

Administration of Justice

An hon. Member: No.

Mr. Nielsen: Yes it is. The motion has been disallowed by Your Honour, but the question of privilege is already before us. There are other motions which could be moved. I think we should allow the government the widest possible opportunity to extract themselves from the situation in which the Minister of Justice has placed them.

Your ruling, Mr. Speaker, and the ruling by Mr. Speaker Michener, upon which you partially based your ruling, and which I thought was correctly cited by Your Honour, applies exactly to the question of privilege that is before this house. The question of the members of the Privy Council, and the Leader of the Opposition who have been slandered and who have been subjected to accusations and insinuations, both inside and outside this house, by the Minister of Justice, must be dealt with on the basis of privilege, which this house and only this house has the jurisdiction to dispose of.

The rulings, as I said to you, sir, make the point that no hon. member should be deprived of the safeguards which apply to everyone in ordinary legal proceedings, and that no member should be subjected to an investigation of his conduct by an inquiry by the committee on privileges and elections, or by any other process, without specific charges being made.

Some hon. Members: Hear, hear.

Mr. Nielsen: This is exactly what the Prime Minister and the Minister of Justice, abetted by the hon. members for Lapointe and Villeneuve, are attempting to do in the case of the Leader of the Opposition and members of the Privy Council on this side of the house who have been slandered by the Minister of Justice. Is the Leader of the Opposition not entitled to have those same safeguards as referred to by Your Honour and by Mr. Speaker Michener? Is the Leader of the Opposition not entitled to the same rights and safeguards which Your Honour has claimed for any member of the house?

• (12:10 p.m.)

Charges have been made against the Leader of the Opposition and against members of the Privy Council. Is the minister to be allowed to slander the Leader of the Opposition with impunity?

Some hon. Members: Oh, oh.

[Mr. Nielsen.]

Mr. Nielsen: They laugh; they consider it a joking matter, but it is one of the most important and gravest matters ever brought before this house.

Some hon. Members: Oh, oh.

Mr. Nielsen: They treat it as a joke.

Mr. Greene: Would the hon. member permit a question?

An hon. Member: Even the Prime Minister laughs.

Mr. Greene: I wonder whether the hon. member could help us. He has stated a precedent that there can be no inquiry unless specific charges are made by a member. Could he help us by telling us what member made what specific charges and risked his seat as a precursor to the Dorion inquiry?

Mr. Nielsen: The hon. member was here in his seat in November of 1964 and he not only heard me name people, dates and places, but he heard me refer to sections of the Criminal Code of Canada in making those charges.

Some hon. Members: Hear, hear.

Mr. Speaker: Order, please. Is the hon. member now speaking on the original question of privilege? What worries the Chair is that if we are now on the original question of privilege the hon. member has already taken part in the debate and can only speak once to that question. He cannot get up and speak twice, three times or more often on the same question of privilege. He is in a bit of difficulty if he is speaking on the same question of privilege in seeking to address the Chair at this time.

Mr. Nielsen: Mr. Speaker, on the point of order and with no reflection—I think I must preface my remarks in that way all the time because of the sensitivity of members on the opposite side—on Your Honour's observation, the Prime Minister and several other members of this house have participated more than once during what has been a general discussion on the question of privilege. I am simply availing myself of the same right that other members have availed themselves of during this discussion.

Mr. Speaker: Order, please. The Chair cannot accept the suggestion of the hon. member. There was an exchange this morning following the suggestion made by the right hon. Prime Minister. The Chair was lenient and allowed members to discuss the suggestion. Now that this apparently has been set aside we should return to what is before the house,