

*Supply—Veterans Affairs*

of the commission, the direction to the commission, or anything pertaining to the commission. However, we have the words of the minister concerning this matter of swearing the witnesses. On June 14, 1948, the member for Peace River requested a copy of the evidence and proceedings of the McCann commission, and in a statement on page 5151 of *Hansard* of that day, the minister said:

The witnesses were not sworn, and as a result they gave evidence over and above that which would have been required had they been informed that they were proceeding on a formal basis under oath. Some of the discussions at Vancouver were recorded on sound recording discs in order to assist the commissioner in writing his report on that phase of the hearing.

The minister does not specify that the witnesses for the men were sworn, while the witnesses against the men were not sworn. My information, however, is that that is what took place.

An important item concerning this commission is the fact that it consisted mainly of doctors, and no commission counsel was retained. They were free to obtain the best counsel available in the Dominion of Canada. They were free to call any person before them to supply evidence on any aspect of the problem under consideration, had they desired to do so. There is no excuse whatever for the commission omitting to retain counsel of the greatest ability. I think what I have said so far is sufficient to indicate that the most remarkable set of circumstances pertains to this commission. I am not saying for one moment that the commission did not act in good faith. There must have been some sort of misunderstanding somewhere, and I believe it is our task to find out how it arose. As a result of the misunderstanding, an apparent injustice was done.

It is interesting to note that from the very beginning of the investigation there was a campaign of what, from the standpoint of Mr. Kirchner and the sixty-two men, was misrepresentation. The misrepresentation would appear to have been designed to discredit Mr. Kirchner, to discredit the men, and discredit their claims, so that Mr. Kirchner would no longer be respected when he brought a case to the attention of the government, and the men's cases would not be heard with respect thereafter.

Now, this is the way the campaign of misrepresentation was conducted. At the outset it was advertised that the commission was going to investigate the kind of services that were being rendered in veterans hospitals, such as the Shaughnessy hospital in Vancouver, and the sort of medical services that were available to the men. Mr. Chairman, Mr. Kirchner had never once brought up any question concerning those two points. From

the beginning he maintained that Shaughnessy hospital was of the highest quality, and the medical services available under the Department of Veterans Affairs were of exceedingly high efficiency. For the commission to set out to investigate those two subjects, and begin a campaign to publicize those as the things they were going to investigate, was certainly playing unfair in respect to Mr. Kirchner and the men who were in his charge.

The next interesting thing is that this commission omitted to examine all of the cases. Only a few of the sixty-two cases were brought before the commission, and apparently they were selected. For any commission that was appointed with full powers under the public Inquiries Act to examine into a vexatious problem that had been irritating the country for years to neglect to examine all the cases amounts to the commission being derelict in its duties. According to my information, and I had it directly from Mr. Kirchner, the men who were subpoenaed to appear before the commission were required to appear personally, without the assistance of their pensions advocate. What would any ordinary man, or any ordinary member of this house, feel if he were subpoenaed to appear in a court in which his case was being tried, and his lawyer was not called in to present his case? It is exactly that sort of thing that was done in respect to the men who were called before this commission. The men were put on oath so they were afraid to make any remarks they had not come prepared to verify. They would be speaking from memory altogether, and the result would be that their testimony would be of a most unsatisfactory kind from their standpoint.

I cannot see how a commission, appointed under the conditions under which this one was appointed, having regard to the minister's remarks on July 16, 1947, could have proceeded in a more unsatisfactory way. Mr. Chairman, I do not propose to say any more about this remarkable commission at the present time, but I can tell the minister that before we are finished with his estimates this year I think this house expects him to explain the irregularities in this situation. He should explain to us why a commission that was set up to examine two charges; namely falsification of records of men and felony on the part of psychiatrists of the department, should have devoted its time to a consideration of two completely different charges that were never laid in parliament, namely, the quality of the hospital service rendered at Shaughnessy and the quality of the departmental doctors who were available