

*Oral Questions*

became known, they were acted upon by the former solicitor general and the present Solicitor General.

**Mr. Hees:** A final supplementary question, Mr. Speaker. Is the Prime Minister not aware that it has been the case in the large departments of the government, which have existed for many years and which employ many thousands, that if a departmental employee commits a misdemeanour about which the minister cannot be expected to know at the time of commission, the minister, if he has any guts and sense of responsibility, has always taken responsibility for the mistakes of his employees and not tried to duck them? Does he not know this and does he not agree that this principle should be followed in this case?

**Mr. Trudeau:** Mr. Speaker, I cannot agree that that would be the principle, because if it were the present member for Prince Edward-Hastings would have to take responsibility for acts which would now be discovered and which were committed in the period 1958-1962, when his party was in power.

**Mr. Hees:** Which I have always been willing to do.

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

**Mr. Hees:** Can you name any one action I have ever tried to duck? Put up or shut up.

**Some hon. Members:** Oh, oh!

**Mr. Baker (Grenville-Carleton):** Mr. Speaker, I rise on a point of order which really is separate and apart from issues involving this question period, but which involve ministerial responsibility and a minister choosing to remain silent in the face of questions. I preface my remarks by saying that, like the hon. member for St. John's East (Mr. McGrath), I cannot question the ruling of the Chair. But, Mr. Speaker, I believe the House is entitled to a clarification with respect to the ruling you made regarding the questions of the hon. member for St. John's East and the hon. member for Hamilton West (Mr. Alexander). They are entitled to a clarification.

**Some hon. Members:** Oh, oh!

**Mr. Baker (Grenville-Carleton):** If the hon. member for Ottawa Centre (Mr. Poulin) would shut his mouth for once, he would hear the argument.

**Some hon. Members:** Oh, oh!

**Mr. Baker (Grenville-Carleton):** Mr. Speaker, you made a judgment today which I am not questioning since that would be contrary to the rules. But I ask for clarification, Sir, with respect to those questions. You said, in effect, before the Minister of Supply and Services (Mr. Goyer) had the opportunity to answer, that the two members did not even have the right to put the question. That may be the traditional rule, Mr. Speaker, but in view of a precedent which you, yourself, set I think the House is entitled to a clarification and I rise for that reason.

[Mr. Trudeau.]

On March 14, 1975 the same kind of question arose, involving a series of matters. I shall now refer to page 4105 of *Hansard* for that day. In the course of your judgment handed down that day, Sir, you said this:

However, I feel in addition that the Chair does not have the power ever to prevent a minister from answering a question which he wishes to answer.

**Mr. Alexander:** That is the point.

**Mr. Baker (Grenville-Carleton):** Your Honour went on to say this:

It is one thing to suggest that, if a minister raises an objection on technical grounds to answering the question—

I remind you, the minister did not move a muscle when he was asked the question.

**Mr. Woolliams:** Yes, but he looked nervous.

**Mr. Baker (Grenville-Carleton):** I continue:

—the question must be examined to see whether the technical grounds are correct. However, if a question is put and the minister wishes to answer it—

I assume he has to give some indication, even to say "no." I continue:

—I am sure it would be improper for the Chair to try to stop him from doing so.

Sir, with respect, today you intervened. I am not suggesting by any stretch of the imagination that you intervened in bad faith, but you intervened.

**An hon. Member:** Do not reflect.

**Mr. Baker (Grenville-Carleton):** Mr. Speaker, if a member cannot say these things in the House, it is a pretty sorry House. The questions which were to be put by the hon. member for St. John's East related specifically to a statement made with respect to L'Agence de Presse Libre matter, which occurred apparently in 1972; that statement was made on the letterhead of the Minister of Supply and Services on June 2, 1977, and that was the basis of the question. There was absolutely no indication from the minister that he would refuse to answer the question. I do not know what the proper procedure would be, Sir, but there was a clear ruling made by you, in this House, with respect to a matter absolutely on all fours with what happened in this case. The hon. members for St. John's East, Hamilton West, Saskatoon-Biggar (Mr. Hnatyshyn) and Lotbinière (Mr. Fortin) were interested in raising this matter, and that is the position in which we find ourselves.

I happen to believe that you were absolutely right in your ruling of March 14, 1975 with respect to the privileges of this parliament concerning free questioning. You made that ruling on March 14, 1975. I cannot question your ruling of today, Sir, I understand that; but if I could I would have to say, with respect, I believe you are wrong today. I therefore rise to ask for the only thing I can ask. That is for some clarification with respect to the rights of members of this House, not just on this occasion, but on previous occasions and on occasions yet to come, when we must deal with ministers with respect to their former responsibilities, at least while they are still ministers of