

can only be dealt with by the House, not by a parliamentary committee which is simply a subsidiary body.

If there is a breach of privilege, and one could argue that the Hon. Member who just spoke is conceding that, then it must be dealt with in the House. I suggest that the Conservative Member who just spoke may well be conceding that there is a breach of privilege, because he was saying that this is a matter that has to be dealt with in the committee. At least at the conclusion of his remarks he was not arguing that there was nothing to be dealt with at all. He was saying that it had to be dealt with in the committee, and that is why I say that the Hon. Member seems to be conceding that there was a breach of privilege. If that is the case, then the precedents you must consider, going back to the resolution of the British House of Commons adopted in 1700, say that it is a matter to be dealt with in the House and not in the parliamentary committee.

I have one final point, Mr. Speaker. The Hon. Member to whom I have been referring talked about whether there is evidence of tampering. The precedent is clear. It says that tampering in the sense of "corruption or intimidation, though unusual, is not an essential ingredient in this offence". The concluding words of the citation which I believe has already been brought before you say that: "It is equally a breach of privilege to attempt by persuasion or solicitations of any kind to induce a witness not to attend or withhold evidence or to give false evidence". Therefore, if the words spoken by the officials in question of the Prime Minister's Office, no matter how gentle or kind they may have been, amounted to persuasion or solicitations of any kind, then in the words of the citation there is a breach of privilege. I submit with the greatest respect that a prima facie case of breach of privilege has been proven.

● (1550)

Mr. Rod Murphy (Churchill): Mr. Speaker, I would also like to add a few words to this question of privilege raised by Members of the two opposition Parties.

No one is arguing that the Prime Minister's Office actually interviewed these people. It has been accepted that that has actually happened. However, there are two questions which have to be answered. Why was that done and what effect does that have on our committee system? Some Members of the Government have said it was done to coach the witnesses on what happens in front of a committee. If that was the only reason the Prime Minister's Office thought it was necessary to bring witnesses of committees into that office, then I would say it does not sound like there was any reason to do so in the first place because obviously—

Mr. Speaker: The Hon. Member who has a reputation in the House as being a skilled Parliamentarian will realize he may be putting the Chair in some difficulty. I would caution the Hon. Member who is an experienced Member of Parliament not to get too close to something which may be, I am afraid, imputing motives to the very people about whom we are speaking or of other Hon. Members of the House. I know the

Hon. Member would not want to stray too far into that area if that is not his intention. Will the Hon. Member please continue.

Mr. Murphy: Mr. Speaker, I am not sure what you thought I was going to say, but I certainly do not think I was going to say anything which went against the rules of the House.

Mr. Speaker: Provided the Hon. Member is now quite sure he will not say anything which goes against the rules of the House, the Chair's intervention might have been helpful.

Mr. Murphy: I would almost accuse you of filibustering, Mr. Speaker, but that would be against the rules of the House.

The problem we face with this whole process is that the Prime Minister's Office, for some reason, brought these witnesses who were called before a committee of the House, and did some sort of coaching. We have no knowledge as to what took place in that coaching process. Obviously, the Prime Minister's Office felt it had to do this despite the fact that any Clerk of any committee is quite capable of explaining to witnesses what happens in committee and what are the procedures of a committee.

Mr. Speaker: I wonder if I could ask the Hon. Member a question. Imagine for a moment that a constituent of the Hon. Member is here and is called to come before a committee and the Hon. Member receives a call from the constituent who asks: "Can you tell me what this is all about and give me some advice." I wonder what the response of the Hon. Member would be?

Mr. Murphy: I think that is a very valid question, Mr. Speaker. I suspect that I would either give that person information or refer him to the Clerk. However, that is not what happened in this situation. As we understand it, and as people have explained it to us in addressing the question of privilege, the witnesses did not telephone the Prime Minister's Office and say: "Please tell us what is going on". The Prime Minister's Office called these witnesses in and said they must come in or should come in, whatever phraseology was used, and it would review and explain how the process works.

My problem with that is that committees of the House of Commons, through the new rules of the House, have an obligation to review various Government appointees. That was a right granted by the House and, I must admit, was a promise of the Prime Minister (Mr. Mulroney). The problem that we will have, especially those of us in the opposition, is that if there is going to be coaching of witnesses, as there quite often is in court cases, then the committees themselves, and especially the opposition Members of those committees, will need to have the same abilities, training and resources in order to ensure that the process is fair.

I am not a lawyer, Mr. Speaker, but I do know enough about law to recognize that there is some equality in the system. It is true that a lawyer will brief his or her client. That will happen. However, we do not have that same ability in our