

aware of the matter immediately prior to coming into the House and that I would look into it and reply to the hon. gentleman.

I quite readily accepted that the hon. gentleman had raised some connection between the charges and the Laycraft inquiry. That is why, contrary to his allegations, I was very careful in the reply that I forwarded to him. It was a reply which I reviewed quite attentively. I would cite again the paragraph to which he has referred. I stated that while this NCO was one of the principal witnesses involved in the Laycraft inquiry, I was informed that the service offences referred to do not arise from the fact that he gave evidence, nor from the substance of his evidence. The service offences relate to his conduct pertaining to an internal investigation and to his conduct relative to a lawful command.

If the hon. gentleman reviews the charges, which were the subject of a writ of prohibition application before the Federal Court, he will see quite readily that the charge under Section 25 of the RCMP Act refers, not to the evidence that he gave before the Laycraft inquiry, but to a statement that he himself made to his superiors quite categorically, and to a directive that had been issued to RCMP officers that was allegedly not followed. That is the pith and substance of the two counts this gentleman faced. Again, I would simply refer the hon. member to the specific counts that are identified in the internal disciplinary charge.

The service corps proceedings that the hon. member referred to were initiated against Corporal Radey in relation to allegations that he had, indeed, made a false statement and that he had failed to abide by the lawful command of his superiors.

**An hon. Member:** What were the orders?

**Mr. Blais:** The orders were that he was not to consult with solicitors other than those of the RCMP prior to giving evidence to the commission. Those were orders which were issued by the RCMP in terms of the organization of evidence for the Laycraft inquiry.

Corporal Radey was charged, pursuant to section 25 of the Royal Canadian Mounted Police Act, and the service corps proceedings, which are internal disciplinary hearings in the RCMP and are authorized, are held strictly in accordance with the provisions of the RCMP Act. The procedures provided for the presentation of a full defence to the service charges. The member, subject to the hearings, has a right to be represented by another member of the force, and these hearings are held in camera. Members convicted in service court have a right of appeal to the commissioner and, of course, a right to apply for review under section 28 of the Federal Court Act.

In the case of Corporal Radey, the member representing him made a motion on the grounds that the tribunal lacked jurisdiction in that the proceedings were instituted more than six months after the alleged offence. That motion, which was as a preliminary objection before the hearing tribunal, was denied at the time it was moved. An adjournment was obtained so that the application could be made to the Federal

*Privilege—Mr. Brewin*

Court. The Federal Court held that the motion was a proper one and that section 721 of the Criminal Code prevailed in terms of disciplinary offences under the RCMP Act. As a result of that, the writ of prohibition was issued.

Before the House last adjourned, Mr. Speaker, I introduced a bill, Bill C-50, to amend the RCMP Act. This bill died on the order paper. However, it is the government's intention to reintroduce the bill at the first opportunity. It will propose certain changes with respect to internal discipline in the RCMP and in essence it will provide for the enactment of a code of conduct which will apply to members of the force. Contraventions of this code of conduct can lead to informal disciplinary action or, in serious cases, formal disciplinary action.

This is why I was pleased that the hon. member for Greenwood (Mr. Brewin) raised his question in the House at that time, because of my intention to introduce Bill C-50. I am sure the hon. gentleman is mindful of the fact that there has been a commission of inquiry set up under Judge Marin, who made a report relating to matters touching internal discipline within the RCMP. The bill which we will be introducing follows very closely the recommendations of the Marin commission.

Formal disciplinary action will require a hearing which will be held in private, under the proposals in this bill. Under this bill, the member whose conduct is the subject of the hearing, as well as all witnesses called to give evidence at the hearing, will be entitled to be represented by counsel. The bill will provide for two levels of appeal, the first being the internal board of review, which will review the proceedings on the record, and a further appeal on the record to the commissioner.

Provision is also being made for review by an external review committee if the member has been ordered to pay a fine. The review committee will examine the matter on the record, receive written submissions, and the member concerned may present argument personally or through counsel, following which the review committee will submit a report with its comments and recommendations to the commissioner.

Because of the general interest that has been manifested by the hon. member for Greenwood in this matter, I thought that it would be informative for him to be made aware of the fact that we are interested in proceeding with this bill. I would reiterate with regard to his question of privilege that I provided what I felt was forthcoming information relating to specific charges, that I had identified and described the nature of the charges. In the last paragraph of my letter I indicated that there was a writ of prohibition that had been filed with the Federal Court and that I felt that it would be inappropriate for me to make any further comment with respect to particulars. Therefore I kept my reply to the essential ingredients which he had addressed, and I feel that I discharged my responsibilities in accordance with those responsibilities.

**Some hon. Members:** Hear, hear!

**Mr. David Orlikow (Winnipeg North):** Mr. Speaker, I have had the feeling for some considerable time now that if one asks