

Privilege—Mr. Nielsen

chamber, I find it extremely serious when a member uses such terms as forge, falsify and bribery. I submit those words should not be allowed to stay on the record one instant. I hope the hon. member will withdraw them.

The Solicitor General was not in the chamber when those words were said, but I wrote them down. He said forge, falsify and bribery in connection with the statement the Solicitor General made not only in committee, but by extension in this House. I submit the most serious charge is not the one trying to be drummed up by the other side because it is dissatisfied with the rules, but the imputing of motives by the hon. member for Yukon against the Solicitor General.

Hon. Jake Epp (Provencher): Madam Speaker, I want to put a few words on record on this matter of privilege. The motion was seconded by me. In his comments the Parliamentary Secretary to the President of the Privy Council (Mr. Collenette) made the point that it was not within your power, Madam Speaker, to refer this matter to the appropriate committee. The hon. member for St. John's East (Mr. McGrath) never made that recommendation. The recommendation to the Chair was that a referral be made, not that a direct referral be made by the Chair. There is a very marked difference between that and what the parliamentary secretary was saying.

There are two obvious questions that need answering in terms of redress. One was raised by the hon. member for Yukon (Mr. Nielsen) and the hon. member for St. John's East, namely, that undertakings were given and undertakings were removed. I will not address that any further. I believe that has been fully discussed.

There is another undertaking that I feel is directly part of this issue. In other matters we have a bill or a resolution and an opportunity for members to find redress, at least in the legislative sense, if not in the moral sense, through the avenue of report stage whereby amendments that have been defeated can again be brought forward at report stage. The House can at least address those amendments and take a decision apart from what might have happened in any committee of the House. That is normal procedure in terms of bills or resolutions.

That is not what is facing us here. We have no redress to bring an amendment forward to have that matter discussed now by all members of the House in the legislative sense, because we have not received from the President of the Privy Council (Mr. Pinard), the Prime Minister (Mr. Trudeau) or the Minister of Justice (Mr. Chrétien) any word as to what form the debate will take once the matter is before this House.

Not only do I feel there is a responsibility on your part, Madam Speaker, to protect the rights of members who now have no recourse to redress in the committee because of the weight of majority, and that majority is being exercised in the committee, but on this issue there is no redress in a legislative sense that the matter can again be brought before the House. We do not have those guarantees. Both of those issues should be dealt with.

Mr. Clark: Madam Speaker, there is one other matter I might draw to your attention that will perhaps help you resolve the dilemma between your responsibilities as guardian of the privileges of the House and the difficult technical problem you have raised with regard to a question of privilege which arose originally in committee.

It is an unusual kind of committee, not simply in that it will not be reporting back as is normally done with a bill, but unusual more particularly in that its proceedings are televised live. There is no question that members of this House of Commons, including the hon. member for Brampton-Georgetown (Mr. McDermid) and others received, through the medium of television, a representation delivered directly by a minister of the Crown having to do with government policy. It was received directly through the medium of television by those members of Parliament and taken as a representation by a minister in a parliamentary context to members of Parliament.

Many of those members of Parliament acted on that undertaking. They acted in terms of representations they gave to their constituents, telling them that property rights would in fact be honoured and protected in the legislation now before the House of Commons. They perhaps acted in other ways as well.

I know Your Honour wants to find a way out of the dilemma in which the rules have placed you, the dilemma between your responsibilities as guardian of the privileges of this House and the technical problem created, as the hon. member for Yukon (Mr. Nielsen) pointed out, at other times when it was not possible for the Speaker or other members of the House to be seized of information that arose specifically in committee.

In this case, because television was there, and because this House decided to extend that committee beyond the committee to affect the decisions and the information, not only of all Canadians, but all those Canadians who happened to be members of this House of Commons, there was direct communication by a minister of the Crown to individual members of Parliament emanating from, but not confined to, that committee, which affected decisions taken by members of Parliament.

I believe Your Honour may well want to consider whether that fact would reduce the force of the technical obstacle, which I believe is the only real obstacle that is of concern to you in passing judgment upon what we consider to be a very serious breach of privilege.

Mr. Collenette: Madam Speaker, I rise on a point of order. I hesitate to rise because the usual rule is that individuals are only allowed to participate once in a debate on a question of privilege.

Madam Speaker: The hon. member can rise on a point of order, as did the Leader of the Opposition (Mr. Clark) who spoke previously on this question of privilege. I can hear the hon. member on a point of order.