

*Privilege—Mr. O'Connell*

I am in the process of trying to persuade my colleagues, and I have some hope of doing so, to change some of the items in this particular report. In any event, the whole context of the committee system can be broken down if confidential documents are leaked and then printed in the press. It was clearly marked, as the hon. member said, as confidential until released in this House. The publication of this report means that hearings in camera and documents held in confidence by any committee of this House are no longer subject to any security whatever.

It is sometimes said that a charge has to be made. I consider that within the terms of this motion a charge is made because the citation from Beauchesne's clearly states that disclosure "ought not to be published by any member of such committee or by any other person." However, the Canadian Broadcasting Corporation and at least two leading newspapers published in detail, and to some extent even inaccurately, some of the details of the report.

**Mr. Jake Epp (Provencher):** Mr. Speaker, with regard to the motion of privilege that the hon. member for Scarborough East (Mr. O'Connell) has placed before this House, I would like to state that the members of the committee from this side of the House support the position he has taken on behalf of the committee.

**Some hon. Members:** Hear, hear!

**Mr. Epp:** I believe members of the committee from all sides of the House have appreciated the manner in which the co-chairmen have conducted the affairs of the committee. They have been eminently fair in their approach to all members and to discussions in a very sensitive area of public policy.

The fact that the report had obviously been leaked through the media has been discussed by members. I think all of us feel that the work we have done up to this point must be kept in clear perspective and that we are not deterred from our purpose, namely, to present to parliament what we believe are findings in the best interests of Canada's future.

It is our hope that despite the fact the report has been leaked and published in the media, the committee's work will not be compromised but, rather, when the report is tabled in this House—which was the mandate given us by the House—it will be considered at that time having in mind the importance which I believe it has.

**Mr. Arnold Peters (Timiskaming):** Mr. Speaker, I have listened to the question of privilege. I am not a member of the joint committee, but I ask: Is it within the purview of the House of Commons Privileges and Elections Committee to deal with this kind of question of privilege without someone being named? This raises a very interesting question. We may find it was a member of the other place who was guilty of leaking this report. I therefore raise the point as to whether it is within our competence to deal with this matter through the Standing Committee on Privileges and Elections without someone being named, when it may affect other than members of this House.

[*Translation*]

**Mr. Léonel Beaudoin (Richmond):** Mr. Speaker, I support the motion of the hon. member for Scarborough East

[Mr. Brewin.]

(Mr. O'Connell) who is the distinguished chairman of the Committee on Immigration Policy. I think he is right in part, Mr. Speaker, but there is one thing I wonder about: As 400, 500 or perhaps 600 copies were distributed almost everywhere, namely to hon. members, in secretarial offices and so on, I think, Mr. Speaker, that this inquiry is almost useless. Also the fact that the report is only one side of a final report which must be introduced later takes off much of the importance of this motion. In particular, I would not like to see a witch hunt here to determine whether such or such thing was produced in relation to a draft report. It is not at all a report but draft report. I would like it to be considered only as such.

● (1510)

[*English*]

**Mr. Lincoln M. Alexander (Hamilton West):** Mr. Speaker, I do not intend to enter into a discussion of the merits of the question which has been raised. The point directed to your attention by one of the co-chairmen of the special joint committee was well made. I understand, though, that the other co-chairman, who is a member of the other place, will be submitting an identical question of privilege in the Senate in order to deflate the argument—and I say it was a good argument—put forward by the hon. member for Timiscamingue (Mr. Peters). So we should all be apprized of the seriousness of this matter; it is being raised not only in this House but it is being raised in the other place with a view to ascertaining what type of direction shall be given in this regard.

[*Translation*]

**Mr. Claude-André Lachance (Lafontaine-Rosemont):** Mr. Speaker, as an ad hoc member of the immigration committee, I would like first to set things in their context and say that the committee and the secretaries of the committee have distributed only about forty copies of the report and that it is very easy to trace back those copies. It was not a matter of 400 or 500 copies; it was a working paper and only members of the committee and those of the immediate staff had access to it. So I think there is indeed a matter of privilege.

[*English*]

**Mr. Tom Cossitt (Leeds):** Mr. Speaker, perhaps I might be permitted to make one brief comment. I believe it is the view of members in all quarters of the House that the principle of the freedom of the press, and the right of the press to publish information which is received, must be protected. The function of the press in any democratic country is to seek out and publish news. When this sort of thing happens, as illustrated by one of the joint chairmen in his motion, it would seem to me that the fault does not lie with the press but, rather, with whoever connected with the committee leaked this information to the press.

**Some hon. Members:** Hear, hear!

**Mr. Cossitt:** It seems to me that the press has no alternative to publishing information it receives, when that information is believed to be accurate and legitimate. Therefore, I do not believe this motion can be deemed as one chastising the press; rather, it is one calling for an investigation of how this happened in the committee itself.