

The case mentioned by the hon. member for Vancouver North was disposed of in May, 1935, after a very thorough investigation by the chief of the general staff, a board of officers, and the district officer commanding. The case was brought to the attention of my predecessor, the hon. member for Yale (Mr. Stirling), who, this committee will agree, is a gentleman of very fair and very eminent judgment. I perused all the files—I am not going to refer to any confidential documents in connection with this officer; I do not think it is necessary for me to do so—I considered the reasons for dealing with him as he was dealt with, and I am constrained to say with great regret that I agree with the action which was taken with respect to him.

My hon. friend has mentioned charges in connection with a Quebec regiment. A court of inquiry was held. As my hon. friend says, he was denied access to the proceedings of the court of inquiry. He was, however, offered private access to the proceedings of the court. If this house wishes to assert as a matter of principle that the proceedings of courts of inquiry in the Department of National Defence shall be open to any hon. member of the house, I have not the slightest objection. The principle all through the years has been that these are confidential proceedings, and not producible, but if the house wishes to establish another principle I am entirely willing and even anxious to see that all these proceedings are brought down with reference to any of these troubles which have arisen.

Mr. BENNETT: I believe that in the British parliament they bring down courts martial proceedings.

Mr. MACKENZIE (Vancouver): Personally I would have no objection; indeed I rather agree with my right hon. friend with reference to the proceedings of the court of inquiry he has mentioned, and I have not the slightest objection to bringing them down. I agree with the judgment of my predecessor with regard to this case. I want to say nothing reflecting on this officer. It would not be fair to use the privileges of parliament to reflect on any officer. But I do say this, that a court of inquiry was held with reference to the allegations mentioned, and honestly mentioned, by the hon. member for Vancouver North. As I have said, if the committee wishes that the proceedings of courts of inquiry in every case shall be made available, I am not only anxious but willing that these documents shall be brought down. Both these cases were left on my doorstep when I was entrusted with the responsibilities of the department. I endeavoured to do the

best I could in the Winnipeg case; in the Quebec case I sustained the judgment of my predecessor, and I think I was doing justice in so doing.

Mr. BENNETT: And in the Nova Scotia case also.

Mr. MACKENZIE (Vancouver): Yes.

Mr. MacNEIL: Were the charges against the principal officers concerned substantiated in any form, particularly with regard to dealing with funds and the misuse of government property? If they were not cleared of these charges, why have they since been granted promotion?

Mr. MACKENZIE (Vancouver): I am informed—this is subject to further inquiry—that these charges were not substantiated. I should be very glad to bring down the proceedings of the court of inquiry for the hon. member to see.

Mr. MacNEIL: Can the minister make any statement with reference to the proceedings against the junior officer?

Mr. MACKENZIE (Vancouver): I recall that it was arranged that there should be a conference in October, 1937. I instructed the deputy minister and the adjutant general to be in my office to meet with that officer. The officer, however, never turned out for that investigation or inquiry.

Mr. STIRLING: The minister has referred to the fact that action in the Roy case was taken during the time of his predecessor, and as I was that predecessor perhaps I should make a remark or two. As to that portion of the reference which the hon. member for Vancouver North (Mr. MacNeil) has made to the Royal 22nd Regiment, dealing with Captain Roy's case, I have a general recollection of the case. I cannot be expected to remember the details, but I do recall that before making any decision I gave careful study to all the related facts and circumstances, because to take such action against any man is a serious matter. The inquiries were held consequent upon repeated instances of alleged misconduct on the part of the officer in question. That it was not one isolated incident, but a number of incidents reported over the course of years, is my recollection. Not only was the matter reported on by his commanding officer; it went to the district officer commanding, and then to the chief of the general staff. After I had considered all the reports produced by those three officers, I could come to no other conclusion than that the action should be taken which was taken.