

*Security Intelligence Service*

**Mr. Yurko:** Mr. Speaker, when I have finished what I have to say, that is exactly what I intend to do. I intend to do what the committee chairman suggested, that is, that perhaps the matter should be referred to the Standing Committee on Privileges and Elections. That is exactly what I intend to do. I have not finished my case, and I would like to be permitted to make it because I think it is extremely important. If I have no appeal to this place, to where do I appeal as a Member of Parliament when my privileges have been massively interfered with and indeed abridged? To where do I appeal if not to the House? That is what I am doing.

● (1600)

As I indicated, I feel very strongly that the ruling strips me totally as an independent Member of Parliament from active participation in dealing with clause by clause consideration of Bill C-9 in committee. Furthermore, I find it strange that when these amendments are brought before the House they should be grouped in such a way that no opportunity whatsoever is given to me to dwell on any specific amendment. In 10 minutes I cannot deal with 96 amendments or whatever the number is in terms of their grouping.

**Mr. Speaker:** In fairness to the Hon. Member who has been in the House some time, there are 175 amendments. The grouping of the Chair related only to proposals which would have simply cancelled the clauses one by one. Would the Hon. Member please deal with the problem before him? The question of the grouping of the amendments before us is surely a different matter.

**Mr. Yurko:** Mr. Speaker, that may be so, but in my view it is not. When amendments are grouped as you have indicated in your statement—

**Mr. Speaker:** The Chair is not prepared to hear argument on the grouping of amendments at this stage. The Chair has indicated that it will hear argument at a later point on a preliminary ruling. If the Hon. Member does not choose to deal with this matter of privilege, the Chair will have to pass on to someone else. For the last time, would the Hon. Member deal with the matter of privilege? The question of grouping can be dealt with later this day.

**Mr. Yurko:** What I am trying to set before the House is that my privileges in committee were abridged and that those same privileges should not be abridged in this House. Those privileges were abridged in committee, and I am simply trying to suggest that on the basis of any ruling in dealing with amendments, one would think that you would give serious consideration to independent Members of the House. If their privileges were abridged in committee in dealing with amendments, surely the same procedure would not be used in the House.

**Mr. Speaker:** If the Hon. Member thinks that he can force a clause by clause discussion in the House of Commons at report stage because he was not able to have it in committee, then he is mistaken. He does not have the right to force a clause by clause discussion in the House at this stage. If the Hon.

Member has a complaint about the conduct of a chairman of a committee, then the proper procedure is for him to put on the Order Paper a motion of censure against a chairman of a committee. This is not privilege.

**Mr. Yurko:** Therefore, I move the following motion:

That the ruling of the chairman and the subsequent events of the Standing Committee on Justice and Legal Affairs as a result of that ruling which abridged the privileges of a Member of Parliament in a very serious way be referred fully to the Standing Committee on Privileges and Elections for consideration.

**Hon. Allan Lawrence (Durham-Northumberland):** Mr. Speaker, I would just like to speak to one very narrow point in respect of the Hon. Member's question of privilege. Certainly it must be obvious to the House that I hold no brief for the ideals, philosophy, affiliation or non-affiliation of the Hon. Member. However, I think there is one point which concerns me. I hope I am misinterpreting some of the words of the Chair. In rising at this time on this one very narrow point, I am really seeking clarification, obviously a correct clarification.

I would hope that the interpretation of what the Chair is saying now would not be misinterpreted in the future, to the extent where a Member of the House could not stand in his place in this House and raise a question of privilege about a committee hearing or the proceedings in a committee solely and simply because there was no reference of those particular circumstances in the report of the committee to the House.

Let me go to the one extreme here. For instance, suppose an Hon. Member, like the Hon. Member who has just resumed his seat, went to a committee hearing and the committee or its chairman ordered his removal from the committee. I would think, Your Honour, that there would be two courses of remedy which that particular Member would have. In my view, he would either be able to come back to the House to move a motion of censure against the chairman or against the committee collectively, or certainly it would be his option, when the debate took place on the report of the committee, even though there was no reference to the activity within the committee, to raise his question of privilege.

In many, many instances when we get to more minor offences relating to questions of privilege, I would think the occupant of the chair in the House of Commons would reach for the easy solution and say: "I have no way of knowing what occurred within the committee until the committee reports". That has been done. With all respect, Your Honour, that has been done by the present occupant of the chair many times in relation to Members of the House who wanted to raise a question or a point about what went on in committee. Surely the option, especially when we are dealing with a matter of privilege, should stay with the Member who felt he had a grievance in relation to his privileges to wait until report stage of the matter in the House is reached, and he would then still be able to raise the matter even though it was not contained in the report.

I am not too sure just what is the Hon. Member's point. I think his point was that he was unable to raise certain points