

Adjournment Debate

And more than five members having risen:

The Acting Speaker (Mrs. Morin): Pursuant to order made earlier, the recorded vote will take place tomorrow after Government Orders are called. There is no indication of further business.

Some hon. Members: Ten o'clock.

The Acting Speaker (Mrs. Morin): Is it agreed that we call it ten o'clock?

Some hon. Members: Agreed.

PROCEEDINGS ON ADJOURNMENT MOTION

[English]

A motion to adjourn the House under Standing Order 40 deemed to have been adopted.

ADMINISTRATION OF JUSTICE—DREDGING CONTRACTS AT HAMILTON—POSSIBLE CONSULTATIONS WITH MINISTER PURSUANT TO SECTIONS 4 AND 5 OF JUSTICE ACT

Mr. Elmer M. MacKay (Central Nova): Madam Speaker, on March 19, as recorded at page 4243 of *Hansard*, I asked the Minister of Justice (Mr. Lang) the following question:

In his capacity both as minister and as Attorney General of Canada, has he been consulted in any respect regarding the Hamilton Harbour and dredging matters pursuant to sections 4 and 5 of the Department of Justice Act and if so, when was this done?

The minister went into a defensive crouch and, in my opinion, did not answer the import of the question.

As this whole matter involving dredging contracts unfolds, it becomes increasingly evident that the Minister of Justice and his predecessors ought to have been more alert and provided more guidance and direction than apparently was the case.

As this House well knows, the Minister of Justice has, under Section 5 of the Department of Justice Act, powers and duties as Attorney General to Canada to, among other things, advise the heads of the several departments of the government upon all matters of law connected with those departments.

In addition, as minister, under section 4 of the said act, he is obliged, among other things, to be "the official legal adviser of the Governor General and the legal member of Her Majesty's Privy Council for Canada;" and he shall "see that the administration of public affairs is in accordance with law;" and have the superintendence of all mat-

[The Acting Speaker (Mrs. Morin).]

ters connected with the administration of justice, in Canada, not within the jurisdiction of the governments of the provinces.

The Minister of Justice and his cabinet colleagues have been less than frank when opposition members have tried to find out why the government has allowed this whole unfortunate matter involving possible fraud and millions of dollars to develop. Make no mistake, this type of situation did not develop overnight.

Let us look back a few years to see what has happened to the Ministry of Justice. When Prime Minister Pearson decided to split off from the Ministry of Justice in 1965 the present portfolio involving the Solicitor General (Mr. Allmand), knowledgeable people expressed concern that there would be a severe diminution of the effectiveness of this portfolio which, up to that time, had been a portfolio pre-eminent among cabinet ministries and second only to the Prime Minister's position in terms of political power and prestige.

A succession of Ministers of Justice, which include the Prime Minister (Mr. Trudeau) and the Minister of Finance (Mr. Turner), have, since then, obviously failed to halt the erosion that the establishment of the Solicitor General's department has caused. In a December issue of the *Toronto Star* for 1965 which reported a press conference held by the then Prime Minister, Mr. Pearson, it was stated, and I quote:

At his press conference last Friday, Mr. Pearson spoke rather vaguely of the need for a more vigorous fight against organized crime. It is probable that the poor showing the department made in the Rivard affair contributed to the decision that a change was necessary.

But here again the remedy may only aggravate the disease. As former Justice Minister Davie Fulton put it this week, "It would be far more likely under the new setup that an RCMP report would never get to the Department of Justice."

What the department needs, in fact, is not a hasty amputation but a careful reorganization to improve co-ordination between its various branches.

In view of the subsequent events, Mr. Justice Fulton, as he now is, was a very good prophet.

It is obvious, looking back over the warning signals extending back to the 1960's, that the ministers of Justice were either out of touch or did not pay sufficient attention to their primary role or else we would not have before us the spectacle of ministers of the Crown hastily passing the buck to their executive assistants and piously denying they had any reason to suspect anything out of the ordinary or wrong with dredging or other related matters.

I am quoting from a December 14, 1971, article in the *Hamilton Spectator* dealing with a news story involving the National Harbours Board and Hamilton Harbour in relation to whether it was proper for a man named Earl Perkins to be both Hamilton's port director and part owner of a firm that handled cargo at the harbour. The mayor of Hamilton at the time also said that the board of control would meet with the harbour commissioners to discuss a waterfront land exchange between the commission and Stelco and Dofasco, something which is now very relevant and current in view of the revelations of what has been going on in recent years. The interesting part is that the newspaper article goes on to say:

Federal Health and Welfare Minister John Munro, Liberal MP for Hamilton East, said he will talk with members of the commission later