

Privilege—Mr. Hawkes

explain the reason for this sudden change in plans and the reduction in funding for multicultural organizations?

Hon. Jack Murta (Minister of State (Multiculturalism)): Mr. Speaker, the reduction in funding, in terms of the Department of Multiculturalism, is in line with the over-all reductions which have been taken by all government Departments. I can assure the Hon. Member that there will be no reductions which will directly affect any of the work to which he has alluded in his question. I do not anticipate that, and my Department does not anticipate that, because that type of work, especially as we move into a whole new area in terms of the Charter and the questions relating to it, is far too important to the country to have any major reduction.

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CLERK OF PETITIONS' REPORTS

Mr. Speaker: I have the honour to inform the House that the petitions, with the exception of one, presented by Hon. Members on Wednesday, April 3, meet the requirements of the Standing Orders as to form.

OFFICE OF GOVERNOR GENERAL

Mr. Speaker: The petition presented by the Hon. Member for Cape Breton-The Sydneys (Mr. MacLellan) does not meet the requirements of the Standing Orders as to form.

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PRIVILEGE

PUBLICATION OF PARLIAMENTARY COMMITTEE REPORT PRIOR TO PRESENTATION IN HOUSE

Mr. Jim Hawkes (Calgary West): Mr. Speaker, Members will recall that on April 3 I rose in my place and indicated that it was my intention, at the first sitting of the House after the Easter break, to raise a question of privilege related to the publication by *The Toronto Star* and *The Citizen* of Ottawa of the second report of the Standing Committee on Labour, Employment and Immigration prior to the presentation of the report in the House of Commons.

With respect to the question of privilege, we must establish in this Chamber that a prima facie case of privilege does exist and that the subject matter should therefore be referred to the Standing Committee on Privileges and Elections.

I would like to present to the Table, and for your information, Mr. Speaker, copies of the two articles. One was written by Joe O'Donnell of *The Toronto Star* and was published on April 1, 1985, prior to three o'clock of that day when the standing committee report was presented to the House of Commons. The other article was written by Jim Robb of *The Citizen* of Ottawa and was published on Monday, April 1, prior to the presentation in the House of the committee report at three o'clock. I would like to make these articles available to

the Table Officers because I would like to quote from them later on, and, Mr. Speaker, you may wish to have the Table Officers read them.

I would like to refer to two or three references—

Some Hon. Members: Order.

Mr. Speaker: I can hear the objection. In fact, the Hon. Member has the capacity to submit those matters to myself as part of the submission. However, he does not have the capacity to have them tabled. I appreciate the distinction which is being raised by Members opposite, and that distinction will be honoured.

Mr. Hawkes: Mr. Speaker, I would like to draw to your attention Citation 606 of Beauchesne's at page 196. The citation comes from Chapter 15 of Beauchesne's which deals with standing, special and joint committees, and reads as follows:

(1) Disobedience to the orders of a committee, provided those orders are within the scope of the committee's authority, is a contempt of the House by which the committee was appointed.

I would like to turn to page 199 of Beauchesne's, Citation 628, which refers to *in camera* sittings of committees. It reads as follows:

(1) A committee, having the right to exclude strangers at any time, it may be inferred, has the right to sit in private and have its proceedings protected by privilege. The publication of its proceedings in that case would be an offence which the House could deal with upon receiving a report from the committee.

I would like to remind you, Mr. Speaker, that the committee did, indeed, submit its report. The citation continues:

(2) The purpose of *in camera* sittings is to allow Members to feel free to negotiate, discuss, deliberate and, sometimes, compromise without the glare of publicity, which might add to the difficulties of agreeing to reports when it is desirable that these proceedings be treated in confidence. The final decision of whether to sit in camera, however, rests with the Members themselves.

In other words, the members of any given committee of the House have the power to order themselves to sit *in camera* or to sit in public. They have been given that power by the whole House in the belief that it is a necessary power to the proper performance of their public responsibility.

I would like to refer to Citation 647 of Beauchesne's, which is found on page 203. The citation reads:

(1) No act done at any committee should be divulged before it has been reported to the House. Upon this principle the House of Commons of the United Kingdom, on April 21, 1937, resolved "That the evidence taken by any select committee of this House and the documents presented to such committee and which have not been reported to the House, ought not to be published by any member of such committee or by any other person". The publication of proceedings of committees conducted with closed doors or of reports of committees before they are available to Members, will, however, constitute a breach of privilege. May, p. 146.

There is a subsequent paragraph which refers to the Canadian situation. I believe that I must quote from it as I believe that the current situation deviates from that and it is important to point that out. It reads as follows:

(2) In Canada, when a question of privilege was raised concerning the publication of a committee report before it was presented to the House, the Speaker ruled that the matter could not be resolved as in the British practice