

Oral Questions

gone on in the security services and what has been the role of ministers of this government?

Mr. Fox: Mr. Speaker, I will say this to the Leader of the Opposition, that unlike him we are not ready to turn over the RCMP to the examination of a provincial commission of inquiry.

REASON FOR DIFFERENTIATION IN ATTITUDE TOWARDS THE
KEABLE COMMISSION AND PORTER COMMISSION

Mr. Bill Jarvis (Perth-Wilmot): Mr. Speaker, I have a supplementary question for the Solicitor General. In view of the fact that persistently in this House his colleague the Minister of Energy, Mines and Resources has advanced and advocated the right of the Porter Commission in Ontario, namely that a provincial commission has the right to investigate, among other things, nuclear power, a matter clearly within federal jurisdiction, how can the Solicitor General with any integrity now claim that he and the government are not vacillating in their position when they attempt to stifle the Keable inquiry?

Hon. Francis Fox (Solicitor General): Mr. Speaker, I think it is quite clear if the hon. member wishes to examine the facts. The last time that I looked at them, the RCMP was a federal police force, and when operating in the field of national security it is occupying a field which is under the jurisdiction of the government of Canada, under the constitutional power of peace, order and good government. It seems quite clear to me, Mr. Speaker, that while it is quite proper for a provincial authority to wish to inquire into certain specific illegal acts, it is quite improper—and I am astounded that hon. members opposite would want to get the other idea across—to suggest that a provincial legislature can give powers to a provincial tribunal or court which that provincial legislature does not have.

A provincial legislature does not have the right to call the RCMP before it in order to examine it. In the same manner, a creation of that provincial body does not have the power to examine the day to day operations of federal agencies. What the opposition is now suggesting, Mr. Speaker, is that we turn over a federal Crown agency to the control and supervision of a provincial legislature, and that is not the position of people who sit on this side of the House.

● (1422)

Mr. Jarvis: Mr. Speaker, what the opposition is suggesting is that the minister and the Minister of Energy, Mines and Resources better get their act together in advancing this government philosophy of their's.

My final supplementary question is this. Is it the Solicitor General's position that a provincial inquiry is acting within its jurisdiction when it is investigating a specific criminal activity, but if it ever gets off that one specific activity into more general activity it is then ultra vires? Is that the position the minister is advocating today?

[Mr. Clark.]

Mr. Fox: Mr. Speaker, my position is that when I receive subpoenas which ask me to table, before a provincial inquiry, all the manuals of procedure and all the methods of operations of the security service of Canada, then we on this side of the House believe that commission has gone beyond its mandate and beyond the scope of the constitutional powers of any province in this country, and I have asked a judge of the Superior Court to hand down a decision in this matter.

Mr. Alexander: Have you ever thought what would happen if he turns you down?

Some hon. Members: Oh, oh!

POSSIBLE SURVEILLANCE OF MEMBERS OF BRITISH COLUMBIA
GOVERNMENT DURING 1972 AND 1973

Mr. Edward Broadbent (Oshawa-Whitby): Mr. Speaker, I would say to the Solicitor General if he gets a request that is clearly unconstitutional, it may make sense to turn that down, but that is entirely different from challenging the right of the commission to exist. My question, however, is directed to the Prime Minister. Considering what the Prime Minister has said about the surveillance of democratic political parties in Canada, I would like to ask whether he would confirm that the democratically elected government of the province of British Columbia in 1972-73 was under systematic surveillance by the RCMP? In relation to that, would he tell the House whether the financial records of the New Democratic Party of Canada were at any time acquired by the RCMP and passed on to RCMP headquarters in Ottawa?

Right Hon. P. E. Trudeau (Prime Minister): Mr. Speaker, I do not know of any investigation of the British Columbia government by the RCMP. I can remember that the leader of the New Democratic Party accused the RCMP of having broken into his headquarters, I believe in Ontario somewhere. He never was able to substantiate that, so I would have some doubt about his second expression.

Some hon. Members: Oh, oh!

Mr. Broadbent: Typical cynical regard for a serious question.

Some hon. Members: Oh, oh!

Mr. Broadbent: Mr. Speaker, on a question of privilege; I at no time ever made the allegation—

Some hon. Members: Oh, oh!

Mr. Speaker: Order, please. If the hon. member has a question of privilege I will hear it at three o'clock. If he has a supplementary question he should put it now.

Mr. Broadbent: Mr. Speaker, the Prime Minister is never comfortable with the truth.

Some hon. Members: Oh, oh!