

Supply—Justice

The Spencer case with which we have been dealing and which has received so much publicity is only one of many cases which would be relevant, of course, to such a study so far as the procedures adopted in the case were concerned. Many others have occurred since security became a problem. I feel quite certain that any commissioner who was appointed to look into this matter would naturally wish to go as far back as he might want to go in order to ascertain the procedures of the past. Then he could decide how they should be changed, in light of the experience gained over the last 15 to 20 years, to be brought into line with the requirements of the present time.

Mr. Diefenbaker: Would the Prime Minister allow a question at this stage. Would this commission have the responsibility to go into individual cases, and would it have available to it the evidence given before the United States Senate sub-committee on security, which met in 1951 and 1952?

Mr. Pearson: I cannot speak for the commissioner but I am certain in my own mind that any terms of reference of a commission of this kind should make it possible for the commissioner to go into exactly the kind of thing my right hon. friend has mentioned. If there have been hearings held in Washington or London or any other foreign capital which affect Canada, or there are any documents bearing on our security procedures and problems, the commissioner should have the right to ask for them and to study them in camera. I myself have no feeling that he should be limited in any way as to how far back he might wish to go. That is my view of the nature of this kind of inquiry.

Mr. Diefenbaker: Is that on procedure? Is the Prime Minister saying there will be no limitation as to how far back he can go on the question of the procedures followed?

Mr. Pearson: That is right, Mr. Chairman, as well as the effect of these procedures; their adequacy or inadequacy in regard to the security problems of the time, and the responsibility of the government in carrying out these procedures.

I should think that the commission, or if it was one man, the commissioner, should have great discretion in this regard. The terms of reference, if this house agrees he should not be limited in any way by time or the nature of the inquiry as long as it bears on national

[Mr. Pearson.]

security procedures and the responsibility of the government for that very important national question.

• (4:50 p.m.)

Mr. Chairman, I have tried to deal with two aspects of this question this afternoon. One, the immediate problem of Mr. Spencer and the kind of inquiry which I believe will meet the necessities of this particular case as they were outlined by me on Friday afternoon when I talked about the new element which had been introduced into this question when Mr. Spencer himself requested an inquiry. He himself laid down the kind of inquiry he would desire to have and he repeated that last night. This would be inquiry into the employee-employer relationship, the nature of the dismissal, and matters which the commissioner would have to look into in order to determine whether the nature of his dismissal inflicted any wrong on him.

Then, the other question, Mr. Chairman, is the general question of national security procedures and what might be done in regard to investigation into that whole, very important field.

Mr. Diefenbaker: Mr. Chairman, in the last few days we have witnessed a change of front and of attitude that gives added weight to the sovereignty of parliament, and the effect of parliament upon a government which, up to the present time, has shown no signs of accepting the suggestions of the opposition.

I say at once that in the field of security the responsibility that rests on the Prime Minister is a great one. If, a few days ago, or at any time during the past two weeks the Prime Minister had taken the stand which he today adopts with such equanimity, and which he and his ministers opposed with such harshness, the debates would not have been as acrid as they have been. However, I want to say that these things were requested by the opposition. They were ridiculed out of hand. These requests were answered by successive ministers speaking for the government, including the Prime Minister, with derision and contempt. But all these things are over.

On Friday, minister after minister stood up and said, "Never, never, never will a judicial inquiry be permitted." "Jamais, jamais, jamais" was the answer on Friday. On Friday three ministers stood up and said "Never, under any circumstances would there be any inquiries permitted or allowed."