

Administration of Justice

Mr. Muir (Lisgar): What about the minister's charges?

Mr. Bell (Carleton): Doesn't that apply to the minister?

Mr. McIlraith: Yes, that is my whole point. It does apply to the minister. The minister is alleged to have said certain things in a press conference yesterday—

An hon. Member: Does he deny them?

Mr. McIlraith: —the text of which I do not have before me. Because they involved matters that raised grave concern in the house, and I think quite properly—I am on record as having said they are of grave concern to the house, the Prime Minister is on record as having described them in that way and the hon. member for Calgary North (Mr. Harkness) is on record as having described them in that way—it seems obvious it is desirable that the matter be disposed of in an effective and quick way. And in view of that, it is well to consider this motion in perspective. The first suggestion was from the Prime Minister, that because of the gravity of the subject matter—

Mr. Nugent: I thought the minister was rising to speak on whether or not the motion was in order. Would he address himself to that point?

Mr. Speaker: I suggest to the minister that at this point he should limit his remarks to the legality of the motion moved by the hon. member.

Mr. Starr: It is pretty hard.

Mr. McIlraith: No, it is not hard.

Mr. Starr: Then try again.

Mr. McIlraith: The difficulty here is that hon. members opposite, and they may well be within their rights, have not seen fit to make charges arising out of the conduct of the Minister of Justice.

Mr. Starr: He has made the charges, not us.

Mr. McIlraith: And that being the case, they have no right to conduct these proceedings by way of privilege.

Mr. MacInnis (Cape Breton South): Would the minister permit a question?

Mr. Bell (Carleton): Would the minister permit a question?

Mr. McIlraith: Yes, in just a moment. That is my point; unless they are prepared to make a charge they have no right to avail themselves of the procedure they are seeking to use at this moment.

Mr. Starr: The minister has made the charges.

Mr. McIlraith: If they wish to make charges against the conduct of the minister outside the house, then they should make them.

Mr. Bell (Carleton): Would the Minister of Public Works permit another question? Does the minister agree with his colleague that at this stage of our proceedings this whole matter might be referred to the Standing Committee on Privileges and Elections? If it might, then wherein is there any difference of principle in it being referred this afternoon to the committee of the whole so that we can settle it and be done with the whole thing today?

Mr. McIlraith: I understand the hon. member's motion perfectly well. Referring the subject matter to the Committee on Privileges and Elections, while that may be technically possible, would be a futile exercise.

Mr. Bell (Carleton): I agree.

Mr. McIlraith: Because it involves a security matter.

Mr. Bell (Carleton): I agree.

Mr. McIlraith: And exactly the same arises where you deal with the matter in committee of the whole. It does not matter which committee. That is the point I wish to make in answer to the hon. member for Carleton. It is precisely the difficulty confronting the house in this case. It is the difficulty that has been running all through the discussion. That being so, the correct method in my view is a judicial inquiry into the whole matter where we can get to the facts as quickly as possible but regrettably not as quickly as hon. members opposite and I should think all members in the house would wish.

That is the only way that this matter can be cleared up. The motion now before the house is defective for the same reason as the other motion, and for the additional reason that it seeks to achieve, without any charge being laid, what cannot be achieved without the laying of a charge—as the judgment in the Pallett case shows.

● (2:20 p.m.)

Mr. Nugent: Would the minister permit a question?

Mr. MacInnis (Cape Breton South): Mr. Speaker, would the Minister of Public Works acquaint himself with the background of the