

Privilege—Mr. Crosbie

result in the reference of the entire question for debate and the gathering of sufficient evidence to substantiate the claim made by the Attorney General when he stands in his place and says on his own: "Believe me when I tell you that I did not intentionally mislead the House". If that is all that is required, we should not have wasted this time. This entire matter should have been concluded with that statement.

● (1710)

I submit that that kind of proposition is ludicrous and makes light of the entire process. There is sufficient evidence before you now which should lead you to the conclusion that there is at least a *prima facie* case to be referred for further evidence. That other evidence might include such issues as what were the alleged conditions attached to the decision that had already been made but was not final to which the Attorney General referred on three occasions when he spoke this afternoon. He gave us no indication what they were. I submit that that issue would not have been pertinent had it not been for the clear contradiction in evidence which is gained from an examination of the Prime Minister's response to this issue yesterday and the contradictory statements, which have been made by the Attorney General today.

Mr. Jim Peterson (Parliamentary Secretary to Minister of Justice and Minister of State for Social Development): Madam Speaker, as I understand it, the charge which has been levelled by the member for St. John's West (Mr. Crosbie) is one of the most serious charges which can be laid against a member of the House, that of deliberately misleading the House. Many members, including the Parliamentary Secretary to the President of the Privy Council (Mr. Smith) and the government House leader, have gone through the legal precedents which prevail and have been honoured for many years.

I would merely like to restrict my comments to the facts as they exist. The precise question asked of the minister in the House on Tuesday afternoon was; "Is the federal government considering unilateral action?" The Minister's response was that if the government does make a decision to that effect, it will be announced when it is made. "No decision has been made at this time."

In his role as the Attorney General of Canada, it would naturally be his obligation and responsibility to pursue before our courts the interests of the Government of Canada on behalf of all Canadians.

Neither I, nor any member of the House, to my understanding, is privy to what goes on in cabinet because that is not how our system operates. Decisions could not be made under the confusion which would exist if we had to release verbatim transcripts of every cabinet meeting. Therefore, let us hypothesize that for many months the issue of offshore ownership has been a very important part of our National Energy Program and that it has been before cabinet and discussed there. Let us

assume that many options have been canvassed and that one of those options, as I am sure all intelligent people will realize, has been the question of having the Supreme Court of Canada determine once and for all who owns those offshore resources. Let us hypothesize that cabinet at one point would have said to the minister responsible that it is his responsibility should he make the decision to pursue that action; it would lie in his hands and within his capability. Therefore, the answer to the question when the decision was made to take that course of action is that it would have been made at the precise time that the Attorney General of Canada, acting on behalf of Canadians, decided that he was prepared to act on that particular matter.

He has told us in the House today that he did not make up his mind on that precise matter until about 7 p.m. on Tuesday evening. I think the objective facts will probably support that statement. Had he made up his mind at an earlier time it probably would have been prudent for him to organize his transportation to Newfoundland prior to having made that decision.

No, the facts as brought out indicate that the decision to which we are referring—the decision regarding which the question was asked—was made on the evening of Tuesday, May 18, after question period. Therefore, I fail to see how on the narrow question before the House, that of the minister having misled the House, we can have any doubt.

As to the question of deliberately misleading the House, the minister indicated that he has not ever intended to mislead the House. Therefore, I submit two points: first, on the facts there is not even a *prima facie* case that he misled the House; second, there can be no doubt that he could not have done that deliberately.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Madam Speaker: Order. In accordance with Standing Order 40, it is my duty to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Vancouver South (Mr. Fraser)—Search and Rescue—(a) Tax exemption sought for West Coast helicopter (b) Position of minister; the hon. member for Argenteuil-Papineau (Mr. Gourd)—Airports—Transportation between Dorval and Mirabel—Inquiry respecting date of minister's announcement; the hon. member for Winnipeg North (Mr. Orlikow)—Canadian Pacific Railway—(a) Announcement of lay-offs (b) Request that employees be retained in employment.