

Supply—Justice

not this would affect the full integrity and ability of the force to function as a law enforcement body everywhere it may be called upon to operate in Canada.

Having taken into consideration the factors then present in the unfortunate circumstances in which the call for reinforcements was made, I came to the conclusion that to accept that call for reinforcements would prejudice the integrity of and regard for the police as a law enforcement body and would prejudice their ability to discharge their obligations everywhere in Canada, and that it would therefore not be proper for me to accept the call and follow the course of sending reinforcements. I took that decision in view of my concept of my over-all responsibility for the force. As I have said, there may be differences of opinion about this matter but I have no apologies to make for it to Michael Barkway, the Leader of the Opposition or anybody else. Indeed, I think if I had sought to avoid that responsibility on the grounds that I might be prejudiced or that there might be an embarrassing discussion in the house or, indeed, even on the ground that the commissioner might resign, then I should have been worthy of any contempt that anyone might care to put upon me.

So, as I have said, I think that the Leader of the Opposition in what he said has reduced the matter to its real perspective. Here was a case where the commissioner had one view about what should be done and the minister in charge had another. The Leader of the Opposition referred to my words in the statement on March 16 where I said:

It is therefore an essential responsibility of the force to retain its full integrity and its ability to discharge that duty on a national basis.

That is the duty of law enforcement. The Leader of the Opposition said that he was sure that the commissioner would not have made the request to send reinforcements if he had felt that it would interfere with the full integrity of the force. Of course he would not. I am as certain as the Leader of the Opposition is that he would not have made that request if he had thought it would interfere with the full ability of the force to discharge its responsibilities everywhere. I formed the judgment that I did and that was a judgment I had to form. I cannot do anything but repeat that that was my judgment, that was my decision, and under the circumstances I felt that I was therefore bound to refuse the request.

As to the reasons why I came to that conclusion, they have already been placed on *Hansard* as found on page 1961. I have already drawn a distinction which to me is obvious and I am sorry if Mr. Barkway cannot see it. To me it is an obvious distinction

between police who are in a province in a certain situation and under contract, as they were in Newfoundland—

Mr. Pickersgill: Mr. Chairman, I think I will have to raise a point of order at this time. Both my leader and I have desisted at once when the minister suggested that we were entrenching upon what is before the courts. It was precisely on this point that the minister first raised a point of order with me, and I think he is now doing the same thing.

Mr. Fulton: What I was going to read has already been read into the record by my hon. friend or the Leader of the Opposition, but I want to read it into the record in the context of what I have to say. Perhaps my hon. friend would listen to the passages and if he protests again I will be glad to consider the objection. What I was saying was that I have already drawn a distinction between the obligation of the men who are there in Newfoundland to carry out the orders of the attorney general on the one hand and the situation when a province under these circumstances requests reinforcements. I said on March 16, and part of this has been put on *Hansard* before, most recently by the Leader of the Opposition:

In the current situation the activities of the government of Newfoundland appear to have gone beyond the usual role of a government. That role in this context is first to provide the machinery for promotion of industrial peace and development and for the settlement of industrial disputes, and second to preserve and enforce law and order in the course of any dispute that may arise.

In the current situation, however, the activities of the Newfoundland government take on the character of an intervention in a dispute actually in progress, on the side of one of the parties and against the union which up to that time had been chosen as the bargaining agent by the workers and certified as such under the terms of the appropriate provincial legislation.

This is an abnormal role for a government, and certainly has the elements of an attempt to extinguish from the province a trade union national in character and hitherto chosen by the workers in that industry, in that province, as their bargaining agent.

As I appreciate the situation, therefore, the request made by the government of Newfoundland for the Royal Canadian Mounted Police reinforcements takes on the character—

The request takes on the character, not the conduct of the men already there in the province, but the request for reinforcements takes on the character—

—not of a request to assist in the normal function and duty of the province in maintaining law and order, but of a request for additional help made necessary in the course of the furtherance of a project to extinguish a union from the province.