

*Privilege—Mr. S. Robinson*

protection of its Members and vindication of its own authority and dignity. The whole point of confidentiality, Mr. Speaker, is that Members of the House of Commons should receive legislation for their own consideration unencumbered by any attempt on the part of any Government Minister to mount a massive and self-serving publicity campaign through the media. We are in a modern age now, we have television and so on, and by the time the matter comes before the Members of Parliament the Solicitor General has given the scripture according to his version, and it is being spread across this country. I suggest that interferes with our ability to look at legislation in an unfettered manner.

There is in my estimation a *prima facie* breach of the confidentiality which clearly and unequivocally surrounds any legislation. As you well know, Mr. Speaker, none of us is able under normal circumstances to obtain copies of legislation before it is tabled because it is marked "Confidential". I would support very much a ruling from you that there is a *prima facie* case of breach of privilege of Members here. I think it is important for the parliamentary system in Canada that we in fact have a review in the appropriate committee of precisely the rules that should be followed with respect to the tabling of documents and the confidentiality that occurs prior to the tabling of documents in the proper way. I support very much the proposition put forward by the NDP House Leader.

● (1520)

MR. ROBINSON (BURNABY)—ACCESS TO PARLIAMENTARY  
PRECINCTS

**Mr. Svend J. Robinson (Burnaby):** Mr. Speaker, I rise to make some comments with respect to the question of privilege currently before the Chair, but primarily to raise a separate but related question of privilege. I think it is important to note that what we are dealing with here in many respects is unprecedented in the House. In two important aspects, what took place yesterday has not occurred before. First, I believe it is unprecedented for a lock-up to take place on proposed legislation as opposed to budgetary measures. Of course, there is an important distinction. Second, I think it is unprecedented, and I would welcome any suggestion to the contrary, that in the course of a lock-up on a budget matter or another confidential matter—as I say, I do not believe there has been a lock-up of this nature on legislation—it is unprecedented that Members of Parliament have been excluded from that lock-up.

It is rather ironic, given the legislation we are dealing with, that this blatant attempt at management of the press has so transparently backfired on the Minister who attempted it.

I fully support the arguments which were made by the two previous speakers. As well, I want to deal with another element of privilege which may be thought by some as peripheral but which I believe is an important question of privilege.

As Your Honour knows, the Speaker has control over all parliamentary precincts. I do not have to cite the many precedents in Beauséjour, Erskine May and others which state very clearly that by long tradition it is the Speaker alone who must have conduct and control over parliamentary precincts.

Similarly, Members of Parliament have another privilege, which in effect is a privilege of the Speaker but one that is shared by Members in the enforcement of that privilege. It is simply the long-standing privilege of full and untrammelled access to parliamentary precincts barring an order from the individual who has control and jurisdiction over those precincts, and that, of course, is the Speaker himself. For that reason I want to set out the sequence of events which took place yesterday and, I believe, led to a breach of my privilege and the privilege of all Members of Parliament.

I recognize that the press feels somewhat wounded perhaps by the events of yesterday but I would hope that it would recognize that we are dealing with a fundamental question here and not with the role of the press.

I was informed that in fact I would be receiving, as is a custom and has been acknowledged as such by some Members, a copy of the legislation in issue, the security legislation, approximately an hour before the tabling of the legislation. This would be on a confidential basis, of course.

I showed up at the press lock-up, which was not really a lock-up at all, as has been indicated, at approximately two o'clock and was informed that my office and the office of the Leader of my Party had not received any documents whatsoever. I sat in the press briefing and indicated that I intended to remain in that press briefing because I felt that my rights as a Member of Parliament should at least be equal to those of the members of the press in a situation of this nature. I therefore insisted that I had the right to remain at that briefing.

I was informed, not by an officer of the Chair or an employee of the Speaker but by the press assistant to the Solicitor General (Mr. Kaplan), a Mr. Andrew Caddell, that I had no business being in this press briefing and that I was to leave the briefing. Of course, I took exception to that suggestion and indicated that I had no intention of leaving the briefing. At that point apparently there was a suggestion that the Bill itself would be distributed to those who were present.

I want to comment on those who were present as well. It has been suggested that this was a lock-up. If this was a lock-up, I wonder what kind of lock-up it was. There was no suggestion of any checking for identification whatsoever. People wandered in and out and it was not only the press which was there. For example, I know there was at least one member of the research staff who wandered in there. Anyone could have wandered in off the street.

Mr. Caddell did not ask for any kind of identification whatsoever. What kind of mockery does this make of the rights of Members of Parliament when there is open access, it would appear, to this Bill in its final form to everyone but the Member of Parliament who insists on attending that briefing?

Since there is no one other than Your Honour or Your Honour's employees who has the right to order Members of Parliament out of the parliamentary precincts in the manner in which the employee of the Solicitor General did, surely that constitutes a breach of privilege of Members of the House. I think Your Honour will recognize that this constitutes a