

think it may be the disposition of the House to go ahead. If the House wishes to do so, by unanimous consent it could revert to the calling of motions pursuant to Standing Order 43 just for that purpose. Is that agreed?

Some hon. Members: Agreed.

The House having reverted to the order for motions:

Mr. Speaker: The motion which was put at that time was in the name of the hon. member for Windsor-Walkerville (Mr. MacGuigan), seconded by the hon. member for Saskatoon-Biggar (Mr. Hnatyshyn):

That this House strongly urge the Soviet government, taking into account Danylo Shumuk's ill health, to release him from imprisonment.

The House has heard the terms of the motion. It can be put only with unanimous consent. Is there unanimous consent for the moving of that motion at this time?

Some hon. Members: Agreed.

Mr. Speaker: The House has heard the terms of the motion moved by the hon. member for Windsor-Walkerville (Mr. MacGuigan). Is it the pleasure of the House to adopt the motion?

Some hon. Members: Agreed.

Motion agreed to.

Some hon. Members: Hear, hear!

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PRIVILEGE

MR. LAWRENCE—MINISTERIAL CORRESPONDENCE

Mr. Allan Lawrence (Northumberland-Durham): Mr. Speaker, I rise, having given you notice, to indicate to you that I do feel very strongly I have a valid question of privilege in relation to some matters going back a few years and, as well, to certain information which was made public just recently.

Basically, my question of privilege has to do with a letter received by me from a minister of the Crown in response to a very important and legitimate inquiry to me from a constituent. That letter from a minister of the Crown misled me. It not only misled me but it led me in turn to mislead my constituent. I further allege, and I claim now in this House, that the wording of the letter to me was drafted in such a way as to mislead me and my constituent intentionally and deliberately. Further, I claim that that letter, coming to me from a minister of the Crown, on ministerial letterhead, over the personal signature of the minister, involved me in relation to a very deep responsibility and duty I feel I have to my constituents, a feeling I am sure is shared by all members.

I further understand that there are technical, legal and, in some cases, outdated prerequisites, in this House and traditionally in the British parliament, before one can establish what has been called privilege. Basically, as I understand some

these prerequisites with regard to privilege, privilege has to relate to a matter which either takes place in the House, or affects in the House the performance of the House or the House's attitude, or the attitude of a member in a particular way within the House. Second, there has to be a deliberate intention to deceive. My submission is that the facts to which I will now refer meet the prerequisites for a finding of a breach of privilege.

● (1212)

We have been told many times by ministers of the Crown in relation to inquiries from constituents, especially those which relate to law and order and law enforcement agencies, that it is unfair to spring the subject matter in the House on a minister in an oral question with no warning whatsoever. That suggestion has been made many times, and I have usually agreed with it. An inquiry of that nature should first be presented to a minister through correspondence so that some research can be done. Then, if the minister's reply by correspondence is not satisfactory, presumably we can raise the matter as a question during the oral question period in the House. In that way the minister at least would have full notice of a matter which, in many respects, we could not possibly expect the minister otherwise to have.

In this particular case I received an inquiry from a constituent about a very important matter, and I wrote to the minister involved, in this case the then solicitor general. The reply I received through correspondence with the then solicitor general very deeply affected my conduct and further questions I asked in this House later. I received a reply from the solicitor general of the day, and because of that reply I asked no further questions of the then solicitor general on that subject. Instead, I directed my inquiries to the then postmaster general.

My claim is that the reply I received was misleading. If it had not been false, I would have continued to ask questions of the then solicitor general. I would have asked different questions of the then postmaster general. Indeed, this is and was such an important matter that I would have directed my questions perhaps even to the Prime Minister (Mr. Trudeau). There is no question in my mind—and I make this allegation seriously now, knowing the consequences and the implications of it—that if I had been given a truthful answer by the minister involved, the performance of my responsibilities and duties in this House would have been entirely different in relation to the subject matter about which I am talking.

I claim to Your Honour today that the written misleading and false reply directly affected my capabilities and my attitude in this House. The incorrect information given to me in this House in relation to this matter also—and this is a matter of deep regret to me—materially affected my responsibility and my relationship with my constituent. There would have been further questions to the then solicitor general, but there were none. I would have asked different questions of the then postmaster general than the ones I actually did ask, and there would have been questions to the Prime Minister, had the thrust of my inquiries not been deflected by the false and