

Conduct of Justice Minister

4. Representations were made at least twice to the Minister of Justice by Mr. Erik Nielsen, M.P.

QUESTION PASSED AS ORDER FOR RETURN

BUDDY LEEDS—WITHDRAWAL OF FORGERY CHARGES

Question No. 2,766—**Mr. Macaluso:**

1. Is there any record of representations having been made by any person, or persons, outside the Department of Justice, to the Minister of Justice, or his office or the Department of Justice in the Buddy Lees case between July 29, 1960, when he was arrested on three charges of forgery and July 3, 1961, when the charges were withdrawn and, if so, by what person or persons, and to what effect were the representations?

2. Did the Minister of Justice ask for and obtain advice of the appropriate officials of the Department of Justice before withdrawal of the charges?

Return tabled.

ADMINISTRATION OF JUSTICE

**STATEMENT BY MINISTER OF JUSTICE—
MOTION FOR ADJOURNMENT UNDER
STANDING ORDER 26**

Right Hon. J. G. Diefenbaker (Leader of the Opposition): Mr. Speaker, I rise for the purpose of moving the adjournment of the house to discuss the unparalleled action of the Minister of Justice in endeavouring to bring about pressure on high officers of the Royal Canadian Mounted Police or, in any event, which would have the result of so doing. On Friday, February 26 the Minister of Justice issued a statement which reads as follows:

It is to be noted that Chief Justice Dorion ruled today that certain allusions in the testimony of Deputy Commissioner Lemieux of the R.C.M.P. represented hearsay evidence and should not, therefore, be taken into account. Notwithstanding this, news reports have given circulation to those parts of the deputy commissioner's testimony. In these circumstances, the Minister of Justice issues this statement:

"The Prime Minister was not informed beforehand of the intention of the R.C.M.P. to question his parliamentary secretary, Mr. Guy Rouleau. He first spoke to Mr. Rouleau about the matter on November 24, the date on which he accepted Mr. Rouleau's resignation as his parliamentary secretary."

This statement arose, Mr. Speaker, because of certain testimony that was given before the commission. Before I deal with what that testimony was I should draw the attention of the house to the powers of the Minister of Justice, for I found my application for adjournment of the house on this basis, that what actually took place constitutes an abuse of the powers given. I would refer to the

pertinent sections of the statute passed by parliament. Section 5 of the Royal Canadian Mounted Police Act reads as follows:

The governor in council may appoint an officer to be known as the commissioner of the Royal Canadian Mounted Police who, under the direction of the minister, has the control and management of the force and all matters connected therewith.

That section indicates the amplitude of his powers. There are other sections to which reference could be made. Section 15 deals with the oath of office, which is in this form:

I...solemnly swear that I will faithfully, diligently and impartially execute and perform the duties required of me as a member of the Royal Canadian Mounted Police, and will well and truly obey and perform all lawful orders and instructions that I receive as such, without fear, favour or affection of or toward any person.

Furthermore, Mr. Speaker, the commissioner, assistant commissioner and other officers hold office during the pleasure of the governor in council.

Now I review what actually took place by reference to press clippings for there is no other way to secure the information. The *Ottawa Journal* reports that Prime Minister Pearson may be called before the Dorion commission to explain the testimony of R.C.M.P. Deputy Commissioner J. R. Lemieux that Mr. Pearson tipped his parliamentary secretary, Guy Rouleau, of R.C.M.P. plans to question Rouleau.

The power that a minister exercises over an officer was clearly set out in the evidence given by Mr. Lemieux who is reported as having said that at first Mr. Tremblay had not been satisfied of Denis' guilt, but after some discussion "I believe Mr. Tremblay changed his opinion." Regarding Mr. Favreau's view that it was a matter for internal discipline, the report goes on to state that Deputy Commissioner Lemieux said, "My minister expressed an opinion and when he expresses an opinion I have to respect it".

Now, the testimony, whether hearsay or not, was given and it was to this effect, and I read from the *Ottawa Citizen*:

Justice Minister Favreau said Friday night Prime Minister Pearson was not informed beforehand of the R.C.M.P.'s intention to question his parliamentary secretary, Mr. Rouleau...

Mr. Favreau, in a statement issued through the Prime Minister's office, said that Mr. Pearson first spoke to Mr. Rouleau about the matter on November 24, the day he accepted Mr. Rouleau's resignation, as parliamentary secretary. The statement was issued—

I interpolate here that this is a strange thing, that the Prime Minister should require an amanuensis to issue a statement as to what