

That leads me to my second point. Where did the information used in this book come from? Mr. Palango, in his preface, writes that one of the protagonists:

...agreed to cooperate with me to the extent of giving me access to copies of his old court briefs, handwritten notes and other documents...

That is in relation to the investigation and other matters described in this book.

Throughout the book, words spoken by persons under investigation are often quoted, sometimes at great length. Where did these quotations, which are found between quotation marks in the book, but without indication of source or attribution, come from? One can only assume that they came from transcripts or wire taps or police interviews during the course of the investigation.

Good God, honourable senators, what are we seeing here? Are we seeing RCMP officers upon their retirement taking with them files relating to investigations in which they were involved? Worse still, are we seeing retired RCMP officers who feel they can use that information in any way they see fit? Surely, this constitutes a violation of the Privacy Act.

Many people will be hurt by this book: people who were investigated but never charged, people who were charged but found innocent. They will all suffer the indignity of unhappy events past being dredged up once again, based on the premise of the author and the protagonists that they should have been charged and, once charged, should have been found guilty beyond a reasonable doubt. Also hurt will be current and former RCMP officers whose representations have now been sullied by the book's allegation that they somehow acted improperly or were incompetent in the conduct of their official duties.

This brings me to my third concern, and that is the relationship between police and the media. The book's protagonists obviously have a high regard for so-called investigative journalists and feel they have a role to play in the criminal justice system. Investigative journalists, with appropriate guidance, can go where police cannot go, unencumbered as journalists are by the requirement for such troublesome things as search warrants and the principles of natural justice, due process and the rule of law. Journalists can say or write things, sometimes based on strategic leaks from police officers, that could not be introduced as evidence or would not stand up in court. The only protections are libel laws which kick in after the damage has been done.

I worry about the developing symbiotic relationship between the media and some police officers. The potential — in fact the evidence of — misuse is just too great. I am concerned about the media being used by some police officers to put pressure on someone who is the subject of an investigation.

I am concerned that some police officers evidently think, "If we cannot get them through the courts, we will get them through the media." I am concerned about journalists who either do not recognize their power or who abuse their power. In writing about someone who is the subject of a police investigation who has been charged with a criminal offence, journalists rarely have a

balanced perspective. What they write is untrammelled by the rules of evidence, and yet they have the power of investigator, prosecutor, judge and jury. What they write is often accorded the status of "fact" by the unsuspecting public.

If the media, on one hand, is to benefit from the constitutional freedom of the press, that freedom has to be balanced, on the other hand, by an equivalent responsibility to act fairly, objectively and properly in writing about criminal investigations and charges. That sense of responsibility is sorely lacking, in my judgment, in most of today's journalists who have been overwhelmed by the quest for sensationalism in order to sell more newspapers or books, and generate more advertising revenue.

These are relatively small points beside the major one I wish to raise today: We now have on the public record the allegation that at senior levels the Royal Canadian Mounted Police have been politicized and that, due to budget constraints, organizational, philosophical and turf considerations, the commercial crime and drug enforcement divisions of the RCMP are ineffective.

Honourable senators, what are we to do with these allegations? Are we to leave them hanging without investigation or rebuttal? The RCMP has chosen not to respond, and I think quite rightly so. The RCMP have said it cannot respond to the book's specific allegations because of privacy laws, and I think they are correct. Because the allegations relate to a previous government, the current government may decide to adopt a hands-off strategy. I think that would be a bad strategy because it would leave the allegations to fester.

Therefore, I ask, what does the government intend to do? These allegations are very harmful to the RCMP and could do harm to the RCMP's working relationship with other police forces. I urge the government to undertake an investigation into these allegations and to make a public statement that, in one way or the other, clears the air.

Finally, I also urge the Privacy Commissioner to investigate whether the Privacy Act has been violated through any disclosure of privileged information in that book. Mr. Palango and his collaborators should not be above the law.

On motion of Senator Cools, debate adjourned.

• (1530)

RELATIONSHIP BETWEEN PARLIAMENT AND THE COURTS

INQUIRY—DEBATE ADJOURNED

Hon. Anne C. Cools rose pursuant to notice of Thursday, November 24, 1994:

That she will call the attention of the Senate to the relationship between Parliament and the Courts, including the Law of Parliamentary Privilege and the relevant jurisprudence.