

Administration of Justice

of reference—especially being the initial or main portion. After all, Mr. Speaker, the letter seeks to narrow down the accusations of the Minister of Justice to an accusation that the former prime minister, the Leader of the Opposition, was derelict in his duty in not referring the matter to the legal advisers in the Department of Justice.

This is not really the issue before this house, nor should it be the issue before the commission at all. I have already dealt with the reasons the letter was not referred and I am not going to go into this again in detail tonight. I simply want to make clear one thing, that the former prime minister and I stand together in this matter. I received a report from the Royal Canadian Mounted Police. The same day I referred it to the then prime minister. I did not wait until I met him some weeks later on a plane trip and then refer to it casually.

● (8:10 p.m.)

An hon. Member: Smear.

Mr. Fulton: I told the then prime minister I wanted to see him. I said I had to see him on a serious matter. He said I was welcome to come to his office to discuss it, and to come right away. I went down with the file. We discussed the file and the surrounding circumstances. Those were the relationships that then characterized the administration of justice and the relationship between the minister and the prime minister. We did not operate in watertight compartments.

Mr. Macdonald (Rosedale): What about February, 1963?

Mr. Fulton: And that having been done—

Mr. Pearson: Why did you quit?

Mr. Fulton: I say that with respect to this matter we stand together, and it is not the former prime minister who is on trial here—

Mr. Macdonald (Rosedale): Oh, it is.

Mr. Fulton: "Oh, it is" I hear from over there. Now we have it. Now we know.

An hon. Member: That is the little boy from Rosedale.

Mr. Fulton: I am afraid I did not personally observe the source of the interruption but I am told it was the hon. member for Rosedale (Mr. Macdonald). Well, sir, that may be the intention of hon. members opposite but we do not intend to allow this parliament to be prostituted by that kind of conduct

Some hon. Members: Hear, hear.

[Mr. Fulton.]

Mr. Fulton: So I say that we object to the inclusion as the first portion, if indeed as any portion of the terms of reference, of the letter of the Minister of Justice.

Then, something that should be added to the terms of reference is a reference to the statements made in the House of Commons by the Prime Minister, as reported at pages 2521 and 2532 of *Hansard* for March 10, where the Prime Minister made it clear that in his view what was important in the inquiry was whether or not this was a bona fide security case. At page 2521 the Prime Minister said:

I believe that there have been all sorts of statements made in the house this afternoon, and allegations made inside and outside the house. I ask the hon. member who was so very indignant a few moments ago because we would not do anything about it, if the government moved a motion in this parliament for the establishment of a judicial inquiry, which is what they wanted in the Spencer case and this is a matter which concerns security—would the opposition support it?

That statement, I submit, makes it clear that in the Prime Minister's view the important thing to be inquired into was whether the Munsinger case concerned security.

Mr. Pickersgill: Would the hon. member permit me to ask a question? Would the hon. gentleman tell us if the file to which he has made repeated reference was a security file in the usual acceptance of that term?

Mr. Fulton: It was a confidential file, so marked, and it dealt with matters which were secret and confidential as between myself and the R.C.M.P. reporting.

Mr. Pearson: Exactly.

Mr. Fulton: And I said this afternoon that there was no charge or suggestion therein that there had been a breach of security. If my hon. friend, who has been a minister long enough to know better, does not know there are a number of things that come from the R.C.M.P. to the minister of justice which are so categorized and under that cover, which do not deal with security in the sense hon. members opposite have been trying to represent it, then he does not know what goes on in the administration of justice in this country.

Some hon. Members: Hear, hear.

Mr. Pickersgill: If the hon. gentleman will permit me, I should like to repeat my question. I ask the hon. gentleman whether this file was what is normally referred to as a security file or did it refer to some other kind of thing that the R.C.M.P. was investigating?