

Conduct not amounting to a direct attempt to influence a Member in the discharge of his duties, but having a tendency to impair his independence in the future performance of his duty, will also be treated as a breach of privilege.

● (1520)

Further concerning the nature and consequences of my actions, in *Beauchesne's* fourth edition, Citation 111(l) reads:

Wilful misrepresentation of the proceedings of members is an offence of the same character as a libel.

Not only were the statements referred to contemptuous of me personally, but they are even more contemptuous of parliament because they first of all cast disrepute on the House as a whole by implying that only those elected on the government side can represent their constituencies.

Mr. Speaker: Order.

Mr. Stewart (Cochrane): Secondly, they attempt to obstruct me in my duties as a member of parliament.

Mr. Speaker: Order, please. The hon. member for Cochrane (Mr. Stewart) has referred several times to statements made by other members of the House, but to this point I do not have any such statements before me. It would be helpful if I could have such statements so that I could better judge the question of privilege.

Mr. Stewart (Cochrane): Mr. Speaker, I have given the essence of the statements. The statements were made on more than one occasion and particularly on television. They are a matter of record. They were to the effect that from now on the two members in question would be looking after and having the obligation to look after the matters of my constituents, and that the hon. member for Cochrane would no longer be looking after their affairs. That essentially is the matter.

In order to complete my remarks and, indeed, if you judge, Mr. Speaker, that this is a question of privilege, I would like to place on the record a motion. The essence of my argument is that not only are my privileges affected here, but also the privileges of any member who does not happen to have an affiliation with the caucus of the government party. I have cited two citations which I think reinforce that argument. If it is found that there is a *prima facie* case of privilege, I would therefore move, seconded by the hon. member for Calgary Centre (Mr. Andre):

That the attempts by the hon. member for Thunder Bay and the hon. member for Timmins to interfere with the duty of the hon. member for Cochrane to represent and act for the people of his constituency be referred to the Standing Committee on Privileges and Elections.

Mr. Speaker: I am prepared to see the hon. member for Thunder Bay (Mr. Penner), but I do hope that the point which I just made is appreciated by the hon. member for Cochrane. He has in the circumstances made reference to certain statements, and in order to judge, since those statements form the very basis of the hon. member's question of privilege, the Chair cannot be left in the position of relying on an interpretation of the statements. I would have to have something in the nature of a precise example or reference before I could begin

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to judge. I do not know whether I can come to a conclusion or not, but this fact certainly leaves me in very great difficulty.

Mr. B. Keith Penner (Thunder Bay): Mr. Speaker, at the very outset, what you have indicated to the House is the point that I intended to make. The hon. member for Cochrane (Mr. Stewart) has entered this House with these scurrilous charges based on nothing more than hearsay, and they are not substantiated with any kind of written record or tapes.

Mr. Andre: Are you denying them?

Mr. Penner: You, Mr. Speaker, must obviously look at what he has to offer to make the matter something much more than mere hearsay.

Let me now deal with what the hon. member has said. First of all, I can understand why he is so very sensitive. Naturally, any member of parliament with a record of service as poor as this member's would certainly be sensitive.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Penner: The hon. member enters this House—

Mr. Nystrom: Seldom.

Mr. Penner:—telling us that the constituents of Cochrane have a right to be served by him and by him alone. Any constituent in Canada, no matter where he or she lives, if not adequately served because the member of parliament is unavailable or because the member is in some other part of the world when he ought to be in his own riding or here in the House of Commons, has the natural right to turn to some other hon. member, such as the member for Timmins (Mr. Roy) or the hon. member for Thunder Bay, to get the service to which he has a right as a Canadian citizen.

Some hon. Members: Hear, hear!

Mr. Penner: As I indicated to you, Mr. Speaker, these comments by the hon. member are not worthy of extensive comment because they are unsubstantiated and totally wrong. Now that the hon. member has decided to leave the party of which he was a member—and he went out to the satisfaction of all members on this side of the House—the constituents of Cochrane know that if they want someone who is on the government side to provide effective action, they can come to a government member, and that is myself or the hon. member for Timmins.

Some hon. Members: Hear, hear!

Mr. Alexander: That is a lot of baloney.

Mr. Penner: I conclude by saying, Mr. Speaker, that I hope you will use your authority at the earliest possible moment to collect all the evidence that the hon. member for Cochrane believes he has. I would be delighted to appear before any committee of this House to talk about the things which he