

*Supply—Justice*

in consultation with my advisers, to ensure that the character, qualifications and reputation of those whom I recommend are of the very highest order. As I explained this afternoon, such advice is given to the ministers of the other departments.

With respect to the point my hon. friend tries to make out of the fact that the general counsel or general solicitor of C.M.H.C. had written a letter saying that they confine their selection to the lists provided by the Department of Justice, there is some technical inaccuracy there with which I do not quarrel, my point being that I do not provide directly to C.M.H.C. as such any lists.

**Some hon. Members:** Oh, oh.

**Mr. Fulton:** My responsibility is to advise my colleague the Minister of Public Works and there is a close connection between my office and his office in that connection.

**Mr. Benidickson:** You advise the Minister of Public Works?

**Mr. Fulton:** Certainly, and as my hon. friend knows, it is the constitutional responsibility of the Minister of Justice to advise the other departments of government as to legal problems that might arise. I trust this is a complete explanation of the manner in which this advice is given.

Since this matter has been raised in connection with the position of a particular lawyer in a manner which I regret and in the manner in which my hon. friend has raised it again, it makes it incumbent upon me to state the facts as to the qualifications which I believe to be present with respect to any lawyer whom I shall recommend to my colleagues. I feel I have no option, in the light of the correspondence that was read this afternoon and in the light of what has just been said by my hon. friend, but to lay before the committee some of the ethical standards which are supposed to be followed by lawyers and which I look for in any lawyer before I will recommend him as a suitable representative or lawyer to be retained by this government or its agencies. The committee will remember that there was read into the record this afternoon by my hon. friend the letter from me to Mr. Freeman in which I pointed out that in my view a matter which I would take into consideration in assessing the qualifications of a solicitor was whether or not he made direct or implied threats as to what he would do if he was not given certain work.

My hon. friend will recall and the committee will also recall that there was placed on the record references to correspondence which established perfectly clearly that Mr. Freeman had been carrying on a campaign

[Mr. Fulton.]

by which he attempted to assert his right to be retained by the government of Canada, his right to have business from the government of Canada. Let me read to the committee from the proceedings of the fifth annual meeting of the Canadian Bar Association, held in 1920, in the course of which they laid down certain canons of ethics. These, I believe, have been revised from time to time, but I am informed that in substance and in effect these canons of ethics are still those which the bar association has said should govern the conduct of members of the profession. I read from page 264, the duty of a solicitor or lawyer to himself, subparagraph (3):

The publication or circulation of ordinary simple business cards is not per se improper but solicitation of business by circulars or advertisements or by personal communications or interviews not warranted by personal relations, is unprofessional. It is equally unprofessional to seek retainers through agents of any kind. Indirect advertisement for business by furnishing or inspiring newspaper comment concerning causes in which the lawyer has been or is connected, or concerning the manner of their conduct, the magnitude of the interests involved, the importance of the lawyer's position, and like self-laudations defy the traditions and lower the tone of the lawyer's high calling, should not be tolerated. The best advertisement for a lawyer is establishment of a well merited reputation for personal capacity and fidelity to trust.

I can only repeat what I said this afternoon, Mr. Chairman—

**Mr. Regier:** Are you laying a charge?

**Mr. Winch:** Are you laying a charge?

**Mr. Fulton:** —that, on the basis of the correspondence which my hon. friend introduced into the record of this house and on the basis of my opinion as expressed in that correspondence at the time, formulated as it then was and still is, on the basis of what I regard to be the standard of ethics which should be followed by solicitors, I have no reason to change my opinion that the gentleman in question should not be placed upon the list for the receipt of government business.

**Mr. Winch:** Will you lay a charge against Freeman?

**Mr. Fulton:** I say that as the minister merely exercising his constitutional advisability to advise his colleagues as to who are proper lawyers for them to retain.

**Mr. Pickersgill:** Just insinuation and innuendo.

**Mr. Benidickson:** Mr. Chairman, the Minister of Justice enunciated or repeated the enunciation of the Canadian Bar Association in convention in 1920 as to the proper ethics for a barrister or solicitor. Has he since