

Oral Questions

Mr. Mulroney: —and we should be saying and doing nothing in this House that would in any way diminish their full rights to a fair trial and the presumption of innocence.

Mr. Speaker: The Hon. Member for Burnaby—Kingsway.

Mr. Nowlan: Aren't you going to recognize some of the Members in this institution? I have given you a note and—

Mr. Speaker: The Hon. Member for Burnaby—Kingsway has the floor.

Mr. Nowlan: Oh, boy, that's great.

Mr. Robinson: Mr. Speaker, he can have my second supplementary.

Mr. Speaker: Who gets your second supplementary is up to the Chair. Would the Hon. Member put his question?

[*Translation*]

POSITION OF DEPUTY MINISTER

Mr. Svend J. Robinson (Burnaby—Kingsway): Mr. Speaker, my question is directed to the Minister of Justice and also deals with the criminal charges against Doug Small. The Minister admitted today that his Associate Deputy Minister took part in the discussions on the serious charges against Mr. Small. Mr. Speaker, what position did his Deputy Minister take on these charges? Did he notify the RCMP that these unprecedented charges against a journalist would constitute an attack against freedom of the press in Canada? What position did his Associate Deputy Minister take on these charges?

[*English*]

Hon. Doug Lewis (Minister of Justice and Attorney General of Canada): Mr. Speaker, I have before me a transcript from the scrum yesterday in which I was asked whether or not there had been discussions with officials. I said there may have been the normal deliberations or consultations from official to official in the course of discussions.

My hon. friend will know that the RCMP was called in to do the investigation, that they completed their investigation, that they dealt with the Province of Ontario, which is the jurisdiction that has carriage of the action in the courts. The RCMP then came back and laid the

charges. I am advised that Justice officials between the two jurisdictions routinely discuss matters in which the federal Government may have an interest in terms of this particular thing, being the Budget. This involves questions of law, questions of evidence and information. It is all quite normal.

POSITION TAKEN ON CONSTITUTIONALITY OF CHARGES AGAINST JOURNALIST

Mr. Svend J. Robinson (Burnaby—Kingsway): Mr. Speaker, that is precisely the point surely. I am asking the Minister of Justice, in view of the fact that the RCMP consulted with his Associate Deputy Minister of Justice, Doug Rutherford—confirmed that to me this morning—what position did Doug Rutherford take on the constitutionality of these unprecedented charges being laid against a journalist? In light of the seriousness—

Some Hon. Members: Oh, oh!

Mr. Robinson: In light of the seriousness—

Mr. Speaker: The question was very straightforward. What did somebody say to somebody else. He can ask the question. Whether there is an answer is up to the Minister.

Mr. Robinson: It is a serious question about the position taken by the Government. In light of the unprecedented nature of these charges against a journalist, will the Minister of Justice do the right thing and seek leave to intervene on behalf of the Government of Canada in these court proceedings to argue on behalf, not just of journalists, but on behalf of all Canadians against this massive attack on freedom of the press in Canada?

Hon. Doug Lewis (Minister of Justice and Attorney General of Canada): Mr. Speaker, I can think of nothing which would be more of an interference in the course of justice than for me to answer that question.

ACTION OF OFFICIALS IN PUBLIC SERVICE

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Deputy Minister of Finance and the Clerk of the Privy Council, the Secretary to the Cabinet, when they came into possession of information of a leak of a magnitude to Mutual Life, their prime course of action after years in the public service would have been to advise immediately the Minister of Finance and the Prime Minister of Canada in time for them to meet the House at Question Period that same day.