

*Administration of Justice*

**Hon. G. J. McIlraith (Minister of Public Works):** I wanted to ask the hon. member if he did not feel that the undertaking given by the Prime Minister last night is sufficiently wide. I will quote it as it appears at page 2532 of *Hansard*:

Mr. Speaker, perhaps I might be permitted to read the amendment. It is that we should:

"—take such steps as are necessary to establish a judicial inquiry into the security case referred to by the Minister of Justice and by the Leader of the Opposition on March 4, 1966, at *Hansard* page 2211 . . . referred to by the Minister of Justice in a press conference on March 10, 1966 . . . and referred to in a question of privilege raised by the hon. member for Calgary North at the commencement of proceedings this March 10, 1966."

This, it will be seen, includes the statements made at the press conference.

**Some hon. Members:** No, it does not.

**Mr. McIlraith:** I am asking the hon. member for Burnaby-Coquitlam specifically what is the difference between what he is asking and what was offered in that undertaking. Would he explain that, because it seems that the government has already indicated its willingness to accept what he is requesting?

**Mr. Douglas:** I would be glad to do that. First, I was pointing out that the letter of the Minister of Justice this morning, which the Prime Minister seemed to indicate would be the basis of an inquiry—

**Some hon. Members:** No.

**Mr. Douglas:**—does not contain any reference to the charges. Second, the amendment which the Prime Minister was quoting last night as reported at page 2532 of *Hansard*, says only—

—into the security case referred to by the Minister of Justice and by the Leader of the Opposition on March 4, 1966, at *Hansard* page 2211 . . . referred to by the Minister of Justice in a press conference on March 10, 1966—

A reference to statements made at a press conference is not the same as "containing the charges". It seems to me that if there is to be an investigation, then the charges, specific statements by the minister, must be referred to the committee.

**Mr. Favreau:** Which ones?

**Mr. Douglas:** This should be done in clear-cut terms—

**Mr. Nielsen:** May I ask the hon. member a question?

**Mr. Speaker:** The hon. member for Yukon seeks the floor for the purpose of asking a question.

[Mr. Speaker.]

**Mr. Douglas:** Let me finish the sentence. Merely to ensure that the inquiry shall include a reference to the statements made by the minister at a press conference without anything specifically being in the terms of reference as to what those statements were, and what those charges were, would seem to me much too inept.

**Mr. Nielsen:** The question I have to ask the hon. member, because of the importance of this matter, is this: Does he not agree that regardless of the terms of reference there cannot be an inquiry outside this house to determine a question of privilege affecting this house? Does he not agree that no inquiry can deal with the privileges of parliament—that no outside body can take away from parliament the right to settle this question of privilege here?

**Mr. Douglas:** The answer to that question is obvious. If the matter is to be dealt with by this house, then the gentlemen to my right who are aggrieved have it in their power to move that this question be referred to the committee on privileges and elections. If they wish to do that, that is the place to have it settled. But if the Prime Minister is going to have an inquiry set up, all I am anxious about is that the inquiry should be specific and that the charges which the minister made in public be delineated and that the responsibility be upon the minister to substantiate them.

I think there ought to be included in the terms of reference some specific quotations from the statements made by the Minister of Justice at the press conference as they appear at page 2483 of *Hansard*. All I am saying to the Prime Minister is this—that merely to hold an investigation into the Munsinger case is not enough.

● (11:50 a.m.)

If the Minister of Justice had made no charges, then I would be satisfied to have an investigation into the Munsinger case, but since the Minister of Justice had made specific charges, then the onus is on him to substantiate those charges and they should be set out in the terms of reference.

**Mr. Starr:** That is right. He has to name names.

**Mr. Eric A. Winkler (Grey-Bruce):** Mr. Speaker, I will take up but a few moments of the time of the house. I would like to return to *Hansard* of Monday, March 7 where, as recorded at page 2297, in the right hand column, the Prime Minister (Mr. Pearson) at