

Question of Privilege

In other words, it is for the standing committee to decide whether or not a question of privilege is involved in the circumstances relating to the arrest of the hon. member.

[*Translation*]

Mr. Grégoire: Mr. Speaker—

[*Text*]

Mr. Speaker: I think the time has come to put the motion. It has been moved by the President of the Privy Council, seconded by the Solicitor General:

That the circumstances relating to the arrest on February 12, 1965, of the hon. member for Lapointe be referred to the standing committee on privileges and elections.

Is it the pleasure of the house to adopt the said motion?

Some hon. Members: Agreed.

Mr. Speaker: Is it agreed that the said motion be adopted?

Some hon. Members: Agreed.

Some hon. Members: No.

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, I wonder whether the President of the Privy Council would not consider making his motion a little broader.

Some hon. Members: Order.

Mr. Knowles: The motion at the moment, as I have heard it, seems to refer only to the circumstances of the arrest that took place last Friday. Should not the committee look into the whole question that Your Honour yourself has raised, namely the extent of the immunity of members of parliament and whether it obtains only in this building or on the whole of parliament hill? I wonder whether a word or two could not be added to the motion. I am not suggesting that all the words of the hon. member for Lapointe need be included in the motion, but it seems to me that a word or two should be added so we would be dealing not just with the circumstances of last Friday, important as they are to the hon. member and to all of us, but with the whole question of parliamentary immunity.

Mr. McIlraith: Mr. Speaker, the words I used were "relating to the arrest" and I thought that was the broadest language that could be used. This would permit the committee to make a proper, unhampered investigation of the matter and would at the same time avoid the difficulty that seemed to me to be inherent in the remarks of the hon.

[*Mr. McIlraith.*]

member for Lapointe, in which he was asking the house to prejudge a matter by making many specific references to a great many aspects of the matter.

I would think that the motion is put in the widest appropriate language, bearing in mind what is the concern of this house; that is, the regard for its own privileges and the right of its members to have the uninterrupted opportunity to carry on the business of parliament.

Mr. Peters: Mr. Speaker—

Mr. Speaker: Order, please. May I remind hon. members that this is a question of privilege and discussion should relate to the question of privilege. If we are to discuss broad conditions surrounding immunity and all the rest of it, it would in effect require notice of a substantive motion. The only matter before the house at the moment is this particular question of privilege. It does seem to me that the terms of this motion are wide enough to cover all the facets of the particular question of personal privilege raised by the hon. member for Lapointe.

Some hon. Members: Agreed.

[*Translation*]

Mr. Gérard Chapdelaine (Sherbrooke): Mr. Speaker, in view of the amendment moved by the hon. member for Lapointe to the motion to refer this matter to the committee on privileges and elections, I am of the opinion that the hon. member for Lapointe is right when he wants to broaden the terms of reference of the committee, since he states in his argumentation that he did not like having been imprisoned in an Ontario jail for offences committed on parliament hill.

Perhaps we could suggest to the committee on privileges and elections that a small jail be built on parliament hill for the hon. member for Lapointe or others.

[*Text*]

Mr. Arnold Peters (Timiskaming): Mr. Speaker, with regard to this motion I should like to suggest that the offence, or the charge, that is the basis of the question of privilege is not entirely the result of the scuffle that took place or the background of it, but the fact that we have not defined the extent to which privilege applies. I believe the President of the Privy Council could well include the question of jurisdiction in the motion he has moved, because I believe, as has been pointed out, that with the taking over of the west block and probably some intention in