

Privilege—Mr. Lawrence

sioner of the day knew about mail opening. I suggest that someone at the ministerial level, at the governmental level, also knew about mail opening.

Mail openings have been discussed at provincial meetings of attorneys general for over a decade, and representations have been made by provincial attorneys general from time to time in favour of having the law changed to legalize what may or may not have been a practice but was certainly a fact if the demand was there. I suggest it is stretching the truth too far for any one in this House, including members of the government or any preceding government, for that matter, to indicate that the question of mail opening by the law enforcement agencies of this country has not been discussed in the executive councils of this nation. It had to be discussed, because the subject has been with us 40 years. Yet we find the solicitor general of the day saying he knew nothing about it and, of course, we must accept his word. But do not take my word that someone had to know about it, Mr. Speaker.

Go back to the abridged report of the royal commission on security of June, 1969, the Mackenzie report—of course, we have seen only the abridged report; we have never been permitted to see the full report of that royal commission. In the abridged report there is a whole paragraph on mail opening by law enforcement agencies. The message there is loud and clear: it is being done, and if it is being done you had better legalize it. That was in June of 1969 in the abridged report, which was published only after the government of the day had sat on it for six months.

I suggest that if the solicitor general did not know about it there were certainly others at ministerial level, perhaps even at prime ministerial level, who did. My understanding of the British parliamentary system in a matter such as this is that if there is no admission by an individual minister of the Crown, then collectively the whole ministry is guilty as that particular individual. This is the question I should like to see discussed in committee. I believe it should be discussed in the committee, and I do not believe there is any member of the House who, if he were permitted to vote on the motion which is to be put forward this afternoon in an unbiased way, unhindered by the arm-twisting of any party whip, would vote in any other way but to permit a matter of such importance as this to go to the committee.

Now, as to the committee itself, I have had some experience in trying to run an investigative committee of this House. It is not a pretty picture because it is not a very efficient or productive process. I would agree that a standing committee of this House is not particularly designed to carry out a worthwhile investigation or to have it conducted in such a way as to present an unbiased and unvarnished version of the truth such as one would expect. If you think I am criticizing our committee procedures, you are perfectly right, Mr. Speaker. I am. I believe that in a matter such as this which touches the fundamentals of the knowledge of the truth, or the seeking of the truth, there should be some changes in that committee when it takes hold of this matter, as I trust it will.

[Mr. Lawrence.]

First of all, I should like to see a worth-while counsel appointed by the committee, an impartial counsel completely independent of the staff of the House and, if you will permit me, sir, solely on grounds of lack of experience, from the staff of Your Honour as well. In saying this I am not seeking to detract by any means from the ability of those officers who have been of immense help to all of us in the past.

Nevertheless, I believe that in an investigation such as I contemplate, the committee should have the services of an independent counsel, if only to regulate the chronological order in which witnesses are called. This would not detract in any way from the rights of members of the committee. Members of the committee would still have all the rights presently enjoyed to ask questions in the way they think best. But I think it is most important to the logical reasoning inherent in a step by step exposure of the truth, that in the course of a hearing by an investigative committee, as the committee on privileges should be, we have every right to expect that the truth will be brought out in an independent and impartial way, and I suggest one of the best ways in which this could be done—and all of us know of examples in other jurisdictions—is through the appointment of an independent counsel.

I think the committee should be given, off the right bat, to subpoena witnesses. This is important, and it is one thing we do not have at the moment. Committees have to come back to the House to get that right, and there is a great deal of delay involved. My understanding is that the House can give the committee power to subpoena witnesses right off the mark, and I believe that in these circumstances such a right should be given. Moreover, when the committee takes evidence, witnesses should be under oath.

There is something else which is fundamental to this discussion. So far, in the press and in the media, only one side of the question has been given. It is true we have heard the solicitor general say he did not know, but he has only said this once, to my knowledge, and these allegations, inferences and innuendos have been made time and time again and repeated time and time again, not only in this House and in the media but before royal commissions and in testimony elsewhere. I believe the solicitor general of the day deserves an opportunity to give his side of the question before things deteriorate any further and certain evidence which has been taken in closed session before a royal commission is exposed to the public gaze—I hope it will be shortly. The solicitor general deserves the consideration of every member of the House and he should be given this opportunity. I see the hon. gentleman is unavoidably absent from the House this afternoon even though he knew this matter was coming up. If he is not here today to take part in the discussion, he should be given an opportunity in the committee to tell us his side of the question.

An hon. Member: He did!

Mr. Lawrence: I am talking of the then solicitor general. He should be given the opportunity to make known his side of the question in the House, if we are genuinely seeking the truth with regard to this matter without partisan consideration. On