

Supply—Justice

he provides us with the finest example of that. He speaks about parliament not being the place in which to discuss matters of the nature of the Spencer case, and yet he came whimpering to this house to discuss his own party's problems.

Mr. Starr: A stupid man.

Mr. Nielsen: He questioned, sir, the intellectual honesty of those who would raise the most important question of civil rights in this country. We question his intellectual capacity.

The Minister of Justice treated us to a whining discourse on the truth, and how important this is to parliament; and yet he forgets that when he was on this side of the house he was using words, on February 22, 1962 that will go down in infamy in the records of this house. He said that we must regard the truth: That is why we want an inquiry. He says we must trust the ministry. Is there any reason that we have to doubt the capability of this ministry in the administration of justice in this country? After the display that we were treated to in the last two years I say there should be grave doubt. Indeed there was doubt, as was displayed on November 8 last in the minds and hearts of all Canadians, as to the ability of these ministers to handle affairs concerning justice in this country.

The ex-minister of justice sitting beside the present Minister of Justice, on that day, November 23, when the matters giving rise to the issues in the Dorion inquiry were first raised, accused me of absolutely lying about the facts that I was presenting at that time, and still had the gall to sit there, as he did last Friday, and maintain the truth of those assertions, when they now have the full judicial arbitration of the commissioner appointed by himself.

Mr. Favreau: What I said is a lie, is a lie, and you know it.

Mr. Nielsen: Then I am in good company with Mr. Justice Dorion.

That gang on the treasury benches are up to their same old tricks; the green carpet gang, that is what they are. They are doing the same thing to Spencer as is their habit. He asks us, sir, to have faith and trust in a ministry that has shown itself incapable of appreciating the barest elementaries of the principles of justice. No wonder, sir, that we cannot have faith in this Minister of Justice or in any of his colleagues in any of the

[Mr. Nielsen.]

decisions affecting the affairs of justice in the country. He uses words like "innuendo", and the member for Lapointe describes our demands on this side of this house as demagoguery.

Did you notice, Mr. Chairman, that coincidental exchange between the member for Lapointe and the Minister of Justice who read from a prepared answer to the question put by the member for Lapointe.

An hon. Member: He asked him the other day.

Mr. Nielsen: They shouted "innuendo" in November; they shouted "McCarthyism"; they shouted "lies", and all these matters which have come to pass have shown just how wrong they were on that occasion; and yet they will not learn. They do not appreciate the distinction between acting as a chief prosecutor, judge, jury and executioner, and the principles on which the law officers in the Department of Justice operate. They rest their case on the fact that there is insufficient admissible evidence—I think those were the words used by the Minister of Justice—that could or should bring about a conviction. That is not his job. I said this to his predecessor and I said this to him—

Mr. Cardin: Whose job is it.

Mr. Nielsen: It is the job of the law officers of the Crown to consider whether or not there is sufficient there to lay an information, and then they go no further. It becomes the job of the judges of the courts of this country to determine whether or not there is sufficient evidence to obtain a conviction. That is the distinction that his predecessor missed and which got him into trouble—one of the factors—when he was minister, and it is precisely the same distinction which is being missed by the present minister.

Mr. Cardin: It was missed by your government.

● (9:40 p.m.)

Mr. Nielsen: If the President of the Privy Council does not agree with that interpretation and if the Minister of Justice does not agree with it, then do away with the courts, because there is no more use for them or for judges. For what other purpose are they put there than to determine whether or not there is sufficient evidence on which to base a conviction? That is what they are there for and that is what the courts of the country