

*Supply—Justice*

own leader, the hon. member for Burnaby-Coquitlam, asked the first question on this subject way back on January 21.

While the Prime Minister was, of course, right in a literal sense when he said he had received no request from Spencer for a review of his case, I respectfully suggest that in the light of the correspondence which was tabled today, neither he nor any one of his colleagues had to be a genius in order to recognize that Spencer and his attorney were not satisfied. Indeed, the first letter which was tabled today, the letter dated December 21 and written by Mr. Spencer's solicitor to the personnel director of the post office, says:

I understand that Mr. Spencer has spoken to you on several occasions about being allowed to go on superannuation because of his health.

That was the first request made by Mr. Spencer to his superior. Later in this correspondence one finds letters from Mr. Rankin, the solicitor, to people in the Post Office Department and to people in the Privy Council office clearly indicating that Mr. Rankin, on behalf of Mr. Spencer, wanted to know the reasons for his dismissal. He would obviously not direct those questions if Mr. Spencer was entirely satisfied with the treatment he had received. I submit that a careful reading of those letters would have persuaded the government that Mr. Spencer was not satisfied.

• (5:10 p.m.)

It was not necessary for the government to wait for me, as happened in this case, or for any other member on this side of the chamber to get in touch with Mr. Spencer, through some solicitor in Vancouver, to find out what his wishes were. The government could have done that weeks ago. The Minister of Justice, through the R.C.M.P., could have found out weeks ago that Mr. Spencer wanted an inquiry, or that his solicitor was advising him to have an inquiry.

I must say it is an astonishing thing that not only did the government fail to make the simple inquiry I made last Wednesday but it insisted, every minister insisted, that there had been nothing wrong; that Mr. Spencer was happy, and that everything was going to be left as it was, no matter what. Then the Prime Minister on Friday last—and I do not for one moment question his statement—said that my reading of Mr. Spencer's telegram to me into the record was the first time he heard Mr. Spencer was dissatisfied. Undoubtedly that was so but, if it was so, it was the result of obvious incompetence, obvious

callousness on the part of members of the government or their advisers who could have found out that simple fact before I found it out last Thursday.

I cannot understand why that was not done, except it be the suggestion I made last Friday that the minister was so obsessed by an obstinate determination not to budge that his common sense left him at that point. If he had not been so obsessed, he could have acted in a proper and humane way.

I regretted very much, Mr. Chairman, some of the things the Prime Minister said in his remarks after he tabled the order in council. It seemed to me he arrogated to himself the right to lay down guide lines for Mr. Justice Wells to follow as commissioner under the order in council, and I submit the right hon. gentleman did not have the right to do that. It was not his business to tell the commissioner what he ought to do or how he should behave himself. It is the order in council that tells him what to do and how he is to behave. The right hon. gentleman had no right to lay down guide lines, and I am certain Mr. Justice Wells, who is a respected member of the bench in Ontario, will go by the order in council and not by any attempt by someone here to tell him what to do.

I submit that Mr. Justice Wells will not be able to do his job, the job that Mr. Spencer asks him to do, unless he makes some investigation into at least the reasons for Spencer's dismissal. It is not possible, as I suggested elsewhere, for Mr. Justice Wells to say whether the punishment fits the crime unless he can make an investigation which will show him, (a) what the crime was, and (b) the extent of the man's culpability in that crime, if there was any.

This is the simple proposition that I am sure was in the mind of the Governor in Council when the order in council was drafted.

I agree that parliament has prevailed in this. Public opinion has prevailed, and remembering that none is so zealous as the convert, I hope the government will proceed in similar cases when they arise in such a way that no one here will be able to criticize it.

I think the debate in the last number of days has been regrettable in many respects, and in some respects was a shameful one. Personal vindictiveness and personal attack have been followed by a return of personal vindictiveness and personal attack. The time