

HOUSE OF COMMONS

Monday, November 20, 1989

The House met at 11 a.m.

Prayers

[English]

PRIVILEGE

DISCLOSURE OF EVIDENCE OF COMMITTEE

Mr. Speaker: I should advise the House that there are two applications for questions of privilege which I shall hear first. There is subsequent to that some other measures, and I will deal with them. However, first I will hear on a question of privilege the hon. member for Edmonton Northwest.

Mr. Murray W. Dorin (Edmonton Northwest): Mr. Speaker, I will be brief because I do not think I have to give a lengthy explanation. My question of privilege arises from matters over the last 10 days flowing from discussions involving the finance committee of the House of Commons, and the consideration of its report which examines the government's technical paper on the goods and services tax.

The nineteenth edition of Erskine May at page 146, chapter X, Breaches of Privileges and Contempts, in part states:

—“That the evidence taken by any select committee of this House, and the documents presented to such committee, and which have not been reported to the House, ought not to be published by any member of such committee or by any other person”.

It goes on to state:

Where the public are admitted this rule is usually not enforced. The publication or disclosure of proceedings of committees conducted within closed doors or draft reports of committees before they have been reported to the House will, however, constitute a breach of privilege or a contempt.

Following deliberations of the committee between November 6 and November 9, there appeared an article in *The Financial Post* which stated, and I will quote just two paragraphs. The first one states, “Meanwhile, New Democrat Lorne Nystrom said his party will break off its

participation in the drafting of the committee report ‘They’ll (the Conservative members of the committee) recommend 7 per cent on a broader base, Nystrom said yesterday’”. “Liberal committee member Doug Young also said it is likely the Liberals will decide before the weekend to file a minority report. Young said the majority of Conservatives on the committee will recommend the 7 per cent rate rather than the 9 per cent proposed by the government and a broader base for the tax. The committee has to report to the House of Commons November 28.”

That article prompted a number of others, Mr. Speaker. I will not quote from all of them. In essence, many of them reported a variety of matters that presumably would have been discussed at that meeting.

I received, following this date, a call from another reporter who asked me to comment on the report. I suggested that I was not prepared to do that. He then gave me a list of things and asked me whether I had seen these other articles.

Over the course of the following several days, there were a variety of articles, as well as news conferences, held by both opposition parties, as well as television interviews with members of the two opposition parties.

The problem is that it creates a particularly difficult dilemma for a person such as myself who receives these questions, sees these statements and is asked to comment about them. Without putting myself in a breach of privilege I find it very difficult. First of all, I am not in a position to either confirm or deny. I am not in a position to defend certain suggestions that are made as to whether they are true or not. In fact, if they are true, I am not in a position to discuss them, advance them and elaborate on them because often they are presented, or may have been presented, with less than a full discussion.

• (1110)

In fact, to go further, there are one or two instances—and in one case there is a direct quote—where my name is included directly, which is a false statement. Again, I am not even in a position to elaborate, defend or deny