

Privilege—Mr. Holtmann

Mr. Speaker: Perhaps the Chair could give some indication to Hon. Members who will want to rise on this matter that it might be helpful to the Chair if, in addition to any other points that Hon. Members think are of help to the Chair, they might also consider that point which the Hon. Member for Kenora—Rainy River has raised and has put most succinctly.

Mr. Parry: Mr. Speaker, in order to make sure that I do not misunderstand Your Honour's question, I would like to say that it is evident that my defence also rests on the inconsistency between a recorded vote and an *in camera* meeting which, obviously, I believe should be resolved in favour of the recorded vote.

Mr. Speaker: I want to assure the Hon. Member for Kenora—Rainy River that the Chair has that point. The Chair now recognizes the Hon. Member for Cochrane—Superior (Mr. Penner).

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, I am rising to speak on this question of privilege because of my own participation and activity in the Standing Committee on Aboriginal Affairs and Northern Development.

Your Honour, I would begin by going to Beauséne's Fifth Edition, Section 17, which makes it clear to all Hon. Members that a question of privilege ought rarely to come up in Parliament. That is so, Sir, because a question of privilege is a most serious matter and it should be taken seriously by the House. In addition, Your Honour, it must involve in some way an Hon. Member's capacity to serve the people who have chosen him or her as their representative.

I submit to Your Honour, therefore, that there is no question of privilege here at all. It is spurious and fatuous for the Hon. Member for Selkirk—Interlake (Mr. Holtmann) to suggest to the House that in some way his capacity to serve his constituency has been impaired or impeded. He himself failed, as I listened carefully, to make that case.

I would like very briefly to survey the facts as I understand them with respect to what took place in the Standing Committee on Aboriginal Affairs and Northern Development. First, as the Hon. Member for Kenora—Rainy River (Mr. Parry) has made clear, the groups who appeared before the committee asked for and expected that there would be a report to the House on the subject of the aboriginal right of self-government before the First Ministers' Conference.

The second point is that there was an all-Party understanding that we would report—not an agreement, not a motion that had been voted upon, but a general understanding. In support of that I refer to what the chairman said at one point:

It would be possible to have a few notes about our preliminary report before the next week. It will be possible to depose our document probably the next week, about Wednesday or Thursday, probably.

● (1140)

That is a translation from the French, "depose" meaning a presentation to the House.

Third, a considerable amount of work was done by the committee staff in preparing a draft report. Because there was a draft report, a notice went around to all Hon. Members to meet *in camera* to discuss the substance of that report.

Ordinarily I find *in camera* meetings to be objectionable. I will come back later to the reason for *in camera* sessions based on Beauséne's understanding of them. However, they are justified if you are discussing controversial material and looking at the substance.

Fourth, it became apparent shortly after the meeting began that Members from the government benches, for reasons unknown, and I will not impute motives or make any suggestions about those reasons, decided there should not be a report to Parliament presented by that committee. Following that there was very vigorous debate and the question was put that the committee not report. It was a negative motion. The Hon. Member for Kenora—Rainy River and myself vigorously opposed the motion but it was carried. At that point I called for a recorded vote which was duly taken by the clerk of the committee.

It does seem a curious situation to have an *in camera* meeting for a motion, a vote, and then have a recorded vote. As I reflect on it, Sir, it seems another step should have been taken to take us out of the *in camera* procedure. However, I think as soon as you have a recorded vote that, *de facto*, the *in camera* procedure has ceased to exist.

Subsequent to that meeting the Hon. Member for Kenora—Rainy River and myself, before the news media and representatives of aboriginal groups, publicly expressed our disappointment and displeasure with the decision. A decision had been expected, it was not taken, and I and the Hon. Member expressed our displeasure. Did we in some way publish the proceedings by doing so? I say not at all. We were simply reporting on an expectation which existed in the community.

As a part of that process as well, as you know, the Hon. Member for Kenora—Rainy River, under Standing Order 21, revealed the names of those who voted for the motion that the committee not report. I want to repeat that it was a recorded vote even though we were *in camera*.

However, I entirely agree with the Hon. Member for Kenora—Rainy River that the purpose of that meeting had altered. We had not met for the purpose of deciding whether or not there should be a report to Parliament. We met for the purpose of discussing the substance of the report.

I ask you to consider whether it is a serious matter to reveal the results of a recorded vote. That is what the Hon. Member for Selkirk—Interlake is charging, that it is a serious matter and his privileges have been breached because the results of a recorded vote were made known. I ask you, Sir, how has the Hon. Member's ability to serve effectively as an elected representative been damaged, limited, restricted or injured in any way whatsoever?