

*RCMP Files on Members of Parliament*

or members of the public, would the minister now advise whether, in the event of such complaint against a Member of Parliament, it is the policy to compile a dossier relating to that member?

Your Honour intervened at that point and then the hon. member resumed by asking:

May I ask whether, in the event of a complaint by a constituent against a Member of Parliament, the RCMP, rightly or wrongly, would compile a dossier relating to that member?

The ultimate answer given by the Solicitor General (Mr. Goyer) was:

Mr. Speaker, I do not intend to make a statement on motions. I feel I have replied to the question and if the member does not understand me clearly, I wish he could be more specific.

A little farther down on the same page the hon. member for Egmont (Mr. MacDonald) asked this question:

However, at this time I should like to ask him—

He is referring to the Solicitor General.

—through you, Sir, whether it is now the practice of the RCMP to photograph, and in other ways cover public meetings in which members of this House, as well as civic officials, might participate, as was recently indicated by the premier of Prince Edward Island?

The answer of the Solicitor General was:

Mr. Speaker, some hon. members seem to think that they are in the United States. I do not know whether it is the practice or not. What motivates the decisions of the Royal Canadian Mounted Police is the need to take action. There is certainly no systematic policy about citizens. Events lead us. If some methods have to be used with regard to an individual, it is because there is a clear indication that it is necessary.

On page 5033 the right hon. member for Prince Albert (Mr. Diefenbaker) asked a question, the last part of which is as follows:

Will the minister give his unequivocal answer that the Royal Canadian Mounted Police, for whom he speaks in this House, have not, and are not continuing to have, dossiers on Members of Parliament? Let that be clear and let the House have the answer.

The minister replied and I shall only read the latter part because the first part consisted of an eulogy of the RCMP, with which none of us differ, Mr. Speaker. He said:

Now, I find no provision in the law—and if there is, I should very much like to be enlightened about it—to the effect that Members of Parliament are not also citizens, that they enjoy complete immunity and that they can do anything. If the House wishes to pass such a provision, the people will think that hon. members constitute a special category of citizens in this country.

The right hon. member proceeded to ask another question:

Mr. Speaker, there is no debate. I asked the minister the simple question: Are there dossiers on Members of Parliament? Members do not expect to be treated differently from anybody else, but Members of Parliament have the right to know whether this government has launched upon a system of looking into the lives of individuals through the Mounted Police.

The minister replied:

Mr. Speaker, I said that the department applied no general policy in this respect, and I might add that for the time that

[Mr. Baldwin.]

I have been Solicitor General, I have not seen the file of any member.

Mr. Speaker, later, outside the House, the minister was interviewed and the report contains two or three brief statements which I think are very relevant to this issue. This question was asked:

Does the RCMP have dossiers on all Members of Parliament?

A. I prefer this way to put questions than to be a little arrogant.

Q. No, sir, but you can't have dossiers on every citizen in Canada so I know that the RCMP have dossiers on some Members of Parliament?

A. Personally, as I said in the House, personally I never asked to see one dossier of a Member of Parliament and I have never asked to make an inquiry on one Member of Parliament—

The minister gave a further answer with which I should like to conclude, Mr. Speaker:

They might have dossiers on Members of Parliament. I am sure that they have dossiers on some Members of Parliament. You have Members of Parliament who are former civil servants and when a civil servant has to have access to top secret of course he has to accept the security clearance. This is normal and I think this is good.

Q. Now are you saying that it is not the policy to have dossiers on all M.P.s and you are also saying that you are not sure whether or not these dossiers do exist?

A. I am saying that there is no policy to the effect that we will have a dossier on all Members of Parliament. This is the information I have and this is the instruction—and also I am ready to give at any time but I am sure that I don't have to give those instruction. This is the practice.

Mr. Speaker, let me conclude with this very brief argument. I suggest that if you consider the compilation of all the questions and the answers given by the minister you will find there is no clear and categorical denial of the fact alluded to in the form of these questions, that dossiers are being kept in respect of some Members of Parliament as legislative representatives and that this constitutes an infraction of the privileges and immunities of this House. I suggest that this constitutes intimidation and a type of constructive blackmail that can only result in the diminishing of the freedom of members of this House. Surely it comes squarely within the definition of privilege which I have just outlined.

This refusal to give a straightforward and honest answer would be bad enough in connection with any government, but when it comes from a member of this administration which, with a few exceptions and in spite of some rather unbelievable expressions of affection for the parliamentary system, has shown by its actions that it is dedicated to the continuous erosion of legislative independence and freedom, it is unacceptable.

The neat question for Your Honour to decide now is whether a prima facie case has been made out, because more hinges on this than just this question alone. The minister's refusal to answer a consistent line of questioning both inside and outside the House must be interpreted as meaning that the minister is refusing for a very definite reason, and that reason lies in the fact that some dossiers are being kept and some scrutiny is being maintained on some Members of Parliament in their capacity as members. Does this extend to the point of interfering