

Madam Speaker:—in listening to a question of privilege when other members might want to take the time of the House and the validity of the hon. member's question of privilege has not been demonstrated to me.

Mr. Beatty: I can demonstrate it, Madam Speaker.

Madam Speaker: Does the hon. member want to speak again briefly and try to enlighten me on the particular points which I have just referred to?

Mr. Baker (Nepean-Carleton): Of course I do, Madam Speaker.

Madam Speaker: The hon. member for Nepean-Carleton (Mr. Baker).

Mr. Beatty: I have the evidence, too!

Mr. Baker (Nepean-Carleton): Madam Speaker, the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty) also wants to speak. I also take it that the Speaker is interested in obtaining the facts and issues, since the duty of the Chair, as I understand it, is to find a prima facie case of privilege and then the committee does the rest.

Some hon. Members: Hear, hear!

Madam Speaker: Indeed, that is the duty of the Chair. But it is the duty of the member who raises the question of privilege, especially when he speaks for 20 minutes, to indicate to me where the privilege lies. If in the course of the hon. member's first intervention I do not see the light of a prima facie case of privilege, it has been my tendency not to listen to a second speaker, but I will listen now to the hon. member for Nepean-Carleton. I will then decide if I will hear other interventions.

Mr. Baker (Nepean-Carleton): Madam Speaker, I think you may have misdirected yourself, and I say this with respect.

Some hon. Members: Oh!

Mr. Baker (Nepean-Carleton): The argument is not as to the availability of the report to the New Democratic Party. I am not arguing that. The question which was before Mr. Speaker Jerome in 1979 was not a question of availability; it went much further than that. The question was with respect to the provision of services. The fact of the matter is that the report from which the New Democratic Party drew was not available publicly, to my understanding. I think one would have to believe that when there is identical wording in a report from the New Democratic Party and in a government report, from the point of view of establishing a prima facie case one would have to be on another planet to suggest honestly that that is entirely coincidental. The possibility of this happening is about the same as the proverbial monkey sitting at a typewriter and producing the Oxford English dictionary.

The second possibility is that some agent of the New Democratic Party stole into the Privy Council office in the

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dead of night and made off with a draft of the government position paper.

Some hon. Members: Oh, oh!

Mr. Baker (Nepean-Carleton): I am sure that we do not have to believe that. If that had been the case, Madam Speaker, I am certain there would already have been a charge laid had some enterprising New Democratic Party person done that. I am suggesting that they had all the evidence in the world ahead of time of something which had not yet been published. The coincidence would lead a cautious person to consider how these identical quotations could come about.

The final possibility—and I think I must deal with all possibilities as to how this unusual coincidence could have happened—is that the representatives of the New Democratic Party were given help by those officials of the government in preparing the government's own position paper. That is the other possibility. In fact, it is the only remaining possibility.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): The prima facie case of privilege arises from the fact that none of the resources of the government was made available on an equal basis to all members of the House of Commons.

Mr. Beatty: There is further evidence.

Mr. Baker (Nepean-Carleton): There is further evidence which can be produced.

What I have stated is the basis for a prima facie case, Madam Speaker. This matter came up before and the hon. member for Yorkton-Melville argued it strongly. He was talking about the case in which I was involved, and I remember it very well.

I see the Sergeant-at-Arms is approaching the table. May I call it one o'clock, Madam Speaker?

Madam Speaker: I am waiting for the hon. member to finish his sentence.

Mr. Baker (Nepean-Carleton): I want to refer you to the judgment of your predecessor, the Hon. James Jerome, on December 10, 1979. I hope I will have an opportunity to expand on this. That judgment was given after a long argument in this House, which took place over several days and involved members of the then government, members of the Liberal Party, which was then the official opposition—and the country would be better off if they still were—and the arguments of the very distinguished member for Yorkton-Melville. I will refer to that judgment for the purposes of putting my prima facie case at two o'clock.

Madam Speaker: It being one o'clock, I do now leave the chair until two o'clock this afternoon.

At 1 p.m. the House took recess.