

Administration of Justice

An hon. Member: It does.

Mr. Nielsen: Does somebody over there to my left say it does?

An hon. Member: Yes.

Mr. Nielsen: Is that someone in the house?

Mr. Nicholson: Would the hon. member permit a question? Would the hon. member draw attention to any passage in *Hansard* on May 10 where the Minister of Justice is quoted.

Mr. Nielsen: I beg your pardon. I meant March 10. I apologize. I shall be referring the hon. member to those pages in the hope that those statements will be included in the amended terms of reference. I continue reading:

—which, among other things, included statements about involvement—

There is nothing about improper involvement; it is simply involvement.

—with the said Gerda Munsinger, about failure to seek the advice of the law officers of the Department of Justice—

There is no allegation that it was the right thing to do, that it was the right thing to seek the advice of the law officers of the Crown on the part of anyone.

Mr. Favreau: Ah, ah.

Mr. Nielsen: On the part of anyone at all. I hear the President of the Privy Council saying “ah, ah,” This has no parallel whatsoever in connection with the matter which brought about his sorry downfall.

An hon. Member: Read.

Mr. Nielsen: It has no parallel whatsoever. I continue reading :

—that there were circumstances that may have constituted a risk to the security of Canada and that the case was not properly handled; and to enquire whether the case was handled in accordance with the rules and principles normally applicable to persons having access to classified information—

What rules, Mr. Speaker? What principles and where are they? Where do we find them?

He who accuses must prove what he alleges. Let us have an accusation. I continue reading:

—and into all the relevant circumstances connected therewith, and in particular but without limiting the generality of the foregoing to consider fully all reports submitted to the government or any member of the government of the day and any evidence laid before them in connection therewith and any further evidence elicited by or laid before the Commissioner and to consider such other matters as may appear to the Commissioner to be relevant and to report thereon.

There is a reference to the rules and principles normally applicable to persons having access to classified information, and whether the case was handled in accordance with those rules and principles. By whom, Mr. Speaker? By whom? By the Minister of Justice. By the existing Minister of Justice? There is some doubt about that. Or does it mean by the former minister of justice or by some clerk in his office? The minister shakes his head as much as to say “no”.

• (9:20 p.m.)

Let him say so in the terms of reference. Let him name the people who improperly handled this matter without having regard to the rules and principles applicable in this kind of case. Was it perhaps one or another of the deputy ministers of justice? Was it one of those individuals?

What about the rules and principles that are normally applicable? Where are they laid down? By whom are they set out. There is a further requirement in the terms of reference:

—to consider fully all reports submitted to the government or any member of the government of the day and any evidence laid before them in connection therewith—

Presumably “therewith” means any evidence in connection with the reports, but what reports? What reports are specified in the terms of reference? They say, “all reports submitted to the government or any member of the government”. What reports about what? Reports by whom? Reports about whom?

Mr. Churchill: Reports on immigration in 1955 maybe.

Mr. Nielsen: There is also a requirement in the terms of reference to inquire into “all statements concerning the case in the House of Commons on March 4 and March 7, 1966.” What about March 10? What about March 11? What about today? The minister made some very damaging statements in the house today.

Are the statements of the former minister of justice, the hon. member for Kamloops, not to be considered by the inquiry and only the statements of the Minister of Justice on March 4 and March 7? What of the statements about Privy Councillors made in the house and some outside it? Do they now appear before this inquiry? On what grounds? Does their appearance before this inquiry mean a confession or, to use the term in the terms of reference, an involvement?