

Privilege—Mr. Yewchuk

therefore an important matter. There has been in this House during the year 1975-76 a number of instances where a member on either side clashed with a newspaperman, was misquoted by him or gave him an indication that went beyond his thoughts.

Mr. Speaker, I submit our rules in this respect are definitely evasive, inadequate and outmoded. In this respect neither hon. members nor the Chair, if I may respectfully submit, can determine exactly what our privileges are. On the basis of what authority, either in Beauchesne or in May, can we define exactly the rights of the hon. member for Athabasca, or for Shefford (Mr. Rondeau), or Témiscamingue (Mr. Caouette) or Lotbinière (Mr. Fortin)? The rules are very evasive, which leads to very unfortunate situations where for instance newspapermen gleefully report some remarks that seem to have been said in the heat of the discussion during our work.

Mr. Speaker, personally I am convinced of the integrity of the four Progressive Conservative members sitting on the Standing Committee on Health, Welfare and Social Affairs. I believe these members work to the best of their ability. The fact they are MD's finally enhances the quality of that committee's work. We have no right to imply that kind of intentions or allegations. But referring to the Chair's earlier remarks, you will no doubt agree, Mr. Speaker, that on the basis of an evasive, inadequate and outmoded rule, as I said, you cannot intervene and efficiently protect the hon. members' rights.

This issue therefore is absolutely basic, because it imperils every member in this House under the heat of action, without practically giving him any protection. Mr. Speaker, in the name of my colleagues I wish that on the acceptability and value on merits of the extremely valid question of privilege raised by the hon. member for Athabasca, your ruling also include very positive propositions for the preparation in 1976 of a modern wording in which the rights of members would be clearly defined, so that we know where we stand once and for all. This would benefit newspapermen or other colleagues that may utter certain indications under the heat of discussion, which is only normal. We were elected to give our views. Let us have the means of expressing opinions.

Mr. Speaker, in conclusion I say this: we have had recently an experience with the former Minister of Consumer and Corporate Affairs (Mr. Ouellet) who, in the heat of the debate, made a certain statement concerning some sugar companies and a certain judge. This has cost the minister his department and his case is still pending before the courts.

Again all this happened not because the minister was right or wrong, that does not matter to me. But what intrigues me and especially concerns me is the fact that today members of parliament, while doing their duty, if they go a little too far and if they do not accomplish their task, are once more censured by the people. Between the Standing Orders of this House which everyone refers to with great admiration, in the final analysis they do not protect the member, do not convey any kind of privilege since neither the Chair nor any member can spell out truly what these privileges are, how far we can go, what are our rights and our responsibilities.

[Mr. Fortin.]

Mr. Speaker, that is why I will conclude by saying that the Chair should take very seriously the question of privilege of the hon. member for Athabasca (Mr. Yewchuk) since it is only another problem that adds to all these incidents relating to privileges that have taken place for a year or so and because of which this House cannot properly carry out its business, is more or less effective in its proceedings and even less in its measures and, in particular is impeded at given times by the legal aspect.

Mr. Speaker, this matter has gone too far to be dealt with lightly. In view of the fact that the incident referred to by the hon. member for Athabasca happened in one of the creatures of the House of Commons, that is to say in a standing committee, I suggest that this House must not ignore it. It must assume its responsibilities and review the decisions made within one of its creatures, in this case a standing committee. Finally, it must take this opportunity to really determine the rights and privileges of hon. members so that they really be able to do the work for which they are paid.

● (1540)

[English]

Mr. Baker (Grenville-Carleton): Mr. Speaker—

Mr. Speaker: The hon. member for Grenville-Carleton has already made a contribution to this question of privilege. Is he rising on the same question of privilege?

Mr. Baker (Grenville-Carleton): I was going to make a suggestion as to how we might proceed if no other hon. member wishes to contribute. I think the Minister of Justice (Mr. Basford) made an excellent suggestion. I think the hon. member for Vancouver-Kingsway (Mrs. Holt) ought to be given the opportunity to reflect on what she has said and perhaps done to affect this institution, and be given the opportunity to explain and, hopefully, withdraw remarks which by any stretch of the imagination are at least offensive.

Mr. Speaker: The question of privilege is raised by the hon. member for Athabasca (Mr. Yewchuk) further to the notice he gave the House yesterday. The hon. member raises three procedural questions: first, whether in fact the remarks of the hon. member for Vancouver-Kingsway (Mrs. Holt) constitute a question of privilege, aside from the fact that they were made in committee; whether the remarks of the reporter referred to outside this House, or in fact any reporter's comments on the performance of any member of the House can, or, to be more specific—if it is possible—constitute a question of privilege, and whether the matter, having been dealt with in committee, the Chair ought to attempt—frankly, against all precedents—to sit in appeal on judgments of procedure made in standing committees. However, these questions are valid enough to be considered.

Furthermore, in respect to the first of the three questions, the hon. member for Vancouver-Kingsway is not in the House at the moment, and it is clearly in the interests of a full understanding of the events which took place, or the events which have been described by the hon. member for Athabasca, and in keeping with one of the clear practices of the House, that in questions of privilege of this