

Privilege—Mr. S. Robinson

MR. ROBINSON (BURNABY)—RESPONSIBILITY OF SOLICITOR GENERAL TO TABLE REPORTS

Mr. Svend J. Robinson (Burnaby): Madam Speaker, I rise on a question of privilege which affects the rights and responsibilities of all members in this House. I might add that it is a question of privilege of which I have given the Solicitor General (Mr. Kaplan) notice, although he has unfortunately left the chamber. The question of privilege concerns the responsibilities of the Solicitor General under the statutes by which his department is governed.

Pursuant to the provisions of the Department of Solicitor General Act, Revised Statutes of Canada, chapter S-12, section 5, on or before the 31st day of January next following the end of each fiscal year or, if Parliament is not then sitting, on any of the first five days next thereafter that Parliament is sitting, the Solicitor General is required to table the annual report of his department.

In addition, the Solicitor General has a statutory responsibility pursuant to the Penitentiaries Act, Revised Statutes of Canada, chapter P-6, section 30, to table the annual report of the commissioner of penitentiaries at the same time.

In each case the Solicitor General has failed to carry out his statutory responsibility to table these reports. This is a serious matter. This House and individual members of Parliament have a responsibility to carefully scrutinize the reports of the work of particular departments. That is our responsibility as members of Parliament. There is a statutory responsibility on the minister to table these reports, and in the absence of that tabling we are unable to perform our function as members of Parliament and critics of these particular departments.

In this particular case, Parliament has mandated that this department table reports at certain times. The most recent annual report was for the year ending March 31, 1978, over two years ago. Particularly in view of some of the important issues which this department has to deal with, areas such as the RCMP, the parole board and penitentiaries, it is critical that we have this information and that we have a basis upon which to question the minister both in the House and in committee.

Should your Honour find that this is a breach of the privileges of members of this House, I would move:

That this matter be referred to the Standing Committee on Privileges and Elections for a full and comprehensive review.

This is a serious matter. We are unable to perform our function as members of Parliament without the information that the government is statutorily required to lay on the Table.

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, judging from the question raised by the hon. member, he has two grievances. The first, that the Department of the Solicitor General has failed to table a report in the course of the first five days of the new Parliament and if I understand correctly, that the commissioner of penitentiaries had not done so either within the same period.

First, I would ask that the question be stood until the Solicitor General can give explanations, if need be, as he had to leave a few minutes ago for very good reasons. However, may I point out to the House that in the course of the last year we have had two general elections as a result of which in one year's time Canada has been administered by three different governments. I do not want these circumstances to be underestimated; they could have influenced the preparation of these reports and their tabling by previous governments. And it could be that such reports do not exist precisely because for the last year we have been without a Solicitor General and a Parliament. This might explain the fact that they could not have been tabled at the proper time.

Be that as it may, Madam Speaker, in view of this exceptional situation and the temporary absence of the Solicitor General who was compelled to leave, I ask respectfully that this question be stood until the next meeting of the House at which time the Solicitor General might give us his comments.

Madam Speaker: Exactly; as the Solicitor General is not in the House at this moment, it would be wise, I should think, to put this question to him at a time when he could give the explanations the hon. member wants.

● (1540)

[*English*]

MR. CROMBIE—REMARKS OF MINISTER OF NATIONAL HEALTH AND WELFARE

Hon. David Crombie (Rosedale): Madam Speaker, my question of privilege relates to some remarks made in response to a question by the Minister of National Health and Welfare (Miss Bégin). As I heard them, I gained the impression that the House was being misled. I should like to have an opportunity to consult the record and reserve the right to raise a question of privilege tomorrow.

[*Translation*]

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, since the hon. member, who was my predecessor at the Department of National Health and Welfare, is kind enough to proceed as he has just done, let me indicate very briefly to the House, because I consider it important, that the beginning of my answer, when I said I would answer in French, was to get the message through and to protect myself from mistakes I could make in the English language, and not the way I expressed it. In any case, I should like to thank my predecessor for the kindness he has shown in understanding that even in saying so, I did not express myself very well in English. As for the point he wants to raise and for which, so it seems, he wishes to wait for the blues of *Hansard* in order to ascertain the precise content of my answer, in turn I reserve the privilege of answering him and defending my own rights.