

Oral Questions

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I know the young man. I felt that having known him and having worked with him for a short period of time I was in a position to put evidence forward that, if he was given a break in life, he could turn out to be a decent and contributing member of Canadian society. In the part of Toronto that I represent, unemployment among teenage blacks is a very serious problem. I felt that he is a decent kid who had made a mistake but still deserves a break.

Some hon. Members: Hear, hear!

INTERPRETATION OF GUIDELINES GOVERNING MINISTERIAL
CONDUCT

Hon. James A. McGrath (St. John's East): Madam Speaker, I have a supplementary question for the Prime Minister. We are talking about the integrity of the Canadian courts. In view of his reply to the hon. member for Edmonton-Strathcona I want to ask the Prime Minister if it is his interpretation of the guidelines that it is now all right for ministers of the Crown, including the Solicitor General, to try to influence judges if they do it up front. Is that the position he is taking in this House?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the hon. member has heard my answer. I did not say "You can influence judges if you do it up front". I said there is a difficult question as to whether a minister can act as a human being or whether he must dissociate himself from that position when he is intervening in a case like the one mentioned by the hon. member. Surely this is not a case of one side fighting against the other. This is the Crown trying to establish whether a man should receive a longer or shorter sentence. It is a known judicial practice in this country that character references are given by citizens. The more distinguished the citizen, the better from the point of view of the lawyer and from the point of view of the accused.

Once again, without refreshing my memory on the guidelines I cannot answer this question with finality. I undertook earlier to look at them. I cannot see that it is against the spirit of the guidelines to try to help a human being who is going to be sentenced by saying, "I know this man and he deserves to be treated with mercy".

● (1500)

POSSIBILITY OF CONFLICT OF INTEREST

Hon. James A. McGrath (St. John's East): Madam Speaker, if the guidelines were not breached, does the Prime Minister accept the proposition that the Solicitor General, in intervening a pre-sentence hearing by way of counsel—it was an intervention—was in serious conflict of interest given the fact that the person before the courts was convicted of not one but two violent crimes?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, it would be interesting to find out from the hon. member what interest was in conflict with another interest. I cannot see any personal gain which would accrue to the minister by giving a character reference. In that sense, what was the conflict of interest? He may have been acting in a way which was unusual; he certainly was acting in a way which does not have the approval of many of the opposition members. But whether that was against the guidelines or not I will only say when I have read the guidelines again. All I say is that my recollection of the guidelines is that they are not offended by this act, and that the minister has sought no personal gain. I repeat for the third time, he has just sought to ensure that justice be tempered with mercy, which is a good Liberal attitude.

Some hon. Members: Hear, hear!

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PETITION

MR. PATTERSON—RECONSIDERATION OF GUN CONTROL
LEGISLATION

Madam Speaker: I have the honour to inform the House that the Clerk of the House has laid upon the Table the two hundred and forty-eighth report of the Clerk of Petitions stating that he has examined the petition presented by the hon. member for Fraser Valley East (Mr. Patterson) and finds that it meets the requirements of the Standing Orders as to form.

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PRIVILEGE

MR. DOMM—ENFORCEMENT OF METRICATION—QUESTION
DEFERRED

Mr. Bill Domm (Peterborough): Madam Speaker, last week a number of things happened during proceedings of the House which prompted me to serve notice in the normal way that I intended to rise today on a question of privilege. On returning to the House, having had the opportunity of reading *Hansard* from last Friday, I learned that you ruled the question of privilege I wished to raise would be considered a grievance over a commitment by a minister and the carrying on of the affairs of his ministry through his civil servants, namely, the enforcement of metrication.

For that reason I will defer my question of privilege, and I am now exploring the various ways you have suggested where this matter might be raised as a grievance in the House or through other means. If you would bear with me until I have an opportunity to explore those opportunities, I will defer my question of privilege.