

## HOUSE OF COMMONS

Friday, December 11, 1992

The House met at 10 a.m.

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*Prayers*

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[English]

### PRIVILEGE

MEMBER FOR LOTBINIÈRE

**Mr. Nelson A. Riis (Kamloops):** Mr. Speaker, I rise on a question of privilege.

The news last night and this morning indicated that the hon. member for Lotbinière has been convicted of misuse of funds of the House of Commons. Members of the House obviously have refrained from making any comments until the final resolution had taken place.

We have learned of the conviction and now the House must decide. Normally the member would have resigned and maybe that has already taken place. Perhaps I could seek some information from the government side.

It is the tradition of this House always to discipline its members in addition to the discipline meted out by the courts.

Mr. Speaker, I would ask that you give some guidance regarding the consideration of taking action on this case. If there is a particular course of action to be taken I would be prepared of course to move the appropriate motion.

**Right Hon. Joe Clark (President of the Privy Council and Minister Responsible for Constitutional Affairs):** Mr. Speaker, the member for Kamloops and I have roughly an equivalent formation in the law and he would know as I do that this is a matter which may still be before the courts.

He made reference to the wisdom of the House in letting court processes be carried through to their conclusion. It would seem to me, Mr. Speaker, for your

guidance, that was a prudent course at the time. In the circumstances, it remains a prudent course.

It would be well for all of us to respect the difference between the political functions that occur here which always require some restraint and the functions of the courts.

**Mr. David Dingwall (Cape Breton—East Richmond):** Mr. Speaker, my colleague and friend from the New Democratic Party has made an intervention. I wish the record to show that in the adjudication announced by the courts the sentencing will not take place until the new year.

There may be appeals. There could be questions of law which would thereafter be examined in a higher court. Mr. Speaker, I am not attempting to advise you on all the aspects of law, but I do not believe at this time it would be the most appropriate thing to do in view of what the courts have before them.

I would suggest that you give careful consideration to the interventions made by the Minister Responsible for Constitutional Affairs and me.

**Mr. Riis:** Mr. Speaker, I want to make it clear to my hon. friends this was not intended to mean that we should act in haste.

This was the first opportunity we have had since learning the news. I felt that we should at least seek some clarification as to what the course may be.

Having heard these interventions in terms of the recognition of the right of appeal, we await some advice from you, Mr. Speaker.

**Mr. Speaker:** The hon. member for Kamloops has raised a matter which of course is of importance to this House. The right hon. minister has responded on the government side and the hon. member for Cape Breton—East Richmond on behalf of Her Majesty's Loyal Opposition.

The matter raised is the announcement of the conviction of a member of Parliament for certain offences.