

member for Perth-Wilmot, and that the minister should come into this House and answer that question.

Some hon. Members: Hear, hear!

Mr. Speaker: I will hear other members in a moment, but I think it may also be time to put an end to the phrase of the Chair "putting a minister on probation." I think we ought to keep in context, first of all, the nature of the motion that was put forward on that day. Both motions really called into play, or proposed to call into play, statements of the minister of his intention in how to deal with questions. The action that the Chair took at that time was to indicate that there was no feasible way, in my opinion, that a committee could be asked to make judgment upon the intentions of a minister, and how he was going to deal with questions, because the way to determine that was to get on with the question period and put the questions. I did not put the minister on probation by doing that, but I did, I think, give respect to the importance of the motions and indicated the way to find out the answers to the motions was not to send them to a committee to examine what a minister was going to do, but to get on to the question period to find out how he was going to deal with it.

I also think, in fairness, that if one wants to quote all of that judgment, one will verify that I made it quite clear the Chair could not compel an answer, and that under no circumstances could our precedents or practices be taken ever to impose upon a minister an obligation other than a political sanction to make answers.

I think it is always the right of a minister to refuse to answer any question or, in fact, to take no action at all on that question. That remains fundamental.

In so far as the hon. member for Perth-Wilmot raising the question today about the refusal of the minister to answer questions today is concerned, it may relate in some way to these motions that remain outstanding, which I will finalize, but in so far as it relates to the refusal of the minister or any other minister to answer questions, of course it has no basis in privilege at any time.

Mr. Eldon M. Woolliams (Calgary North): Mr. Speaker, I want to associate myself with the hon. member for Perth-Wilmot (Mr. Jarvis) and also with our House leader in reference to the question of privilege.

I asked two very simple questions. In those questions there was no request to disclose anything which would affect the security of the nation. The first question I asked was whether the minister had given any direction or order to cover 58 documents. If those documents are copies of the document we have been talking about, and which is worrying the government and giving it some anxiety as to the security of the nation, and there are 58 copies in different agencies and departments of the government—that can be multiplied by four or five because they are probably copied, and there are helpers, executives, and directors, so there are probably a great number.

Privilege—Mr. Jarvis

A finger is being pointed at a particular member of parliament when the leak took place elsewhere. The leak probably took place in an agency of the government through the government's own negligence. That is why I wanted to find out whether there had been an attempt or direction to recover the 58 plus—and a big plus—documents in question.

● (1532)

The second question I raised was that we heard today that a warrant had been issued for the search of various offices of the media, television, and possibly radio stations, and the press. As we all know, the Fourth Estate has a very important function. It has been stated in this House on many occasions.

We try to get information. We do that by interrogating the government during question period. The answers we elicit are carried by the media across the country so that the public are properly informed. Without that Fourth Estate, this parliament, our democratic system, and this process could not operate effectively or efficiently.

Some hon. Members: Hear, hear!

Mr. Woolliams: The second question I put to the minister was not anything in reference to being harmful to the security of the nation.

The 264 members of this House realize their responsibility with regard to the security of the nation. We have a pretty severe act, the Official Secrets Act, which deals with that. I want to place on record Section 12 of that act. I quote:

A prosecution for an offence under this Act shall not be instituted except by or with the consent of the Attorney General;

Except for when I flushed him out the other day, the Attorney General (Mr. Basford) has been very quiet about this whole affair. We do not know what part he is playing. We do not know whether the Solicitor General (Mr. Blais), to use the term of the right hon. member for Prince Albert (Mr. Diefenbaker), is babbling outside the House but dries up like a dry brook when he gets into the House. He babbles outside, and dries up inside. We cannot get the information.

The section continues:

—except that a person charged with such an offence may be arrested, or a warrant for his arrest may be issued and executed and any such person may be remanded in custody or on bail, notwithstanding that the consent of the Attorney General to the institution of a prosecution for the offence has not been obtained, but no further or other proceedings shall be taken until that consent has been obtained.

That means the consent of the Minister of Justice and Attorney General of Canada, the highest law officer of this land.

We heard that warrants were issued. I might as well say it, because I have been thinking about it for a long time. I have the feeling that this government is not concerned with the security of the nation, but concerned with the security of the government. They are worried because they have been so soft on security for the past ten years, and now they have something to hide. It is time somebody in this House said that.

Some hon. Members: Hear, hear!