

state will always receive that courtesy. That is what was done here by the four hon. members. As has been held in the past, I hope that hon. members will understand that I am not on technical grounds able to find that a question of privilege does exist.

It would sometimes be tempting for the Chair to make a comment on the quality or lack of it of the particular reporting that is involved at any time. However, I ought not to do that, and I shall not. I have also said that remedies of this sort are the same for members as they are for every other citizen and that when these matters do take place, if they go beyond the point of being offensive to the point of being defamatory in a legal sense, certainly members ought to and will I am sure pursue matters through the courts.

On the motion of the hon. member for Peace River, the matter was inspired by a statement attributed to the hon. member for Maisonneuve-Rosemont (Mr. Joyal). The more forceful and useful contributions in support of the motion were in respect of suggestions that the Minister of Transport (Mr. Lang) a few days previously had demonstrated the truth of the fears expressed in the proposition by intervening to suppress publication in two newspapers at least of an unfavourable feature article about himself which appeared in a weekend supplement.

In his contribution to the argument the minister conceded that he considered the article to be offensive and that indeed the newspapers were advised a few days before the scheduled publication by his solicitors that if it was their intention to carry the article in the regular weekend supplement an injunction would be sought to restrain them. The newspapers did not carry the article.

● (1540)

I have consistently taken the position in respect of members' complaints about reporting, as I have just said, that the remedy is indeed in the courts. How can I then find that it would be a matter of privilege for an hon. member to indicate, as was the situation with the hon. member for Burnaby-Richmond-Delta (Mr. Reynolds), if it is his intention to pursue that remedy. It is a rather happy coincidence, I suppose, for our efforts to untangle this complex problem, that the hon. member for Burnaby-Richmond-Delta indicated that it was his intention now to pursue the matter in the courts, but that prior to publication he had attended with his solicitors upon the CBC, to indicate to them that if they confirmed their intention to carry the segment, he would be considering taking some action to restrain them. In fact, he says that he was informed it would not be carried, which I am sure will probably be the subject of some of his argument in the courts.

In any event he attended with his solicitors to make that indication, which is precisely what the Minister of Transport (Mr. Lang) did. If I say that members must pursue these matters in the courts the same as any other citizen, should a member not do so, or should he not, having the right to do so, advise in advance of his intention to do it? However, he must do it in the proper manner.

Privilege—Ruling Mr. Speaker

In respect of the Minister of Transport it was suggested that because he is a minister of the Crown, his attempts to do this would carry with them the threat of pressure exerted by the government or influence exerted by the government. In the circumstances I am not able to agree. I cannot find in the motion put forward by the hon. member for Peace River (Mr. Baldwin) or in any other contributions on the subject that, in fact, there is even an allegation, indication or evidence of any undue influence exercised by the minister. If that were to be the suggestion or content of the motion, the matter might be subject to a different interpretation in future circumstances. But in these circumstances the minister interjected, and of course the House takes his word, that his approach to these newspapers was properly carried out through his solicitor, and the indication was that if the newspapers proceeded to or intended to carry the material, the minister would seek a legal remedy in the courts. I cannot find, surely, that the right to seek such remedies is different as between one member and another.

I do concede, of course, that the standard of conduct in exercising the remedy, which is the right of every member, is probably higher in a minister than it is in another member, for the obvious reason that the connotation of government pressure, as was argued extensively, is always present. Whether it is theoretical or real is not the point. The appearance of it is always there. I say, therefore, that there is no differentiation in the application of the basic principle as between the minister and any other member. The principle does not deprive the minister of the rights he enjoys or any other member or citizen enjoys, but it imposes on the minister in the exercise of his legal right a standard of conduct which is higher than that of members, and certainly higher than that of other citizens. However, on the information before me in this argument I have no indication showing that the minister did not adhere to that especially high standard of conduct, and I have not heard any member make any suggestion to that effect. Therefore, having said that other members ought to pursue their remedies in the courts, and having said that I find the minister must exercise great care in so doing, I say there is no indication that he did not do so in the case and I cannot see the point as making any contribution to the argument on privilege.

In any case, I think even the most enthusiastic supporters of the motion proposed by the hon. member for Peace River realize that it envisages a general program or intention on the part of the government to somehow interfere in the relationship between this House and the freedom of the press. Although it envisages a general standard of conduct, I suggest that not even the most severe critics of the minister would ever suggest that this, in the circumstances, was anything but an isolated incident, and was connected in any way with any kind of general program. Therefore I say the minister's action was not improper and in any case does not make a contribution to the argument on privilege, in these particular circumstances relating to this motion.

The hon. member for Maisonneuve-Rosemont (Mr. Joyal) was listened to carefully in respect of his statements which