

*Privilege—Mr. Lawrence*

**Madam Speaker:** I just want to remind the hon. member that he must be short on the history of the matter, and he must also be extremely short on what constitutes—from what he has said up until now—a divergence of opinion on how a certain matter was conducted. I have to hear the point of privilege, and I would urge the hon. member to come to it very quickly.

**Mr. Lawrence:** I understand that the burden is on me to prove to you, Madam Speaker, that it is not merely a divergence of opinion but an actual misstatement of the facts made today in this House by the Prime Minister. That is the burden which is on me, and that is the burden which I will attempt to discharge.

First of all—

**Madam Speaker:** Order. Even that does not constitute a question of privilege. If that is the argument which the hon. member is going to pursue, I would advise him to come more closely to the arguments related to the privilege. If one hon. member states facts which another hon. member does not think exactly reflect the reality of things, this does constitute a divergence of opinion on what they both interpret the facts to be; there is a lot of room for interpretation there. A question of privilege cannot address itself to that kind of argumentation. It must be indicated to me that the privilege of the hon. member has really been breached.

**Mr. Lawrence:** Madam Speaker, I am always very cognizant of your rulings, obviously because we have to be; but I am also very cognizant of the suggestions and help which you give to us when we are struggling, in a matter that was unforeseen, to come up with arguments. However, as I understand my rights as an hon. member in this House, if another hon. member—whether he is the Prime Minister or the farthest backbencher in the House, it matters not—makes a misstatement of fact which alleges that an hon. member did something, or did not do something which he should have done, then that is a question of privilege. That is the allegation I am making here today.

**Mr. Trudeau:** You are doing that every day. Wake up, you guys!

**Mr. Lawrence:** If I may go back and make a very short summary of facts in this matter, Mr. Gouzenko defected in 1946 from the embassy of the Soviet Union in Ottawa, and made extremely serious allegations to a number of officials of the government and a number of people outside the government. As a result of those allegations, a royal commission was set up. The full report of the royal commission and the proceedings before that commission have never been made public. I do not question the authority of the government of the day in its decision not to make those papers public if it did not so desire. They were sent to the archives on the understanding that they were to be sealed for 30 years. That 30-year period ended in 1978.

I come now to the crux of the matter. In 1978, when all of the security provisions, and I respectfully suggest to you,

Madam Speaker, all of the privacy problems relating to the testimony before the Taschereau commission were long since over and done with, the administration preceding the Clark administration took it upon itself, illegally, with no justification and with no legislative authority whatsoever, to send those documents back to the National Archives and resealed them for another ten years.

Now I come to my question of privilege.

**Madam Speaker:** I am sorry, I must call the hon. member to order. The hon. member is debating the question. He is stating a different set of facts—

**Mr. Trudeau:** And making falsehoods!

**Madam Speaker:** —from those stated by another hon. member. That does not constitute a question of privilege. I would like the hon. member to come to those arguments.

**Mr. Lawrence:** If not for your benefit, Madam Speaker, for the benefit of the House, I was attempting very briefly to summarize the history of this matter, which goes back 35 years. As I have completed it in approximately three and a half minutes, I do not think that is bad.

The Prime Minister now alleges that, as solicitor general, I could have obtained the release of those documents but I made no attempt to do so. That is the nub of my question of privilege. With the full cognizance of the government of the day I attempted to obtain the release of those papers, as the minister of the Clark administration who was primarily in charge of security for this country. I attempted verbally through my own officials and I attempted verbally through Dr. W. I. Smith, the Dominion Archivist, when he informed me that these matters were sealed as the result of a cabinet deliberation of the previous administration.

● (1510)

I then attempted to find out the reason for that and whether the Clark administration could overrule that cabinet directive. I was informed that the reason for it came under the jurisdiction of an undertaking given by the then prime minister, the present Leader of the Opposition (Mr. Clark), to the then leader of the opposition, now the Prime Minister of Canada.

I then insisted that I be given something in writing by Dr. Smith, which I received. I will read it to you, Madam Speaker; it is a letter addressed to me dated November 13, 1979. The only reason that I feel I can now release this letter to the House is that the Prime Minister indicated today that I would not be in breach of any rule of confidentiality or any oath of secrecy by doing so.

In a letter dated November 13, 1979, addressed to me as solicitor general of Canada, he wrote:

Dear Mr. Lawrence: In reply to your letter of 31 October, 1979—

I had asked for either the release or the right to inspect those documents.