

Question of Privilege

the Privy Council (Mr. McIlraith) intends to ask for, that is that the arrest be referred to the committee on privileges and elections. In that respect I should like to move an amendment to the motion made by the President of the Privy Council.

Indeed, Mr. Speaker, I did not have any time to prepare it, but just the same a motion is ready and I think it would be proper to include my part with the motion of the President of the Privy Council. Consequently, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles), that the following matter be referred to the committee on privileges and elections.

1. That a member of parliament or any Canadian citizen who receives a warrant or a summons from the R.C.M.P. should have the right to demand that it be served on him in both official languages of the country.

Now, this is partly covered by the motion moved by the President of the Privy Council.

2. In what manner did the R.C.M.P. treat the hon. member for Lapointe who tried to defend the principle of bilingualism in Canada on the occasion of his arrest on Monday, February 15, 1965?

3. Are the parliamentary privileges of an hon. member limited to the parliament buildings only or to the whole of parliament hill?

Mr. Speaker, the third paragraph is quite important, because many hon. members have their offices in the west block.

Assuming that the bell rang for a vote and that the tunnel connecting both buildings was blocked, because of repairs, and that the hon. members located in the west block came to the centre block to record their vote, I imagine they would enjoy the same privileges as those who had their offices in the centre block and that the parliamentary immunity privilege ought to cover the whole hill. Both the privileges are not the same. They can be arrested in the west block while I, who have my office on the sixth floor, in the centre block, cannot be arrested.

Mr. Speaker, we would also like to have some information about the rights of bilingual members of the R.C.M.P. and also about the behaviour of some of its members.

I conclude by saying that during the last three or four days enough facts have been brought to my knowledge to warrant my asking for an investigation into the activities of the chief commissioner of the R.C.M.P., Mr. McClellan.

Mr. Speaker, according to him—and he said so in his own words—bilingualism exists only outside the R.C.M.P. and not in everyday life.

The R.C.M.P. commissioner's statement makes him today public enemy No. 1. He is enemy No. 1 of the "equal partnership" advocated by the Prime Minister, of the Canadian good will and of everything dealing with bilingualism.

[Text]

Mr. Speaker: The two essential elements I have to decide are first, whether this matter has been raised at the first opportunity—I think it has been raised at the first opportunity—and second, whether there is a prima facie case of privilege.

The hon. member for Lapointe has indicated—I do not think he has officially moved—that he wishes to move either a motion or an amendment to a motion which is actually in my hands now. I do feel that the immunity of members of parliament is a very important matter. There are several ancillary questions, namely to what extent or how far do the precincts of parliament extend, which is a practical question which as far as I know has not been settled so far as it concerns the Canadian houses of parliament. I am well aware that in Westminster the walls of the palace of Westminster define the area within which the immunity applies. But with the addition of the west block, and perhaps the east block and other matters, this is really a practical question that should be studied. In any event, I do feel that the arrest of members of parliament in certain circumstances may be considered, generally speaking, a matter of breach of privilege and therefore should be carefully investigated at all times.

We have before the house a motion moved by the President of the Privy Council, seconded by the Solicitor General, which is quite wide and general, and it does seem to me it includes all the points, if such points are put forward, of the suggested motion of the hon. member for Lapointe. The motion is to the effect that the matter be referred to the committee on privileges and elections. That is the motion before the house, and I find that in so far as I am concerned it is acceptable. If there is no objection, I should like to put the motion now.

Mr. McIlraith: Mr. Speaker, I had indicated in my statement that I would move a formal motion if Your Honour ruled that a prima facie question of privilege was involved. I therefore move, seconded by the Solicitor General:

That the circumstances relating to the arrest on February 12, 1965, of the hon. member for Lapointe be referred to the standing committee on privileges and elections.