

my hands than that contained in the letter and no complaint has been received by me.

Because of the letter in my hands, I have asked for explanations from my colleagues who, I may say, are outstanding members of the bar of the province of Quebec and know the laws of this country as well as any other member of the bar of the province of Quebec. I have, however, asked for explanations. On the basis of information supplied to me, I am not persuaded that any action should be taken by me at this time, except to communicate with the chief justice of the province of British Columbia.

Some hon. Members: Oh, oh!

Mr. Basford: That was a Freudian slip, because I see him in the gallery, Mr. Speaker.

Some hon. Members: Hear, hear!

Mr. Basford: But I am communicating with the chief justice of the province of Quebec who, as you realize, Mr. Speaker, is the person principally responsible for the management of this court and for the maintenance of its independence. On the basis of the information I now have, I think it appropriate that I communicate with the chief justice.

Some hon. Members: Hear, hear!

Mr. Woolliams: Well, Mr. Speaker, that is the strangest answer to that question!

Some hon. Members: Oh!

ALLEGATIONS OF INTERFERENCE BY JUDGE MACKAY—
REQUEST FOR EXPLANATION OF MINISTER OF PUBLIC WORKS

Mr. Eldon M. Woolliams (Calgary North): I will turn, now, to another member of the cabinet, and address a question to the Minister of Public Works. In a letter to the Minister of Justice on February 20, Mr. Justice Mackay stated:

After Mr. Ouellet asked Mr. John Turner to intervene on his behalf with the judge presiding over the contempt of court proceedings and was promptly rebuffed, he approached Mr. Drury with more success, but, as it turned out, without the desired effect.

Would the Minister of Public Works tell the House whether he was approached and what kind of assistance he rendered?

Hon. C. M. Drury (Minister of Public Works): My comments on this particular case will, of necessity, be rather limited—

Some hon. Members: Oh, oh!

Mr. Drury:—in that the case in question is currently under appeal. I think it would be only an irresponsible member who would try to persist in having an effect or influence on a judgment on appeal. As to the discussion I had with my colleague, both of us are lawyers, both of us are members of the Privy Council, and I think the House will understand that conversations of this kind are privileged; they always have been and I shall continue to regard them as such.

Oral Questions

I had a conversation, also, with the association chief justice of Quebec, along, as I discovered, with a great many other public spirited citizens who had taken part in trying to effect a solution to a rather difficult and, to some degree, unprecedented problem. The hon. Mr. Justice MacKay has suggested that my intervention, whatever it may have been—and he does not make any suggestion as to what it was—did not have the desired effect.

An hon. Member: What was it?

Mr. Drury: I may say for the benefit of those who are prepared to listen that in my opinion the integrity, the independence, of the judiciary is critical to the successful running of a country such as ours and I both respect and admire this principle. If it were not for the fact that I consider the association chief justice of Quebec, whom I have known for a number of years, to be uninfluencible, in a pejorative sense, I would have refrained from intervening or from having any conversation with him. Indeed, the only intervention that would be contemplated by me would be one to see that he was in full knowledge of the facts and did his duty. I did not attempt to influence the decision.

Some hon. Members: Oh!

ALLEGATIONS OF INTERFERENCE BY JUDGE MACKAY—
REASON FOR REFUSING PUBLIC INQUIRY

Mr. Edward Broadbent (Oshawa-Whitby): Earlier, in his answers, the Prime Minister said that what we have been dealing with so far were unsubstantiated statements. I ask the Prime Minister, in all seriousness, whether or not he has considered the fact that the charges which have been made were made by a judge and that they are quite specific. In his original letter the judge in question wrote that there was "interfering with the course of justice", and then went on to say that it was "all too prevalent." He said that with specific reference to members of the cabinet. Considering that he made this general reference in his first letter and then, when asked to be more specific by the Minister of Justice in response, the same judge attempted to document this general claim by referring to three specific instances, I ask the Prime Minister, in the interests of seeing that justice be seen to be done in Canada, does he not think it appropriate to have a public inquiry into these three very specific charges made by the judge?

● (1430)

Right Hon. P. E. Trudeau (Prime Minister): Mr. Speaker, as in other cases where the opposition have demanded inquiries, I have not excluded them as a matter of principle. I have always answered that if the facts cannot be ascertained otherwise, and if it is in the best interests of the country and of justice, then we will have an inquiry. In this particular instance the hon. member is right; there have been some allegations. I have discussed them with the Minister of Justice. The House knows that, at least in the case of one allegation, it has given rise to a suit, or to a demand for retraction. I do not see it to be in the interest of this House or of justice at this time to set up an inquiry.

Mr. Diefenbaker: Or ever.