

Privilege—Mr. Domm

I do not think the Hon. Member has a question of privilege. Although comments released to the press on an *in camera* meeting have time and time again been a grievance or a point of anger for many members of committees and Members of the House of Commons, I do not believe a precedent has ever been established to determine that it is a case of privilege.

That brings me to the second point raised by the Member, namely, whether or not the particular committee has the right to instruct another committee to take a certain action. It is at this point that I think we have a couple of difficulties. It is my understanding that some Members, in the drafting of their Bills and motions, have been given the advice that they should use the word "empower". I also understand that it is the word "empower" that is causing the procedural difficulties.

I can understand the difficulty. In a sense the Hon. Member's motion which is of concern to the House today, in using the word "empower", is asking the committee to do something which it already has the power to do. However, it is very important for the House to establish and the membership to understand that a private Member has every right, through the private Members' process that has been established, begin the process of instructing a committee to take a certain action. Obviously the individual Member cannot make that instruction. The committee on selection of Private Members' Bills cannot make that instruction. The only way there can be that instruction is when there is a decision for the vote. The House then divides and gives the instruction. It is not the private Member and it is not the committee dealing with Private Members' Bills that gives the instruction. It is only the House of Commons that gives that final instruction to a committee.

I believe there are two problems with that section. One concerns the word "empower". If it is causing procedural difficulties, I think the word has to be addressed. It is something I should like to see the Chair address. Second, it is very important to establish clearly that the House of Commons retains the right to instruct any committee to take any action it sees fit. That process can be begun by a private Member's intervention in the form of a Bill or motion which goes into the draw, is drawn, goes through the proper committee process, and then goes to the House of Commons.

Mr. Gerry St. Germain (Mission—Port Moody): Mr. Speaker, I am a member of the particular standing committee, and I read in the newspaper on the West Coast the results of the meeting. I can assure you, Mr. Speaker, that I was disappointed that a breach of security, what I felt was security, had taken place with regard to the findings of the particular committee on which I sit. I read about it in one of the national newspapers.

● (1630)

If the privilege of the Hon. Member for Peterborough (Mr. Domm) has been breached, it would be because the announcement was made in the fashion that it was, either by some Member or by somebody in that committee leaking it. If we meet in a steering committee or *in camera*, we meet for the

purpose of meeting privately. If there is no privacy, it is a redundant act to meet *in camera*. If the privilege of the Hon. Member for Peterborough has been breached, it is because the information was made public beforehand.

As to the content of the motion, I do not think that is a matter for discussion here. I think it comes down to a question. There is a process in place. There is a draw. Twenty names are drawn. For those whose names are not drawn, has their privilege been breached because their Bills have not come from the draw? That is the question, Mr. Speaker. If the regulations stipulate that six Bills have to be chosen, what happens to the 14 Bills remaining? Those Members affected could say that their privileges have been breached because their Bills were not chosen. If there has been a breach of privilege brought upon the Hon. Member for Peterborough, it would be that an announcement was made or a leak occurred prior to the findings of the standing committee being reported to this House. That took place, and it is something that I abhor. We meet *in camera* and in steering committees. Obviously members of this House, deliberately in certain cases, have gone to the press and made these things public. If there is anything we should deal with, that is what we should be dealing with.

Mr. Bill Kempling (Burlington): Mr. Speaker, I have a very brief comment. There has been quite a bit of comment this afternoon on why we meet *in camera*. I might clarify that. The very first meeting we had of this committee was held downstairs in Room 112-North. Two members of the Official Opposition appeared with a number of cameramen and reporters and stated that their purpose was to filibuster the possibility of the selection of a Bill on capital punishment put forth by the Hon. Member for Peterborough (Mr. Domm). That was their purpose. I refused as chairman to recognize the Members, and they left. We all agreed that if we had not done that, we would have gone nowhere with the selection of any Bill, let alone the Bill of the Hon. Member for Peterborough. That is why we met *in camera*. It was to discuss the various items before us and to come up with the proper selection.

Mr. Domm: Mr. Speaker, I appreciate the opportunity to respond to a couple of points made. The first one that I wish to make, and I wish to make it emphatically, is that I did not rise in my place today on a question of privilege because my Bill was not chosen. I rose on a question of privilege because of the process being used in selection. I am prepared to take part in the draw. We have to remember though that now there are different classes of Private Members' Bills. You could be a Member of Parliament, Mr. Speaker, like I have been for six or seven years and you might never have an opportunity to debate or discuss a piece of your own private Members' legislation. The process in place makes it necessary that 20 Bills be drawn. Your Bill could be among the other 140 Bills and that is where it could stay for your total life in Parliament. It is not a case of whether my Bill is chosen or not chosen; it is a case of what process is used to choose it as a votable item. I maintain that when a process is put in place that exceeds the