

which prevented others from taking action that ordinarily could be taken; but there has been no explanation about one very remarkable feature of this report, which is no explanation of the solicitous attitude of the government toward those engaged in this industry. On page 79 of this report we find the statement of the commissioner that:

It is clear that the association had in effect a double set of minutes. One of them, official and signed, gives little or no indication that the members reached agreement, or even discussed agreement, regarding domestic prices and related matters. The other, which was apparently regarded as even more confidential than the minutes, discloses the details of many such agreements which were obviously designed to lessen price competition in the sale of flour and other related products.

I have not yet seen any statement by the minister which suggests that Mr. McGregor missed some point in connection with this. If he thinks that Mr. McGregor did, then it would be well to explain why that view is held.

It is only for the courts of this country to say whether anyone was guilty or was not. It should be pointed out, however, that a consideration raised by the finding of the commissioner was the question not only of the breach of the Combines Investigation Act, or the breach of the section of the Criminal Code in regard to combines, contrary to the public interest, but the possibility of a breach of section 413 of the Criminal Code. That section provides that a director, manager, officer, or member of any company or corporate body who omits or concurs in omitting to enter any material particulars in any book of account or other document with intent to defraud is guilty of an indictable offence and liable to seven years' imprisonment. If there was a double set of records, as the commissioner reports, and as is set out in detail in the report, then certainly it is a subject which should have received the most careful consideration.

One of the details disclosed was that there was an agreement in restraint of competition in one set of records and not in the other, if the findings in the report are correct—and that does not relate to the judgment of the commissioner; it relates to the actual words quoted from the records put in evidence. Therefore more was involved in this report than a mere breach of the Combines Investigation Act or that section of the Criminal Code which is ordinarily invoked in such cases.

Only the courts have the right or power to decide guilt or innocence in a case of this kind. But the explanation made by the Minister of Justice on behalf of the milling industry should include some explanation of

the reason for keeping a double set of minutes, if those engaged in that industry were satisfied that the government approved what they were doing. Surely there are obvious reasons why lawbreakers must not be law-makers. The courts might well find the milling industry was innocent of any offence. But, no matter what the courts might find, the government broke a law of this parliament, hid the facts as long as it could from the public, and then offered no apology at any time to parliament for what had been done. On the contrary the minister primarily responsible has recently once again been justifying what the government did. Others prosecuted under the same law, or any other law, have a right to feel a sense of grave injustice when prosecutions are launched by a department of the same government which deliberately placed itself above the law and above parliament.

There is another reason why it is appropriate that this subject should be discussed today. When we met at the beginning of the last session this information was not before the house. Mr. McGregor had not yet reached the point where he found it necessary to resign because of the conduct of the government, and, by his resignation, force this matter out into the open. This, therefore, is the first time members of the house have had an opportunity to pass in a formal way upon the conduct of the government and to say by their votes whether the government is responsible to parliament or is free to decide what laws it will break and what laws it will observe.

This very same attitude, all part of the same pattern, was displayed by the government when an effort was made on a number of occasions during the last session to find out what information the government had in its possession about communist operations, and what steps it was taking. Right up to the last day of the session questions were asked continually about information in the possession of the government regarding the national film board, which it was admitted was no longer making secret films, because of screening for communist activities.

It was even suggested it was unfortunate that this subject had come up for discussion in the house—unfortunate that hon. members representing the people of Canada should have an opportunity to discuss a situation regarded as so serious that even the ordinary films made for educational purposes in the armed forces were no longer being made by the national film board, but were being entrusted to private film producers as being a safer method than through the government body itself. The impression left was that