

**Senator Riel:** I said that my staff contacted the Clerk of the Ontario Legislature. I have not spoken to him personally but this is the information I received. Perhaps I should check once more.

I learned from speaking to the Speaker of the Quebec National Assembly that they are not using their chamber for commercial film making.

I engaged in correspondence with Speakers participating in the Speakers' Conference of Canada which will be chaired for 1984-85 by the Speaker of the British Columbia Legislature. This conference will meet early in 1985 in Victoria. I sent the chairman part of the correspondence on this subject in order that this item will appear on the agenda of that conference.

I did the same thing with the Speakers' Conference of the Commonwealth which will take place in India in 1985 or 1986 and of which Mr. Philip Laundry, one of the assistant clerks in the House of Commons, is an officer.

I believe that a common policy for all the assembly houses in the provinces, the House of Commons and the Senate should be adopted and observed, and also at the Commonwealth level. Now that the Senate has taken the lead, I hope that our Speaker or his deputy will be present at these meetings to present our points of view and our recommendations.

I should now like to return to my visit to the House of Lords. As you know, there is a different disposition of benches in the House of Lords from that in our Senate. They have 26 archbishops and bishops sitting to the right of the Woolsack. The government sits next to them on the right. On the left the first place is occupied by the Liberal peers, although the party is nearly non-existent in the U.K. The official opposition sits a little lower and then there are the cross-benchers.

The cross-benchers are a group of approximately 220 lords, of which 50 are present on any sitting day. They are sitting not to the right or to the left of the Woolsack but in the place of our Black Rod on benches across the centre aisle. Knowing that there are never more than 200 peers in the House of Lords at any one sitting, the cross-benchers are somewhat of an important minority. As a matter of fact, they are the real opposition in the House of Lords. Who are the cross-benchers? They are peers or lords appointed as independents and sitting as such, which means they are not affiliated to a political party, they are not dependent on the leaders of any party in the House of Lords, and they are not dependent on the whip of any party or belonging to the caucus of parties. They are also independent among themselves. They do not form a monolithic group like their colleagues, the lords who belong to the caucus of their party. These cross-benchers in the House of Lords are a very loosely assembled group and they act independently of mind, speech and conscience. They convene weekly for the sake of discussion, but each remains free to act as he so desires, and they are subjected to no pressure. They elect a convener who acts as a sort of shepherd to this group with no other authority than his recognized moral authority which, in many ways, would prevent him or her from exerting any unwelcome pressure on a colleague. The cross-benchers are

given proportionate representation on House of Lords' Committees.

Senator Molson, being the first independent senator appointed to this chamber by Mr. St. Laurent in 1955, has aspired to form such a group for many years. In February 1983 he sent a circular letter to all honourable senators on the workings of the cross-benchers' system in the House of Lords.

● (1520)

The Liberal peers, whose positions are mostly hereditary, because their party has not been in power for a long time, also form an important segment of that body. Since the representation of their party is almost non-existent in the Commons, they have more freedom of action. However, generally speaking, the partisanship is very much subdued in the House of Lords; they leave that to the House of Commons.

Honourable senators, this may, in part, be due to the general character of the lords, their maturity and their sense of history. As we see in the *Story of Parliaments* by Christopher Jones, at page 229, the House of Lords is expected to conduct itself in the following way:

—are expected to know how to behave themselves without having the full authority of the Speaker over them . . . and they refer to each other with grave courtesy as 'My Noble Friend' or the 'Noble Lord'—

The author of the book goes on to state:

Should the noble tempers become too frayed, then the Leader of the House asks the Clerk to read the standing order against asperity which was passed in 1626 and still applies.

Honourable senators, that reads as follows:

To prevent misunderstanding and/or avoiding of offensive speeches when matters are debating, either in the House or at Committees, it is, for honour's sake, thought fit, and so ordered, that all personal, sharp, or taxing speeches be foreborne, and whosoever answereth another man's speech shall apply his answer to the matter without wrong to that person; and as nothing offensive is to be spoken, so nothing is to be ill taken if the party that speaks it shall presently make a fair exposition or clear denial of the words that might bear any ill construction; and if any offence of that kind be given, as the House will be very sensible thereof, so it will sharply censure the offender, and give the party offended fair reparation and full satisfaction.

The writer concludes:

Which, more than three hundred and fifty years later, sums up parliamentary courtesy and parliamentary discipline precisely.

Honourable senators, perhaps this rule of 1626 should be read by our Speaker after prayers at the first sitting of each year.

Due to great freedom in its work, in party discipline and in parliamentary discipline—which seems to be left more to personal judgment than otherwise—the House of Lords is able to accomplish a great deal.