

Privilege—Mr. Brewin

On October 19, 1978, I put a question to the Solicitor General in the House. It arose out of a report that one Corporal Radey of the Royal Canadian Mounted Police was being subjected to a secret trial because of information given by him—

Mr. Speaker: Order, please. May we have less noise?

Some hon. Members: Order!

Mr. Brewin: The question I put to the Solicitor General arose out of a report that Corporal Radey of the RCMP was being subjected to a secret trial because of information given by him to the Laycraft commission in Alberta that he was the victim or one of the victims, or was concerned with a bugging incident by the RCMP.

The minister did not have the information available, but promised to supply it later. On October 27, 1978, I received a letter from the Solicitor General, which letter is the subject matter of my question of privilege. In my view, the letter is false and misleading. It attempts to dissociate the charges pending under the Royal Canadian Mounted Police Act from the matters arising before the Laycraft commission.

The letter indicated that Corporal Radey had been charged with two service offences pursuant to the provisions of the Royal Canadian Mounted Police Act, both of which related to his conduct as a member of the force. It is alleged that he made false statements in writing to his superiors and failed to obey the lawful command of his superiors. The letter indicated that Radey was one of the principal witnesses involved in the Laycraft inquiry, but that the Solicitor General was informed that the service offences referred to did not arise from the fact that he had given evidence before the Laycraft commission or from the substance of his evidence. Then the letter contains the following sentence:

The service offences relate to his conduct pertaining to an internal investigation and his conduct relating to a lawful command.

The clear implication of this letter is that the charges, for which Corporal Radey was being tried by the RCMP, were not connected with the evidence given or statements made by him in connection with the Laycraft inquiry.

I accepted the minister's statement in his letter, and decided, as the charges under the act against Radey were apparently an internal matter of the RCMP, unconnected with the Laycraft commission, that the matter did not require further concern by myself. However, later on, upon investigation of the actual charges against Radey, it was made abundantly clear to me that the letter was false and misleading.

The first charge against Radey related to an allegation that he had spoken to Chief Superintendent Schramm and Inspector Palmer. The matter in question was the evidence as to the alleged bugging to be brought before the Laycraft commission by Corporal Radey.

The second charge more clearly involved the Laycraft inquiry. It was that Radey disobeyed instructions from Inspector Palmer to discuss his evidence only with counsel for the RCMP, and the fact that, contrary to this instruction, he

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discussed the matters with the counsel for the commission. Inspector Palmer was said to have instructed that he must not consult or discuss with counsel for the judicial inquiry the matters in question, but that he must contact only one Stevens Guille, who was counsel appearing for the RCMP before the Laycraft commission.

The second part of the first charge against Radey employs exactly the same language, word for word, as does the report of the Laycraft commission. I can cite that reference in the report. The statement in the letter indicating the service charges did not arise from the fact that Corporal Radey gave evidence to the Laycraft commission, or did not arise from the substance of his evidence, was and is misleading.

Apparently the purpose of the misleading statements in the minister's letter was to make it appear that the proceedings under the Royal Canadian Mounted Police Act and the secret trial were unconnected with the Laycraft commission. Of course this was false. Evidently someone wishes to discourage any attempt to link the internal RCMP charges with the Laycraft commission. The whole question of the use of the Royal Canadian Mounted Police Act to restrict and restrain an individual police officer from communicating to a judicial commission evidence he planned to present to that commission is raised by this matter.

I do not accuse the minister of deliberately misleading myself or the House, but I suggest that in sending out such a letter the minister was careless, reckless, and sloppy, at the very best.

I will not repeat the general observations of the hon. member for Northumberland-Durham (Mr. Lawrence) concerning the seriousness of misleading members of the House about matters inquired into in the House or connected with House business. Merely I want to emphasize that the whole function of parliament can be defeated if inquiries by members on matters of concern to the House are to be deflected by carelessly drawn or, indeed, intentionally misleading responses in letters. Our duties as watchdogs of the rights and freedoms of individuals will be frustrated if this sort of thing is permitted and becomes common.

If Your Honour rules that I have made a prima facie case of breach of privilege, I will move, seconded by the hon. member for Broadview (Mr. Rae):

● (1512)

That the matter of the alleged misleading letter of the Solicitor General to me, his letter of October 27 relating to Corporal Radey and the charges laid against him under the RCMP Act, be referred to the Standing Committee on Privileges and Elections for inquiry and report back to the House.

Hon. J.-J. Blais (Solicitor General): Mr. Speaker, I have listened with a great deal of interest to what the hon. gentleman has said, and I take his question very seriously. I have no difficulty with the facts the hon. gentleman has advanced in terms of the correspondence being exchanged and the fact that a question was asked in the House. I quite understood the nature of the hon. gentleman's question when it was put in this House, and I replied at that time that I had just been made