

Privilege—Mr. Nielsen

Security is, in a certain sense, endless. One can always demand and justify increasing the number of guards in the system, and to a certain extent that has happened in the past. I want to resist those kinds of demands to increase security constantly or to cut back constantly the amount of freedom given to inmates within the institution. I regret incidents, but incidents do happen, and they can be prevented. However, I reject the solution of always increasing the amount of staff and limiting the freedom of inmates in the institutions. I do not think that, in the end, that is an acceptable solution.

Mr. Patterson: May I say that what has transpired recently has certainly been a shock to the people of that community because of the cutback. In view of the past security problems associated with the institution, such as escapes, violations of passes, and so on, what measures will the minister take to ensure that the public is properly protected, and will he reconsider the cutback which is being implemented at present? This is something that has been of major concern to my community, and I believe that the minister should reconsider his decision on what is actually a cutback, not just holding the line.

Mr. Kaplan: I do not disagree it is a cutback but I do disagree that serious or any additional risks are created to the surrounding community. I can assure the hon. member that it is the view of the correctional service of Canada that the level of security that will be provided will be adequate, and I justify that in terms of the performance of that level of security across our system from coast to coast.

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[Translation]

HOUSE OF COMMONS

Madam Speaker: Hon. members will have noticed that the order for resuming debate on Bill C-42 and the amendment of the hon. member for Mississauga South (Mr. Blenkarn) is not included in today's Order Paper. This was caused by computer trouble probably connected to that of *Columbia*. The order will be printed next Monday.

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PRIVILEGE

MR. NIELSEN—OFFICE OF MR. MUNRO (HAMILTON EAST) IN
WHITEHORSE, YUKON—RULING BY MADAM SPEAKER

Madam Speaker: On Thursday, March 26, 1981, the hon. member for Yukon (Mr. Nielsen) raised a question of privilege on which I would like to rule today. The question of privilege dealt with the illegal use of governments funds by the hon. Minister of Indian Affairs and Northern Development (Mr. Munro), affecting his rights and responsibilities as a Member of Parliament and impairing his ability to carry out the duties expected of him.

The hon. member has invited me to search Treasury Board guidelines for the establishment of ministerial offices in order that the Chair might share the view, as stated by the hon. member for Saskatoon West (Mr. Hnatyshyn), that the said guidelines had been breached and that the minister had acted illegally.

The hon. member for Yukon was kind enough to provide me with a copy of the guidelines on the terms and conditions of employment for ministerial staff, presumably issued by the Treasury Board secretariat. It has been ruled consistently that the Chair does not decide questions of law. Also, the Chair is not responsible for the interpretation of departmental guidelines or for determining whether or not it is illegal to breach such guidelines. These matters are, quite obviously, outside the ambit of the Standing Orders of this House.

The hon. member for Yukon also stated that, in establishing a ministerial office in the constituency of Yukon, the minister "is impeding my ability to perform my responsibilities as a Member of Parliament representing that constituency". In this argument, the hon. member was supported by some of his colleagues, including the House leader of the opposition, who asked that not only the Standing Orders but also the customs, traditions and precedents of the House be taken into account in this regard.

Other members also claimed that the establishment of ministerial offices in their constituencies impaired their ability to represent their constituents and infringed their privileges in ridings where ministers were not elected to represent the constituents. The inference appears to be that only the member elected in a particular constituency has the prerogative to represent the constituents of that constituency.

It might be useful at this point to quote in part Citation 17 on page 14 of *Beauchesne's* fourth edition, which reads as follows:

Every member as soon as he is chosen becomes a representative of the whole body of the Commons, without any distinction of the place from whence he is sent to Parliament . . . that every member is equally a representative of the whole has been the constant notion and language of Parliament. Every member, though chosen by one particular district, when elected and returned, serves for the whole realm. For the end of his coming thither is not particular, but general, not barely to advantage his constituents, but the commonwealth.

Hon. members have not claimed that there has been any physical molestation, as the hon. member for Saskatoon West admitted, to prevent them from discharging their duties in this chamber, and I must therefore rule that the rights of the hon. members have not been infringed in any manner by the establishment of ministerial offices in their regions.

Finally, the hon. member for Yukon and others have alleged that the establishment of ministerial offices in their regions was an illegal use of public funds and a violation of the equality of treatment of the members in terms of their constituency offices.