

Oral Questions

I cannot consider until three o'clock. I would be grateful if both those hon. members putting questions and those answering would stick as closely as possible to factual remarks.

Mr. Diefenbaker: Mr. Speaker, I could not be more in agreement with you.

Some hon. Members: Oh, oh!

ALLEGATIONS OF INTERFERENCE BY JUDGE MACKAY—
REQUEST FOR TABLING OF CORRESPONDENCE OF MINISTERS
BEARING ON ALLEGATIONS

Right Hon. J. G. Diefenbaker (Prince Albert): I ask the Prime Minister, now, will he request all the ministers in question to produce all correspondence, office diaries or other records of events that bear on these allegations, and will he table such material?

An hon. Member: Innuendo.

Right Hon. P. E. Trudeau (Prime Minister): Mr. Speaker, I regret the innuendoes against the Minister of Justice contained in the question, just as I regret the innuendoes against judges of Quebec in the previous question.

Mr. Diefenbaker: Against the judges of Quebec?

Mr. Trudeau: Yes.

Mr. Diefenbaker: There are no innuendoes. I am concerned about a different matter. I made no innuendo.

Some hon. Members: Oh, oh!

Mr. Trudeau: What did the right hon. gentleman say?

An hon. Member: We heard what the Prime Minister said.

Mr. Trudeau: Mr. Speaker, I have, on the basis of what I heard, discussed the matter with the Minister of Justice. A letter has been sent from Justice Mackay to the Minister of Justice. The Minister of Justice has looked into this matter. He has discussed it with me. I am satisfied, at this stage, that there is no need for an inquiry.

Some hon. Members: Oh, oh!

Mr. Trudeau: No allegations, substantiated allegations, were made, although some were made which were not correct in fact, Mr. Speaker.

Mr. Diefenbaker: And which are they?

Mr. Trudeau: No substantiated allegations cause me to call for such an inquiry. If it can aid the House, I would ask the Minister of Justice to state what attitude he has taken.

● (1420)

Mr. Basford: Mr. Speaker—

Some hon. Members: Hear, hear!

[Mr. Speaker.]

Mr. Baker (Grenville-Carleton): Mr. Speaker, I rise on a point of order. There is a procedure in the rules with regard to ministerial statements. We would be delighted to hear a ministerial statement after the question period in the usual way.

Some hon. Members: Hear, hear!

Mr. Speaker: Order, please. It is not an extraordinary practice for one minister, particularly the Prime Minister, to refer all or part of an answer to another minister. However, it is not a practice I want to impose on the House.

ALLEGATIONS OF INTERFERENCE BY JUDGE MACKAY—
CONSULTATION WITH MINISTERS MENTIONED IN
ALLEGATIONS

Mr. Eldon M. Woolliams (Calgary North): Mr. Speaker, I am sorry that the Prime Minister turned down a request for an inquiry. Has the Prime Minister discussed the allegations made by Justice Mackay with the Minister of Public Works and the former Minister of Finance? If so, will he confirm that they were approached by the Minister of Consumer and Corporate Affairs regarding the contempt proceedings, what was said and what the purpose of the approach was for?

Hon. Ron Basford (Minister of Justice): If I may answer that, Mr. Speaker, I have, as the Prime Minister indicated, received a letter from Mr. Justice Mackay which contains some allegations. I would point out to the House before commenting on the correspondence that it is important to me and I have considered my position very carefully. If I may, I would refer the right hon. member for Prince Albert to Edwards on the Office of Law Officer under the Crown. He will find that the position of Minister of Justice and Attorney General of Canada is a particular and unusual position within our parliament and parliamentary system, one which is not subject to the kinds of influence that the right hon. member has implied.

Some hon. Members: Hear, hear!

Mr. Basford: I have considered this position very carefully. It seems imperative for the independence of the judiciary and the proper maintenance of relationships between judges and chief justices and the office of Minister of Justice that letters from them to me should not embroil them in public debate. Therefore, I am going to be very limited in my comments on this or any other correspondence in this or any other case. I think that is essential for the administration of justice and the independence of the judiciary of Canada.

With regard to the three instances on which the hon. member for Calgary North has commented, I would point out that one relates to an incident in 1969 about which no complaint was received then or thereafter. The second involving Mr. Justice Aronovitch, apart from Mr. Justice Mackay's letter, I have received no information or complaint from the judge involved. Of course, the President of the Treasury Board has taken action relative to that. With regard to the third suggestion concerning the associate chief justice of Quebec, again no further information is in