

Oral Questions

Premier of Saskatchewan. I have in my hand the affidavit of Ralph Pentland, Director of Water Planning and Management Branch saying: "When the minister and the premier joined the officials, including me, for lunch, the minister and the premier seemed to have reached some understanding for a course of action. The minister described the concept he and the premier had been discussing".

What were those understandings? What was the agreed on course of action? What was the concept, I ask the Deputy Prime Minister?

Mr. Lee Clark (Parliamentary Secretary to Minister of the Environment): Mr. Speaker, I am not a lawyer and there are times in my political career—

Some hon. members: Hear, hear.

Mr. Clark (Brandon—Souris): Mr. Speaker, it is unusual to have such unanimity of support in this House.

Mr. Speaker, I would have assumed, as a layperson, that one of the reasons we have a court system and appoint distinguished lawyers to be judges, is so we can take evidence of this nature, place it before the courts and let the courts decide.

We on this side of the House applied to the appropriate court in Saskatchewan to seek an injunction, because we believed that the agreement of January 26 had been broken. We have provided evidence of that fact to the court. The opposition to that request for an injunction has supplied its own evidence. But, surely, it is up to the courts, rather than the House of Commons, to decide how that hearing should proceed and what the results should be.

Some hon. members: Hear, hear.

Mrs. Marlene Catterall (Ottawa West): Mr. Speaker, the minister and the government are answerable to this House, not to the courts. This House wants some answers.

The minister's affidavit itself demonstrates clearly that over a period of weeks he was trying to bully the review panel into accepting—

Mr. Speaker: Just a minute. That is an accusation arising out of a court process. If this was a criminal case,

of course, none of these questions would be order. It is a civil case and what is in front of the court right now is a conflict between the various people who have filed affidavits.

The hon. member's question went to the government and said what has happened, and I allowed it. But I have to say that if by picking up one affidavit or another that is going to be the basis of a charge against a member, I do not think that is an appropriate question to ask.

Perhaps the hon. member can rephrase her question, but I do not want it to be repeated as it was put.

Mrs. Catterall: Mr. Speaker, I think it is entirely appropriate for the House to be informed and I would hope the government would choose to respond—

Some hon. members: Oh, oh.

Mr. Speaker: I am trying to point out to the House that under the circumstances and the content of the question that was put, I feel that it is inappropriate. The House is undoubtedly going to be informed when a judge makes a decision. When there is conflicting evidence in front of the court, it seems very difficult to ask the House, or a minister, to decide which affidavit ought to be accepted. That is clearly a task for the judge.

If the hon. member has a direct question which goes to the root of government policy or government action then, of course, it is acceptable. I would ask the hon. member to consider carefully the way she puts the question.

Mrs. Catterall: Mr. Speaker, perhaps I could simply ask the Parliamentary Secretary to the Minister of the Environment what was the concept Mr. Pentland was talking about? What was the understanding and what was the course of action agreed upon?

Mr. Lee Clark (Parliamentary Secretary to Minister of the Environment): Mr. Speaker, one of the difficulties, as you have already indicated, is that if hon. members stand in the House to read one of several somewhat conflicting affidavits, then we are at a bit of a disadvantage unless we are to take the House's time and read all the affidavits and place them before the House.

I would like to repeat what I said before. The fact is that this case is before the courts and it is up to the judge to make that judgment.