

administration of the grounds of Parliament. The precedents indicate that, for whatever reasons, the parliamentary precinct under your direct control includes the buildings but not the grounds of Parliament Hill. Therefore, my question is not so much about whether or not it was appropriate for the RCMP to remove tables at which Members had been distributing literature a few hours before, but now relates to a new set of regulations that were adopted by Cabinet last week.

These regulations now impose what I believe are quite extreme restraints on the time honoured right of citizens to petition Members of Parliament, demonstrate their points of view and to communicate their points of view to the public as well as to Members of Parliament here on the grounds of Parliament Hill. I suggest that that is the question which must be considered.

Let me point out that under the regulations it is now an offence to occupy a public work if a peace officer says it is. The dictionary definition of "occupy" is "to be in". Let us say that someone is on Parliament Hill for five minutes. If a peace officer who may be acting under the direction of the Minister of Public Works says that that person is "occupying" and therefore violating the new revised nuisance regulation, that individual can be asked to move. If that person refuses to move, he or she can in fact be arrested and removed from Parliament Hill. Their personal property can be removed from Parliament Hill and they can be subject to a fine of \$400.

I believe that constitutes very arbitrary police power to interfere with the time honoured right of persons to in fact demonstrate on Parliament Hill. Joseph Maingot in *Parliamentary Privilege in Canada*, refers to the fact that it is not the precinct of Parliament that is sacred but the function.

As you know, Mr. Speaker, contempt of Parliament can lie in interfering with the work of parliamentarians or in actions which might have the effect of interfering with the work of parliamentarians. I suggest that that is what is happening now as a result of a new power that did not exist in the past to interfere with access to parliamentarians by people who wish to demonstrate.

Mr. Maingot states in the book *Parliamentary Privilege in Canada* that since Parliament Hill has always been a public place, restricting the movement of the general public on the grounds would probably be considered excessive.

In 1971 the Committee on Procedures and Organization spoke of the need to strike a reasonable balance between the importance of allowing the public reasonable access to the House of Commons on the one hand, and the necessity of preserving the security of the House on the other.

Mr. Speaker: The Hon. Member knows that I am required to ask him, in his presentation of his case of privilege, to indicate his point of privilege early in the proceeding. The Member is citing precedents but I must know to what his precedents refer. Could he tell me how his privileges have been breached?

Privilege—Mr. Cassidy

Mr. Cassidy: Mr. Speaker, it is a time honoured privilege of Members of Parliament to have and enjoy freedom of speech and freedom of access. I am suggesting that the freedom of access to Members of Parliament by people who wish to come to Parliament Hill is now impeded by the creation of a power in the hands of the Government and the RCMP to prevent people from coming to Parliament Hill and staying there to express a point of view.

There was evidence last week that that power is in fact applied in a discriminatory fashion. One demonstration is permitted and another form of demonstration is not permitted. One object or structure is permitted and another is not permitted.

I suggest that it would be extremely difficult for Members of Parliament to carry out their duties if members of the public were not allowed access to Members of Parliament. For example, if police officers were to prevent access to a Member's constituency office in Toronto or Vancouver, that would be a contempt.

Mr. Speaker: Order. Would the Hon. Member make it clear if he is saying that his privileges are breached if someone is not allowed to have a demonstration on the Hill? Is that the case he is making?

Mr. Cassidy: I am saying that my privileges as a Member are breached if an arbitrary and excessive right to interfere with demonstrations on Parliament Hill has been created, and therefore prevents the expression of opinion on Parliament Hill.

I am prepared to move that the matter of restrictions to freedom of expression in the vicinity of Parliament Hill which have been recently decreed in regulations by Cabinet be referred to the Standing Committee on Privileges and Elections. Of course, I understand that that motion will depend on your ruling as to whether there is a sufficient case.

However, I suggest that because there have not been restrictions on public access to Parliament Hill, apart from the Criminal Code restrictions and reasonable arrangements made with the RCMP, something new has been injected which is potentially of grave concern. It could be used to stop all demonstrations on Parliament Hill, and I do not believe that that is in the interest of parliamentarians, but represents potentially grave interference with our traditional privileges. For that reason I wish to see this matter referred to the Committee on Privileges and Elections.

Mr. Speaker: The Hon. Minister of Public Works on the same point.

[Translation]

Hon. Roch La Salle (Minister of Public Works): Mr. Speaker, I think it is important to put everything in perspective with respect to the question of privilege. The Hon. Member who is raising the question of privilege today is not providing full information to the people, I am sure of that. First of all, we must be honest. The new regulations now in