

*Official Secrets Act*

I referred earlier to the fact that the accused's counsel did not in fact offer any representations on the argument that it was to be a case in camera. I put forward the proposition that obviously that would have to be so in some cases where the very evidence being dealt with was itself so delicate that the speaking about it and arguing about it would do the very damage that was sought to be prevented by the law.

I think any defence counsel would understand in certain circumstances it would be appropriate, just as in some others for the sole protection of the defence or a witness secrecy is the exception, as a permitted and recognized form of action. Here too with the judgment of a court it can be properly brought about.

It is rather sad if members raise the level of their rhetoric to try to appeal to the superficial view of the fact that the trial being in secret was something wrong by talking, as the hon. member for Peace River did, about something behind closed doors in a dark room or the Star Chamber. That is wrong, and should be emphasized. I repeat it in order to emphasize it.

Members of parliament and other citizens ought to have such respect for the courts and our processes that they do not launch into attacks against them without some evidence of a misapplication of a rule or principle. No such evidence has been put before us here.

I would add that we do not have before us, inevitably, the full story of that case. We may have more if the Minister of Justice succeeds in his suggestion that he will see if the judgment of the court, as distinct from the words of the sentencing, may be made available to the House for our further information about the case.

● (1412)

Obviously any law may be reviewed and should be reviewed from time to time, and I indicated earlier that that may well be an appropriate course of action now with regard to this one, but it is quite wrong to use lack of evidence, intemperate rhetoric, and the excitement of concern, based on principles and practices which themselves are completely defensible and understandable, to distort the situation and make it appear as though something is going on which is in fact not in any way a threat to the system of justice in which we all live and which we all defend and cherish.

**Mr. Stanley Knowles (Winnipeg North Centre):** Mr. Speaker, I rise to indicate that we in the New Democratic Party are in full support of the motion which has been placed before the House today by the hon. member for Peace River (Mr. Baldwin). I want to commend him on the campaign he has conducted over a number of years against secrecy in many areas of government. Indeed, the motion he has put down today specifies one particular area where there is too much secrecy for our democratic way of life, and we welcome the opportunity he has given the House to discuss this matter on this allotted day.

I want also to say that, in my view, the hon. member has certainly made a case for the intent of his motion, namely, that

there should be a special committee of this House to review the Official Secrets Act and to recommend such changes as might seem desirable to that committee.

I listened with a great deal of interest, and perhaps a bit of amusement, to the attempt of the Minister of Transport (Mr. Lang) to demolish the case of the hon. member for Peace River by accusing him of indulging in rhetoric and of being intemperate.

**Mr. Dick:** That was because he had a weak argument.

**Mr. Knowles (Winnipeg North Centre):** Precisely. I thank my hon. friend for taking the words out of my mouth. The minister had such a weak argument that he had to turn on the hon. member for Peace River as a man who indulges in rhetoric. The hon. member for Peace River is a very interesting speaker. I like his style. He often comes out with a turn of phrase which really makes the point, but he is not exactly one of the tub-thumping orators of this place. As for accusing him of indulging in rhetoric, all the Minister of Transport was doing was admitting that he did not have a case against the solid arguments of the hon. member for Peace River. Then to throw in the word "intemperate" a few times adds to the evidence against the Minister of Transport that he was really floored by the argument and the case made by the hon. member for Peace River. We certainly give that hon. member and his motion our full support.

One other attempt the Minister of Transport made to belittle this motion was to argue that there have been very few cases under the Official Secrets Act where persons have been charged or brought to trial. I did not make the notes I perhaps should have made, but I think he said that since the Gouzenko case there have been only four cases. One case was dismissed, and another led to a conviction. Others are the two which are with us right now, the case against Alexander Peter Treu, and the harassment of the Toronto *Sun* and its editor, Peter Worthington. In terms of civil liberties and in terms of democracy that is just about the weakest argument I have heard. If there is only one case of injustice, or only one case of the law having done something wrong to a human being, that is a serious matter, and I think it calls for the kind of review which has been proposed by the hon. member for Peace River.

As for those few times that the Official Secrets Act has been used, I noted the reference to the Gouzenko days. I was here then, and I remember the feeling of revulsion there was on the part of people concerned about civil liberties.

**Mr. Ellis:** Nobody can remember when you weren't here.

**Mr. Knowles (Winnipeg North Centre):** The right hon. member for Prince Albert (Mr. Diefenbaker) was here a few years before I was, and my friend, the hon. member for Nanaimo-Cowichan-The Islands (Mr. Douglas), came long before I did.

**Mr. Goodale:** All that is irrelevant.