

Royal Canadian Mounted Police

which was being used. I noticed that at one point the Leader of the Opposition (Mr. Clark) referred to an authorization which would normally have been given. It seems clear to me—and during the course of the debate it has always been clear—that in no case would any minister of the Crown want to be in the position of authorizing an illegal act because at that point, of course, he also would be involved in criminal activity. My understanding is that the Minister of Supply and Services (Mr. Goyer) has just promised to extend his fullest co-operation to the commission of inquiry.

According to the terms of reference which have been referred to in the House, it seems to me that the commission of inquiry will have all the authority necessary to inquire into the APLQ affair and to summon the witnesses it thinks are necessary to cast light on the questions surrounding the matter. For me, or for the government at this stage, to tell the commission how it ought to conduct its own inquiry would be improper. I think the terms of reference are clear. The commission has all the authority necessary, and my expectation is that the commission would want to look into the APLQ affair.

Mr. Clark: Mr. Speaker, I am sorry to have to keep pressing this matter. Given the government's obvious interest in clearing up this matter, I wonder if the Solicitor General would give us a clear undertaking now that the government will request that the Minister of Supply and Services be allowed to appear in open session under oath to explain all aspects.

Mr. Goyer: I have done it here, but still you ask questions.

Mr. Clark: Would the Solicitor General please answer that question?

Mr. Fox: Mr. Speaker, I cannot add very much to the previous answers I have given. The commission of inquiry has been set up and has full powers to inquire into all aspects which are brought to its attention. Some aspects will undoubtedly have to do with the APLQ affair. Questions have been raised in the House by various hon. members. They have raised questions of cover-up and other related matters. In the course of its inquiries into those matters I suppose the commission will wish to call on members of the government who have additional information in that regard.

Mr. Broadbent: Mr. Speaker, I too have a question about the terms of reference. I am not a lawyer, and that may or may not be a handicap under the circumstances, but having read the terms of reference with care, I do not reach the conclusion the minister seems to reach, that is, that the royal commission can look into virtually an unlimited range of questions pertaining to allegations of wrongdoing. I think—and I put this in the form of a question to the minister—that there is a rather narrow legal interpretation of terms of reference and, if there is no specific mention of the political accountability point, is it not the case that once the commission begins its work and looks with care at its terms of reference, it may well conclude that, quite apart from what the minister says here today, it is not entitled to get into the political accountability question at all? I ask that in light of

[Mr. Fox.]

the fact that there is not a specific reference instructing the commission to do that.

My question is twofold. Is it not a clear possibility that the commission might read this document and reach that conclusion; second, if it is a possibility, given the minister's own expressed concern about the issue of accountability on many occasions in the House in recent weeks and the alleged concern of the Prime Minister (Mr. Trudeau) about political accountability, why is that not in the terms of reference?

Mr. Fox: Mr. Speaker, I feel that the terms of reference are wide indeed. Section C of the terms of reference states that one of the powers given to the commission is to advise and make such reports as it deems necessary and desirable in the interests of Canada regarding the policies and procedures governing the activities of the RCMP. It can look at the policies and procedures, and this could include procedures regarding reporting to the political level.

Mr. Broadbent: It could.

Mr. Fox: Yes. If the commission believes it is necessary, I suppose it will be examining a number of matters. The terms of reference are extremely wide in the sense that they allow the commission to have a look at all allegations which have been made. I think some of them are clearly unfounded, but perhaps the commission will conclude that some of them have basis in fact. I suppose the commission will have a look at how matters were handled within the force and what relationship there was between the force and the responsible minister. However, as to the over-all question of accountability, if the government is not satisfied with the present state of accountability—and I am not saying we are not—then it would be up to the government to present legislation in the House. We would not want to divest ourselves of our responsibility in that regard.

Mr. Broadbent: Mr. Speaker, I find that answer incredible. Considering that during the period when we were questioning in the House about the 1972 break-in in the first place, to which the minister refers in his opening paragraph in the terms of reference, serious conflicting implications—and I will not put it more strongly than that—emerged with regard to the degree of knowledge of the then solicitor general—and I am not questioning that minister's integrity at the present time at all—and considering that we have conflicting testimony in its implications from then Commissioner Higgitt, another man whose integrity I have no other reason to question, is it not important to have that resolved and to have the political accountability with regard to that specific incident looked into?

Second, is it not important for the commission, given the important principle of ministerial responsibility, to look into the information which was given to the House a year ago, when the Prime Minister and the then solicitor general said that after the 1972 issue was raised in the House it was investigated, there was no pattern established and they received adequate answers? I forget the precise words, but the clear political commitment made in this House by the Prime