

# HOUSE OF COMMONS

Thursday, September 6, 1973

The House met at 2 p.m.

## PRIVILEGE

MR. NIELSEN—REFERENCE TO PRESS INTERVIEW GIVEN  
BY SOLICITOR GENERAL

**Mr. Erik Nielsen (Yukon):** Mr. Speaker, I rise at this time on a question of privilege concerning a matter of which I have given Your Honour the notice as prescribed by Standing Order 17(2). As a matter of courtesy I have supplied the notice to the hon. member for Notre-Dame-de-Grâce (Mr. Allmand) who is concerned with the privilege I intend to raise.

On Tuesday, September 4, the House passed the following motion which appears at page 6181 of *Hansard* for that day:

That all matters pertaining to the interrogation of myself and my staff on Friday last be referred to the Committee on Privileges and Elections for study and report.

This related to a matter of privilege raised by the hon. member for Kingston and the Islands (Miss MacDonald).

On September 5, the Solicitor General appeared in an interview given to parliamentary correspondents, part of the tape which was recorded at that time being used on "Telejournal" at 10.30 p.m. and the newscast of Radio Canada for the same date. The subject matter of the complaint of the hon. member for Kingston and the Islands was the subject of that interview. The questioning of the Solicitor General, and I quote from a transcript of that interview, was as follows:

**Q:** Mr. Allmand, you are responsible for the Royal Canadian Mounted Police. Have you obtained supplementary details on the incident concerning the department of Indian Affairs and Miss Flora MacDonald?

**A:** Yes. First, the Royal Canadian Mounted Police was not concerned with this investigation, since it is a matter of theft and in Ottawa, theft comes under the responsibility of the Municipal Police. There were two Ottawa policemen in this investigation and because it was a matter of government documents, there was an RCMP officer with the two policemen. Therefore, it seems, according to our information, that the secretary of Miss Flora MacDonald got in touch with an official of the department of Indian Affairs saying that she had information that someone was in the process of passing these documents to Flora MacDonald or that there was a possibility that these documents would be brought to Flora MacDonald's office.

**Q:** Not clear . . . Why to Flora MacDonald?

**A:** I don't know why but she had this information. The secretary got in touch with this officer from the department of Indian Affairs saying this without giving more information at that time. Later, when the three officers were present the same official of the department of Indian Affairs phoned the secretary once again to have more details. Following this telephone conversation the three officers visited the secretary, simply to find out how she had come about this information and to protect not to accuse, the secretary of Flora MacDonald, to protect Flora MacDonald and her secretary, her office, her office staff, against problems. For instance, if someone has really brought the documents into the

office, there might be problems for Flora MacDonald and her staff. And you must remember that at that moment there was an Indian demonstration on Parliament Hill, that morning, Friday morning, and many Indians were present on the Hill, about two hundred. Therefore there was a possibility that there had been such a communication on that morning.

**Q:** Did you have a sound recording of that conversation between the secretary and the department of Indian Affairs?

**A:** No, because it seemed at that time that the secretary was willing to cooperate, therefore it is her that phoned the department; it is not the police officers which first got in touch with the secretary of Flora MacDonald. She contacted the department of Indian Affairs concerning these documents. She instigated the matter.

**Q:** Therefore, for you the question of privilege no longer stands?

**A:** It is not for me to decide that, it is up to the Parliamentary Committee, but I understand that the officers are ready to give all this information to the Committee when it will sit, and I believe that the Committee will sit soon, in a few days, and the police officers are ready to give all this information to the Committee. But there never was any question of accusing Flora MacDonald and her staff, but only to protect her against the possibility of accusation; for instance if a stolen document is found in your house, you are immediately suspected. Therefore, it is to protect her against that, that the police officers visited her office after the telephone call made by her secretary.

I will be moving a substantive motion when I have presented my arguments to the Chair to the effect that the interview given by the Solicitor General and his statement given to the media on this occasion constitute a contempt of parliament.

● (1410)

I have already read to Your Honour the reference that was made to the House by the standing committee. That reference is to be found on the page I outlined, in *Hansard* for that day, and the timing of it, Sir, was four o'clock in the afternoon. The timing of the interview with the Solicitor General in the scrum room downstairs was approximately six p.m. that evening, well after the order of the House was passed sending the matter to the committee.

The hon. member for Kingston and the Islands, in her submission to the House with respect to her question of privilege, stated that the interrogation of her staff by the police was done without her authority or her knowledge, and without the authority or knowledge of yourself, Sir. The intimation by the Solicitor General, in the remarks he made with respect to this, clearly is an effort to repudiate that statement made by the hon. member for Kingston and the Islands. When she says that the interview of her staff by police officers was conducted without her authority or knowledge, her word must be accepted on that score and it is unbecoming, and in my view contemptuous, for the Solicitor General to suggest it was done with her knowledge indirectly through the members of her staff.

I have some citations to quote in support of the motion I will be moving. The first is extracted from May's Parliamentary Practice, 17th edition, at pages 119 and 120. Under