

*Inquiries of the Ministry*

Minister of Justice and Attorney General of Quebec that he is actively considering that proposition.

**Mr. Stanfield:** Since the government of Canada invoked the War Measures Act and suspended, to the extent that it has, the due process of law and since no assurance has yet been given by the province of Quebec, is the government of Canada itself prepared to establish an independent authority for the purpose of reviewing all arrests and detentions made under the Act in any part of the country?

**Mr. Turner (Ottawa-Carleton):** Mr. Speaker, within the terms of those regulations the administration of law enforcement under those regulations is the same as the administration of the criminal law under the Criminal Code and is properly, in this case, left to the Attorney General of Quebec.

**Mr. Stanfield:** I notice the care with which the minister answered my question. I ask him now whether his position is that the Governor General in Council does not have jurisdiction under the War Measures Act to establish such an authority for the review of actions taken under that Act or, rather, that it is not expedient to exercise that jurisdiction?

**Mr. Speaker:** Order, please. Certainly, in so far as the first part of the supplementary question is concerned, the Leader of the Opposition is inviting the Minister of Justice to express an opinion as to the legal position. I appreciate that this is a serious situation and a serious matter. Perhaps in view of the importance of the matter the minister might like to reply to both aspects of the question.

**Mr. Stanfield:** Mr. Speaker, with respect, I was not asking the minister to express a legal opinion. I was asking him to tell the House what the position of the government is.

**Mr. Speaker:** In any event, I suggest that the minister might reply to the question.

**Mr. Turner (Ottawa-Carleton):** Mr. Speaker, the position of the government is that the matter is properly within the jurisdiction of the Attorney General of Quebec. We have expressed our concern that the regulations be administered in a way appropriate to meet the very serious situation in Quebec while at the same time paying due regard to the civil rights of the people concerned.

SUBSTITUTE LEGISLATION FOR WAR MEASURES  
ACT REGULATIONS

**Mr. Andrew Brewin (Greenwood):** Can the Minister of Justice tell the House how soon he expects to be able to introduce into the House the specific legislation to be substituted for the regulations under the War Measures Act?

[Mr. Turner.]

**Hon. John N. Turner (Minister of Justice):** Mr. Speaker, it will be either at the end of this week or the beginning of next week.

[Translation]

WAR MEASURES ACT—SEARCHES BY ARMED FORCES—  
ALLEGED DESTRUCTION OF FURNITURE

**Mr. Réal Caouette (Témiscamingue):** Mr. Speaker, I have a supplementary question I would like to ask the Minister of Justice.

Has he received any complaints to the effect that during searching operations some members of the Armed Forces might have misused their powers and caused unnecessary damage to furniture in some homes?

**Hon. John N. Turner (Minister of Justice):** Personally, I have received no complaints yet, Mr. Speaker.

[English]

WAR MEASURES ACT ARRESTS—SUGGESTED ESTABLISH-  
MENT OF COMMITTEE TO PREVENT ABUSES

**Mr. R. Gordon L. Fairweather (Fundy-Royal):** Mr. Speaker, I am anxious to broaden the scope of these questions in view of the answer the minister has given to the question by my leader. I therefore ask the Prime Minister whether he has had an opportunity in the last few days to consider what some of us feel is a helpful suggestion by the Archbishop of Montreal to establish a committee of persons of outstanding integrity who would hopefully be able to avoid—I make no charge here—abuses or negligence in those aspects of the War Measures Act dealing with arrests of Canadians?

**Right Hon. P. E. Trudeau (Prime Minister):** Mr. Speaker, I do not know to whom the Archbishop was addressing himself.

**An hon. Member:** You.

**Mr. Trudeau:** If he was addressing himself to the government of Quebec, I take it they will have heard his representations. I am as willing as the hon. member to broaden the scope of this, as he says, but on this point I support the Minister of Justice entirely. The regulations adopted under the Act provide that the administration of justice under that Act will be the proper affair of the provincial Attorney General. This was not because the government did not think it could not do it, but because the federal government did not think it should be involved, but because we have confidence in the government of Quebec and we believe they can handle the situation.

**Some hon. Members:** Hear, hear!

**Mr. Fairweather:** Leaving aside whether we have confidence in the government of Quebec, I wonder whether the Prime Minister has had an opportunity to discuss this proposal which I suspect was directed to him and other people in Quebec? If he has not had an opportunity, will he discuss what is surely a useful idea with Quebec officials?