

encourage people to return to the paid labour force. We feel that Canadians would prefer to have jobs. Obviously members of the NDP would prefer to have Canadians stay on unemployment insurance.

**Some Hon. Members:** Hear, hear!

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#### ADMINISTRATION OF JUSTICE

##### UNLICENSED CABLE TELEVISION OPERATORS—STAY OF PROSECUTIONS

**Hon. Bob Kaplan (York Centre):** Mr. Speaker, my question is directed to the Minister of Justice in his capacity as Attorney General of Canada. No doubt the Attorney General has by now been briefed on the nature of his prosecutorial discretion—the fundamental principle that he should decide, without politics, such things as whom to prosecute, whom not to prosecute, and whether or not to launch appeals; and that this is a discretion that should not be shared with Cabinet, caucus, or even with the Prime Minister. Yet on November 27 a government back-bencher announced a stay of prosecution against unlicensed—

**Mr. Speaker:** Order.

**Mr. Kaplan:** I would like to ask the Attorney General if the report in *The Globe and Mail*, which reveals that he himself had decided to go ahead with the prosecutions of the cable t.v. operators but that his decision was overturned by caucus and that the final word came from the PMO, is true. Did the Attorney General accept direction or advice from his caucus, or the Prime Minister, in the exercise of that discretion?

**Hon. John C. Crosbie (Minister of Justice and Attorney General of Canada):** Mr. Speaker, I always accept direction and advice from the Prime Minister. If that was not the case, I would not be a Minister.

**Some Hon. Members:** Hear, hear!

**Mr. Crosbie:** However, contrary to the actions of members of the last Government, if I think the Prime Minister's advice or direction is wrong, I give him my advice in return. It is a two-way communication.

In connection with the prosecutions—

**Mr. Tobin:** What did you tell him about finance just before you went to justice?

**Mr. Crosbie:** I will deal with the question of the other gentleman later.

**Some Hon. Members:** Hear, hear!

**Mr. Crosbie:** In connection with the prosecutions that were requested by the Minister of Communications, the Department of Justice acts as a legal agent of the Department of Communications. If the Department of Communications decides

that it is reviewing policy and does not wish to go ahead with prosecutions, we naturally accept those directions. That Department is our client and we are its legal agents. What could be simpler for anyone to understand?

#### MINISTERIAL DISCRETION

**Hon. Bob Kaplan (York Centre):** Mr. Speaker, does the Attorney General not recognize that the discretion which he has in prosecutorial matters should not be submitted to caucus or to the Prime Minister? Does he not realize that that is a fundamental principle of our system of justice?

**Hon. John C. Crosbie (Minister of Justice and Attorney General of Canada):** Mr. Speaker, I have not said that this was ever discussed in caucus. We cannot reveal what is discussed in our caucus. As the hon. gentleman knows, we are leak-proof at the moment.

**Some Hon. Members:** Hear, hear!

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#### CANADA MORTGAGE AND HOUSING CORPORATION

##### UNUSED FUNDS

**Mr. Dan Heap (Spadina):** Mr. Speaker, my question is directed to the Minister of Labour who is responsible for housing. Given the Government's announcement of a \$9.6 million cut in the CMHC social housing units program, and the fact that only 53 per cent of the planned CMHC housing allocations have been taken up so far because some groups were unable to use them, will the Minister tell the House whether all of the planned but unused allocations will be re-assigned for starts in 1984, or whether he intends to cancel allocations not yet taken up, in order to achieve his \$9.6 million budget cut?

● (1450)

**Hon. Bill McKnight (Minister of Labour):** Mr. Speaker, I congratulate the Hon. Member on his appointment as housing critic. As the Hon. Member will recall, in the committee last evening I explained to him the phasing of those take-ups which had not been committed. It is not unusual that only 53 per cent of the take-ups in social housing are taken up at this time of year. Those units which have not been taken up for reasons of rezoning, and because of the inability of the client groups to make their financing available, will be reassigned this year. However, those units and those groups will become eligible for those same units in the corporation's 1985 fiscal year.

#### ALLOCATION OF FUNDS FOR CO-OP HOUSING

**Mr. Dan Heap (Spadina):** Mr. Speaker, I thank the Minister for his part answer. What he has left out is that it is unusual to arrive at the end of November with no word about the reallocations. In light of the Prime Minister's condemna-