

Oral Questions

Mr. Trudeau: Perhaps, Mr. Speaker. I think the course we are following is the correct one.

Mr. Diefenbaker: It is all wrong, and you know it.

Mr. Trudeau: The Minister of Justice has investigated these charges and he has answered them in part in a letter that was published, without the minister being responsible for that. He has now taken the course of consulting with the chief justice of Quebec, through whom these matters should properly go. If the chief justice of Quebec finds he wants to pursue the matter, then we will pursue the matter in whatever way he suggests. At this stage I think the initiative taken by Justice Mackay has been dealt with by the minister in his answer in a way that satisfies me. However, I repeat that if the courts of Quebec, through their chief justice, have other views, we will be glad to hear them. I, personally, do not believe that an inquiry such as suggested by three members on the other side would be in the interests of justice in the province of Quebec.

Mr. Broadbent: A supplementary question, Mr. Speaker. I will try to make my question brief. I want to make it clear that, speaking for my colleagues, we have not prejudged this case in any way. The issue is one of extreme seriousness. Following from what the Prime Minister has said, since one of the implications of Justice Mackay's letter is that there is continuing interference with the judiciary—I repeat that I am not necessarily agreeing, but that is the allegation—does the Prime Minister not think that by leaving the matter internal, even after careful consideration by the Minister of Justice and himself regarding an inquiry that presumably the Prime Minister is implying will be made by the chief justice of Quebec, keeping the matter internal like that and possibly reaching a negative conclusion, rather than establishing that innocence is beyond question, will result in everything remaining under a cloud of suspicion?

Mr. Trudeau: Mr. Speaker, the suspicion certainly would not be what we would have wished. I agree that the charges are serious. I think I have indicated that I regret the way in which they have been made, and the way in which they have been made public. I believe these charges are a matter for the chief justice of the province of Quebec. It appears from the published correspondence that this is also his opinion. I repeat that the Minister of Justice, presumably through his officials, will communicate with the chief justice. Certainly, I want to make sure that we hear all sides of this matter before considering it closed.

Mr. Broadbent: You are judging your own case, aren't you?

Mr. Trudeau: I am not the chief justice, Mr. Speaker. We are asking the chief justice to look into the matter, which is the proper course for any judge who has a complaint of the nature and seriousness of the one that has been made.

Mr. Broadbent: A final supplementary question, Mr. Speaker. I ask the Prime Minister why he would not consider appointing the chief justice of the province of Quebec himself to head this inquiry and to conduct it in public, so that if innocence of all the people who have been

[Mr. Diefenbaker.]

charged turns out to be the case, which I genuinely hope will be the case, then it will clearly be seen to be so. Why will not the Prime Minister ask the chief justice of Quebec to conduct publicly such an investigation, instead of keeping it, I will not say secretive, but certainly private?

Hon. Ron Basford (Minister of Justice): Mr. Speaker, if I may answer that, it is because there is nothing in front of me that indicates there are any private communications to a judge for the purpose of influencing his decision, or that there have been actions to obstruct, pervert or defeat the course of justice. There are certain procedures. If there is that sort of information, and if such attempts have been made, the person who would be in possession of those facts would be the chief justice of Quebec. That is the purpose of communicating with him.

ALLEGATIONS OF INTERFERENCE BY JUDGE MACKAY—
POSSIBILITY OF OTHER INCIDENTS

Mr. Lincoln M. Alexander (Hamilton West): Mr. Speaker, let me direct my question to the Prime Minister since we have become bogged down with only three instances. When one reflects on the letter of Mr. Justice Mackay dated February 20, one sees that he wrote "I can think of at least three incidents which in my view are unwarranted attempts to interfere with the judicial process". The obvious implication from that is that more than three such incidents may exist. Accordingly, I would ask the Prime Minister whether he can inform the House if he intends to direct or has directed the Minister of Justice to investigate the possibility of further ministerial interference with the judiciary?

Hon. Ron Basford (Minister of Justice): Mr. Speaker, the person in the best position, of course, to advise on that, in line with our tradition of the independence of the judiciary in this country, is the chief justice of the province, who is responsible for the management of his courts and for their independence and protection. If, of course, the chief justice has indications of that kind of influence from his judges, I have every confidence in the chief justice of Quebec to report those to me or to the proper authorities.

ALLEGATIONS OF INTERFERENCE BY JUDGE MACKAY—PRIME
MINISTER'S DISCUSSIONS WITH MINISTER OF NATIONAL
HEALTH AND WELFARE

Mr. Lincoln M. Alexander (Hamilton West): A supplementary question, Mr. Speaker. I hope the Minister of Justice will be specific in directing his question to the judge in order to determine just what other instances he has in mind, if any. One last supplementary question for the Prime Minister. In light of the fact that the Prime Minister's then principal secretary has been mentioned in this article, has the Prime Minister had a discussion with his then principal secretary as to whether there were any other interventions made by him, and has this discussion been since these revelations have come to his notice?

Right Hon. P. E. Trudeau (Prime Minister): Yes, Mr. Speaker, I have had a discussion with my former principal