

Oral Questions

committed an infraction against the Canadian Elections Act. Therefore, the officer responsible, Mr. Gorman, has dutifully conducted an investigation. He has investigated into the Minister's behaviour and has rendered a public decision on November 28, 1985, saying:

"And I have decided that no charges are to be laid against the Hon. Marcel Masse."

That was his decision. That is the decision he has rendered. Accordingly, I have decided to invite the minister, the Hon. Mr. Masse, to come back to the federal Cabinet. And I was proud to do so at the time and I still am today.

• (1425)

QUERY WHETHER PRIME MINISTER WAS AWARE OF LETTER'S TENOR AT TIME OF REINSTATEMENT IN CABINET OF MEMBER FOR FRONTENAC

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Prime Minister. Commissioner Gorman wrote in the same letter that the Member for Frontenac had participated in the breaking of the Elections Act. My question to the Prime Minister is very simple: When he reinstated the Member as a Minister on November 29, was he aware of that letter's content?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, Mr. Gorman is an officer of Parliament. His duties are described in the Act. He has full discretionary power with regard to investigations and complaints. Having inquired on November 28, I was advised by the Secretary of the Cabinet of the investigator's decision not to lay charges against the Hon. Marcel Masse. In view of that decision obviously positive in which case fortunately the presumption of innocence is clearly established on behalf of all Canadians and all members of this House, and considering also that the Minister had decided to step aside as a Minister of the Crown during the inquiry, which is much to his credit and in keeping with the finest British parliamentary traditions I decided, in view of the report issued by the Commissioner, to invite Mr. Masse to rejoin Cabinet of Canada. I feel I acted consistently and in all fairness.

[English]

MINISTER'S REAPPOINTMENT TO CABINET

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I am sure that the House will have noted that the Prime Minister did not answer a very direct question. I want to ask him again.

When the Commissioner wrote the Hon. Member for Hamilton East and the Hon. Member for Broadview—Greenwood at the same time he made absolutely no reference to any possible infraction of the law. To the contrary, he made it quite clear that there had been no infraction, in his judgment, by either of these Members. In contrast, he said to the Hon. Member for Frontenac that in his judgment there was on his part a participation in the breaking of a law.

When the Prime Minister asked the Hon. Member for Frontenac to rejoin Cabinet did he ask him if there was any reason that he had to believe that would make him illegible for membership in Cabinet at that time? Did he receive any suggestion from the Hon. Member for Frontenac that he had obtained, the kind of information that he had by then in fact obtained to the effect that he had violated the law?

Right Hon. Brian Mulroney (Prime Minister): The Member for Frontenac, when he was advised that an inquiry might be initiated in respect of the election law, stepped aside as a Minister of the Crown to ensure that the inquiry could be conducted in complete freedom and impartiality. I think that all Members of the House would agree that that is very much to his credit and in keeping with the finest parliamentary traditions. This was in September of 1985.

On November 28, 1985, the Commissioner of Canada Elections, Joseph Gorman, issued a statement, having interrogated witnesses, I presume, and analysed the evidence, in which he stated, "I have decided that no charges will be laid against the Hon. Marcel Masse". It is his responsibility and his responsibility alone either to bring charges or not to lay charges. Having analysed the evidence, he decided not to lay charges, in which case the presumption of innocence is clearly established on behalf of all Canadians, and I presume all Members of Parliament.

When this information was conveyed to me by the Secretary of the Cabinet, I instructed the Secretary of the Cabinet to arrange for Mr. Masse to be reintroduced to join the Cabinet of Canada, which took place. This seems to me consistent with all parliamentary traditions that my hon. friend would want me to uphold.

• (1430)

PROSECUTION OF MINISTER'S SUPPORTERS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, quite the contrary. I believe the Prime Minister of Canada has a responsibility to assure that the highest standards of moral rectitude are maintained by the Cabinet of Canada. That is the point.

Since the Prime Minister did not answer either the first or the second question, I wish to ask him the third question. Considering that there are three other ordinary citizens, who were not Ministers of the Crown, in the same constituency as the Minister who not only had charges laid against them for infraction, but were convicted, and the Minister who, according to the Commissioner, violated the Act, did not even have charges laid against him, does the Prime Minister accept this as an acceptable standard of justice, one standard for the ordinary people of Canada and another standard for a Minister of the Crown? Is that the Government's view?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I think upon reflection my hon. friend will regret that prefatory remark which is fundamentally unfair in respect of a