

his resignation and it was tendered. It was because of an admission on the part of the Minister that the Government was not handling its responsibility.

I draw an analogy here. In terms of legislation, whatever the Prime Minister asks the Minister of Labour or Secretary of State, it is his responsibility. However, here the Minister of Labour is saying that laws passed by Members of the House of Commons have been abrogated by some conspiracy by at least some of the Citizenship Court judges. As a Member of Parliament, I refuse to accept that categorical assertion.

If there are no greater facts, we should have the matter referred to the Standing Committee on Privileges and Elections so that we can determine the validity of the allegation to find out whether our laws are being abrogated by a conspiracy among some judges. If, Madam Speaker, you find that I have presented to you a prima facie case that our rights have not only been abrogated in this House, but that there is a reflection on the laws that we have passed, I will make the appropriate motion with respect to a reference to the Standing Committee on Privileges and Elections.

Madam Speaker: The Hon. Member for Willowdale (Mr. Peterson) had risen before the Hon. Member for Simcoe North (Mr. Lewis). I would like to know on what point the Hon. Member for Willowdale is rising.

Mr. Peterson: Madam Speaker, I am rising on a question of privilege arising out of today's performance. I have so far heard at least five—

Madam Speaker: Order. If it is a new question of privilege, I will hear the Hon. Member for Simcoe North, who wants to intervene in the question of privilege raised by the Hon. Member for Saskatoon West (Mr. Hnatyshyn).

Mr. Doug Lewis (Simcoe North): Madam Speaker, I want to add further to the very able argument of my colleague from Saskatoon West (Mr. Hnatyshyn), who has read into the record the very serious allegations made by the Minister of Labour (Mr. Caccia) with respect to the independence of the judiciary and the way the judiciary is operating. What we should be looking at is Beauséne, page 25, Citation 80(2), and I quote:

A question of privilege, on the other hand, is a question partly of fact and partly of law—the law of contempt of Parliament—

In 1976 the Prime Minister (Mr. Trudeau) felt that interference by a Cabinet Minister with the judiciary was so important that he came into this House on March 12 of that year and made a statement as Prime Minister. You will recall, Madam Speaker, that at that time there had been several occasions upon which Cabinet Ministers from the Liberal Government had been called into question with regard to contacting judges. There was a question regarding the then President of the Treasury Board; one regarding the present Minister of Energy, Mines and Resources (Mr. Chretien); and another regarding the present Minister of Finance (Mr. Lalonde), who at that time was an employee. There was a question regarding the then Minister of Public Works, Mr.

Privilege—Mr. Hnatyshyn

Drury, who has since resigned. Then there was finally the question concerning the then Minister of Consumer and Corporate Affairs who resigned as a result of the judge's inquiry and then was reincarnated as the present Minister of Consumer and Corporate Affairs (Mr. Ouellet).

• (1550)

The Prime Minister very specifically said at page 11771 of *Hansard* on March 12, 1976:

I entirely concur with the view of the Chief Justice that the independence of the judiciary must remain protected from interventions from Members of the Cabinet—

He went on to say:

—there should be an immediate clarification of the régime which under this and, I hope, any future Government will govern the relationship of Members of the Cabinet with Members of the judiciary.

Finally he said:

—no Member of the Cabinet may communicate with members of the judiciary concerning any matter which they have before them in their judicial capacities—

I appreciate, Madam Speaker, as does this House, that the Minister of Labour wrote the letter directly to the Hon. Gerald Regan, the Secretary of State, but what bothers this House, my colleagues on this side, is that a copy went to members of METPAC. We do not know who "METPAC" is. If the Minister of Labour had a concern with the conduct of the citizenship judges, why do the members of METPAC have to be apprised of his concern? Would it not have been something which the Minister of Labour should have dealt with directly with the Secretary of State, without spreading this kind of malicious allegation to all the members of METPAC and, presumably, to their secretaries and the people in their offices?

I believe, Madam Speaker, what concerns this Parliament and my colleagues on this side is that the Minister of Labour, by his actions, has brought every citizenship judge in Canada into question. Structure is one thing, but they should not suggest they show more rejections, or that women applicants are not getting a fair break, or that there have been clashes between judges, or that there have been deliberate attempts to keep members of an ethnic group from sitting on applications from their own ethnic group. That is what we on this side feel is a contempt of Parliament. By suggesting this in his letter, the Minister has made every member on both sides a party to this allegation. We feel that is an abuse of the privilege of all the Members of this House.

Madam Speaker: It seems to me that the question raised by the Hon. Member for Saskatoon West might be a legitimate complaint, one the Hon. Member might make in this House, but criticisms of judges made outside of the House certainly do not call for the intervention of the House. It is really a matter for the courts to decide if they feel that the judiciary has been in any way affected by those particular criticisms. The fact that these criticisms were made in a private letter which subsequently was circulated to a number of other people does not change the matter at all. As a matter of fact, this letter