

*Supply—Justice*

I would like to put on the record a relevant paragraph or two from the commissioner's letter which appeared in the minister's speech and in the minister's press release. The commissioner himself, who was surely in a position to judge from the information he had received as to the necessity and the wisdom of the request which he was making for the reinforcements, said:

There is no doubt in my mind as to the need and I am certain that the number of men asked for can be provided without prejudice to "other responsibilities and duties".

I realize that other issues are before you which arise from this strike but I feel most strongly that the matter of law enforcement should be isolated and dealt with on its own merits. This is the attitude the force has taken throughout. It has not concerned itself with the issues back of the strike but has merely tried to maintain law and order in the area.

This was the position taken by the commissioner which the minister was unable to accept and as a consequence the commissioner found it necessary to resign. In this statement to the house the minister also had this to say:

We must also consider the over-all responsibilities of the force, and our responsibility for the force, in a much wider context.

The primary duty of the force is to maintain law and order wherever the force operates throughout Canada. It is therefore an essential responsibility of the force to maintain its full integrity and its ability to discharge that duty on a national basis.

Mr. Chairman, I cannot for one minute believe that the commissioner would have made the request for reinforcements if he thought for one minute that that request, if made, would have prejudiced the full integrity of the force or its ability to discharge its duty on a national basis. In his statement the minister went on to say:

In my view I cannot overlook, in assessing the responsibilities of the force, the necessity to ensure that it is not cast in a role which in effect might disable it from discharging its responsibilities.

Mr. Fulton: Mr. Chairman, I am afraid I will have to raise here the same point I raised earlier with respect to the hon. member for Bonavista-Twillingate, namely that the attorney general of Newfoundland, by referring to the Supreme Court of Canada the question of whose interpretation of these contracts is correct, has placed it beyond discussion in the House of Commons at the present time under the sub judice rule. In what the hon. member is now reading he is discussing the reasons I gave at the time for my decision. As I say, there are differences of opinion as to whether that decision is right or wrong. But if the Leader of the Opposition is to discuss my reasons I would have to defend them and we would get right into the question of who is right in his interpretation of the contract. I

suggest therefore that this part of the discussion by the Leader of the Opposition is out of order.

Mr. Pearson: Mr. Chairman, I will not continue to discuss this matter, although it does not seem to me to have a bearing on the contract at all. I was staying away from the interpretation of the contract. I will just say this; I do not believe for one moment that the commissioner of the R.C.M.P. would have made a request for reinforcements in respect of this situation if it would have interfered in any way, shape or form with the responsibility of the R.C.M.P. in the discharge of its duties as a police force in Newfoundland or in any other part of Canada. Perhaps we can let the matter stand there.

Then the minister went on to say:

In the current situation, however, the activities of the Newfoundland government take on the character of an intervention in a dispute actually in progress, on the side of one of the parties and against the union which up to that time had been chosen as the bargaining agent by the workers and certified as such under the terms of the appropriate provincial legislation. This is an abnormal role for a government.—

Mr. Chairman, I am not entering into the question of whether this is an abnormal role for a government or not; I am not entering into the question of the dispute which brought about all this trouble. This is not what we are discussing; but the minister uses this question, he uses this mistaken—as he thinks it was—policy of the Newfoundland government, a political matter, as an argument for not meeting the request for police reinforcements. In other words, the minister as the Attorney General of Canada, is the judge of Newfoundland's policy in this matter in so far as it relates to the discharge of its obligations in a contract with the government of Newfoundland and, so far as I know, in coming to this conclusion which was based on an assessment of provincial policy. Also in coming to this conclusion, so far as I know, he had no discussion, no consultations of any kind with the Newfoundland provincial government or with the attorney general of Newfoundland. If I am wrong in this conclusion he will no doubt correct me. But I will ask him again; before he made up his mind, before he used this argument of provincial policy, did he discuss this policy with the attorney general of Newfoundland who had the primary responsibility for the administration of justice in Newfoundland? It seems to me that the conclusion to be drawn from the minister's attitude in this matter is that in regard to an obligation of this kind we, the federal government, the Attorney General of Canada, will discharge our obligations in the matter in the light of