

Privilege—Mr. Lawrence

We have a fundamental problem here as to what will happen to this country—and I mean no disrespect to the Solicitor General, the government or the RCMP—if our national police force or any members of it are allowed to act as if they were a law unto themselves. If there is one thing we cannot afford in this country it is to have our national police force operating out of control, and when they mislead a minister of the Crown they are coming awfully close to that situation. That is why I think that we should be looking at the matter in this House.

Mr. Edward Broadbent (Oshawa-Whitby): Mr. Speaker, I would like to say at the outset that it is always a pleasure to follow the Deputy Prime Minister (Mr. MacEachen), who does so well in misleading this House of Commons about what the essential issues are in any debate. In fact I would be prepared to say that he is quite conceivably the best debater in this House of Commons. I would even go that far, keeping in mind that debating techniques only occasionally touch on questions of truth.

The Deputy Prime Minister has to be seen throughout his career in this House as the master of the irrelevant argument, and if we ever had a performance which would lead to that conclusion, we had it yesterday. People who were here and watched that performance saw as clearly as it could possibly be demonstrated—and those who will read *Hansard* will be able to see even more clearly because they will not be encumbered by the drama, and I use that word loosely, of this place—the irrelevance of the debate by the Deputy Prime Minister.

The Deputy Prime Minister spent almost half of his time yesterday, not on the substance of the motion, but on pooh-poohing the nature of the original letter which was intercepted and which gave cause to the erroneous letter that was sent from the former commissioner to the solicitor general and then on to the hon. member who has raised this question of privilege. He then went on to spend a good part of his time in raising an irrelevant comparison with the task of the McDonald royal commission, somehow implying that this question of privilege, and the way in which we have established procedures and methods of dealing with privilege, in this particular case would be duplicating in some sense the work of the McDonald commission. It was all absurd and irrelevant to the central question.

He then thought that his clinching argument, which was sufficient only for the minds of the backbenchers of the Liberal party in defence of government bad guys, that Mr. Higgitt, the former commissioner of the RCMP—

Mr. Raines: Mr. Speaker, on a point of order, I would like to advise the Leader of the NDP that I have the utmost respect for him. In the years I have been here I have listened to him with a great deal of interest. I am looking forward to what he has to say now. I think this is an important question. But I happen to sit in the back row, Mr. Speaker, and after four years I have just about had enough. I would like to have mutual respect from any member of this House. From time to

[Mr. MacKay.]

time we have these little lines about “another race,” perhaps, and it is easy to fall into that habit.

• (1602)

An hon. Member: If it is that bad, quit.

Mr. Raines: Oh, no! With the utmost respect, Mr. Speaker, I would like to hear what the hon. member has to say, and I am sure he will take into account my seat in the back row of this House.

Mr. Broadbent: Mr. Speaker, I sincerely apologize if I conclude from what the hon. member has said that he interpreted my comment as casting some kind of criticism on backbenchers. If that is his interpretation, I sincerely withdraw it. I said it in the context—and I shall not withdraw this—of what I regard as a profoundly misleading and dramatically interesting performance yesterday by the Deputy Prime Minister. The people who were cheering were backbench members of the Liberal party, and I will not elaborate on that.

I paid him the compliment of saying that he is perhaps the most effective debater in the House of Commons, but debate, as the Deputy Prime Minister knows, has only occasionally something to do with facts, and that is particularly so on the other side of the House. He raised a number of interesting, at times charming, and other times not so charming points, all of which, except for the clinching argument which I will come to, were basically irrelevant to the very serious question that the House is now debating.

The question that we are debating was put yesterday by the Speaker in the following words, and I want to repeat them and deal with the substance of the argument. In dealing with the fundamental question of privilege that is at stake, Mr. Speaker said:

That leaves us with the complaint of the hon. member for Northumberland-Durham respecting the testimony of former commissioner Higgitt—and I assume there is no further argument to be addressed to this matter at this time—to the circumstances in which the Solicitor General's letter dated September 4, 1973, was drafted. Does that lead us to the conclusion that, by virtue of an act or omission, the House, or a member, has directly or indirectly been impeding in the performance of its functions or his duty, or that there has been a tendency to produce such result? If I so find, then I really have no choice but to find, *prima facie*, that a contempt has been committed.

Having considered the whole question with extreme care, I come back to the simple testimony of former commissioner Higgitt when he said:

‘That is not, that is not an assurance the RCMP is giving to the minister at all, and as a matter of fact, the practice was in matters of this kind—the practice was very often ministers' letters were not exactly drafted on precise statements of fact.’

Then the Speaker concluded making his ruling with the following words:

I can interpret that testimony in no other way than meaning that a deliberate attempt was made to obstruct the member in the performance of his duties and consequently, to obstruct the House itself.

That has absolutely nothing to do with the McDonald inquiry. It has nothing to do with the nature of the original plastic or non-plastic letter that gave rise to the case. It has absolutely nothing to do with most of the matters that the