

Official Languages

Democratic Party went tramping across the country preaching to the people that governments should be all powerful and control everybody in the country. The experience of 20 years has mellowed the hon. member. The N.D.P. no longer supports the Regina Manifesto. Now, they have the Winnipeg report, a watered down version of their original ideas. But they still believe the government should exert supreme authority in the country. They still believe it should be all powerful and that it should control everybody and everything. That is why they support this legislation.

Although the hon. member for York South is a lawyer of fair renown, he supports the present legislation which is a travesty of justice and which ignores all the safeguards built into our legal system. He accepts his party's position that the authority of the government must be supreme everywhere and that the government must control everything in a country. I do not support that concept. I believe individuals should live in freedom and be free to express themselves as they wish. They should not be subjected to socialist authoritarianism. I say this knowing full well that not all socialists in this house are in the N.D.P. The three wise men, as they were called, are still socialists.

I am surprised at the Minister of Justice. Why is he tarnishing a good reputation by supporting this authoritative piece of legislation. Why did he, with his learning and love of justice, talk at great length on June 18 in defence of clause 28. His remarks cover pages and pages of *Hansard*. At one time the minister was concerned about individuals. That is no longer true. Today he supports this legislation which will give the commissioner the power to peer into every nook and cranny of Canada and to snoop into all our lives. This all powerful Czar will not be able to snoop into the offices of Members of Parliament. But that is the only limitation to his power.

In my opinion the key words in clause 28 are "if" on line 31 of page 16 of the bill and "may" on line 35. The clause does not say "shall adversely affect" or "will adversely affect". It merely uses the word "may".

Clause 28(2) reads in part:

—if at any time during the course of an investigation it appears to the Commissioner that there may be sufficient grounds for his making a report or recommendation that may adversely affect any individual or any department or other institution, he shall, before completing the investigation, take every reasonable measure to give to that individual, department or institution a full and ample opportunity to answer any adverse allegation—

[Mr. Horner.]

It is clear that those supporting the legislation also support a philosophy which says that the government must be all powerful in all areas of a country's life.

I now wish to deal with clause 30 which is every interesting and which reads in part:

(a) to summon and enforce the attendance of witnesses and compel them to give oral or written evidence on oath, and to produce such documents and things as the Commissioner deems requisite to the full investigation and consideration—

● (4:20 p.m.)

This clause gives the commissioner quite a lot of power. Clause 28 of the bill relates to some person or department about whom the commissioner is concerned. That party can be called before him and made to produce documents and evidence which will, in a sense, condemn him. Fortunately, the last line of clause 28 states that the person or department is allowed to have counsel. That was a generous stroke of the pen. They are giving a condemned person a right to counsel.

Mr. McQuaid: Far too late.

Mr. Horner: The hon. member for Cardigan (Mr. McQuaid) says, "Far too late".

Clause 30 reads in part:

—under this act, in the same manner and to the same extent as a superior court of record;

Subclause (c) of clause 30 reads:

—whether or not such evidence or information is or would be admissible in a court of law;

This power is far beyond that given to a court. The government is not worried about how it gathers evidence. There has been a great deal of discussion in the last two or three weeks regarding wire tapping, which is not really admissible in a court of law. That would not bother this group. They would use any evidence, no matter how it was obtained or how fair or just it was. They would use it whether or not it would be admissible in a court of law.

Mr. Speaker: Order, please. I regret I have to inform the hon. member his time has expired. Unless there is agreement on the part of the house—

Some hon. Members: Agreed.

Some hon. Members: No.

Mr. Speaker: There is not unanimous agreement. I regret to advise the hon. member there is at least one "no."