

should have been, that a letter he had received in 1973 was at issue, was wrong and was misleading.

● (1502)

It is stretching the point, and the best way I can qualify it is to say that the argument put forth by the parliamentary secretary has been a carefully devised red herring for the fundamental reason that while commissioner Higgitt was questioned by the Keable commission in November, 1977, at no time did he say anything, nor was he questioned, about the authenticity or the truthfulness of the letter written by the then solicitor general in 1973. I could question the parliamentary secretary and ask him directly whether that gentleman found any reference in the testimony in the Keable commission by commissioner Higgitt of an admission that the letter was misleading, as has now been done before the McDonald commission.

This is precisely what my colleague is complaining about, the letter he received in 1973 from the solicitor general and the fact that just this Wednesday before the McDonald commission the commissioner admitted under cross-examination that the letter was misleading. That was the first time there was direct testimony that that letter prepared for the then solicitor general was misleading and was intended to mislead the hon. member for Northumberland-Durham.

One can build all sorts of inferences, but is it to be attributed to the hon. member for Northumberland-Durham that he should have been under notice that the letter he received in 1973 was misleading? The hon. member may have participated in the questioning in the House in November, 1977, which was his responsibility, but that does not include the authenticity of the letter because the commissioner had not said anything about the letter being misleading. The commissioner had admitted before the Keable commission that there had been some opening of letters, but he did not say anything about that particular letter.

I put it to you, sir, that it is the question of this particular letter, which the commissioner has now said was prepared in a misleading way for signature by the solicitor general of the day in order to mislead my colleague, which must be righted. With the greatest of respect, I would suggest that the arguments of the parliamentary secretary to counter this motion is a finely drawn red herring.

Mr. S. Victor Raiton (Welland): Mr. Speaker, I have no legal knowledge at all, but I believe this has become a legal wrangle. I see no point in getting away from the statement that the minister had purposely misled the House. As far as I am concerned, it is the general responsibility of every member, whether it is a minister or a backbencher, to tell the truth, and we have all taken an oath to that effect. I do not see why we have to worry about a letter of this type when every day we have under Standing Order 43 and in preambles to oral questions statements and debates by the opposition calculated to mislead the House. It is about time we realized that the same red herring has issued from the other side.

Privilege—Mr. Lawrence

Mr. Speaker: Order, please. There has been ample contribution to this question of privilege, and I know that all hon. members who have participated so far would like to reargue the points that are at issue. I hope that they will allow me to examine all these arguments and address myself to some of the considerations which I have tried to put on the record as the discussion progressed.

In response to the argument made by the hon. member for Edmonton West (Mr. Lambert), I think that it touches on a fundamental point about the role of the minister in this matter. The hon. member for Northumberland-Durham was, in fact, very careful, by the tone of his motion, not to mention the minister in the particular circumstances.

It has been argued that the testimony of commissioner Higgitt, which is so material to this matter, is that the draft of the letter, if his testimony at the McDonald inquiry is to be accepted, was calculated not only to deceive the hon. member for Northumberland-Durham, but the solicitor general of the day as well. That fact is rather central to the whole issue and is the point that concerns me. Did the solicitor general of the day on November 9 make that plain to the House? In other words, was the House on notice that questions which had been answered by solicitors general, obviously in good faith, on several occasions were in fact answered on the basis of misleading information from the RCMP?

My point is this: if that announcement and the questions of members at that time had the effect of putting the House and members of the House on notice to that effect, then surely questions of privilege about previous misleading answers, whether by letter or in the House, became operational at that time. These are arguments which I have to look at. I have to look at the content of the statement of the solicitor general on that day, and I will give careful consideration to all of the arguments.

I know that some of the members who participated in this discussion have to be away from the House for one or two days next week. It will probably be Wednesday before I would be able to assemble all these arguments, and I would hope to deliver my decision on the matter on Wednesday of next week.

Mr. Lawrence: Mr. Speaker, may I make one more point which has come up since my original submission on the matter?

Mr. Speaker: Order, please. I do not see how I can permit the hon. member for Northumberland-Durham to have that privilege and then deny it to all other members.

Mr. Nielsen: Mr. Speaker, I have a question of privilege.

Mr. Speaker: Order. So has the Parliamentary Secretary to President of Privy Council.

[*Translation*]

Mr. Pinard: Mr. Speaker, I rise on a question of privilege. I do not want to reopen the debate in any way, I appreciate that you have reserved your decision and I am not at all referring to