

ORAL QUESTION PERIOD

[English]

NATIONAL SECURITY

ALEXANDER PETER TREU—LIFTING OF SECURITY CLEARANCE
BY DSS

Hon. Robert L. Stanfield (Halifax): Mr. Speaker, I should like to address a question to the Prime Minister on the subject of industrial security. It seems that the security clearance of Alexander Peter Treu was lifted by the industrial security branch of the Department of Supply and Services back in 1973, but that Treu nevertheless continued to get a very substantial number of NATO contracts—

Mr. Basford: Not classified ones.

● (1417)

Mr. Stanfield: I would like some explanation, and I am certainly seeking information as to how it could happen that he could continue to get contracts from NATO, especially since apparently the industrial security branch of the Department of Supply and Services is also the security liaison for NATO in terms of issuing these kinds of contracts in Canada.

Right Hon. P. E. Trudeau (Prime Minister): Mr. Speaker, I am glad the hon. gentleman asks the question. I wish those who were writing abundantly on that matter had thought of asking questions too. The simple answer, as the Minister of Justice indicated, is that the contracts received from NATO during the latter period were not classified as confidential.

Mr. Stanfield: Mr. Speaker, when the security clearance is lifted, as it was in these circumstances, is the person affected notified of this? Was Treu, for example, notified that the security clearance had been lifted back in 1973, or is this something which is not done?

Mr. Trudeau: Mr. Speaker, it is my understanding that the security clearance was attached to the particular function Mr. Treu was then exercising. He was working for one of the major companies in security areas and when he left the company his security clearance ceased by the very fact of his leaving.

Mr. Stanfield: Mr. Speaker, was Treu informed that the security clearance had been lifted, and is there any provision for appeal in these circumstances? Is there any procedure laid down for an appeal so that a Canadian citizen who is affected in this way will know that he has been affected and will know what procedure he can follow if he considers himself to be unjustly dealt with?

Mr. Trudeau: Mr. Speaker, I would have to find out if he was actually informed, but I repeat that it is my understanding that Treu was cleared for security and for working during the period he was working for a certain company, and when he left that company where he was cleared ex officio, he was no longer cleared. I do not know if there was a positive gesture made to inform him that he was no longer cleared. I suppose

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that he concluded he no longer had the clearance of that job, but I will inform myself of that. I will do the same thing as to the appeal procedure.

CRITERIA USED TO DETERMINE SECURITY RISK

Mr. Bill Jarvis (Perth-Wilmot): Mr. Speaker, I have a supplementary question for the Prime Minister, in the absence of the Minister of Supply and Services. My question relates to the criteria used by the industrial security branch to determine through its director, Mr. Jenkyns, who or what is a security risk. As it appears that there may not be an appeal from either a refusal to pass security clearance or a revocation of a previous security clearance, it makes the criteria doubly important. Can the Prime Minister tell the House whether these criteria are in written form and, if so, would he undertake to table them?

Right Hon. P. E. Trudeau (Prime Minister): Mr. Speaker, I cannot answer that question. I will take it as notice.

Mr. Jarvis: Mr. Speaker, the Prime Minister will understand that there might be concern about an inability to table. I accept his undertaking, but an inability to table would naturally and reasonably lead one to believe that the criteria may not exist.

I wonder if the Prime Minister's recollection will enable him to answer another question. Did the cabinet at any time approve security clearance criteria for use by the Department of Supply and Services through the director of this particular branch?

Mr. Trudeau: Not, to my recollection, while I was Prime Minister. There may have been some criteria established before. But I will find out. There are, of course, practices which exist and which provide for an appeal for civil servants who are not satisfied with the treatment they receive. However, to what extent these practices apply to security matters is something into which I will have to inquire.

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ADMINISTRATION OF JUSTICE

NUMBER OF SECRET TRIALS HELD IN CANADA

Mr. Bill Jarvis (Perth-Wilmot): Mr. Speaker, my final supplementary is to the Minister of Justice, on the broader issue of the Treu case. Is the Minister of Justice aware of any prosecution in Canada in the last 111 years—except, of course, during wartime—under any Canadian penal statute, whether it be the Criminal Code, the Official Secrets Act, the Unemployment Insurance Act, or what have you, where the entire trial from its inception through to judgment was held in secret? An obvious exception, of course, would be the recent trial of Dr. Treu. Has there been any other case in Canadian history, except during war years, which has involved secrecy?