

*Privilege—Mr. Lawrence*

There lies the danger when raising questions of privilege and calling the attention of committees of the House on matters which are now being investigated. To be fair to the Solicitor General who sent him that letter, Mr. Speaker, the Minister of Justice (Mr. Lang) referred this morning to the testimony made by the same Solicitor General on February 15, 1978 before the Keable commission. He quoted only one answer but he could have added the two following answers on pages 50 and 51 of the document he referred to. The then solicitor general, Mr. Allmand, said, and I quote:

[English]

"No, I was told on every occasion that they did not open mail."

[Translation]

And a little further during the same inquiry, the solicitor general said, and I quote:

[English]

"The first time I found out that they did open mail was when it became public after I left, you know, in recent months".

[Translation]

So I think that it is unfair, Mr. Speaker, to suggest that the solicitor general wrote the letter referred to by the hon. member in a calculated attempt to mislead. I think the hon. member is unfair when he says, I quote:

[English]

"The letter from the minister of the Crown deliberately misled me and my constituent".

[Translation]

I believe it is unfair to say such things in the House when the minister himself stated exactly the opposite under oath before a public commission. Mr. Speaker, the danger in all this would be if we, members of parliament, through a committee, were invited to question the same people and pass judgment on the same activities when a commission is now considering this same matter, and is now interrogating one witness, who gave his own version of the facts, and when the commission will then have the power to interrogate other witnesses.

It is obvious that all former solicitors general involved are impatient to testify before the McDonald commission. They have said so, they will do so and this is provided by the legislation, as I said earlier. Why then ask this institution to do the same work over again? I think we must be logical and respect the spirit of the law. There already is a commission established by an act of parliament which is now investigating the activities of politicians and the RCMP. Why then should we ask another agency of this House to do exactly the same work when the investigation is not yet completed and we have conflicting evidence? If, as each witness testifies before the commission, every member could rise in this House on a question of privilege and ask to refer the matter to a committee, there would be no end to the situation.

[Mr. Pinard.]

Mr. Speaker, I believe that it is only logical and sensible to avoid doing the same thing twice. I believe that we should have enough restraint not to attribute intentions to the solicitor general, and I therefore believe that this should not be considered a *prima facie* question of privilege, first because it is belated, and second, because it is legally irregular and out of order.

[English]

**Mr. Erik Nielsen (Yukon):** Mr. Speaker, it is not my intention to go over the arguments which were very ably made by the hon. member for Northumberland-Durham (Mr. Lawrence) and by the hon. member for Grenville-Carleton (Mr. Baker), but I want to re-emphasize, for your consideration, the principle of ministerial responsibility. This has been touched upon but not emphasized.

It seems to me that the fact that a minister sent out on his ministerial stationery and over his own signature an assertion to a member of parliament, in reply to a question which could have been taken as a notice of questions to be raised in this House, has to bear a good deal of weight on your decision. The minister knew what he was writing. He signed it. If he did not know what he was writing, he should have made appropriate inquiries at the time the draft was presented to him.

Either we, as members of parliament, on all sides of the House are entitled to rest secure in the knowledge that we are going to receive the truth in ministerial replies, or we are not, and obviously it is the opinion of all hon. members of this House in this instance that the hon. member for Northumberland-Durham did not receive a truthful reply to this inquiry. Where does it leave us if we disregard the fundamental principle of ministerial responsibility?

There is no doubt in my mind, having regard to the circumstances surrounding the Keable inquiry, that the hon. member for Northumberland-Durham did not know the facts. The facts as stated by the Parliamentary Secretary to the President of Privy Council (Mr. Pinard), with respect, are incorrect. Even if the hon. member for Northumberland-Durham did know of those facts, the question of privilege is still well founded, but the fact is that the hon. member first knew of the erroneous nature of the content of the reply only this week.

The Keable commission inquiry—and in this sense I feel as if I am speaking for a minority—was conducted in French. The transcript was in French, and I do believe the hon. member for Northumberland-Durham is bilingual in the sense that he speaks French and English. This matter did not, I am assured by the hon. member himself, come to his attention until this week. It came to his attention because two blocks away a royal commission is inquiring into these matters. A specific question about this specific letter was raised, and the matter has received much English exposure. That is how the hon. member came to know of it.

**Mr. Speaker:** I wonder if I could interrupt the hon. member for Yukon (Mr. Nielsen) just to direct his attention to a point which troubles me nevertheless, and it is very much related to the point he is now arguing. I am not very concerned about