

Oral Questions

Now I will quote precisely what the Solicitor General said:

All of the information about his role working for NATO in Europe, when volumes of documents, many of them highly classified, were transferred directly to KGB officers . . . he gave details of all of those things—

Will the Minister of Justice reconcile that statement with the statement which he gave yesterday in answer to a question by the Hon. Member for the Yukon, which reads:

Madam Speaker, in case my previous words were not sufficiently clear, I can confirm that there was no evidence before us of transmission of NATO secrets at any time.

Who is telling the truth?

Hon. Mark MacGuigan (Minister of Justice): Madam Speaker, the article is mistaken, and I think my hon. friend's interpretation of it is further mistaken. I think the point the article makes is that both the Solicitor General and I admitted that, after the initial decision of the Minister of Justice that no prosecution should take place—

Mr. Clark: Should?

Mr. MacGuigan: —it was after that time that NATO secrets were revealed. If that is the meaning of the article—or whatever the meaning of the article is—I did not state that. I have no direct knowledge of that, and my hon. friend may wish to address that question to my colleague, the Solicitor General.

An Hon. Member: Get together with him.

Mr. MacGuigan: What I said yesterday in this House, and which cannot be controverted because it is the fact, is that at the time the decision was made by my predecessor as Attorney General there was no evidence whatsoever to suggest that there had been any transmission of NATO secrets by Mr. Hambleton at any time.

Mr. Speyer: It is quite obvious that the left hand does not know what the right hand is doing in this particular case, Madam Speaker.

INFORMATION SECURED BY SECURITY SERVICE

Mr. Chris Speyer (Cambridge): Madam Speaker, my supplementary question is for the Solicitor General. After the letter of opinion was given to the Solicitor General from the predecessor of the Minister of Justice, which said that there was not sufficient evidence for a prosecution, and after the Solicitor General's Department and the Security Service came and knew that there were NATO documents being passed, was that knowledge ever communicated by the Security Service to the Minister of Justice's predecessor?

In addition, could the Minister please tell us what were the contents of the document that the spy Hambleton had in his possession in the Old Bailey? Will the Solicitor General release it and table it in the House? If he will not, why not?

Hon. Bob Kaplan (Solicitor General of Canada): Madam Speaker, the Security Service tells me that, from the receipt of the opinion of the Department of Justice, the Security Service did not return to the Department of Justice for further advice

about prosecution with any of the additional information it got from Hambleton.

Mr. Speyer: Why?

Mr. Nielsen: Why didn't you?

Mr. Kaplan: In the earlier period, when the Security Service was preparing its case for the Department of Justice, all of the interviews, for example, with Hambleton, were taken under caution. He was warned that the information that he gave the Service could form the basis of a prosecution against him.

An Hon. Member: So what?

Mr. Kaplan: After the Security Service got the decision of the Department of Justice, the Service told Mr. Hambleton of that decision. They told him in their opening remarks. Following that, the Security Service has many discussions with Mr. Hambleton which were not on the basis of a caution, which information, in the opinion of the police investigators and of lawyers, would not have been admissible to be used against Hambleton. That is the reason the Security Service did not go back to the Department of Justice. That Service was quite satisfied to be running a very successful counter-espionage operation which was very productive; Hambleton was giving the Service information, which information the Service was sharing with the other friendly intelligence services, including MI5.

USE OF INFORMATION OBTAINED FROM PROFESSOR

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, my question is for the Solicitor General. Surely if this kind of voluminous evidence was obtained from the spy Hambleton—even if the Security Service felt that because it was obtained from him and could not be used against him because of a lack of caution, a statutor's warning, as the Solicitor General said—that evidence could have been used to solicit evidence from other people he named in that kind of testifying who could then have been given a caution? Why is the Solicitor General apparently hanging the success of the case only on what Mr. Hambleton could testify, instead of all of the other evidence that opened up as a result of what he said?

● (1440)

Hon. Bob Kaplan (Solicitor General of Canada): Let me clear that up for the Hon. Member. No voluminous evidence, physical evidence, was obtained from Hambleton. He did not have or certainly did not produce it, and the Security Service did not find NATO documents in his possession following—

Mr. Epp: No, they were all in Russia!

Mr. Kaplan: —the discussion with him. These were things that he told the Security Service and, by the way, they were things that he had done, not in Canada but overseas. He worked for NATO overseas, he got those documents overseas,