

*Adjournment Debate*

cle of the Postmaster General (Mr. Blais) rising in his place and telling us there had been no interception of mail; he had talked the matter out with officials of his department and, as the protector of the mail of Canada, he could give an assurance, or, at any rate, leave the distinct impression that there had been no interceptions.

Well, to use a current expression, he was blown out of the water by his colleague, the Solicitor General (Mr. Fox), who acknowledged that the security service had in fact been involved in the opening and copying of the mail—information which has now been passed over to the McDonald Commission.

It appears that the Postmaster General has been very negligent in his duties to the extent that he had not asked his colleague in the same row whether or not any of the allegations which had appeared in the press and in national news reports had any substance.

● (1802)

The question was not whether someone within the Post Office was intercepting mail. It was an allegation that the security service under the aegis of the Solicitor General had in fact opened the mail and, in fact, had gone to the Post Office and intercepted mail. The Postmaster General stood up in his place and had to be told by the Solicitor General during the question period that this was the case.

I want to bring some basic facts about this whole matter to the attention of the House. First, there is no question about the fact that intercepting mail is illegal under Section 43. The Postmaster General understands that. He indicated that in the House.

We want to know the attitude of the government with regard to the interception and opening of the mail. Does the minister of a given department have any given obligation to know whether his officials are obeying the law? Apparently the Prime Minister (Mr. Trudeau) does not hold there is a responsibility upon ministers to inquire whether they are obeying the law within the department. He said on November 2, as reported at page 568 of *Hansard*:

I am a little dubious of the context in which the hon. member says that the operations should be an open book—

That is referring to the minister responsible. Is he saying that in the case of the Solicitor General he should not have a detailed knowledge of what mechanisms are being used by people under his responsibility? Furthermore, the Official Secrets Act places upon the Solicitor General the responsibility of ensuring that the Security Services do in fact obey the law as it applies to surveillance.

Part IV.1 of the Criminal Code applies to any person who intercepts a communication without a warrant. Only the Solicitor General can issue a warrant for an intercept to take place. Under the provisions of Section 16(5) of the Official Secrets Act, which was referred to in the House today, the Solicitor General makes an annual report respecting occurrences of surveillance and intercepts employed. This can only be construed as parliament putting a clear obligation upon the

[Mr. Hnatyshyn.]

Solicitor General to keep himself informed as to the method of surveillance used by the security force.

The predecessor to the Solicitor General was guilty of gross neglect in his fundamental ministerial responsibility. In three successive reports the present Minister of Consumer and Corporate Affairs (Mr. Allmand) neglected to mention the use of postal intercepts which, considering the frequency with which they were used, shows a complete failure to exercise his responsibility to determine what was taking place in his department.

Today the Solicitor General said in the House that his predecessor, the Minister of Consumer and Corporate Affairs, had authorized a postal intercept which, because of Section 43 of the Post Office Act, was illegal. It stretches credibility to the breaking point to believe that the Minister of Consumer and Corporate Affairs did not ask a question of his security service advisers, "Are you conducting mail intercepts at the present time?"

Even the Minister of Supply and Services (Mr. Goyer) stood up in the House to try and defend himself, although not very successfully. The present Minister of Consumer and Corporate Affairs does not have the guts to make a statement on motions with respect to his involvement or neglect in this area. He sits mute, and allows another minister to try to answer for him. I suggest he is without any fortitude at all if he does not come forward and state his case with respect to this matter.

The present Solicitor General is not fulfilling his function with respect to mail interceptions. To use the Prime Minister's now infamous words in the House, it is very suspicious that although the deputy director of the security service knew all about the mail intercepts over a year ago, the Solicitor General can contend that his officials did not mislead him nor did he mislead the House as to the degree of his ministerial knowledge or responsibility.

In June, 1977, the Solicitor General told the House that he had met with his officials who had told him that the APLQ break-in was an isolated incident. Now we are asked to believe that the officials he met to discuss the question of illegalities did not include the deputy director of the security service who knew of the mail intercepts. Not only that, but we are asked to believe that the director of the security service did not know of the interceptions even though his immediate subordinate did. How far does the arm of coincidence stretch? I suggest that it does not stretch far enough to cover all the ifs, perhaps, and wherefores of the Solicitor General and spokesmen for the government, including the Postmaster General.

● (1807)

I make one parting reference to the Minister of Supply and Services (Mr. Goyer) who was involved in all of this and who, you will recall, Mr. Speaker, promised to make the security services accountable to the government. He hired Mr. Starnes, a man who is now held out as scapegoat for the government's failure in the field of security. Mr. Starnes said on Friday that he would be very surprised if he had neglected to brief the present Minister of Supply and Services on the APLQ break-