

second paragraph the privileges of parliament—"Some members of parliament, under the protection of parliamentary privilege, have taken the liberty—". The hon. member takes issue with the words "taken the liberty" and so forth, but it seems to me that there is a very clear acknowledgement that whatever the hon. member did, or whatever any hon. members did in this House in commenting on the case, they were acting within the privileges of the House of Commons and acting within their own privileges.

Mr. Fraser: It is just exactly the opposite.

Mr. Basford: There is a clear acknowledgement that that privilege to comment exists. There is a clear acknowledgement that there is a freedom in this House and among hon. members to comment in the way they want.

Second, the statement is not an instrument of the court. The hon. member feels he has been threatened or intimidated. As Your Honour has said, quite obviously hon. members are not threatened or intimidated. The comments have engendered this very debate, and for the hon. member for Peace River, whom I have known for a long time, to suggest that he has been threatened by these comments or in any way intimidated, or is likely to be intimidated is, with all due respect, carrying it somewhat too far.

Third, I point out that the statement is not an instrument of the court. It is not a court order. It has no status or stature. In no way can it affect the privileges or the rights of members of this House.

Mr. Hnatyshyn: Ron, you may have to run again because you are not going to make a good lawyer.

Mr. Beatty: If I get into trouble, will you promise to be the Crown attorney?

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, first of all I would like to comment on the issue of how the statement in question gets before us. I suggest that whether or not the Minister of Justice (Mr. Basford) tables the letter from the hon. member for Peace River (Mr. Baldwin), and the copy of the translation of the statement which the hon. member sent him, the House could, by unanimous consent, agree to have anything it wishes made an appendix to today's *Hansard*, and I suggest that since we are discussing a statement made by the judge, at some point Your Honour might ask if there is such consent. My suggestion is that the consent be to the making of an appendix to today's *Hansard* of the letter which the hon. member for Peace River wrote to the Minister of Justice—he wrote the same one to me—together with the enclosure, namely, a translation of the judge's statement. Is it Your Honour's disposition to settle that matter now?

Mr. Speaker: The Minister of Justice (Mr. Basford) made reference to the letter and, I think, quoted from it. At least I hope he did. The House is obviously generally interested in having the letter tabled, either under our practice whereby a minister of the Crown participating in discussion, who quotes from a document, is asked by the House or compelled by the

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House to table it or, in any case, upon the unanimous consent of the House which, I assume, is now forthcoming.

I take it that the minister has the consent of the House at this time—just to keep it perfectly clear that we are proceeding with consent—to table the letter referred to, and the enclosure. It can be done in that way, and the matter then becomes at least a part of our proceedings. If the hon. member is suggesting now that it ought also to be made an appendix to *Hansard*, I will now ask if there is unanimous consent that that document be printed in *Hansard* as an appendix. Is that agreed?

Some hon. Members: Agreed.

Mr. Speaker: So ordered.

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, there is one other matter which has been referred to, mainly by the Minister of Justice—

Mr. Basford: I do not have a copy to table.

Mr. Knowles (Winnipeg North Centre): I have a copy. The other matter which has been referred to, mainly by the Minister of Justice, is the question of whether this House or one of its committees should call the judge to appear before such a committee.

Mr. Peters: Hear, hear!

Mr. Knowles (Winnipeg North Centre): My good friend and chief counsel, the hon. member for Timiskaming (Mr. Peters), is expressing his view. I suggest that that not be part of the discussion here in the House. If we refer this matter to a committee, let the committee decide on that question. There are angles which are involved, and I think they should be looked at, but I do not think the question of whether Your Honour decides that there is a *prima facie* case of privilege should be conditioned upon whether that means calling the judge before the committee.

In any case, the only request in the motion which the hon. member for Peace River proposes to make is that the matter be referred to the Standing Committee on Rights and Immunities of Members. It is a bit unusual to refer a matter of privilege to a committee other than the Standing Committee on Privileges and Elections, but I think in this case the point is well taken.

I gathered that Your Honour rather favoured the idea of having the whole matter simply referred as a reference to that committee if there was unanimous consent. But if the Minister of Justice is not prepared to give that unanimous consent, Your Honour may yet have to rule on whether there is a question of privilege, and it is to that that I address myself today, as I did when we discussed this matter a couple of days ago.

There are three sentences in May's nineteenth edition which I would like to read. They are short and to the point. On page 150 there is this sentence: