

HOUSE OF COMMONS

Monday, December 2, 1974

The House met at 2 p.m.

[English]

PRIVILEGE

MR. ELLIS—INVESTIGATION OF MEMBERS OF PARLIAMENT BY ROYAL CANADIAN MOUNTED POLICE

Mr. J. R. Ellis (Hastings): I rise on a question of privilege, Mr. Speaker, arising from the point of order raised Wednesday last by the Solicitor General (Mr. Allmand) as recorded at page 1710 of *Hansard*. I regret that this is my first day in the House since the statement was made. The minister stated:

... it was alleged that he had in his possession a classified document belonging to the Unemployment Insurance Commission. This could have constituted an offence under the Official Secrets Act.

I feel I have two points which must be made. First, who was my accuser and how was the accusation made? Why was I not told about the accusation? Surely, any citizen, and perhaps particularly members of this House, is entitled to know when and if they are under investigation, for what purpose and who the instigators are. Surely, an investigation of this sort is not made on the basis of an anonymous phone call. I am confident it was not started by the RCMP themselves but, rather, on the direction of someone within the cabinet.

Second, with regard to the Official Secrets Act, what classified documents relating to the Unemployment Insurance Commission could possibly be construed as "prejudicial to the safety or interests of the state"? Surely, the collection of funds from employers and employees across Canada, adding contributions from government and distributing the same to the unemployed, could in no way be construed as a security matter. It might well be, as has been shown, evidence of monumentally inept bungling on the part of the UIC administration; but surely all Canadians, particularly members, have a right to know what is happening to their money. The disclosure of such a document might be prejudicial to the safety or interests of the government, but that is far removed from an offence under the Official Secrets Act.

Is the Solicitor General, the second highest ranking legal officer in the government, in fact confessing that he is perverting the Draconian provisions of the Official Secrets Act to the uses of the government rather than the state? In light of the serious statements made by the minister, I feel I have a bona fide question of privilege. I therefore move, seconded by the hon. member for Churchill (Mr. Smith):

That the subject matter of this question of privilege be referred to the Standing Committee on Privileges and Elections.

Hon. Warren Allmand (Solicitor General): Mr. Speaker, the hon. member has raised some important questions. I was not the minister responsible at the time, but I would

be pleased to look into the questions he raises. I might say that I said it could have constituted an offence because the police did not know what the nature of the document was at that time. I think, if I remember correctly, the hon. member himself said in a television broadcast that he had a document. Who had asked for the investigation, I am not sure; but I will check into that. I also went on to say in my statement last week that once the RCMP had checked with the hon. member they found there was no ground for any charge and dropped the case immediately. But the hon. member raised some important questions at the beginning of his remarks and I will check into this matter and give the information to him and to the House as well.

● (1410)

Mr. Speaker: Order, please. If there are no other contributions on the question of privilege of the hon. member for Hastings (Mr. Ellis), may I say that the hon. member did give the Chair notice and, as a result, gave us an opportunity to examine the merits of the case. I do not want to dwell on the matter at great length. It is a somewhat unique situation in view of the fact that the matter first arose in the House on Tuesday, November 26, the day before the minister's remarks, when the hon. member for Rimouski (Mr. Allard) was putting questions to the Solicitor General (Mr. Allmand) about RCMP investigations.

In the course of this exchange, the Solicitor General made replies which indicated that members of the House, or others, would not be investigated unless they were suspected of some breach of security or alleged criminal activity. At that point, the hon. member who has just raised the question of privilege rose in his place on a point of order and said, basically—I will paraphrase his words which are, of course, reported in *Hansard*—that, having been subject to an investigation without being suspected of any criminal activity, he challenged the answer of the Solicitor General. In due course, the Solicitor General made further remarks which indicated that in light of the hon. member's remarks, he would check further and report to the House.

In view of the fact that it was the hon. member himself who raised the question and put it in issue, namely, that he was at one time the subject of an investigation as a result of some connection with the Unemployment Insurance Commission, and it was not the Solicitor General who first raised it, and in view of the fact that the Solicitor General then undertook to report to the House—and did report to the House—the following day indicating that, as the hon. member had indicated, the reason for his investigation had to do with the possession of a document connected with the Unemployment Insurance Commission, with the result of the inquiry being that there was no criminal activity or breach of security connected with the