

What assurance can the Minister give that this problem, as typified at the Auld Cove wharf, will be addressed in a long-range plan?

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, the condition of our small craft harbours and the service they render to fishermen are of extreme importance to myself and to the Government.

That is why, in the Throne Speech of last autumn, a reference was made to the importance of improving the management and long-range planning of our harbour program and of ensuring safety and the adequate provision of services to fishermen.

For that reason we are looking very carefully at all the decay and deterioration which we inherited from the previous Government as a result of its lack of effective management.

We will abide by our commitment to improve the condition of those harbours, including the harbour at Auld Cove, about which I know the Hon. Member is very concerned. An immediate start will be made on repairs to that important harbour in his riding.

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YOUNG OFFENDERS ACT

MAXIMUM SENTENCE FOR MURDER—REQUEST THAT STATUTE BE AMENDED

Mr. Alan Redway (York East): Mr. Speaker, my question is for the Minister of Justice. At a time when the House is debating the issue of capital punishment, the Minister is aware that the Ontario Court of Appeal has ruled, in the case of a 17-year-old charged under the Young Offenders Act with two counts of first degree murder, that the young offender would be subject to a maximum penalty of only three years of imprisonment.

Does the Minister agree with the defence counsel for the accused young offender who said that a maximum penalty of that sort was just too short, and will he take immediate steps to amend the Young Offenders Act?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I thank the Hon. Member for his question and congratulate him on his ongoing interest in matters relating to the Young Offenders Act.

As Hon. Members will know, the responsibility for the Young Offenders Act has only been recently transferred to me. However, I have studied this particular aspect and understand that the Minister of National Defence, when he had responsibility for the Young Offenders Act, in fact made a proposal to his provincial counterparts in the consultation process to mandate transfer hearings in respect of young offenders to

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adult courts. That was not accepted by the provincial authorities at that time.

Naturally I am supportive of the initiative taken by my predecessor who had responsibility for the particular Act. I will continue to monitor the situation and to discuss the matter with my provincial counterparts. If an appropriate amendment comes forward on the basis of that consultation, we will proceed in the House.

Mr. Speaker: I should like to advise the House that I have received an application for argument on a question of privilege from the Hon. Member for Nickel Belt and to indicate to him that I will hear it in a few minutes.

If the Hon. Member wishes to proceed this afternoon, I acknowledge that I have notice of the matter.

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PRIVILEGE

CODE OF CONDUCT—ALLEGED BREACH BY MINISTER—MR. SPEAKER'S RULING

Mr. Speaker: I remind the House that a few days ago a question of privilege was raised in the House by the Hon. Minister of State for Fitness and Amateur Sport (Mr. Jelinek) respecting questions which were put by the Hon. Member for Ottawa Centre (Mr. Cassidy).

[*Translation*]

I am now prepared to rule on the question of privilege raised on April 14 by the Minister of State for Fitness and Amateur Sport (Mr. Jelinek). In my opinion, the question raised affects the very nature of Members' rights and immunity.

[*English*]

I should say that we in this House are protected by absolute privilege in respect of everything we say on the floor of this Chamber. This is a difficult thing for the public to understand, and this is why I want to explain it carefully.

There are only two kinds of institutions in this land to which this awesome and far-reaching privilege extends—Parliament and the legislatures on the one hand and the courts on the other. These institutions enjoy the protection of absolute privilege because of the overriding need to ensure that the truth can be told, that any questions can be asked, and that debate can be free and uninhibited. Absolute privilege ensures that those performing their legitimate functions in these vital institutions of Government shall not be exposed to the possibility of legal action. This is necessary in the national interest and has been considered necessary under our democratic system for hundreds of years. It allows our judicial system and our parliamentary system to operate free of any hindrance.