

*Supply—Justice*

difference between the minister and ourselves. He says, and I am sure he says it sincerely, that section 50 of the Civil Service Act gives the Governor in Council the right to dismiss an employee without that employee having any right of appeal. There is another section of the act which affords him another kind of procedure. He says: We found that this man in our view was doing things which were improper, which were contrary to the security of Canada. Therefore we used this section which is there, dismissed him from employment, and that is that. This is his view. He says, I have applied the law.

We on this side of the house say to him: Whatever may be the merits or demerits of section 50 of the Civil Service Act—I think it is a pernicious section—he has it within his hand, the Prime Minister and his colleagues have it within their hands, to lessen the perniciousness of section 50 and give this man an opportunity to present his case in camera to an independent tribunal. The security of Canada would not be affected at all. Everything he said would remain private. The minister says, I will not do this.

Because the hon. member for Mount Royal insisted that he wanted to know what Mr. Spencer thought and I believe the Minister of Citizenship and Immigration said the man had not filed a grievance, interjections which with great respect to them I think were entirely irrelevant to the issue in this case, I telephoned a solicitor in Vancouver on Wednesday, Mr. John Laxton. He is a well known younger solicitor of undisputable integrity. I asked him whether he would at my request get in touch with the Royal Canadian Mounted Police in order to meet with Mr. Spencer and discuss this matter with him.

I then telephoned the Minister of Justice and after some time he was good enough to call me back. He not only was good enough to listen to my request for his assistance but good enough also to make available the assistance of Commissioner Kelly of the Royal Canadian Mounted Police to discuss how this could be done. As a result Mr. Spencer was in the office of John Laxton, the solicitor in Vancouver, at nine o'clock Vancouver time yesterday morning. I received a telephone call from Mr. Laxton at about twelve thirty or one o'clock our time in which he informed me of the conversation he had had with Spencer. He dictated to my secretary a telegram that Mr. Spencer and he had drawn up in case the telegram itself did not reach me

[Mr. Lewis.]

in time because I expected the justice estimates were going to be considered first thing yesterday afternoon.

● (2:30 p.m.)

At two thirty in the afternoon I received the telegram, Mr. Chairman. I appeal to the minister and to the Prime Minister to listen to the words of this telegram today in the light of what we have asked him to do. I mentioned the fact that I had telephoned Mr. Laxton and he read this telegram to me over the telephone in order to make sure I had talked to Laxton and could give the committee this assurance. I have the telegram which reads as follows:

I have had a long interview with Victor Spencer with the approval of his solicitor Harry Rankin. Spencer wants an inquiry of his case, either a judicial inquiry or by parliamentary committee because he does not feel he has been fairly dealt with. His complaint is with the nature of his dismissal and the unfair deprivation of benefits associated with his job such as pension and insurance benefits. He has no complaint—

I interject to say that Mr. Laxton emphasized to me that Mr. Spencer insisted on this kind of remark going into the telegram.

—with the treatment he has received from the R.C.M.P. but on the contrary feels they have been most considerate with him. Mr. Harry Rankin has also authorized the sending of this telegram.

The names under the body of the telegram are "John N. Laxton" and "Victor Spencer".

I do not withdraw from the position I have always taken, and which I take now on principle, that it does not matter whether Mr. Spencer wants an inquiry or does not. It is our duty as a parliament to give him that inquiry. It is the duty of the employer to give him a chance to express his views about his case.

If there is any doubt whatever in the minds of hon. members about Mr. Spencer's own feelings, I have obtained evidence which seems to me absolutely incontrovertible as to what he feels about the situation. I ask the minister to note that it may be of some consolation to him that the wire does not say that Mr. Spencer objects to his dismissal. It is significant that it says:

His complaint is with the nature of his dismissal and the unfair deprivation of benefits associated with his job, such as pension and insurance benefits.

It is certainly possible for a commissioner of inquiry to consider in camera the treatment of this man in respect of his insurance, pension and other benefits without affecting the security of Canada. It is certainly possible to give this man justice without affecting the