

Privilege—Mr. Goyer

who were also involved in decisions concerning the illegal break-in. The committee would learn what advice the minister received, from whom he received it, and so on. For instance, I should like to see the minister's executive assistant take the oath and tell members whether or not the minister was informed, when he was informed, and other such matters concerning the letter in question.

I did not particularly care for the President of the Privy Council (Mr. MacEachen) standing up and trotting out that old position, "If you want a member to appear before a committee, make a charge." We have heard the government say this time and again when it stonewalls and refuses to answer our legitimate questions on legitimate matters. The President of the Privy Council tried to cast aspersions on the hon. member for Saint-Hyacinthe (Mr. Wagner). I say to the President of the Privy Council, if the hon. member for Saint-Hyacinthe had been solicitor general at the pertinent time there would not have been any problem with RCMP, illegal break-ins—and we all know why.

The President of the Privy Council tried to leave the impression that if the Committee on Privileges and Elections dealt with all the charges and countercharges which members level at each other in this House, it would be busy indeed. But this is a different case because we are asking for an accounting. We want the former solicitor general to tell us how the RCMP operated in this country when he was solicitor general. That is not just a simple charge made between members of this House; it is a specific matter. As I say, we want to know how the former solicitor general operated when he was responsible for that portfolio. We cannot deal with the matter in this House. The former solicitor general cannot stand in this House on a question of privilege and think he can clear the matter simply by answering questions, because many of the people involved in the case cannot corroborate the evidence the Minister of Supply and Services (Mr. Goyer) is endeavouring to give this House. That is the crux of the matter.

I support the motion the right hon. member for Prince Albert proposes to move. Though it may seem strange in the circumstances, it would, if accepted, let the people of this country know what the former solicitor general actually did and what activities the RCMP were engaged in. We and the people of the country have a right to know how all this came about. We have not been presented with the facts. No wonder the President of the Privy Council and the Prime Minister (Mr. Trudeau) are smiling. They are stonewalling, because the statement on the question of privilege resolved itself into a statement on motions.

• (1620)

Mr. Walter Baker (Grenville-Carleton): Mr. Speaker, I would like to reserve the right you gave me with respect to the broader aspects of this matter. However, I must say that what the hon. member for Cumberland-Colchester North (Mr. Coates) has said makes eminent good sense from the point of view of this parliament getting at the facts. The right hon. member for Prince Albert (Mr. Diefenbaker) ought to be

[Mr. Coates.]

commended for having raised this matter. I have looked at the Standing Orders of the House of Commons and I see nothing that prohibits a member of this House moving a matter of privilege. I hope the general rule will apply, if there is no prohibition against moving anything in this House of Commons, that a member has the right to move something in this House of Commons.

The one technicality, and I underscore it, against the motion which will put this matter where it belongs, before a body of examination, not an ersatz court such as this, has turned out to be Standing Order 17 which reads:

Unless notice of motion has been given under Standing Order 42—

Mr. Speaker: Order, please. I interrupt the hon. member to make that clear. That is not the problem. The problem is much more serious than that. The motion proposed by the right hon. member for Prince Albert (Mr. Diefenbaker) is one which seeks to have referred to a committee of the House, for examination by that committee, the conduct of another member.

The practices of this House have been described very clearly in the past. When such a motion is offered, whether it is done on proper notice or not—and for the moment we can set that to one side because if it is not proper notice today, it can be done on proper notice tomorrow—the question still remains, fundamentally, when one member seeks to have a committee of the House examine the conduct of another member, that it requires some very rigid restrictions from a procedural point of view. They have been described in the precedent clearly set out by Mr. Speaker Michener when he occupied this chair. For the benefit of hon. members, that reference is to be found at page 582 of *Journals* of June 19, 1959.

In that ruling the Speaker of the day—and I think we can set this point aside for a moment—clearly sets out that no member is required to have his conduct examined by any committee of this House except upon a motion which has contained in it a substantive charge of misconduct on the part of the member. While the notice provision can be altered today, I can waive the notice or we can wait until tomorrow, I am still stuck with the precedent that any motion which seeks to require the examination of, not the member moving the motion but another member, must be made under very rigid procedural restrictions. They set out that such a motion must contain a specific charge.

Frequently in the past motions of this nature which say, "Resolved that the Standing Committee on Procedure and Organization examine into the conduct of another member," have been turned down unless they contain a charge of wrongdoing that is to be examined specifically by the committee. It is not a question of notice or of semantics. It is a question of substance. Traditionally, what we have gone through this afternoon is not just a wrinkle in our procedures. Traditionally, as we did with the four members recently who stood in their place under the umbrella of privilege, the courtesy has always been extended to a member who in these situations has been publicly accused, scorned or attacked, to make a personal statement in the House. That is not technically privilege. It