

Privilege—Mr. Robinson

● (1540)

If the memory of the Chair is correct, I do not think the Hon. Solicitor General basically went any further than that in his reply to the Hon. Member in Question Period.

At least for now, I would ask the Hon. Member for Burnaby to confine his remarks, as he has been doing with some skill, strictly to the question of privilege, and not to get into another area which may be the subject of a later political debate that does not assist the Chair very much at the moment. I would ask the Hon. Member to continue and conclude his remarks.

Mr. Robinson: Mr. Speaker, certainly my understanding was that the response of the Solicitor General was that he had consulted with the Commissioner of Corrections and was satisfied, based on his assurances, that the incident in question had not occurred.

However, as Your Honour has indicated, there is a fundamental distinction between whatever action the Government and the Minister might take, and the question as to whether or not there has been a breach of privilege of Members of this House.

Indeed, I will conclude my remarks by noting that, based on the information which I have brought before the House, at this point I am prepared to move the necessary motion should Your Honour find that there is a *prima facie* case of breach of the privileges of Members of this House. I believe that the only way we can determine exactly what did transpire is precisely to send this matter to the Standing Committee on Privileges and Elections to allow that committee to call the necessary witnesses in the appropriate atmosphere and get to the bottom of this.

As a Parliament, we must send out a very clear message to those who would work in this committee in the future, and to those who are prepared to stick out their necks in some cases to give evidence to this committee, that they will not in fact be subject in any way to reprisals as a result of giving evidence before this committee.

Finally, I have given notice of my intention to raise this question of privilege to the chairperson of the committee, the Hon. Member for Ottawa West (Mr. Daubney). In view of the fact that that Member, and I believe some other Members of the committee are in Kingston today, I suggest that they certainly be given an opportunity to make whatever representations they believe to be appropriate with respect to this question of privilege. I would assume that any ruling would be deferred until they have been given an opportunity to make submissions on this very serious question of privilege.

Mr. John Nunziata (York South—Weston): Mr. Speaker, as the critic of the Solicitor General's Department for the Official Opposition I was present in Kingston, at Collins Bay Penitentiary and Millhaven Institution, at the same meetings as the Hon. Member for Burnaby (Mr. Robinson). I want to

share with the Chair my impressions and my understanding of what occurred.

I regret very much that the Hon. Member for Burnaby has chosen to raise this matter today with the full knowledge that the committee is still in the Kingston area conducting its affairs. I also regret that the Member has chosen to use such inflammatory and provocative language in view of the very tense situation at Millhaven.

The Millhaven Institution just outside Kingston has a cell capacity of 536 inmates. On October 14 of this year an inmate was shot and killed by a guard, who shot from a tower in an attempt to break up a fight that was taking place in the yard. Following this particular incident there was a sit-down strike, and for approximately the last two weeks the inmates have been locked in their cells for 23 hours a day. They have been allowed out for an hour a day for meals and so on. Their meals have been cut back—

Mr. Speaker: The Hon. Member for York South—Weston (Mr. Nunziata) has the obligation in this House to cover this particular Department and these matters. He has spoken forcefully on occasion in this House and has raised some of these matters before.

However, I would ask that the Hon. Member confine himself specifically to the alleged question of privilege that the Hon. Member for Burnaby (Mr. Robinson) has raised. Otherwise, I am afraid we may get into a long debate about the conditions in one prison or other. While those are very serious matters, and I know that the Hon. Member and other Members take those matters very seriously, we will get a long way from the procedural point that the Chair is seized with in this particular application.

I would ask the Hon. Member for York South—Weston to assist the Chair and discuss specifically the point that the Hon. Member for Burnaby has raised. The Hon. Member may or may not agree with the Hon. Member for Burnaby in bringing the matter before the House at this time—that may be a matter of difference between them—but the Hon. Member for Burnaby has brought this matter to the Chair.

I think the point is quite clear to all Hon. Members and it is on that point that I ask the Hon. Member for York South—Weston to assist the Chair. The Hon. Member may not agree that it is a question of privilege, but the Chair does not know exactly yet which position he takes.

Mr. Nunziata: Mr. Speaker, I was hoping to give the Chair and the House some background in order to understand the situation at Millhaven resulting in the transfer of the six inmates, and the reasons why we were told Mr. Avrey and the five other prisoners were transferred out of Millhaven to Kingston en route to Archambault in the Province of Quebec, and why the telephone conference took place.

The Member for Burnaby talked about documents that went missing and about the transfer of Mr. Avrey. As I understand