

*Privilege*

appropriate for the Prime Minister to call the Leader of the Opposition. I really wonder whether we would be dealing with matters of security in this House at all if heretofore there had been this kind of discussion between the Prime Minister and the Leader of the Opposition. However, that is speculation for another place.

In any event, the Prime Minister did the proper thing today in calling the Leader of the Opposition to his office. The Leader of the Opposition answered the summons of the Prime Minister and discussed the matter with him. To any person not legally trained, and even to one who is, that would be an indication that there was something very serious afoot, at least in the mind of the Prime Minister, involving a member of this party.

The Prime Minister calls into question the judgment and, indeed, the integrity of the Leader of the Opposition in not going to the hon. member for Leeds and informing him of this conversation. However, I submit that if the Leader of the Opposition had gone to the hon. member for Leeds with this matter—and if there was something wrong afoot—that would have given the hon. member for Leeds the opportunity to obliterate that wrong or at least to muddy it. I think the Leader of the Opposition did something which was quite important. He kept the confidence of the Prime Minister. He ought not to be chastised for that. He kept the confidence of the Prime Minister so that the Solicitor General (Mr. Blais), General Darré, General Bourne and others would be free and unfettered to chat with the hon. member for Leeds.

That was the act of an honourable man, and I commend the Leader of the Opposition.

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

**Mr. Baker (Grenville-Carleton):** What happened, however, in the course of that chat is now quite important because we all know—and I hope hon. members opposite will allow me to finish; I know they have always disagreed with the hon. member for Leeds, but he is still a member of this House, and he is entitled to the courtesy of every hon. member—

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

**Mr. Baker (Grenville-Carleton):** He will not be judged as to what is right or wrong here but in another place, if the government chooses to move.

The hon. member for Leeds has stated categorically in this House what happened. He was intimidated.

Given the greatest licence with either of the official languages, given the compression of time from one o'clock and over the week end to consult counsel to "you must do something by four o'clock or something is going to happen," and given the alternatives, no one could argue honestly or reasonably that any person faced with that situation and with the people the hon. member was facing—the top security people in the country, not the RCMP—could fail to feel that there would be intimidation. I think the hon. member could be held not to have hold of his senses if he said that.

● (1622)

The other side of the question is whether a member of parliament, a person who is supposed to have special privileges over the public and has them by the traditions of this House, should thereby be denied the right of counsel, is a proper thing—and that seemed to be what the Prime Minister was saying. If that is the argument, then the Prime Minister has suggested that the rights of a member of parliament are to be denied.

All the hon. member for Leeds has is a statement by the Solicitor General made in the presence of two security officers of the Crown, followed by a compression of time and a change of ground rules which led the hon. member to the conclusion that he was being intimidated. The issue before this parliament is whether the privileges of that hon. member have been contravened.

There is another aspect, Mr. Speaker, and that is the question of the bugging of the telephone. That is a very important aspect because there has been an undertaking given by the Prime Minister to the Leader of the New Democratic Party (Mr. Broadbent) and the leader of this party that during his tenure as Prime Minister no telephones of members of parliament have been bugged. I hate to say it, and perhaps the Prime Minister has been misled, but that evidence now is contravened.

**Mr. Trudeau:** By whom?

**Mr. Speaker:** Order, please. I want to be clear on this point. I understood the hon. member for Leeds (Mr. Cossitt) to say he had an indication that a telephone conversation was being recorded at the other end, which is a separate thing from a wire tap on a telephone. I do not necessarily regard it as any less serious. I simply say it is a different thing. I think we should be fair.

**Mr. Baker (Grenville-Carleton):** I am glad you regard it that way, sir, because I regard it the same way in terms of the kind of investigation that is being carried on of a member of parliament. If this is being done to members of parliament, then one wonders about matters elsewhere. But that is a side issue.

**Mr. Trudeau:** It sure is!

**Mr. Baker (Grenville-Carleton):** The issue is whether or not it is appropriate in the circumstances for any citizen who is told, in terms that a person with half an ear could understand, that he faces criminal charges or charges under the Official Secrets Act, to be allowed to consult his counsel, and faced with the compression of time that does not allow it to happen, as the hon. member for Leeds has said, whether his privileges as a member of this House have been breached. That is the issue for you, sir, as Speaker. The question of whether there has been a breach of the Official Secrets Act is not going to be decided here. It will be decided in some other place. It is on that narrow and important ground of the privileges of a member of parliament that I ask you to decide the issue.