

considered to be pictures of a messy situation. It has been admitted by the minister that public funds were used to finance this party. It was done by his ministry. I do not by any means, as the minister suggests, accuse him personally or reflect in any way on him. I sympathize with the minister because I realize it is difficult for him to keep up with the wheeling and dealing of, Mr. Teron, who has far more connections at 24 Sussex Drive than he has.

Some hon. Members: Oh, oh!

An hon. Member: You are sick.

Mr. Speaker: Order, please. Perhaps the House will forgive me if I take the responsibility for judging that there have been sufficient contributions from both sides of the House on this essentially non-question of privilege.

Mr. Danson: Mr. Speaker, may I speak for a moment, as the hon. member referred to a senior official? I do not know exactly what the hon. member said, but I believe the hon. member referred several times to Mr. Teron. I suggest that accusations have been made which are absolutely false. I resent them, as they are totally unjustified.

Mr. Speaker: Order, please. I ask both hon. members to co-operate and bring this matter to a conclusion. There is simply no machinery whereby we can permit, under the guise of a so-called question of privilege, the kind of accusations and counter-accusations which have been made. This is a matter of debate and discussion at some other time.

The hon. member for St. John's East (Mr. McGrath).

● (1230)

Mr. McGrath: Mr. Speaker, I rise on a point of order. It arises out of the reply to my question in the House today by the Minister of Consumer and Corporate Affairs (Mr. Ouellet) and the Minister of Justice (Mr. Basford), which question in turn arose from what I consider to be the reprehensible conduct of the Minister of Consumer and Corporate Affairs. My point of order is prompted by an unprecedented attack on the Quebec Superior Court and one of its judges by the Minister of Consumer and Corporate Affairs arising out of a judgment with which he does not agree.

I may say that I consider this to be a very important matter, one of considerable substance in terms of the rules and practices of this House. I intend to show Your Honour that there has, in fact, been a very serious breach of the rules of this House. My colleague, the hon. member for Fundy-Royal (Mr. Fairweather), a distinguished member of the bar and a former attorney general of the province of New Brunswick, will be setting out to Your Honour the learned authorities on this question which I hope will assist the Chair in coming to a conclusion on this very serious matter.

I may say that when I was contacted by the same Canadian Press reporter yesterday to give my views on the decision of the court in acquitting the three sugar companies, my reply to the member of the press was, "Of course, I cannot reflect on a decision of the court. It would be most improper for me to do so."

Some hon. Members: Hear, hear!

Privilege—Mr. Danson

Mr. McGrath: The minister made his comments outside the House, and this led to my question. However, I intend to show that in reply to my question today he breached the rules inside the House by referring to the judge who made the decision as, "He may have been a very poor judge."

Some hon. Members: Shame!

Mr. McGrath: Mr. Justice Kenneth MacKay of the Quebec Court of Queen's Bench is a federal judge appointed by the governor in council under the jurisdiction and responsibility of the Attorney General of Canada, the Minister of Justice (Mr. Basford), who has to take the ultimate responsibility in this regard. My point of order is based on the well-known practice, tradition and, indeed, rule of this House that members of this place may not attack the integrity of the Queen, the Governor General or members of the judiciary of this country.

Some hon. Members: Hear, hear!

Mr. McGrath: That well-known practice is based upon very sound principles. It is based upon the very foundation of our country, the British North America Act, which sets out the division of powers within the federal state that is Canada. It sets out the division of powers within the federal jurisdiction and the powers of the sovereign, their advisers, the Parliament of Canada and the courts of Canada. That is precisely why we may not criticize, in this House, any single part of that constitutional authority which, of course, is the Government of Canada.

I submit that if anybody should be criticized in this regard, the minister should have, more properly, directed his criticism at his own department for failing to prove its case in court. If there is anything disgraceful or reprehensible in this regard, I submit it is the conduct of the Minister of Consumer and Corporate Affairs.

Some hon. Members: Hear, hear!

Mr. McGrath: I ask you, Mr. Speaker, to make a ruling on this point of order. If you find that I do have a valid point of order, it would logically follow that the Minister of Consumer and Corporate Affairs would be obliged to withdraw the slur he made on the Superior Court of Quebec and one of its judges.

Mr. Fairweather: Mr. Speaker, I can well understand the frustration of the Minister of Consumer and Corporate Affairs (Mr. Ouellet). I differ in one respect from my hon. friend who has just spoken. I thought the decision was one that would indeed frustrate the minister. I have been following this case, which has been going on for four years. The problem is that part of the case was a part of public life in this country for many years before that. Therefore, the frustration of the minister is understandable. Perhaps if he had been able to refer to the decision and not to Mr. Justice MacKay himself, he would have been well within the rules.

I happen to believe that one of the healthier occurrences in Canada lately is that the present Chief Justice of Canada has opened the courts. Decisions are subject to a good deal of comment and debate. Previously, we used to bow before the sacred cow. I suppose I was as guilty of that as anyone else. However, the present Chief Justice has