

Privilege

arises? At that point some decision has to be made. It would be helpful if some solution were reached which could enable the matter to stand until Monday and we ought to find out whether that can be done.

Mr. G. W. Baldwin (Peace River): Mr. Speaker, you have raised a very important issue, but in the light of the statements which have been made, and knowing this government, what may we expect unless Your Honour is able to give the House some advice in case we have to deal with a repetition of these events?

We are not looking at one simple event. We are looking at a government which has shown its willingness to continue practices of this kind. We have heard an inflammatory speech by the Prime Minister (Mr. Trudeau), which is bound to prejudice any trial which might take place at some time in the future if a decision is made to lay a charge. The hon. member for Leeds (Mr. Cossitt) has been prejudiced deliberately by the Prime Minister in his speech today.

● (1702)

Some hon. Members: Hear, hear!

Mr. Baldwin: "Upon what meat doth this our Caesar feed, that he is grown so great" to be able to make speeches like that?

I listened to the hon. minister with interest when he spoke about search warrants. He is a member of a government which has made a careful study of dispensing search warrants. However, I forgo dealing with that matter at this time. The Minister of Transport (Mr. Lang) and the Prime Minister are members of a government which, on a question of a breach of law, deliberately broke the law and kept breaking it for several months. The Prime Minister was aware of that, as was the Minister of Transport. They are experts at that as well.

There are two issues before the House. One is not really an issue with which we can deal. That is the question of whether there has been a breach of the Official Secrets Act, whether the hon. member for Leeds and/or some other people are in breach of that act. Abominable an act as it is in some respects, it is still the law of this land. Perhaps that is something which will have to be dealt with. Pushing that off to one side, the question is: what are the rights of hon. members of the House?

The Solicitor General (Mr. Blais) indicated that he went to see the hon. member for Leeds in a friendly and amiable spirit to discuss this just as another member of the House. If that is the case, why did he take the chief of security with him? If the Solicitor General went there in a spirit of reason, why was he accompanied by the chief of security? I see the Prime Minister is laughing.

Mr. Lalonde: He is not.

Mr. Baldwin: If it was not the Prime Minister, then it was one of his followers who were expecting him to laugh.

Some hon. Members: Oh, oh!

[Mr. Speaker.]

Mr. Baldwin: The Solicitor General has known about this for some time. He was asked questions in the House which indicated beyond any doubt that he realized or suspected that the hon. member for Leeds had a certain document in his possession. Whether the possession of that document, and the continued possession of it, constitutes an offence against the Official Secrets Act is not for the House to decide. I think we are all agreed on that. Under those conditions, the Solicitor General went there with a law officer. There is no question that he went there with more on his mind than merely to make a reasonable suggestion to turn the document back. That is the question Your Honour has to consider. That is the basis upon which we approach this whole question of privilege.

As the hon. member for Grenville-Carleton (Mr. Baker) indicated, the fact that the Solicitor General was accompanied by an officer of the law can be construed only as a method of intimidation. If Your Honour read the section of the Criminal Code which deals with intimidation you would realize there is no doubt that what the Solicitor General did was an offence against that section. There is no question about that. Why did he not go there privately as another member of parliament and say to the hon. member for Leeds, "I am here to discuss this with you privately and in a personal way"?

Mr. Blais: That is exactly what I did.

Mr. Baldwin: Why was the Solicitor General accompanied by an officer of the law? The Solicitor General should know something about law. So far in his capacity as the Solicitor General he has not displayed that he does. If he knew anything about law, he would have known that he should have given the hon. member for Leeds a warning before going there with a law officer. Anything said without a warning is not—

Some hon. Members: Oh, oh!

Mr. Baldwin: The Solicitor General wants it both ways. He wants to be able to stand up in the House and say, "I went there without any intention of laying a charge. I went there as a friend and as a fellow member". But he took with him the chief law enforcement officer of the—

Some hon. Members: No, no!

Mr. Baldwin: That is exactly what happened. That is a completely new and unique situation about which we have to worry. I know the hon. member for Leeds. He has taken into account what has been suggested. He has no intention or desire to do any damage to the security of this country. As I understand the situation, it was because the government was refusing to act, or not prepared to act, with regard to security matters that the hon. member for Leeds, with courage, rose in the House and asked those questions.

Some hon. Members: Hear, hear!

Mr. Stevens: That is the truth.

Mr. Baldwin: They stand convicted by their own words of very improper and indecorous conduct. Irrespective of what