

SPEAKER'S RULING

POINT OF ORDER QUESTION PERIOD

Honourable Senators,

At the beginning of Orders of the Day on April 23, Senator Mercer rose on a point of order relating to the conduct of Question Period held earlier that day and the application of rule 24(1)(a). This provides that an oral question may be addressed to:

(a) The Leader of the Government in the Senate, if it is a question relating to public affairs.

As has been noted in a number of rulings, there is considerable latitude during Question Period in terms of what constitutes "public affairs." In the present case, the matter referred to the commission of inquiry being conducted by Mr. Justice Oliphant. The general practice in Parliament has been to avoid discussing matters or proceedings currently before the courts or quasi-judicial inquiries. This is referred to as the *sub judice* convention.

While the convention has not been codified, procedural literature indicates that, although not binding, parliamentarians should be cautious about making reference to the proceedings, evidence, or findings of a commission before it reports.

Applied to Question Period, parliamentarians should exercise due restraint in terms of the questions they ask and the answers they provide.