

Morality in Government

commission but it was not possible to discuss evidence given before a royal commission.

I submit that this amendment is simply, and not only simply but straightforwardly and fully, founded upon evidence given before this royal commission and that the amendment would be meaningless unless it involved a discussion of evidence given before the royal commission. My submission is that this amendment as framed should, by virtue of the ruling previously made by His Honour, be ruled out of order because it cannot be discussed. It has no meaning, no relevance, unless it hinges upon evidence given before a royal commission and, as His Honour ruled a few moments ago, this kind of discussion would be irregular and improper.

Mr. Nielsen: No, he did not.

Mr. Baldwin: Mr. Speaker, I submit that the matter can be squarely placed before Your Honour in this way. If the house is called upon to come to a decision on the amendment of the hon. member for Royal, I submit that it is not in any sense of the word a question which Mr. Justice Spence is called upon to make a decision on under the terms of reference before him. In other words, if Mr. Justice Spence makes a decision or finding in due course following the hearing of the evidence which has been taken, he will not make a decision and keep squarely and properly within the terms of reference if he includes in his findings the issue upon which this house is now called upon to come to a decision.

I submit it is a completely collateral issue. There might well be—and I do not think that Your Honour nor I can be called upon to give an opinion on this—certain types of evidence which go so squarely to the issue with regard to which Mr. Justice Spence is charged that the house might not be able to discuss it. But this is not that type of evidence. I submit with confidence to Your Honour that under these circumstances the issue raised by the hon. member for Royal is one that we are competent to deal with, to debate and vote upon.

Mr. Pickersgill: Mr. Speaker, in reply to the point just made by the hon. member for Peace River I should like your permission to read again from *Hansard* for March 21, 1950, page 949, the ruling made by Mr. Speaker

[Mr. MacEachen.]

Macdonald. Your Honour adverted to the last paragraph of this ruling in an earlier ruling:

I would accordingly rule that it is not out of order to discuss transportation problems generally when such matters have been referred to a royal commission. On the other hand, I would also rule that reference should not be made to the proceedings, or evidence, or findings of a royal commission before it has made its report.

I think that my hon. friend, the Minister of National Health and Welfare, has already pointed out that this motion is founded upon evidence given before a royal commission and upon nothing else, and without the evidence given before that royal commission it would have been impossible for this amendment to be moved.

● (4:50 p.m.)

Therefore nothing could be more squarely in contradiction of what Your Honour, if I recall properly, referred to earlier in your previous ruling as the last judgment which a Speaker had made on this precise point, and it could hardly be more precise. On the other hand, I would also refer to the ruling that reference should not be made to the proceedings or evidence, or findings of a royal commission before it has made its report.

The hon. gentleman is not merely referring to these matters but is founding a motion upon the evidence and upon nothing else. He is asking the house to pass judgment on the evidence given before the royal commission and before the royal commission has completed its work, and on nothing else. It seems to me, sir, if we are to have any respect for the rulings of previous speakers, which have always been respected in this house except on occasions when they were clearly contrary to the expressed rules or when the rules had been changed in respect of them, that Your Honour, on the basis of the previous ruling, would have no choice but to find this motion out of order.

Mr. Nielsen: Mr. Speaker, the minister is anticipating a debate which he has not yet had the privilege of hearing. If he is patient and if His Honour will find, as I am sure he will, the motion to be acceptable the minister will be enlightened. What is before the house is an amendment which, if I may be permitted, I should like to read:

This house strongly deplores and condemns this government's actions in having the R.C.M. Police provide information to the government as to the past conduct of all members of parliament generally, a course of action which would destroy the independence of all members and undermine the institution of parliament.