

MOTION TO ADJOURN UNDER S.O. 26

[English]

ROYAL CANADIAN MOUNTED POLICE ILLEGAL ACTS COMMITTED BY FORCE

Mr. Joe Clark (Leader of the Opposition): Mr. Speaker, I rise to move a motion under Standing Order 26, of which I gave you notice earlier. I ask leave to move, seconded by the hon. member for Perth-Wilmot (Mr. Jarvis), the adjournment of the House under the terms of Standing Order 26 because of an unusual emergency.

That emergency relates to the revelations on Friday by the Solicitor General (Mr. Fox) that the security services have, in the recent past, illegally entered premises to steal information concerning a legal political party. The statement by the Solicitor General raises major questions of policy and procedure in the vital area of national security services which are of urgent importance to the people of Canada and which cannot be dealt with under the business of the House, as proposed by the government, in the immediate future. I therefore believe that this matter requires the urgent attention of the House.

Mr. Speaker: Order, please. I should indicate to the House that the Leader of the Opposition (Mr. Clark) did give me notice in accordance with Standing Order 26, and that shortly after I received notice from the Leader of the Opposition I received similar notice on the same subject, and under the same Standing Order, from the hon. member for Oshawa-Whitby (Mr. Broadbent).

I have referred to Standing Order 26 in the past, and have often referred to the difficulty the chair is placed in with respect to applications under it. Applications are often made about matters which are, in fact, very important and worthy of urgent consideration, but are continuing matters, as opposed to being matters of some critical focus. I regret whenever I have to make that kind of decision, because certainly applications pursuant to Standing Order 26 do bring with them one guarantee, and that is a guarantee that if a special debate is ordered, the matter will have a relevancy that this House ought to pursue in debates which do take place in this chamber; therefore, I am inclined to interpret, wherever I can, sympathetically the provisions of Standing Order 26.

Indeed, as I have said many times in the past, if Standing Order 26 is on our books in order to permit, from time to time, special debates on matters that require urgent consideration, and if the Chair is not going to give a favourable interpretation of that rule from time to time, then the rule might just as well be taken off the books.

There are conditions to which this Standing Order is subject. I have read them before, particularly Standing Order 26 (5) which says that regard ought to be had by the Chair for other opportunities which might reasonably present themselves for the House to deal with subject matters of this sort. The House has many times heard this Chair pronounce that reasonable opportunities did otherwise exist. In fact, just last

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week I did so, because I was of the opinion that a subject which I felt in a personal way was of very crucial importance would be before the House for several days.

I cannot say that that is the circumstance which faces us now. Subparagraph (16) of the Standing Order says the following:

The right to move the adjournment of the House for the above purposes—

That is to say, the purposes of this order.

—is subject to the following conditions:

(a) The matter proposed for discussion must relate to a genuine emergency, calling for immediate and urgent consideration—

I think there is a temptation to look at the word “emergency” and apply a very strict definition to it, which would seem to imply only debates brought about by sudden and unexpected events. It seems to me in the past that the word “emergency” has been intelligently applied by the Chair in setting aside applications with regard to matters of continuing concern such as general economic conditions, matters of unemployment and even continuing strikes, to ascertain the extent which has been known and present for some time, although that poses a separate and rather more delicate problem.

In any case, it seems to me that both sudden occurrences and unexpected occurrences are “emergencies” within the meaning of the word. So, too, is the sudden and unexpected revelation of events which have taken place in the past, in that they might precipitate a course of conduct which, if allowed to continue unchecked, would certainly classify itself as an emergency and a matter of urgent consideration.

Therefore, it seems to me that, following all of the language of Standing Order 26 again, as I have said in the past, if the House is not prepared, pursuant to a reasonable interpretation of this Standing Order, to direct its attention to a matter so serious and urgent as this, then we might as well take the order off the books. I, therefore, find that the matter is an important one to be discussed within the terms of Standing Order 26.

Some hon. Members: Hear, hear!

Mr. Speaker: There is one other matter about which I feel the House ought to know and to which I have addressed myself, and that is the matter of *sub judice* as it applies to our proceedings. There is, pursuant to the Standing Order, no opportunity for argument in these matters; therefore, neither is there any obligation on the presiding officer to give reasons. However, I think the House ought to know that since the House ordered an inquiry into the practices of the RCMP some time ago—that order is part of our proceedings and, in fact, the inquiry as a result of that order is now in progress—the House ought to be assured that the Chair has directed itself to the argument of *sub judice*.

To me, *sub judice* has no application here, for two reasons. In the first place, the body carrying out this work pursuant to the order is an investigatory body and not a judicial body coming to a decision. Second, in this case no decision of that body could in any way be prejudiced, surely, by a debate or discussion here. If that were the case, I would have set aside all