

Supply—Solicitor General

Canadian army officer who was cleared while in the army to handle top secret information. In 1962 Mr. Maunder, who was in the export business, was approached by the commercial counsellor of the embassy of the U.S.S.R., and this commercial counsellor sought to arrange the export of certain articles to that country. Mr. Maunder at once telephoned the Royal Canadian Mounted Police. A constable contacted him immediately and after discussion told him to go ahead with meetings arranged with the representative of the embassy of the U.S.S.R. As these meetings developed, Mr. Chairman, Mr. Maunder gave to this representative of the R.C.M.P. full accounts of his discussions with the Russian representative and he furnished him copies of all invoices, and other documents.

Initially the shipments were made to Russia directly, but later, difficulties were encountered in getting permits under the Export and Import Permits Act. Mr. Maunder was advised by his own lawyer that there was a loophole about which I will not go into details, which involved shipping goods to Ireland, to be transhipped later to the U.S.S.R. He swore at the trial, which I will come to, that he discussed this proposed loophole with the R.C.M.P. constable, and asked him to check into its legality. The constable returned and told him that the loophole had been found in the act, and that he should proceed in the normal business manner.

At this stage I must say, and I do not want to spin it out, for the sake of completeness that he had had previous dealings with the export of goods to Cuba without the prior knowledge of the R.C.M.P. However, he says that he informed the R.C.M.P. of this, and was told that they were not interested.

On May 28, 1963, all the company's records were seized by officers of the Customs Investigation Branch, in co-operation with the R.C.M.P. The Russian Embassy staff members who had been involved in this matter were sent back to the U.S.S.R., and after more than one year's delay Mr. Maunder was arrested and charged with 12 breaches of the Export and Import Permits Act. Three charges were withdrawn. He was acquitted on one and found guilty on eight counts. He was sentenced to a fine of \$41,000 or three years in jail, which was later reduced by the Court of Appeal to \$16,000 or 18 months.

Mr. Maunder was unable to pay his fine and he served nine months in jail. He has

[Mr. Brewin.]

recently been released on parole. His business, as the committee will well understand, has been completely ruined.

At the trial he gave evidence of his dealings with the R.C.M.P. I have a transcript of the evidence given at the trial. In that, the Crown took the view that the discussions he had with the R.C.M.P. were irrelevant. Nevertheless, he was subjected to cross-examination, and his story in respect to his full disclosure of the Russian transactions, to the R.C.M.P., was neither shaken nor contradicted.

At no stage does it appear that the Crown requested that in considering an appropriate sentence, Mr. Maunder's actions in informing the security branch of the R.C.M.P. of his Russian dealings should be taken into account.

On September 23, 1965, Mr. Maunder wrote to the Prime Minister reminding him of his statement in another case, that the action of a person who gave information relating to a security matter to the R.C.M.P. should be praised and not censured; that there would be no question of prosecution. This is related to another case.

The text of the Prime Minister's remarks will be found in *Hansard*, May 11, 1965, at page 1139.

In his letter to the Prime Minister Mr. Maunder recounted the fact that his dealings with the U.S.S.R. had been fully disclosed to the R.C.M.P. and all documents placed at their disposal. In his letter he said, and I adopt Mr. Maunder's words, as he wrote them to the Prime Minister:

I cannot believe that persecution, prosecution, incarceration and financial ruin are just rewards for the service which I have given my country with the full knowledge of the Department of Justice through the R.C.M.P. Should you wish to corroborate any of the statements contained herein the R.C.M.P. records will substantiate what I have pointed out. The transcript of the trial of course bears my own testimony under oath.

No reply, Mr. Chairman, was received from the Prime Minister to this letter, or from anyone on behalf of the Prime Minister.

I have discussed this matter with the Solicitor General, who will no doubt make his own statement in regard thereto. Although I do not believe that there will be any denial that Mr. Maunder did consult the R.C.M.P. about his dealings with the U.S.S.R. It may be denied that the R.C.M.P. were aware of or authorized in any shape or form the illegality of his action under the Export and Import Permits Act.