

*Divorce Bills*

activity under whatever the provincial law happens to be; that if they are people who are not licensed to practice they are in the same class or nothing more than a paid witness on behalf of whoever they happen to be giving evidence about; and that such evidence—I am paraphrasing Mr. Justice Spence's remarks—given by these people requires careful scrutiny, corroboration and substantiation by others.

We drew this matter to the attention of Senator Roebuck who is chairman of the Senate divorce committee. Yesterday I read extracts from that letter. The answer we received was "Thank you very much. The contents of your letter have been noted". In this instance, as to the people who classified themselves as investigators, namely George Roland Foucher and Jean Vinet, in neither case in the evidence that is before us is there any query made of them as to whether or not they are in fact licensed as private detectives or licensed investigators under the private detectives act of Quebec. I look beyond the information contained in the printed evidence. I have the official papers and documents which go along with this bill and which retain all of the originals, including the original petition, the original transcript of evidence, the notice of application, copies of the advertisements and the like. Nowhere in any of the official documents or papers relating to this particular case is there any indication that anyone was the least bit interested in whether or not Mr. Foucher and Mr. Vinet were licensed as private detectives under the private detectives act of Quebec. I, of course, do not think we are entitled thereby automatically, because there is no indication that they are not so licensed, to come to the conclusion that they are in fact not licensed. It might well be that they are licensed. However, the point is that even after this matter was drawn to the attention of the chairman of the committee of the other place, and even after it had been drawn to his attention that it would be helpful if this information was obtained, there was obviously no desire to do so or no effort made in that direction, thus indicating perhaps that this is something which the committee of the other place or at least its chairman did not consider was a practical or worth while matter. In fact, I remember in one instance reading the evidence given by a lady who classified herself as an investigator and gave her age as 82. She perhaps was licensed as a private investigator, but it seems highly unlikely. From following the evidence that she gave, we learned that she did not go out of her way to discover the circumstances which happened to exist in a rooming house in which she lived. However, she classified herself as an

[Mr. Howard.]

investigator. In that instance I think she would have been nothing more than a paid agent.

With that approach or that background, perhaps we should see just what these two gentlemen, these private investigators, discovered in their search for adultery upon which this petition is founded.

Mr. Foucher who is one of the investigators, and is apparently the major one, gave certain evidence shown on pages 12 and 13 of the record. Certain preliminary questions are asked. Then towards the bottom of the page Mr. Gomery who is the counsel for the petitioner clearly asks as follows:

Q. Were you asked to conduct a divorce investigation on Mrs.—

That is the respondent.

—by myself? A. Yes, on the 30th August, 1961.

Q. Could you tell the committee the result of that investigation?

Then it continues on at some length as follows:

A. On Friday, September 15, and Saturday, September 16, 1961, I followed Mrs.—

He gave there the name of the respondent.

—during the day. On Friday, the 15th, from approximately 1.30 p.m. until approximately 5.30 p.m. when she left from the corner of St. Antoine and Green and entered a black Renault car with a gentleman in it, I followed her. They drove around town stopping off quite some time at the Camillien Houde observatory at the mountain and returning home at approximately 5.30 p.m. I followed the car.

Q. By returning home what do you mean?

A. On returning close to her residence on Selby street, which is just around the corner from St. Antoine street.

Mr. Nugent: Would the hon. member permit a question?

Mr. Howard: Certainly.

Mr. Nugent: It has become obvious that this large group of divorce bills is not going to go through. I can understand what the hon. members are striving to do and I have a suggestion which I hope they will consider. The result of their present course of action is that this large number of divorce bills will not go through and I suggest to them that even if half of the total number were allowed to go through they would still achieve their objective by blocking passage of the rest and would still be bringing pressure to bear as they hope to do.

It can be argued, of course, that we would be discriminating against the other half that we did not pass, but I simply suggest that for the purpose they wish to achieve they are now discriminating against all these people who are unfortunate enough to have divorce bills on the order paper. In effect what I am suggesting is that we do not discriminate