

Privilege—Mr. Andre

the Minister of Consumer and Corporate Affairs (Mr. Andre) of any wrongdoing. I take it that that is the position of the Member for Vancouver—Kingsway.

I also take it that the Hon. Member for Vancouver—Kingsway is saying, however, that under the circumstances he feels entitled to ask questions at least with respect to the fact that somebody in the riding association of the Hon. Minister is an employee of a company which is central in a lot of publicity and which company is important in terms of jobs to the industry and to Canada. I want to be absolutely sure that I understand exactly what the Member from Vancouver—Kingsway is saying.

As I have had to comment on other occasions, even lacking a complete charge, questions can be put in such a way that they do carry an innuendo of wrongdoing. What I want to be absolutely sure of is that the Member for Vancouver—Kingsway is saying to me that not only did he not charge the Minister with any wrongdoing but that he did not intend any innuendo of wrongdoing to carry.

Mr. Waddell: That is almost exactly correct, Mr. Speaker. I did not intend to cast any innuendo of wrongdoing. I am not accusing the Minister of wrongdoing.

I would adopt what you have said, Mr. Speaker, with the exception that at the end I would add that there is not just a question of jobs but a question of a major government decision either somewhere down the road or through Petro-Canada maybe having already been made.

Finally, since I forgot it last time, I would respectfully submit that this is a different case from the one referred to by the Hon. Deputy House Leader for the Government. He referred to *Hansard* at page 5127. I think that was an incident where there was an allegation that the Minister of State for Fitness and Amateur Sport (Mr. Jelinek) on some personal matters was somehow breaching cabinet guidelines.

Mr. Nystrom: Conflict of interest.

Mr. Waddell: That is different from this case, Mr. Speaker.

Mr. Speaker: There is an old saying in the law courts among those who practise there that one should never extend one's defence too far if one has been doing fairly well up to that point.

Some Hon. Members: Oh, oh!

Mr. Speaker: I appreciate very much the Hon. Member's comments.

The Hon. Member for Peace River (Mr. Cooper) is seeking the floor.

Mr. Albert Cooper (Peace River): Mr. Speaker, I want to speak to this matter because I see it as being fundamental on two counts. First, I have been concerned for some time that there has been an evolving practice in the House of Commons of using names in here of people who are not Members of the

House and, therefore, have no opportunity, no right and no chance to defend themselves. I think that is really crucial. If that happens and if there is either directly or indirectly an accusation, an implication, a presentation or an appearance of wrongdoing, that person is immediately put in a position of guilt with no opportunity for defence and no opportunity to clear or to protect their own good reputation or name.

If we looked back over *Hansard* for the last couple of years we would find that this is becoming a growing practice in this House. I would argue, Mr. Speaker, that in the very strongest terms we should come to grips with this problem. Whether it be an incident such as we have had this afternoon or whether it be other incidents that we have had in the past, people's reputations have been tarnished in the House of Commons either directly or indirectly, and those people are left outside these walls swinging in the wind with no chance to clear their names or to protect themselves.

We know of people who have been very badly hurt by these implications. I have made the arguments before, and I want to make them again, that we in this House have a special privilege. That privilege says we can make any statement we wish in here, and we can then not be sued in a court of this land because that is a privilege we need in order to have freedom of speech to represent fairly, clearly and as bravely as possible the concerns and the issues that we have.

I have argued in the past that with those privileges come responsibilities. One of those responsibilities is very clearly the responsibility to be very careful in the way that we treat other people, for instance, their names, their reputations and the kind of standards which they themselves live up to.

I want to refer to a case I had in this House in 1982-83 when I was in opposition in which the Speaker of the day ruled that I had a *prima facie* case of privilege. What was fascinating about that case is that it involved a member of the public who had done something which I felt was a breach of my privileges. The matter was raised in the House. The whole process of the arguments and the debates lasted about two to three weeks, but not once did that individual's name come up. That person's name, in my opinion, could not be divulged because the person had no opportunity to do anything until the Speaker found there was a *prima facie* case of privilege. That having happened, the House then sent the matter to a committee. The individual was then able to make a defence. Up until that point I never mentioned the individual's name. No one else mentioned it because there was a fundamental privilege involved of protecting the interests of people outside these walls.

I would argue that this is in fact very fundamental and important to the way this House works and to the privileges granted. If we abuse those privileges then we have no right to them and they should be taken away from us. We have responsibilities that go with privileges. We cannot do anything indirectly which we could not do directly. That is the fine line we are walking here today. If we are not careful we will come