

Q. That is possible in every case. A. We understand that the reviewing tribunal has the full material.

MR. MAYBANK: Yes. There may be some evidence that he has that will not be communicated at all to the accused.

MR. SLAGHT: Yes, that is true.

MR. CLAXTON: I understand that at times the witness who cause the police to recommend the internment of the man is not before the committee at all. Is not that so?

MR. ANDERSON: That is correct.

MR. CLAXTON: There is no cross-examination of the witnesses for an internment?

MR. ANDERSON: There may be cases where evidence is available.

MR. CLAXTON: Not in ordinary cases?

MR. ANDERSON: There was a case in Montreal where the Crown produced at least a dozen witnesses.

MR. CLAXTON: Before the accused?

MR. ANDERSON: No. Counsel were there and they were subject to cross-examination. But in some cases certain witnesses cannot be produced. There are witnesses giving evidence, for instance, saying that they saw John Jones at a public meeting or that John Jones took part in a meeting where there were a thousand people. That could be done without any harm, probably.

MR. MCKINNON: In a case where it is possible that has been done.

MR. ANDERSON: Yes.

BY MR. SLAGHT:

Q. You have not touched the question of onus of proof. Under these wartime regulations we are proceeding contrary to our court practice. An internee gets before the tribunal. The onus of proof is on him to show that he should be released. This