

Oral Questions

colleague in the House of Commons, and which violates very strongly the presumption of innocence.

My hon. friend was a Member of the House of Commons—I was not, but he was—when this legislation was created in respect of the Canada Elections Act and the interrogation capacity that flowed therefrom, including the Office of Commissioner. The Commissioner was made an officer of Parliament to ensure his complete independence from the Government and from other Members of Parliament. His responsibility is to interrogate, as he did, allegations against, as I understand it, the Member for Hamilton East, and the Member for Broadview—Greenwood of the NDP. He pursued these investigations, and he concluded that charges ought not to be laid. He decided that charges should be laid against other people in the exercise of his independent judgment as a servant of Parliament. I accept the independence of the officer of Parliament.

If my hon. friend has reason to disagree with the integrity or the independence of an officer of Parliament, then perhaps he should call him before the Bar of the House and deal with that particular officer of Parliament. I have no reason to believe that the officer acted in anything other than an objective and fair manner.

REINSTATEMENT OF MINISTER

Ms. Sheila Coppins (Hamilton East): Mr. Speaker, my question is also directed to the Prime Minister. The fact is that the Minister, in the full knowledge that he participated in an infraction of the Canada Elections Act, as stated by the Elections Commissioner, sat by silently while two of his workers were convicted in court on the issue of the infractions in which he participated.

I wish to ask the Prime Minister whether he thinks it is suitable for his office to appoint as a Minister of the Crown, a Minister who has been shown to have sat by silently while two of his own workers went to court and were convicted, who sat by silently and said nothing publicly about an infraction that he knew had been cited by the Elections Commissioner in a secret letter to him in November, 1985?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the Member suggests, and I think I am quoting her accurately, that the Minister “participated in an infraction”. The Minister did no such thing. Under British common law, only a court is capable of making that adjudication. Pending a conviction everyone is entitled to the benefit of the doubt and the presumption of innocence.

The Member states that the Minister “participated in an infraction”, thereby suggesting that the Minister violated the law. Someone is entitled to his or her opinion on the conduct of all of us. But no one, except the court system, is entitled to say, having heard the evidence, that a Member of Parliament is or is not guilty. Until such time as a court in Canada makes that adjudication, every Canadian citizen, including Members of Parliament, is presumed to be innocent.

[Translation]

STANDARD OF ETHICS APPLICABLE TO MINISTERS

Ms. Sheila Coppins (Hamilton East): Mr. Speaker, the words are not those of the Member for Hamilton East, but those of the Elections Commissioner, an officer of the Crown, who has stated explicitly that the Minister participated in the violation of subsection 62.6 of the Canada Elections Act. I would like to remind the Prime Minister that, if the Minister had been charged and found guilty, he could have been forced to give up his seat in Parliament. This is not a minor administrative problem. We are talking about a violation which has already brought two members of the Minister's own group before the courts. Now that the Prime Minister is aware of the facts that the Minister kept hidden for two years, namely that he himself was a party to the same offences as his associates who were brought before the courts, does he believe that the Minister should remain in the cabinet? Is that the level or the standards which apply to ministers of the Crown in the Mulroney Government?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I am surprised to see the senior members of the Liberal Party remain silent in view of extraordinary slanders made by the Hon. Member. What a distortion of the legal system and process! “If he was guilty, if he had done such and such a thing.” The fact is that only the courts can come to such a conclusion. The Hon. Member said that the Elections Commissioner is an officer of the Crown. He is not. He is an officer of Parliament with discretionary and completely independent powers. The Commissioner had the responsibility to make a value judgment based on facts. He concluded that there were no grounds to file a complaint against the Minister. In the same circumstances and quite democratically, he also concluded that there were no grounds to lay charges against the Hon. Member for Hamilton East. In both cases, the Hon. Members were properly given the benefit of the doubt. This is the basic presumption on which Canada operates, and I am extremely surprised to see that the Hon. Member disagrees with this most basic presumption of our legal system.

● (1440)

[English]

PRIME MINISTER'S POSITION

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question is also for the Right Hon. Prime Minister, recognizing that he did not respond to the questions put by my Hon. Leader. He is aware that the Commissioner of Canada Elections wrote a confidential letter which says the following: “Even though the evidence demonstrates that you”—that is the Hon. Member for Frontenac—“took part in an infraction of Section 62(6) of the Canada Elections Act”. In other words, in the letter of which the Prime Minister is now aware the Commissioner indicates—

Mr. Clark (Yellowhead): Read it all.