

# HOUSE OF COMMONS

Tuesday, September 4, 1973

The House met at 2 p.m.

## PRIVILEGE

### MISS MACDONALD—INTERROGATION BY POLICE CONCERNING FILES MISSING FROM INDIAN AFFAIRS DEPARTMENT

**Miss Flora MacDonald (Kingston and the Islands):** Mr. Speaker, I rise on a question of privilege, notice of which I have given you, on behalf of myself and every member of this House. You, Sir, as parliament begins each session, ask the Governor General, in the Queen's name, to continue the privileges, mandates and powers to be held, enjoyed and exercised by members of parliament.

My question of privilege concerns the fact that on Friday last my parliamentary office was visited on two occasions by members of the Ottawa city police force and the RCMP without first having sought an appointment or without your permission or that of your staff.

**Some hon. Members:** Shame, shame.

**Miss MacDonald (Kingston and the Islands):** The purpose of their visit was to inquire about files and documents missing from the Department of Indian Affairs and Northern Development. On the first occasion, these gentlemen interrogated my staff, in my absence and without my permission, as to my activities, contacts, telephone calls and conversations during the preceding 24 hours.

On the second occasion when I arranged to meet them they continued this type of interrogation. What gravely concerns me, Sir, is the implication throughout their questioning of my involvement in a criminal offence.

**Some hon. Members:** Shame, shame.

**Miss MacDonald (Kingston and the Islands):** Obviously I have an interest in seeing that the investigation is conducted satisfactorily, and for that reason I subsequently arranged to meet with these police officers. Yet, I have an overriding obligation to ensure that the privacy of my office is not violated.

**Some hon. Members:** Hear, hear!

**Miss MacDonald (Kingston and the Islands):** I have raised this question, Sir, because its gravity affects not only myself but all members on both sides of this House. If you find I have a prima facie case of breach of privilege I will move, seconded by the hon. member for Fundy-Royal (Mr. Fairweather):

That all matters pertaining to the interrogation of myself and my staff on Friday last be referred to the Committee on Privileges and Elections for study and report.

**Some hon. Members:** Hear, hear!

**Mr. Speaker:** The hon. member for Kingston and the Islands (Miss MacDonald) did provide the Chair with notice as required by the Standing Orders. Furthermore, the hon. member and I have had a few discussions in connection with the incident to which she has just alluded.

I have no doubt that all members of this House are highly concerned about such activity. I have no doubt whatsoever that members would not want to be placed in the position where, in their absence from their offices, representatives of police forces, either federal, provincial or municipal, should be allowed to go in and, without any authority whatsoever, question members of the staff. I think that is an extremely serious matter, and I have no doubt at this point that I express the views and concern of each member of this House when I say that if ever there was an apparent breach of a member's privilege, this is it.

**Some hon. Members:** Hear, hear!

**Mr. Speaker:** At the same time, I think perhaps hon. members would want me to have an opportunity to have a discussion with the hon. member for Kingston and the Islands to ascertain whether the House would want to have a debate on this matter or whether we should simply agree that there is a prima facie case of breach of privilege, put the motion and have the matter referred to the Standing Committee on Privileges and Elections. I am not sure whether or not hon. members, in their joint and unanimous concern over the incident, would want us to proceed in this way. If there are views which might be expressed at this time for the guidance of the Chair I would be grateful to hon. members. I, personally, would not hesitate to rule that there is a prima facie case of breach of privilege, subject to what guidance I might receive from hon. members on the point.

**Mr. G. W. Baldwin (Peace River):** Mr. Speaker, I do not want to say anything more on this matter other than to indicate that you have expressed the views I hold, and which I am sure represent the views of members on both sides of the House. I think the only issue which can be decided at this time is whether or not the motion should be put now or there should be a debate. Possibly the government House leader and the other House leaders might have an opportunity for consultation and discussion with Your Honour on this point so that we may come to a decision which will accelerate the solution of this question, and also see that it receives the attention it deserves. I would make that suggestion.

● (1410)

**Hon. Allan J. MacEachen (President of the Privy Council):** Mr. Speaker, your expression of opinion on this matter certainly has found support in this part of the House and we would be ready to co-operate to seek the