

*Privilege—Mr. Jelinek*

I previously sat in the Standing Committee on Privileges, Elections and Procedure when there was a hearing on the privileges of a Member of Parliament in the Bryce Mackasey-Montreal *Gazette* affair. It is not easy for Members of Parliament to sit and judge such an issue. It is not a very easy process to experience and I think we must be very careful before referring matters of this nature to a committee.

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

**An Hon. Member:** You should be careful before you say it, then.

**Mr. Mazankowski:** Why don't you put up or shut up?

**Mr. Jelinek:** What are you afraid of?

**Mr. Crosby:** You supported the Mackasey reference. What are you afraid of?

● (1230)

**Mr. Murphy:** I am not saying that this is something we would be afraid to send to committee.

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

**Mr. Speaker:** Perhaps I can help the Hon. Member. I do not think we are at the stage right now where we are talking about whether or not it goes to committee. What the Chair is interested in is, what is the issue. The Minister has made his position very clear. The Deputy Prime Minister (Mr. Mazankowski) has resorted it and made very clear his own position. The Hon. Member for Ottawa Centre (Mr. Cassidy) has given us his version and his views. The Hon. Member for Churchill (Mr. Murphy) is, of course, addressing the matter with his usual skill and understanding of this place.

**Mr. Murphy:** Mr. Speaker, I always find that the people who do not get up on their feet tend to talk the most from their seats. I think there is a reason for that. They probably have nothing to offer to this House.

As someone who sat through the hearings of our committee on the Bryce Mackasey—Montreal *Gazette* case, which dragged out over many months, I can tell you, Mr. Speaker, it is important when there is a matter going before that committee that we have direct instructions with which we can deal. I am not saying this matter is going before the committee, but I am warning the House and the Speaker that in the Bryce Mackasey affair, when it came down to the final question, we were not allowed to make a judgment as to what exactly Bryce Mackasey was involved in and what he was not involved in. We were restricted.

The ruling that went against *The Gazette*, and the reporter involved, related to the nature of the two questions which were sent to that committee. No one said that the reporter was unfair or that he had not done his work. No one said that *The*

*Gazette* was not doing a decent job of investigative journalism. For that matter, in the committee testimony, which took place over many months, it was evident that there was an attempt to get more facts from the principals in this case. However, because of the nature of the motion which was accepted by the Speaker, we were restricted to two very specific elements. Because of that, *The Gazette* and the reporter were deemed to have been in contempt of Parliament and to have breached the privileges of the former Member for Lincoln, Mr. Mackasey.

I have already said I believe the questions asked by my colleague, the Hon. Member for Ottawa Centre, were certainly within the bounds of what one would expect a Member of Parliament to ask. He certainly had done his research and had certainly notified the Government of his intent prior to Question Period. He did all that. However, I am saying that if on this matter, or on any further matter, something of this nature is going to be referred to the Standing Committee on Elections, Privileges and Procedure, we must be careful to ensure that the motion which is entertained and accepted by the Chair allows that committee to do a full, complete and thorough job of looking at the Members' privileges and the privileges of reporters and others.

**Mr. Howard Crosby (Halifax West):** Mr. Speaker, I rise to participate in this matter simply because of the reference made by the Hon. Member for Churchill (Mr. Murphy) to the Bryce Mackasey case. As the Hon. Member knows, I shared, along with himself, the concerns of Members of the Standing Committee on Elections, Privileges and Procedure which examined that case at the time, and the process in this House of Commons which led to the reference to that committee. I think there is a clear similarity between the two cases, as the Hon. Member pointed out. However, I want to focus your attention, Mr. Speaker, on an element that is present in this House today which must be considered now by the Chair.

Mr. Mackasey was faced with an allegation of wrongful conduct on his part in a national newspaper, *The Montreal Gazette*. He brought that complaint to the House of Commons. He said "I have been wronged because a statement has been made about me which is not true and affects my privileges as a Member of this House of Commons. I want that matter referred to the Committee on Elections, Privileges and Procedure". It was so referred.

The Minister of State for Fitness and Amateur Sport (Mr. Jelinek) has come to the same House of Commons and said, "A statement has been made about me which is not true, for which there is no real substance and the proof lies in the very materials on which the Hon. Member for Ottawa Centre relies to make the statement". There is no denial on the part of the