

Privilege

Hon. Kim Campbell (Minister of Justice and Attorney General of Canada): Mr. Speaker, as I advised the hon. member for Notre-Dame-de-Grâce yesterday, I am not backing off from the commitment and I am not giving in to any vocal minority. I certainly hope to be able to honour my commitment in this House.

* * *

PRIVILEGE

STANDING COMMITTEE ON CONSUMER AND CORPORATE AFFAIRS AND GOVERNMENT OPERATIONS

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, I rise today on a point of privilege for which I have given you proper notice at the first possible moment.

As you are well aware, my point of privilege deals with the actions of the chair of the Standing Committee on Consumer and Corporate Affairs, the hon. member for Halton—Peel.

I would like to inform the House that the basis of my question arises from a letter that the chair of the Standing Committee wrote to Mr. Terrence Larock, the Chief of Committee Reporting Services.

The letter states that the chair has informed the console operators before each committee that the microphones of only those members who are recognized are to be turned on.

In addition, the letter states and I quote: "In the case where the words of a member, not recognized by the chair, are picked up by another microphone, these words are not to be included in the evidence and there should not be any editorial note explaining that the member was not recognized or that the microphone was ordered shut".

It should also be pointed out that the chair states quite clearly that these are his instructions and not those of the committee.

I am aware that the Speaker does not have the power to intervene in the affairs of committees, nor is it proper for the Standing Committee on Privileges and Elections to interfere with another committee. However, I would submit, Mr. Speaker, that my point of privilege arises not from any particular proceeding within the committee but rather arises from a decision taken by the member for Halton—Peel.

I would direct you, Mr. Speaker, to a decision taken by Speaker Lamoureux on December 10, 1968. The member for St. John's East at the time rose on a question of privilege charging that the second report of the Standing Committee on Transport and Communications omitted a resolution that had been approved by the committee. The speaker ruled that the omission did constitute a prima facie case of privilege. Speaker Lamoureux felt there may have been difficulty in looking into the affairs of a committee. But he concluded, "But that question is not what we are seized with at this time."

Mr. Speaker, I would put to you that today we are not seized with the question of what went on with the affairs of the standing committee but with the fact that the chair of the committee has interfered with the privileges of the members of the committee.

My question of privilege arises from the fact that the speaker or chair of the committee does not have any editorial licence on what may or may not have been said in committee or in the House.

Mr. Speaker, if I can direct you to a ruling by Speaker Jerome on July 19, 1977 with respect to a complaint of something said by a member who did not have the floor and which was recorded in *Hansard*. Speaker Jerome said at that time:

We do not permit hon. members to rise in their places the following day to say that the impression created by their words—is really not the impression they intended to create. We do not enjoy that right. The reporters must attempt to catch what they hear and report it in the way they see fit, and if an hon. member says that that somehow creates a mistaken impression, he is always given the courtesy, as the minister was, of being allowed to make an amplified explanation for the record. However, to attempt now to go back and rearrange the language as it was recorded is simply out of the question, whether it be attempted by way of order, a question of privilege, or anything else.

May I also direct you to a ruling by Speaker Francis on February 2, 1984 with respect to an exchange between the Leader of the Opposition and the Minister of National Health and Welfare. Speaker Francis concluded that:

The chair certainly does not want to rule on what Hon. Members mean when they use certain words or phrases in the course of debate. All Hon. Members will agree with me that the Chair has no editing function.

Mr. Speaker, I would argue that the chair of a standing committee does not have the power to decide what may or may not be included in the official record of the committee's proceedings. As in the case of the House, the committees' reporters must try to pick up and record