

Mr. Speaker: The provisions of Standing Order 43 require unanimous consent before I can put the motion. Is there such consent?

Some hon. Members: Agreed.

Some hon. Members: No.

ORAL QUESTION PERIOD

[English]

ADMINISTRATION OF JUSTICE

KEABLE INQUIRY—MINISTER'S AFFIDAVIT RESPECTING DOCUMENTS NOT PROVIDED TO INQUIRY

Mr. Bill Jarvis (Perth-Wilmot): Mr. Speaker, my question was intended for the Solicitor General. I very much regret that he is not here, but possibly the Minister of Justice has informed himself of the situation resulting from the serious accusations, or implications, of the article which appeared in the *Globe and Mail* this morning. I ask the Minister of Justice whether on September 15, when the Solicitor General executed the affidavit referring to the 26 documents which he refused to turn over to the Keable inquiry, one or more of those documents referred to operation "Ham," which refers to the code name for the break-in to secure statistical data on the Parti Québécois.

Hon. Ron Basford (Minister of Justice): Since reading that article I have not had an opportunity of discussing it with the Solicitor General, nor of reviewing all the documents. I think the House can appreciate that. I have had the opportunity to meet with and be briefed by senior officials of the Department of the Solicitor General and the security service, all of whom assure me that the Solicitor General did not know about Operation "Ham" before late October, 1977, and that his statement to the House on October 31 was correct.

● (1417)

Mr. Jarvis: A supplementary question, Mr. Speaker. I appreciate the difficult position in which the Minister of Justice finds himself. I ask him if those officers indicated whether the words "operation Ham" were referred to in any of the 26 documents that formed the subject matter of the Solicitor General's affidavit of September 15.

Mr. Basford: Not specifically, Mr. Speaker, simply because I have not had an opportunity to review it that closely. They gave me the assurance—which I gave to the House—that there must be some mix-up in the story with regard to the documentation involved.

Mr. Jarvis: A final supplementary question, Mr. Speaker. In view of the inability of the Minister of Justice to obtain exact details on this matter, would he undertake to determine whether any of the 26 documents which formed the subject

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matter of the September 15 affidavit referred to operation "Ham" specifically?

Mr. Basford: Yes, Mr. Speaker.

WITHHOLDING OF INFORMATION BY SOLICITOR GENERAL—APPLICATION OF FEDERAL COURT ACT

Mr. Elmer M. MacKay (Central Nova): Mr. Speaker, I have a supplementary question. I should like to ask the Minister of Justice if he can provide the House and the country with some information which justifies the Solicitor General withholding information under the provisions of section 41(2) of the Federal Court Act. Can the learned gentleman say, for example, whether this is done on the basis of information known personally to the Solicitor General, based on reading the relevant files and material, based on reasonable information in the sense of permanent jurisprudence, or does he just sign these declarations under section 41(2) on the basis of some vague representations to do so?

Hon. Ron Basford (Minister of Justice): No, Mr. Speaker. Any minister signing a section 41 declaration does so after careful examination of the documents in front of him, and by exercising his judgment as to whether such action fits within the criteria of section 41.

Mr. MacKay: A further supplementary question, Mr. Speaker. Based on the undoubted concern that the Minister of Justice has for this very important matter which has occupied the attention of the country for some time, can he assure the House and the country that in fact that is what the Solicitor General has done in every case where he has withheld information, in view of the statement made by Mr. Julius Koteles, a well known Winnipeg lawyer, in connection with the Laycraft commission, that as far as he is concerned he sees no relevance at all in the material withheld under section 41(2) in this regard?

Mr. Basford: Mr. Speaker, I think the Solicitor General has already outlined to the House the manner and method by which he signed such declaration. It is done, obviously, on the advice of officials as to the nature of the material and its sensitivity, requiring a section 41 declaration.

Mr. MacKay: A final supplementary question. I gather the minister is saying that he cannot give the House the assurance that the Solicitor General personally read and acquainted himself with the material.

Mr. Basford: Mr. Speaker, I can give the House the assurance that the Solicitor General pays very close attention to documents submitted to him under section 41. I am quite sure of that.