

Privilege—Mr. Brewin

the question, "who runs the police system in this country, the commissioner of the RCMP or the Solicitor General" that one would, looking at the evidence, have to say that it is the commissioner of the RCMP, rather than the person appointed by the Prime Minister (Mr. Trudeau) and elected by the people to make these decisions. Everything which I have heard in the last month or so has confirmed that feeling.

There was the letter written by a solicitor general to the member for Northumberland-Durham (Mr. Lawrence) and drafted by the RCMP, which was, to say the least, not in accordance with the facts. The direct question was whether mail was being intercepted. Now, we have this question. The minister talks about a bill which he introduced and which died on the order paper, a bill drafted on the basis of an inquiry held by a judge which recommended, among other things, that the RCMP Act be amended so that its members in such a difficulty would have the same rights as any other citizen in Canada, namely to be represented by counsel. The minister is stating a fact when he says that the bill died on the order paper.

● (1522)

Surely if the commissioner of the RCMP knows that inquiry has been held, if he knows that a judge has recommended against a section of the RCMP Act which prevents an RCMP officer from being represented by counsel, then as my colleague, the hon. member for Regina-Lake Centre (Mr. Benjamin) suggested, what you have in such cases is a kangaroo court. If the RCMP commissioner knows that the government has accepted the recommendation of that judge and has drafted a bill, which bill has not yet been dealt with by parliament, surely the commissioner of the RCMP and senior officials of the RCMP do not need any more instructions, despite the fact that the act as written many years ago gives them the right to hold this kind of hearing in camera without the accused being represented by counsel. Surely they could have the decency and the common sense to permit that officer to have counsel there to protect his rights, as would any other citizen—

Mr. Speaker: Order, please. I am a little worried that we are getting off the question of privilege of the hon. member for Greenwood (Mr. Brewin), and perhaps getting on to a question of the privileges of Corporal Radey. I think we have to stick with the procedural aspects of the matter before us.

Mr. Orlikow: Mr. Speaker, I was just coming to that, although I think what I have said is germane to the question.

The hon. member for Greenwood has said that the charges Corporal Radey is being tried on have to do with the fact that, he was instructed not to deal with the counsel for the Laycraft commission. I listened carefully to the Solicitor General (Mr. Blais). It seemed to me that he talked all around the question and tried to suggest that the charges were something else altogether, but he did not say that they were not, because I presume he realizes that eventually the nature of the charges will become public knowledge. The minister would not want to be accused of himself misrepresenting the facts.

[Mr. Orlikow.]

Surely it is wrong for the RCMP or any other agency of government or any other individual to exert pressure, legal, moral or any other, on any person in Canada, particularly a police officer, so that they would not give whatever information they had to a duly constituted royal commission in this country. It seems to me that is the issue. If in fact that is what happened—and the minister has not said it has not happened—if the superintendent or senior officer of the RCMP instructed or directed an RCMP officer not to give information which he had to a duly constituted royal commission, then it is not Corporal Radey who should be on trial but the officers of the RCMP.

I hope that the Solicitor General will take this matter more seriously than he seems to have done, and I hope he will stop the practice which, I think solicitors general have had for so many years, of simply taking the word of the RCMP that what they have done is proper, correct, legal, and everything else. I hope he will look at the role of the RCMP and see that it deals with the problems it faces on a proper, legal, and moral basis, which in my view it has not done in this case.

Mr. G. W. Baldwin (Peace River): Mr. Speaker, my comments will be brief. I have taken the matter quite seriously. I have come into it completely fresh as I did not know what the facts were. But I listened very carefully to the minister and to the hon. member for Greenwood (Mr. Brewin). The response contained in the letter read by the minister would suggest to me that it was calculated—I do not say deliberately—to set at rest the agitation, the anxiety of the hon. member for Greenwood, who is disturbed about this issue and quite properly so.

I am concerned here about the issue involving Corporal Radey and the RCMP. I think, as Your Honour has pointed out, that has probably decided our terms of reference.

We hear a lot of talk about ministerial responsibility. The Prime Minister (Mr. Trudeau) has used that phrase quite frequently with regard to the right of the Privy Council and the Prime Minister to be the final arbiter of what shall be the scope of disclosure of documents, for example, in the McDonald royal commission. Ministerial responsibility should be at its highest level in this House. If I, the hon. member for Greenwood, or any of my colleagues on either side of the House, seek to ask a question, and it is then indicated that a letter will come in reply, we are entitled to accept the words in that letter at face value. I am sure the hon. member for Greenwood, receiving that letter, decided not to proceed any further with the matter because of the contents of the letter. I would have been in exactly the same position, saying "this is a good response. It settles my doubts and I am not going to proceed with it any more."

If that is ministerial responsibility, and I am not suggesting nor would I be allowed to suggest that the minister did this deliberately—he wrote this letter on the basis of what was put before him—then this is a sad commentary on this principle of ministerial responsibility.

How can we accept in this House such comments contained in a letter—not the kind of answers that come on the spur of