

Question of Privilege

assure the hon. member that since yesterday I have given a great deal of thought to it. I have looked at precedents. I have looked at the rules. I have considered every possible aspect of this matter. I find the difficulty is that the words, as spoken by the minister, were uttered outside the house.

Mr. Nugent: He has not backed off them. He must be taken to adopt them.

Some hon. Members: Oh, oh.

Hon. E. D. Fulton (Kamloops): I do not know whether Your Honour is prepared to hear argument on what I suggest is the question before you, which is whether there is a prima facie question of privilege. As I understand it there are two things which Your Honour has to decide; first of all, does this motion involve a prima facie question of privilege, and second, is it raised at the earliest possible moment? It seems to me we are now at the point where the question is, whether Your Honour will hear submissions on either or both these points before making a ruling. It would be my submission that it is in order for hon. members to address themselves to that point entirely to assist Your Honour.

Mr. Speaker: If the hon. member thinks he has a question of order I will certainly allow him to speak on the point of order which he seeks to raise at this time. An alleged question of privilege was raised yesterday. The minister was allowed to make a statement. The hon. member has suggested that he should be allowed to speak on the point of order, and I will hear him.

Mr. Fulton: The only point to which I should like to address myself briefly is the one upon which I understand you are now required to make a ruling, namely whether the motion now presented by the hon. member for Edmonton-Strathcona does involve a question of privilege and whether, if so, it has been raised at the earliest possible moment in order for the question of privilege to be taken under consideration at this time.

As I understand the rules of the house they are that if, in fact, what has been raised by way of this motion does involve a question of privilege, that question must be taken under consideration and given precedence over other questions in the house. This is the point to which I should like to address myself.

If I understand Your Honour's difficulty correctly, it is, first, whether the motion today presented by the hon. member for Edmonton-Strathcona on the face of it goes beyond the question of privilege which he raised yesterday and which surely and admittedly was raised at the first possible moment, namely on the Monday following the Saturday when the article appeared in the press; and second, whether, if the point does go on the face of it beyond the subject matter of the question of privilege raised yesterday, it can refer back to the earlier charge of tampering with evidence.

• (2:50 p.m.)

Here I should like to draw Your Honour's attention to the fact that in his press statement reported in Saturday's *Journal* the Minister of National Defence said the charge made by the hon. member for Edmonton-Strathcona in that respect was spurious, the charge made that the minister tampered with evidence or with witnesses. If then, the allegation by the minister that the charge is spurious does involve a question of privilege, as I submit it does, then it cannot be considered in isolation from the earlier charge made by the hon. member for Edmonton-Strathcona.

I submit that the minister's reply today does not dispose of the question of privilege. He referred to the question of the implication of the word "designed". In my submission that is not the question at all. What the minister said on Saturday was that the charges made by the hon. member for Edmonton-Strathcona were "spurious" and were designed to blacken his reputation. This, I submit, is a reflection upon the motives, the conduct, the very purpose of the hon. member and as such raises a question of privilege.

It follows, therefore, that the member for Edmonton-Strathcona was right in raising this matter and bringing it before the house yesterday. Today he has founded a motion upon that question of privilege. That motion necessarily goes back to the charges which he himself made earlier and which are now alleged to be spurious, something which in itself, I suggest, involves the whole question of privilege.

I submit that the hon. member for Edmonton-Strathcona, having now put forward a motion for reference to the committee on privileges has, substantially, two points; first, that the word "spurious" and the press comments of the minister involve a question of privilege reflecting on himself; and second,