

*Supply—Justice*

The next choice the government had was to dismiss Spencer in the normal course of events and allow him the right to appear before the Civil Service Commission. The government could have placed whatever evidence it had at its disposal before that body and Spencer could have appeared, I assume with counsel, and could have defended himself. But the government did not do this. Instead, the government dismissed him under section 50 of the Civil Service Act, which denies this man the right of appeal and cancels his pension.

The other day the Prime Minister said they sent someone out to see him. I understand from press reports it is true that Mr. J. A. Murray, the director of the appeals branch of the Civil Service Commission, went to Vancouver and interviewed Spencer. Does the Prime Minister think that constitutes a hearing, Mr. Chairman, that sending a civil servant to interview a man constitutes giving him a chance to prove his innocence? Is this individual, Mr. Murray, who interviewed him to be sole judge, jury and executioner? This is not a hearing before the Public Service Commission. This is an investigation before they dismissed him, and after having assured themselves that the Civil Service Commission were satisfied, and there would be no complaint from them, the government proceeded to fire him. I do not wonder that the postal employees union in Vancouver registered the strongest possible objection to this nefarious use of this vicious and dictatorial section in the Civil Service Act.

Now, the other thing the government did was to take Spencer's pension away from him. I gather from press reports that this man is 57 years of age. How is he supposed to live and maintain his family for the rest of his life? This man's pension is part of his deferred wages. The pension rights of an individual are earned over a period of years and the contributions which the government makes are one of the fringe benefits of his employment. By what right does the government take this money which belongs to this man? If this man lives his normal life expectancy, the amount of money which the government has taken from him amounts to several thousands of dollars. In other words, they have fined him.

● (4:50 p.m.)

Is the government now a court that can accuse a man, condemn him and fine him his life's pension without giving him a hearing or

a trial, without giving him the opportunity to say what he has to say in his own defence? Surely this is a scandalous state of affairs. I say, Mr. Chairman, that it is a sad day for Canada when a man can be punished without trial, can be accused without being given a chance to appear in open court; when a man, whom the Minister of Justice says there is not enough evidence to prosecute, can be stigmatized, have his pension taken from him, be dismissed from his employment and placed under surveillance for the rest of his life, being fined thousands of dollars of pension money which is his by right.

The Prime Minister made a defence of the action taken by the government. First of all, he said that Spencer admitted improper conduct. How do we know that? How does the Prime Minister know it? Is he just relying on a report in a police file? Has this man ever said in court that he was guilty? And guilty of what? To what offence has he admitted being guilty of? Are people now to be condemned on the basis of a police report or on the transcription of an interview with some government official? We do not know that he has admitted improper conduct, and the Prime Minister does not know it except by accepting a document presented to him by some people in the government service.

The Prime Minister says that this man disclosed his identity. The government disclosed his identity the day they fired him. Every person at his place of employment knew that this man had been fired because he was associated with the charges, the public accusations, that had been made by the Department of External Affairs. As a matter of fact, this man did not identify himself; he was accosted by a newspaperman who said to him: "Are you the person who was referred to in the external affairs department release of May 8?" What was he supposed to do—lie? Was he supposed to perjure himself?

Why does the Prime Minister expect this man to join this general conspiracy of silence? If the man had nothing to be ashamed of, why would he not say, "Certainly I am the fellow who was mixed up in this mess; all I want now is a chance to tell my side of the story"?

It seems to me that the weakest argument put forth by the Prime Minister is when he says that we must protect our national security system, because if we do not it will be impossible to carry on proper counterespionage in this country. Not one member of this