

Supply—Justice

of the Privy Council. We on this side of the chamber do not know what matters come under what department. I would point out to backbenchers opposite that there is hope for them; they will probably all be privy councillors eventually, in view of the fact that there is a high mortality rate among Liberal cabinet members.

● (4:40 p.m.)

Mr. Douglas: It is an understatement for me to say that I am deeply disappointed by the statement which has been made this afternoon by the Prime Minister. It seems to me a very serious matter when the head of the government of Canada rises in his place in this house to put his stamp of approval upon a situation in Canada where a man can be charged, without being given the opportunity to prove his innocence; where he can be punished without a trial and where he can be stigmatized without a hearing. This is exactly what has happened to Victor George Spencer.

I do not need to say that neither I nor any member of the party with which I am associated, nor any other member in this house, takes any exception to the government's using firm, stringent measures to deal with espionage. We take it for granted that this is the function of the government. I do not know Mr. Spencer. My colleague, the hon. member for Vancouver East has him in his constituency and has known him for several years. He certainly does not gather the impression he is either a very dangerous or a very sinister figure.

But it seems to me to be elementary justice that if this man is a menace to the security of this nation, then he ought to be tried, found guilty and punished. Surely he has the right to be heard. Surely he has the right to his day in court. He has the right to be deemed innocent until he is proven guilty.

Let us look at what has happened. On May 8 the Department of External Affairs issued a statement in which they referred to two Canadians who had been allegedly engaged in espionage activities, one of whom co-operated with the R.C.M.P. and who, by the way, secured large sums of money apparently for the purpose of compromising female civil servants, which does not make a very pretty picture. The second, who did not co-operate but who was confronted and admitted some association with agents of the U.S.S.R., was

described in these terms by a report of the Department of External Affairs:

In one instance a Canadian civil servant was paid thousands of dollars to gather information and documentation in Canada, the purpose of which was to assist in the establishment of espionage activities in Canada and in other countries, and to perform economic intelligence tasks, including the provision of detailed information on the trans-mountain pipe line system in Western Canada.

The Prime Minister told us at that time that this second individual was gravely ill, but the impression was certainly given that in the event of his recovery he would be prosecuted. Well, from the newspapers I gather the man was gravely ill. I understand that last May he had a lung removed. But there was no prosecution when he recovered. Instead the Minister of Justice told the house there was not sufficient admissible evidence to warrant prosecution.

What has happened has been that the government has proceeded now to be the judge, the jury and the prosecuting attorney all rolled into one. The government had one or two alternatives which it could have taken. First of all, there has been set up by the government a senior civil servants committee on security. Hon. members will recall this committee was set up a couple of years ago largely because of a case which was brought to the attention of the house by the hon. member for Nanaimo-Cowichan-The Islands. This case concerned a young sailor who was discharged from the government on security grounds. It was discovered later this was a matter of mistaken identity. We pressed in the house for some appeal board to which persons in the government service or in the armed services might go if they were accused of being a bad security risk. At that time the Prime Minister agreed to set up such a committee. This man might have been given the opportunity to appear before it.

A few days ago the Prime Minister said it was not appropriate for Spencer to appear before this committee because he was not in a job that had to do with security. If he was not in a job that had to do with security, how does the government explain the fact that the Postmaster General said in his public statement the man was dismissed for security reasons? The Postmaster General says he is dismissed for security reasons, but the Prime Minister says this man cannot appear before a security committee because he was not in a job that had to do with security. He was ruled out of that possibility.

[Mr. Woolliams.]