

*Privilege—Mr. Jelinek*

Hon. Member for Ottawa Centre (Mr. Cassidy), no retraction. He sticks to what he said. The issue is there. The Minister of State for Fitness and Amateur Sport says he has been wronged, his privileges are affected. The Hon. Member for Ottawa Centre continues his allegation of wrongness. It is obvious that someone has to review the situation and a decision must be made. The appropriate forum in this House of Commons is the Standing Committee on Elections, Privileges and Procedure.

I do not know what further discussion there can be other than a retraction here and now from the Hon. Member for Ottawa Centre in respect of the complaint of the Minister. That is to say, that he did not mean to state that there was any wrongdoing, that he did not mean to imply any wrongdoing, he merely wished to raise the question on the floor of the House of Commons, which I would agree he is entitled to do. He is allowed to raise the issue. However, in raising the issue he made an allegation which he now has to stand by or retract.

As far as I understood his intervention, he said very clearly that he stands by his allegation. He thinks the rule was violated, and if it was not violated in the opinion of the director, the director is wrong, and if the director is right, the rules should be changed. I understood him very clearly. He stands by his allegation. Let him go before the committee and prove it.

**Hon. Harvie Andre (Minister of Consumer and Corporate Affairs):** Mr. Speaker, I will be very brief. In the course of discussion of this very important and, in my view, very essential Question of Privilege raised by my colleague, the Minister of State for Fitness and Amateur Sport (Mr. Jelinek), a lot of statements have been made about freedom of speech and privileges of members to speak their minds in this Chamber. No one would dispute that. It is absolutely essential to the operation of this Chamber. Further, it is essential in our system—sometimes less essential in others—that during Question Period all Hon. Members of the House have an opportunity to question the Government about its activities.

That fundamental freedom of parliamentarians to speak freely in this Chamber and to question Government during Question Period, is circumscribed by a whole range of rules which were established in the long tradition of this institution and its predecessor institutions in the United Kingdom. We have, for example, severe limits on the words which can be used. One cannot use accusatory or inflammatory words in keeping with the traditions of this House. Beauchesne is full of examples of what should be a proper question and what a question should seek. Citation 359 of Beauchesne makes it very clear; the question ought to seek information and so on.

There is an equally important provision in the long traditions of this House that members may not accuse another member of a wrongdoing. One cannot use the immunities of this institution to make an accusation. The tradition is that if one makes an accusation of wrongdoing, one does so with such conviction that one willingly puts one's own seat under

consideration. That is a vitally important tradition. If members are free at any time to accuse other members of wrongdoing without the sanction of having to defend their convictions by putting at risk their seats, then we open the door to a free flow of those accusations. We open the door to anyone to stand up and say, you are a thief, you are a crook, you have done this and that. Those who came before us were very wise in the establishment of our traditions. The decisions made by your predecessors, Mr. Speaker, which are found in Beauchesne, are very wise and should be followed.

It has been suggested by a number of speakers on this side of the House as to the course of action open to the Hon. Member for Ottawa Centre (Mr. Cassidy). He ought to take that course of action if he has any respect for this institution.

**Mr. Cassidy:** Mr. Speaker, I have several comments I would like to make in response to the points which I know have been made sincerely by Members of the Government, although perhaps they do protest a bit too much. In fact, I think everyone in the House will acknowledge that the Code of Conduct itself is imprecise and that if it can provoke an hour-long debate in the House then perhaps we should spend an equal amount of energy ensuring that we have a Code of Conduct that is effective, enforceable and which can be easily understood.

● (1240)

**Mr. Speaker:** The Hon. Member may well be correct, that is not for the Chair to say. But let us return again to what the complaint is. The complaint is that the consequence of what was said in the House yesterday was a slander on the character or the conduct of the Minister. That is the issue. That is the issue I have to face.

**Mr. Cassidy:** Mr. Speaker, I was also accused of not having done any research and of providing selective information. First, I would point out to the Deputy Prime Minister that in the material which I circulated to him and the press I included the summary statement by the Minister for 1984 and 1985. I skipped 1986 because it was a duplicate and I provided the statement for February, 1987. These are the documents which are available to the public.

**Mr. Mazankowski:** There is more than that available.

**Mr. Cassidy:** To my knowledge—

**Mr. Mazankowski:** To your knowledge, that is the shortcoming.

**Mr. Cassidy:** To my knowledge, since I have asked previously for other information from the Assistant Deputy Registrar-General. He takes it as his view that if he has a statement of compliance then that is it. I also made available to my colleagues in the other Party information available from the registry office. As the Deputy Prime Minister stated in his response yesterday, an interim mortgage was arranged on this property until August. For me to suggest that a mortgage was