

Supply—Justice

with regard to his superannuation benefits and other aspects of his dismissal as a civil servant.

Mr. Lewis: I should like to ask the Prime Minister whether I understood him correctly to say that if he finds Mr. Spencer wants the kind of inquiry he has suggested, such an inquiry would be carried out by a judge, or judges? The right hon. gentleman did not make clear whether this was to be an independent inquiry by a judge.

Mr. Pearson: It seems to me in view of everything that has been said that any inquiry, if only an inquiry into the nature of his dismissal and superannuation benefits, should be held by someone completely outside the civil service or the government. I think that would be by a judge.

• (4:10 p.m.)

Mr. Diefenbaker: Mr. Chairman, it is not for me, and under no circumstances would I point out that had it not been for the strong stand taken in this parliament a grave wrong would not—

Mr. Teillet: You are prejudging.

Mr. Diefenbaker: —a grave wrong would not have been brought to the attention of the Canadian people. While the suggestion by the Prime Minister goes part way it still leaves great uncertainty in answer to much of the criticism that has taken place. But anyway I say this, after the intransigent position taken by the government for so long, and without going into any further detail, the announcement by the Prime Minister indicates the power of parliament to achieve justice and to preserve fundamental freedoms and human rights.

Some hon. Members: Hear, hear.

Mr. Patterson: Mr. Chairman, I am sure all hon. members recognize that we in this group have not, up until the present, participated in the discussion of the estimates of the Department of Justice. That has not been because we are disinterested in the discussions which have been taking place. There were occasions when we wanted to participate but the battle lines were drawn so clearly, and the battle was raging so vociferously, we did not have an opportune time to make any comments.

I first wish to speak about the division of responsibility which has been announced. Because of the proliferation of duties that has built up, it has been decided to disperse these responsibilities among three ministers

[Mr. Pearson.]

of the Crown, the Minister of Justice, the Solicitor General and the President of the Privy Council. I do not know whether this will facilitate the work, but we recognize the fact that changes have to take place and if these result in a more adequate and effective administration of the various matters coming within the justice portfolio we are prepared to support that division of responsibility.

This may seem anti-climatic to all the discussion which has ranged around the Victor Spencer case, but so far as this party is concerned, and I am speaking on behalf of our leader who intended to participate but who had to leave, we recognize that the government has the responsibility for assuring the security of the nation. Even though there are times when we may question and disagree with the government's judgment, we realize it must accept the final responsibility in matters of security. On the other hand, as has been rightly stressed by many opposition speakers, the basic rights and freedoms of the individual citizen must be assured. Therefore the difficult task is to reconcile the interests of security with the assurance and maintenance of the fundamental rights and freedoms of the individual.

I shall not mention any more about this except to say we appreciate the announcement made by the Prime Minister in that, so far as this one aspect of the problem is concerned, he is quite prepared to allow it to go before a court of inquiry, or a judicial inquiry. I believe the Prime Minister and the government are wise in doing this.

Many statements have been made on both sides, some to the effect that such a matter has never been handled before like this, and others to the effect that it is the usual practice. We only hope this will clear the air, and that from now on there will be a recognized pattern for taking care of these cases without causing all the furore and fuss which we have had during the past few days.

Another matter which has received considerable attention is organized crime. Canadians are uneasy at the possibility organized crime is establishing spheres of influence in our society. In saying this I am not casting innuendos at the government or anybody else. I am just stating a bald fact, that the people of Canada are very disturbed. They have seen this matter covered in newspaper stories, heard about it over the radio, and watch personalities discuss it on television. The public are very perturbed lest they eventually