

Hon. Francis Fox (Solicitor General): Mr. Speaker, I do not think anyone on this side of the House, or anyone in the House, would try to excuse any illegal activity. I think the position of the government is very clear.

Miss MacDonald: Except your own.

Mr. Fox: The position of the government is that any illegal activity which is brought to our attention will be brought to the attention of the proper prosecutorial authority.

The basic dilemma was raised not only by the Prime Minister and myself, but also by the Royal Commission of Inquiry into the security services in 1969, of which an eminent member of that party was, of course, a member. At that point it was clearly pointed out by the royal commission itself that there would be times when the security service, in pursuit of its mandate for national security—

Mr. Broadbent: What about this situation?

Mr. Fox: —may have a problem either accomplishing its mandate and breaking the law or not accomplishing its mandate.

Mr. Baker (Grenville-Carleton): What a stupid remark!

Some hon. Members: Order, order!

Mr. Fox: I should like to mention one clear example. At the moment if a member of the security services needs to put his hands on a cypher code of a foreign country, for instance, or something which might be of very great interest to us—

Some hon. Members: Order.

Mr. Broadbent: Oh, oh!

Mr. Fox: —it is quite clear that under the present legal framework that member could be accused of having committed an illegal act. To my mind that is a nonsensical situation in which to put members of the security services.

Mr. Broadbent: You are kidding!

Mr. Fox: That is the basic dilemma I wish to draw to the attention of the House and to the attention of hon. members opposite.

Some hon. Members: Hear, hear!

Mr. Brewin: Mr. Speaker, I should like to ask the Solicitor General if it is not, in his opinion, the duty of everyone, including the Solicitor General, not to condone a clear breach of the law by anyone, and above all by police officers, in breaking and entering into the offices of a legal political party? If that is so, why are so many of his statements—particularly the one he made on Friday—so defensive and so evasive in tone?

Some hon. Members: Hear, hear!

Oral Questions

Mr. Fox: Mr. Speaker, as to the first part of the hon. member's question, the answer of course is yes. That was stated very clearly in my statement to the House in June of this year. It was made very clear that if there were deficiencies in the law, the solution was not to break the law, but the solution was to change the law. One of the very basic tasks of the Royal Commission of Inquiry will be to direct itself to that problem, which was not addressed in its complete details or in an entirely satisfactory fashion by the Royal Commission of Inquiry of 1969, of which Mr. Coldwell was a member—

An hon. Member: Are you going to legalize arson?

Mr. Broadbent: What a red herring!

Mr. Fox: —to sign that report indicating that really this was, for any democratic country, a very basic problem which we all had to come to grips with, whether we like it or not.

Some hon. Members: Hear, hear!

POSSIBLE SURVEILLANCE OF MEMBERS OF MEDIA— GOVERNMENT POSITION

Mr. G. W. Baldwin (Peace River): Mr. Speaker, my supplementary question is directed to the Solicitor General. It being quite clear that under the doubtful use of security and for probably illegal methods this government and its agencies have had no compunction about making improper inquiries into political parties and politicians, can the minister now indicate the extent to which the government and intelligence agencies have made surveillances, carried on investigations and made interceptions of the media?

Hon. Francis Fox (Solicitor General): Mr. Speaker, I have no indications whatsoever of any general surveillance of the media.

Mr. Baker (Grenville-Carleton): Will you ask?

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NATIONAL SECURITY

PROPOSAL TO ESTABLISH SEPARATE AGENCY—GOVERNMENT POSITION

Mr. Mark MacGuigan (Windsor-Walkerville): Mr. Speaker, my question is for the Solicitor General, and it has to do with the Royal Commission on Security which he has mentioned several times.

An hon. Member: Set up.

Mr. MacGuigan: In light of the recent events, is the government having second thoughts about its decision not to proceed with the recommendation of that royal commission to establish a separate agency to handle national security?

Mr. Woolliams: That is what they are after.