

HOUSE OF COMMONS

Tuesday, May 24, 1988

The House met at 11 a.m.

Prayers

POINT OF ORDER

ABORTION—PROPOSED MOTION (MR. LEWIS)

Hon. Herb Gray (Windsor West): Mr. Speaker, I rise on a question of privilege.

Mr. Speaker: I would like to advise the House, further to the call on a question of privilege by the Hon. Member for Windsor West (Mr. Gray), that I have received two letters. One is from the Hon. Member for Windsor West and the other is from the Hon. Member for Oshawa (Mr. Broadbent). They are with respect to the same matter, that is, the proposed Government House order with respect to the abortion issue.

I want to advise both Hon. Members and the House that I view these as points of order, although there may be a tangential argument on privilege. At the moment, I view them as points of order.

I also want to indicate to both the Hon. Member for Windsor West and the Hon. Member for Oshawa that I have given this matter a good deal of consideration over the weekend with respect to the question of whether procedurally this is the time for the Chair to make a ruling. I want to advise both Hon. Members and other Members of the House that it is the opinion of the Chair that this is not the time to make a definitive ruling on the important matter that is raised here. However, it is to say that this morning I would appreciate it if both the Hon. Member for Windsor West and the Hon. Member for Oshawa would address the Chair giving the parameters of their point, but to do so briefly.

None of what takes place this morning will in any way take away from the full right of all Hon. Members to a full argument on this issue at a later time. I have to point out at the moment that the matter which is complained of may of course never come in front of the House in the form in which it is, or for that matter in any other form. That is why it is premature at the moment.

Rather than take up the time of the House this morning in a full argument, and I do not think as yet I am procedurally in a position in which I should make a decision, I would ask, first, the Hon. Member for Windsor West to address the Chair. As I

say, I hope with the co-operation of the Hon. Member he will do so not too extensively. The same applies to the Hon. Member for Oshawa.

Mr. Gray (Windsor West): Mr. Speaker, in my remarks I will pay great heed to what you have just said. I hope that in considering what I say in the context of a point of order Your Honour also will allow me to deal with the matter somewhat more broadly. I respectfully submit we are dealing here not only with a point of order as such but something that deals with the very privileges of this House and of its Members.

Late Friday afternoon of last week the Government tabled a motion with the Clerk. The motion, as I read it, is intended to allow the Government to suspend the ordinary rules of the House, the Standing Orders, and the usual practices of the House so that it can force the House and its Members to deal with a motion on the issue of abortion in the manner the Government desires. This motion was tabled without any prior consultation on it with the opposition Parties. It certainly does not have their consent.

● (1110)

In part the motion states:

That, notwithstanding the Standing Orders and the usual practices of the House, the motion and the two amendments listed here under in relation to abortion (designated as Amendment A and Amendment B), shall be transferred and listed under Government Business under Government Orders on the *Order Paper and Notices* and shall be deemed to have been moved and seconded and shall be ordered for debate at the next sitting of the House as a single Government Order; and

That, in the debate on the said Government Order, each Member may speak only once, but may speak to the motion and both amendments, for a maximum of twenty minutes, followed by ten minutes of questions and comments, with such time limits to apply to the Minister of the Crown speaking first in the debate; and that no amendment to the motion or Amendment A or Amendment B be receivable following the adoption of this Order . . .

In short, the motion takes the unprecedented step of limiting the number of times a Member can speak on the question of abortion, even before the debate begins on that question, and before there is any indication of how long the debate is likely to go on. It also takes the unprecedented step of taking away the rights of Members to propose amendments to the Government's own motion.

This motion that the Government wants to put forward has nothing whatsoever to do with the matter of a so-called free vote. There is no reference anywhere in the Government's motion to the idea of a free vote. The words appear nowhere in that motion. I also wish to point out that the Standing Orders do not refer to the concept of a free vote. Instead, in the