

way abridged or infringed upon by an injunction in a provincial court regarding a provincial matter.

The Hon. Member is free to do as he wishes on his own time with regard to personal business. If he is stopped from so doing by an injunction, his redress is at law. If he has an objection to the injunction stopping him in his personal capacity as a citizen from attending a study session, he should hire counsel and apply to be exempted from that interlocutory injunction.

Obviously in no way whatsoever, *prima facie* or in fact, does this in any way infringe upon the Hon. Member's ability to function as a Member of this House with regard to his position as a federal Member of Parliament.

**Mr. Fulton:** Mr. Speaker, I am not sure that the Parliamentary Secretary to the Government House Leader (Mr. Lewis) has read the injunction with the care with which I have. The injunction is quite different from any other injunction ever brought before the Supreme Court of British Columbia. It states very specifically that anyone acting on behalf of anyone named in this injunction application is prohibited from even attending a study session to consider government matters.

I do not think it is appropriate for me to have to fly to Vancouver, hire counsel, go to the Supreme Court of B.C., and apply for some kind of remedial action from an injunction which the Province of B.C. has placed against me specifically because I do in fact represent people in this injunction and I do act on their behalf in the House of Commons.

I think the House of Commons itself must reflect very carefully upon just exactly how far the Government of British Columbia is going in trying to prohibit Members of Parliament, members of the public, members of trade unions, and members of any other organization in British Columbia from being allowed simply to attend study sessions.

The Government of British Columbia is prohibiting me, as a Member of Parliament, from saying anything about matters affecting the administration of the Government of British Columbia or attempting to procure any change. I suppose that under Sections 1 and 2 of the documents which have been filed in the Supreme Court of British Columbia I am in fact contravening such an injunction by even speaking out about it in the House of Commons.

**Mr. Don Boudria (Glengarry—Prescott—Russell):** Mr. Speaker, I invite you to consider this topic very seriously. It is not something to be taken lightly. There may or may not be a question of privilege, but you will decide upon that. Upon reading the definition of privilege in Beauchesne's one will see very clearly that a question of privilege may exist and that the privileges of a Member could be affected. If the Member's privileges are affected, our privileges individually and collectively could be affected as well. Beauchesne's says:

#### *Question of Privilege—Mr. Fulton*

The distinctive mark of a privilege is its ancillary character. The privileges of Parliament are rights which are "absolutely necessary for the due execution of its powers". They are enjoyed by individual Members, because the House cannot perform its functions without unimpeded use of the services of its Members; and by each House for the protection of its members and the vindication of its own authority and dignity.

I submit that if we, individually or collectively, cannot meet with our constituents, for whatever reason, that could indeed be an infringement upon our privileges. I invite you to reflect upon and give very serious consideration to the subject brought to your attention by the Hon. Member for Skeena (Mr. Fulton).

**Mr. Rod Murphy (Churchill):** Mr. Speaker, I would like to make a few comments on the question of privilege raised by my friend and colleague, the Member for Skeena (Mr. Fulton). I had experience in a related matter last year. Last June, I believe on this same date, I was on the Gainers picket line in Alberta despite the fact that there was an injunction in that case.

I took the position with the police and the representatives of the Government which were present at the time that as a Member of Parliament I had a right to talk to those people to find out what their concerns were. As the labour critic for the New Democratic Party caucus I had legitimate concerns. I maintained my right as a Member of Parliament to speak with those people and find out what was going on. In that case there was no police action taken.

I am afraid that if we do not take this matter seriously there is a danger that the Member for Skeena or some other Member, in carrying out his or her duties as a Member of this House, could be stymied by provincial legislation and the actions of an over-zealous police force or over-zealous Attorney General.

• (1520)

I believe it is a serious matter. I do not know if the Speaker is in a position to rule on it now, but it is a matter that deserves study. We must protect our rights as Members of Parliament, not to break the law, but to be able to talk to people who are in a situation where they may or may not be breaking the law but are trying to protect their rights in the belief that the actions they are taking is the only way to do so.

**Mr. Deputy Speaker:** I thank the Hon. Member for Skeena (Mr. Fulton), the Hon. Parliamentary Secretary to the Deputy Prime Minister and President of the Privy Council (Mr. Lewis), the Member for Glengarry—Prescott—Russell (Mr. Boudria) and the Member for Churchill (Mr. Murphy) for their representations in this serious matter. I will look into it and get back to the House as soon as possible.