

Privilege—Mr. Crosbie

other necessary documentation. It would strain credulity to believe that all the intricate work necessary to prepare those documents could have been done by the Department of Justice between 2.55 Tuesday afternoon and the next morning at twelve noon.

In any event, on the same Wednesday the minister, after having had lunch with the defeated leader of the Liberal Party of Newfoundland who announced all this at 2.15, or 15 minutes before the minister called a press conference in Newfoundland to give to the public the letter from the Prime Minister (Mr. Trudeau) to Premier Peckford and went on to say that this reference was being made. At 2.45 Newfoundland time, a telex started to arrive in the war room in the Confederation Building at St. John's from the Prime Minister to Premier Peckford. The minister had started 15 minutes before the Premier started to get the letter from the Prime Minister, who was so fastidious here yesterday about tabling that letter in the House. He wanted to ask Premier Peckford whether he should table it, the Premier who did not even get the letter before the Minister of Justice made it or the substance of it public in Newfoundland last Wednesday.

Mr. Chrétien: I did not make it public.

Mr. Crosbie: In any event, Madam Speaker—

Mr. Chrétien: I rise on a question of privilege.

Some hon. Members: We are on one now.

Madam Speaker: Order. The hon. minister might rise on a point of order, but he cannot rise on a question of privilege because I cannot hear two questions of privilege at the same time.

Mr. Crosbie: The minister—

Mr. Chrétien: I did not have the letter.

Mr. Crosbie: I will not argue about that.

Mr. Chrétien: Then don't say it.

An hon. Member: Your microphone.

Mr. Crosbie: I am telling you, Madam Speaker, that whoever operates these microphones has a lot to answer for.

● (1550)

This telex started to arrive at a quarter to three on Wednesday afternoon, just 24 hours after the minister said in the House of Commons that no decision had been reached on this most important and sensitive question.

In order to keep the time in sequence, Madam Speaker, I refer you to Wednesday's *Hansard*, May 19, in which the Right Hon. Leader of the Opposition had an opportunity to question the Prime Minister, who entered the House at about ten minutes to three—in fact, at three o'clock since it is marked "1500". The Right Hon. Leader of the Opposition

asked the Prime Minister this question at page 17592 of *Hansard*:

I would like to ask the Prime Minister whether that response by the Minister of Justice yesterday was a truthful response, and, if so, would he tell the House of Commons at which time, what time yesterday or today, did the cabinet of Canada meet to make a decision to refer the offshore jurisdiction question to the Supreme Court of Canada?

The reply of the Prime Minister was:

—the decision became effective when the order in council was signed some time this morning. I cannot say exactly at what hour.

That was an evasion, of course, so the Right Hon. Leader of the Opposition asked several more questions. I read from page 17952 of *Hansard* where he asked:

When did the cabinet of Canada meet to make this decision?

And:

—was the Minister of Justice telling the truth to the House of Commons yesterday when he gave his answer?

The reply by the Prime Minister was:

Madam Speaker, the cabinet met yesterday, yesterday morning. It took what in effect was a conditional decision, and that decision became effective this morning.

The Prime Minister himself has confirmed that there was a cabinet meeting on Tuesday morning where they made a decision which he chooses to call conditional. The Prime Minister went on to say that "the decision became effective this morning." That is, Wednesday morning.

It is a peculiar thing, but I am advised that the copy of the order in council sent to Newfoundland—the copy that the Newfoundland government has—is dated May 18. That is my advice.

In any event, at three o'clock in the House the Prime Minister said that there was a cabinet meeting Tuesday morning, before the Minister of Justice answered the questions in this House that this decision was made which he calls conditional. A decision is a decision, conditional or not. The matter had obviously been discussed. It is like getting pregnant. You cannot get half or a quarter pregnant; you are either pregnant or not. You make a decision or you do not. You do not make a half pregnant decision. But that was the Prime Minister's response.

In order to establish my prima facie case we must remember that the minister said that there was no decision made and that about 17 hours later he left for Newfoundland in a government aircraft. There must have been a fantastic flurry Tuesday afternoon and night in cabinet offices and in the Department of Justice that the minister had to hurtle to St. John's on a jet on Wednesday to advise them that the government was referring this question to the Supreme Court of Canada.

Could I just point out to you, Madam Speaker, what the ordinary person understands by the word "decision". The ordinary person understands a decision to be a decision, not when some order in council is signed. I refer to the large Oxford dictionary which says this about the word "decision".

Mr. Broadbent: The large one, John?