

referred to a specific case which is before the courts. We are in no position, either in our preambles to questions or in answering questions, to interfere with a fair trial.

**Mr. Speaker:** I think it might be helpful for Hon. Members and also for the public to have the Chair again remind the House that there has been a long-standing convention—and it is not a rule but a convention, one which we have imposed upon ourselves—that in a criminal case reference to the case itself in such a way that would cause unfairness or prejudice to the proper prosecution of that case is not accepted in the Chamber.

I have been listening very carefully to the questions. It is of course especially up to the Attorney General of Canada to take whatever position he ought to take when a question is put. The Attorney General of Canada will know more about these matters than the Speaker. I have to listen to the question.

However, I do ask Hon. Members to keep this in mind. As I say, the convention is there in respect to fairness of the proceedings.

I know Hon. Members will assist the Chair. I ask that they keep this in mind for the rest of Question Period.

INSTRUCTIONS TO SENIOR DEPARTMENT OF FINANCE  
OFFICIAL

**Mr. George S. Rideout (Moncton):** Mr. Speaker, my question is for the Minister of Justice. We know that Doug Rutherford had conversations with Crown Attorneys and with the Office of the Attorney General for Ontario and that Rutherford brought forward considerations to the Attorney General.

In light of the comments of the Deputy Prime Minister and the Solicitor General that the decision to lay charges rested solely with the RCMP and the Ontario Attorney General, did the Minister of Justice instruct Doug Rutherford to consult? If so, what did he instruct him to do?

**Hon. Doug Lewis (Minister of Justice and Attorney General of Canada):** Mr. Speaker, there were no instructions to my officials to consult.

I quote from the Canadian Wire Press story of the interview with the provincial official who said that the call was no more than normal consultation. He said: "This is a normal consultation to give us some of their considerations". He then went on to say that it is

ultimately up to the police whether or not they want to lay a charge.

POSITION OF SENIOR DEPARTMENT OF FINANCE  
OFFICIAL

**Mr. George S. Rideout (Moncton):** Mr. Speaker, I do not think there is anything normal in this situation at all.

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

**Mr. Rideout:** When these discussions would be taking place I do not believe that either side would consider that they were just normal, routine questions or inquiries on criminal matters.

It would appear that Mr. Rutherford is acting on his own. Did he request the RCMP or the Attorney General to lay charges?

**Hon. Doug Lewis (Minister of Justice and Attorney General of Canada):** Mr. Speaker, I refer once again to the transcript of the interview with the individual who referred to them as normal consultations.

**Mr. Tobin:** He works for you.

**Mr. Lewis:** He went on to say that it is ultimately up to the police whether or not they lay the charge. It is ultimately up to the police.

[*Translation*]

BUDGET LEAKS—GOVERNMENT POSITION

**Hon. Edward Broadbent (Oshawa):** Mr. Speaker, my question is directed to the Minister of Justice, on the same subject. Since the original Budget leak, the Government has refused to take the responsibility and has been trying to hide behind the RCMP, as it did yesterday and is doing again today.

[*English*]

Following up on what has just been said, my question to the Minister concerns his claim that a person said that these conversations were just routine. That is not what the official from Ontario said. The official from Ontario pointed out that the call originated from a senior person in the office of the Minister of Justice and that this senior official said he was calling on behalf of the Ministry of Finance. Ontario did not say that this was routine.

My question to the Minister is very direct. Will he tell the House what was the nature of that conversation? Was there a request coming from the federal official, for