

Oral Questions

Mr. Mulroney: Read.

Mr. Riis: All right. "By having Lavalin Incorporated pay the campaign expenses of \$2,235 for the benefit of Marthe Lefebvre"—

Mr. Mulroney: Read, read.

Mr. Riis: The point is—

Some Hon. Members: Read more.

Mr. Riis: My question to the Prime Minister is that the Commissioner of Elections—

Some Hon. Members: Read the entire letter.

Mr. Speaker: The Hon. Member.

Mr. Riis: Thank you, Mr. Speaker. Again to the Right Hon. Prime Minister, since the Prime Minister is now aware that the Commissioner of Canada Elections indicated that the Minister in question actually did commit an infraction of the Act—there is no question; he was not ambivalent about it; he said that there was an infraction—does the Prime Minister, now that he is aware of this, believe that it is appropriate to have in his Cabinet as a Minister of the Crown someone that the Commissioner of Elections has indicated did commit an infraction?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I may have an opinion about the conduct of my hon. friend and vice versa but, fortunately I suppose for all of us in society, it is not up to individuals to make adjudications in respect of guilt or innocence. It is up to the independent judiciary that is very much a part of our citizenship. The responsibility of an officer—

Ms. Copps: Send it to court.

Mr. Mulroney: The Hon. Member says: "Send it to court". The Commissioner, in the exercise of his discretion, decided not to send it to court. That is precisely the point. He decided not to send it to court because—

Mr. Broadbent: Why?

Mr. Mulroney: —in the exercise of his judgment he concluded that it ought not to go to court. He exercised his judgment and decided that it ought not to be brought to court.

If my hon. friend and the Leader of the NDP, who is now counselling with his House Leader, are offended by the notion of the presumption of innocence or the independence of an officer of Parliament, perhaps they can say so. As far as I am concerned this same officer wrote—and I hope my hon. friend listens carefully— rendered a decision in which he said, and this is Mr. Gorman, "I have decided that no charges will be laid against the Hon. Marcel Masse". That is his decision.

Surely my hon. friend will agree, in light of that decision, that all the presumptions of innocence, all the presumptions of innocence in this country, ought to flow to everyone, including Members of Parliament.

RETENTION OF MINISTER IN CABINET

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I have a supplementary question for the Prime Minister. In terms of what Commissioner Gorman advised the Prime Minister, we can set that aside for discussion at another time.

It is now clearly evident. The Prime Minister now has the appropriate letter, presumably that the Minister has provided him, where it says that the evidence put before the Commissioner indicated that an infraction of the law had taken place, that the Minister had broken the law, as had a number of his associates during his campaign. They were charged, charges were laid, including the Lavalin company. My question to the Prime Minister has nothing to do with Mr. Gorman or his advice.

Now that the Prime Minister knows that a Minister of his Cabinet in fact did commit a violation, does he feel that it is appropriate for that Member to sit in Cabinet until the whole matter is aired?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I think my hon. friend is really showing a pretty fundamental disregard of the basics that have to govern conduct, both in the House and in respect of the rights of all Canadian citizens regarding litigation of any kind.

My hon. friend says that the infraction of law was concluded by Mr. Gorman. Mr. Gorman's responsibility, if he believes that there was an infraction, is to lay charges.

Mr. Broadbent: Yes.

Mr. Mulroney: The fact that he did not lay charges—

Mr. Broadbent: Why?

Mr. Mulroney: My hon. friend says "why". I presume that it is because of the independence of an officer of Parliament. Surely he should not be asking the questions of me. He should be asking the questions of the independent officer of Parliament who chose not to lay charges.

Surely if I asked the Commissioner, thereby violating his independence, the Leader of the NDP would be the first one to attack me for intruding on the independence of an officer of Parliament.

Make up your minds. You either agree with the presumption of innocence or you don't, and if you have got a problem with Mr. Gorman's decision, ask Mr. Gorman.