

Inquiries of the Ministry

Mr. Pearson: I think I will ask the Minister of Labour to deal with that point.

Hon. A. J. MacEachen (Minister of Labour): The intention of the government to establish this trusteeship was indicated yesterday, and the legislation envisaged will develop provisions for a government trusteeship.

Mr. H. W. Herridge (Kootenay West): Has the Minister of Labour or any of his officials had any discussions with any lawyers representing Mr. Banks in the last two days?

Mr. MacEachen: I certainly have had no discussions with any person representing Mr. Banks in the last few days, nor do I believe have any officials of the department.

Mr. Starr: Can the Minister of Labour enlarge upon the constitutional difficulties other than those mentioned by the Prime Minister in his statement yesterday?

Mr. David Orlikow (Winnipeg North): The Prime Minister had said he hopes the statement made by Mr. Staples was too pessimistic, but this morning's *Globe and Mail* reports another dynamiting in Toledo in connection with the expected arrival there of the Upper Lakes ship *James North*. If there is going to be more violence of this sort I wonder whether we can expect quick action in the form of legislation.

Mr. Pearson: Action will be taken as quickly as possible. I would hope, as I have said, that the certainty that action will be taken will ease the situation at once on the great lakes.

Mr. Starr: I wish to direct a supplementary question to the Minister of Justice. In view of the recommendation by Mr. Justice Norris regarding law enforcement, to be found on page 312 of his report, would the Minister of Justice contact the attorneys general of all the provinces concerned with respect to this and extend some co-operation to ensure the preservation of law and order, since there has been some difficulty in the past in this direction?

Hon. Lionel Chevrier (Minister of Justice): Mr. Speaker, through the officers of my department I have already been in touch with the attorneys general of both provinces.

Mr. Starr: Mr. Speaker, I wonder whether the Minister of Labour would answer my question and outline the constitutional problems that are involved in this legislation.

Mr. MacEachen: Mr. Speaker, I think I ought to reply to the hon. member for Ontario and tell him that the advice I have received from the Minister of Justice and his officials is that there are important constitutional

[Mr. Douglas.]

questions involved with respect to certain of the activities of the trusteeship as they affect certain phases of the activities of the unions that would be involved. In certain cases a careful study would have to be made to determine the relationship of certain union activities to the responsibility of the federal government for navigation and shipping.

I might add in elaboration of this point that part of the reason for the time needed to prepare this legislation is that a very careful study will have to be made of all the collective agreements and constitutions of these unions and their details in order to ensure that the trustees will have effective authority at the appropriate time. This careful study has already begun, and it will take some days before any drafting can begin.

POSSIBLE CONFLICT OF INTEREST IN
APPOINTMENT OF COUNSEL

On the orders of the day:

Mr. David Orlikow (Winnipeg North): I should like to direct a question to the Minister of Justice. Has the government investigated the possibility of a conflict of interest ensuing from the fact that Mr. Robinette, counsel appointed to advise the government on charges arising out of the Norris report, has himself acted for or is the partner of Mr. J. W. Brooke, counsel for Reoch Shipping, who are involved with Mr. Banks in infractions of the law criticized by Mr. Justice Norris which might very well be the subject matter of criminal charges?

Hon. Lionel Chevrier (Minister of Justice): Mr. Speaker, I am grateful to the hon. member for sending notice of this question to the Minister of Labour, which he has handed to me. I have looked into the matter, without of course communicating with Mr. Robinette, and I find first that Mr. Robinette is counsel for a firm in the city of Toronto. Therefore it would not appear, I am advised, that Mr. Brooke is a partner of his.

I should like also to remind the house that what Mr. Robinette and Mr. Martineau are being asked for are legal opinions, not judicial findings. If as a result of the opinions by Mr. Robinette and Mr. Martineau prosecution follows, it will be the court that will decide on this issue of guilt or innocence and not Mr. Robinette and Mr. Martineau. However, in view of the question which the hon. gentleman has put, and which is of some importance, I intend to communicate with Mr. Robinette just as quickly as I can.

Mr. Orlikow: May I ask a supplementary question. Is the minister aware that Mr. Robinette and Mr. Brooke are listed in the