

HOUSE OF COMMONS

Friday, November 10, 1967

The house met at 11 a.m.

HOUSE OF COMMONS

RULING BY MR. SPEAKER ON QUESTION OF PRIVILEGE BY MEMBER FOR LAPOINTE

Mr. Speaker: Order. Yesterday at the end of the question period the hon. member for Lapointe (Mr. Grégoire), rose on a question of privilege regarding a statement made in the course of a question posed by the hon. member for Red Deer (Mr. Thompson). At that time I asked the indulgence of hon. members to give me an opportunity to study the record. Having done so I am now in a position to make a judgment. Are hon. members now prepared to hear the ruling I now have before me?

Some hon. Members: Agreed.

Mr. Knowles: Proceed.

Mr. Speaker: Yesterday in addressing a question to the right hon. Prime Minister the hon. member for Red Deer referred to the conduct of the hon. member for Lapointe. Whereupon the hon. member for Lapointe requested the Chair to consider whether there was a breach of the privileges of this house when the hon. member for Red Deer made certain allegations with respect to the hon. member for Lapointe.

It would appear to the Chair that the question raised by the hon. member for Lapointe is in essence a point of order rather than a question of privilege. It seems to the Chair that the words used by the hon. member for Red Deer were unparliamentary and should not have been used under the guise of a question addressed to the ministry to formulate a charge, however indirect it may be, against another member of this house.

Our precedents are clear and of long standing. In this regard I can do no better than cite a portion of a well known ruling by Mr. Speaker Michener which is recorded at pages 583 and 584 of the *Journals* of Friday, June 19, 1959, which in part reads as follows:

It has been strongly urged by some members that the house should not set in motion its power to try and to judge the conduct of a member unless such member is charged with a specific offence.

It is urged further that not only must he be charged, but that he must be charged by a member of the House of Commons standing in his place.

In my view, simple justice requires that no honourable member should have to submit to investigation of his conduct by the house or a committee until he has been charged with an offence.

The proper procedure therefore is that such matters be raised by way of question of privilege followed by a motion. If the hon. member wishes to make a specific charge he will have to give consideration to the formulating of his charge on a question of privilege followed by an appropriate motion. For the time being the hon. member for Red Deer did not make a specific charge set forth in a motion. Since in my view the words used by him yesterday were unparliamentary, I would ask him to assist the Chair in maintaining the proprieties of this house and withdraw the expressions used by him yesterday.

Mr. R. N. Thompson (Red Deer): Mr. Speaker, I listened with great respect to the ruling you have just given. As I read the question I placed yesterday I must agree that I did not raise a question of privilege or make a motion; I did not intend to do so. I merely asked the Prime Minister whether anything was being done concerning the situation regarding the hon. member for Lapointe who, as I said—

—not only has violated his oath but has placed the honour of every member of the house in question—

If such a question directed to the right hon. Prime Minister is in your opinion something that should not have been said, I will be happy to withdraw the statement on that basis. I have to agree with Your Honour, in that you have said I had made no charge. I said merely that the hon. member had violated the oath he took when he assumed his seat in this house. All of us have taken this oath, and I should like to repeat it to Your Honour. It begins:

I do swear that I will be faithful and bear true allegiance to Her Majesty—

● (11:10 a.m.)

Mr. Speaker: Order, please. The hon. member has said that he wants to refer to the oath. I think all hon. members know what