in Quebec, can the Prime Minister tell the House whether Quebec Liberals have undertaken to do the same kind of favour to their federal friends and invent another artificial crisis in the event of a federal election?

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● (1420)

[English]

ADMINISTRATION OF JUSTICE

GOVERNMENT POLICY ON COMMUNICATION BETWEEN MINISTERS AND JUDGES

Hon. George Hees (Prince Edward-Hastings): Mr. Speaker, I have a question for the Prime Minister. Can the Prime Minister advise this House if it is the policy of this government that it is satisfactory procedure for a minister of the government or a senior civil servant to speak to a judge about a matter that is before the courts?

Right Hon. P. E. Trudeau (Prime Minister): Mr. Speaker, if it is in order to influence the judgment of the court the answer is no. I should add—

An hon. Member: Go back and read your law books again.

Mr. Trudeau: Yes, what page and what chapter?

Mr. Hees: Mr. Speaker, my supplementary question is to the Prime Minister. Is it the view of the government that it is satisfactory procedure to speak to a judge about a matter that is before the court? Is that correct?

Mr. Trudeau: My answer was no, Mr. Speaker. The hon. member is a little—

Mr. Speaker: The hon. member for Moose Jaw.

Mr. Neil: Mr. Speaker, my question was for the Minister of Public Works who is not in the House, so I would waive my right and ask it later.

INSTRUCTIONS TO MINISTERS AND GOVERNMENT PERSONNEL CONCERNING COMMUNICATION WITH JUDGES

Mr. Gordon Towers (Red Deer): Mr. Speaker, my question is supplementary to the one asked by the hon. member for Prince Edward-Hastings of the Prime Minister. As a result of the episode involving federal cabinet ministers

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and the judicial system, and in view of the great concern and doubt expressed by the general public that the administration of justice is being undermined, casting a detrimental reflection on the integrity of all members of this House and understandably creating embarrassment and indignation on the part of the judges, has the Prime Minister instructed all Cabinet ministers as well as senior government officials to not, under any circumstances whatsoever, contact judges directly or indirectly on matters before the courts?

Right Hon. P. E. Trudeau (Prime Minister): Mr. Speaker, I believe if I gave those instructions they would be quite incorrect. The minister has just given some examples of necessary contact between the judiciary and the executive. I myself have had occasion to talk to judges on various matters many times—on the initiative of the judges who would phone me. The important rule is that there be no attempt to interfere or influence the course of justice, but there are naturally communications between the judiciary and the executive on such matters as, for instance, the fact that some judges have to be appointed to courts and we want to know what area the Chief Justice thinks should be strengthened, would it be civil law or commercial? There are many factors between the ministers and the judiciary. The important rule is that it not be made with an attempt to influence the course of a trial.

Mr. Towers: A supplementary question, Mr. Speaker. As a result of this fiasco what are the plans of the Prime Minister to allay the fears of Canadians, because nothing he has said up to the present time has accomplished that?

Mr. Trudeau: Mr. Speaker, perhaps what we said today will accomplish that. I shall ask the hon. member to report tomorrow on what the Canadian public is thinking.

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THE CANADIAN CONSTITUTION

ROLE OF PRIME MINISTER IN RETURN OF CONSTITUTION TO CANADA

Mr. G. W. Baldwin (Peace River): Mr. Speaker, if I might draw the attention of the House in another direction I should like to congratulate the right hon. Prime Minister on his successful escape from the second battle of Quebec with not too many visible wounds. I should like to ask him who speaks for the government on the question of bringing back the constitution to Canada—the Minister of National Health and Welfare who said in his inimitable way that the Prime Minister was kibbitzing or joshing or the right hon. gentleman who, from what I saw of him on television for at least the benefit of English Canada, did lash himself into an awful rage?

Right Hon. P. E. Trudeau (Prime Minister): Mr. Speaker, I do not think the question was too serious, but if I could be allowed to deal—

An hon. Member: Oh yes it is.

An hon. Member: Ask the premier.