

Administration of Justice

question? He referred to alleged statements outside the house. Would he confirm with the Minister of Justice whether or not the minister is prepared to deny them? The minister referred to it as a security matter. Would he acquaint himself with the fact that security was not necessarily involved but a security risk? He had better get acquainted with the background.

Mr. Nugent: Mr. Speaker, I was a little confused by what the Minister of Public Works had to say about the necessity of charges being made so that the matter could be dealt with properly. Surely the minister should now realize there have been charges laid and that in fact this house has given formal recognition to that situation by agreeing that there is a question of privilege which has arisen out of the charges made by the minister.

If we follow the logic of the Minister of Public Works, any time a member makes charges another member must charge him with something before this house can deal with the matters. Surely the initial point has been made that the minister has levelled accusations against members of the house and the house has recognized that a question of privilege arises because of those statements by the minister. The problem the house now faces is what do we do with the question of privilege which has arisen? How do we deal with it?

In the interest of the members affected by the charges levelled by the minister it is essential that the matter be cleared up immediately. The Minister of Public Works has admitted that the procedure of an inquiry in fact adds to the difficulties in respect of, shall I say, the burden on the Privy Councillors who are maligned, because this shadow would remain over their heads.

The procedure suggested by the hon. member for Carleton, therefore, is the only one which this house can immediately recognize. It recognizes the right of the Minister of Justice who has made these accusations to stand up and say what he meant by them, to give the information and delineate the accusations he is making against those persons whom he feels should be accused. It also gives all the accused, all the Privy Councillors, the right and the means of determining whether they are in fact suspected by the minister.

I submit that to refuse this suggestion would be for the house to say that it is right and just that the Privy Councillors shall have

[Mr. MacInnis (Cape Breton South).]

this suspicion hanging over them. I submit that that in itself is a breach of the privileges of those members brought about by the whole house. I submit it is not within our rights as members of this house to ask other members to bear such accusations if the house is capable of clearing the air on this matter.

The method suggested is the only one suggested so far, Mr. Speaker, which takes care of all the complaints. Many members in the house from all parties have spoken on this matter and not every member has suggested that a motion to refer it to the Committee on Privileges and Elections would be in order. It is recognized that the committee of the whole house has all the powers, rights and privileges of any of its lesser committees. The right to refer the matter to the committee of the whole house must be even stronger than the right to refer it to the Committee on Privileges and Elections.

I would ask Your Honour to remember the words of the Minister of National Health and Welfare this afternoon. I presume he was speaking for the government side of the house and therefore obviously the government has taken the position that the Committee on Privileges and Elections could be seized of this matter.

Mr. Speaker: There are a number of very interesting points which have been raised by hon. members who have taken part in this debate. I cannot agree with all of them. The hon. member for Edmonton-Strathcona, who has just resumed his seat, based part of his argument on the allegation that there is a question of privilege that has been recognized by the house. I do not agree with him on this point. What the Chair has said is that there is a prima facie case of privilege. Whether there is an actual case of a breach of privilege is not for the Chair to determine and is not determinable until the matter has been studied in a satisfactory way.

The usual way to do this is before the Committee on Privileges and Elections, as I said a moment ago when a previous motion was moved by the hon. member for Edmonton West. That has been the procedure followed for 100 years in our Canadian parliament and no argument has been submitted to me that this procedure should be departed from at this time. The hon. member says that the house has all the powers in the committee of the whole that the Committee on Privileges and Elections has, and that is a fact. For that matter the house itself has all the