

Privilege

talk to this member, not to put pressure on him but to look at this problem with him and say, "Is this not a case where we should co-operate with the police, or is this a case where we want to continue to play games with the government?"

Mr. Clark: I acted as you acted with Rooney.

Mr. Trudeau: I am told by the Leader of the Opposition that he acted as I had acted with a member of my party. I said at the beginning of my statement that in the case of a member of my party against whom it was alleged that he had committed a criminal act, I did not tell him he would be searched by the police, nor did I tell him to hand over all his files to the police. I was not asking the Leader of the Opposition to do that. I was not asking him to help one of his members defend himself against a charge of criminal action.

Here is a case of national security. Here is a case of the Leader of the Opposition himself complaining that perhaps he should be kept better informed on national security issues. Here is a case where he had a chance to show, in a non-partisan way perhaps, that he could solve this problem without making a great fuss in parliament by simply handing over the document, and I think it would have been to his credit and to that of the hon. member for Leeds. But they chose not to take that course.

Mr. Clark: I chose to act as you acted.

An hon. Member: *Ce n'est pas la même chose.*

Mr. Clark: *C'est la même chose.*

Mr. Trudeau: I rely on the people of Canada to make the distinction the Leader of the Opposition has not made.

Some hon. Members: Hear, hear!

● (1612)

Mr. Trudeau: Not only are the subject matters extremely different, as I just pointed out, but I fail to see how every speaker from the party led by the Leader of the Opposition can stand up and say that, as a matter of courtesy, we should let the hon. member know and that he should be given until Monday morning. We heard the same tune from the Leader of the New Democratic Party—he should be given due notice. Now the Leader of the Opposition is somehow reproaching me for having gone this route. Somehow he is saying that he himself did the right thing in not consulting a member of his party when on this side everyone says we were obliged to go the courteous route.

The Leader of the Opposition is the only one in this House who has dispensed with showing courtesy to his own member and telling him something was amiss. I find some logical difficulty in the position of the Leader of the Opposition.

I think I have made a case as to the very great danger which results from breaking our security services in this manner. I too will reserve the right to move a motion if this matter cannot be otherwise resolved. I still appeal to the opposition to think this over and not to make it an opposition-government

[Mr. Trudeau.]

debate. I hope hon. members opposite will ask themselves how, in this particular case, the security of this country and the efficiency of our security services can be best served. I hope they will answer that question as the rest of the country would.

Some hon. Members: Hear, hear!

Mr. Walter Baker (Grenville-Carleton): Mr. Speaker, I think the record should be made completely clear on a couple of items. It should be made clear, in fairness to the hon. member for Leeds (Mr. Cossitt), to the whole House and, indeed, to the people of Canada.

There has not been a refusal by the hon. member for Leeds to hand over documents. It must also be made clear that there is now only an allegation—not a finding—that the documents were stolen. Despite the rhetoric of the Prime Minister (Mr. Trudeau), I think it is extremely important that that point be made. Whether documents were stolen and whether the hon. member for Leeds is in possession of stolen documents will not be decided in this tribunal, and I would like to say to the Prime Minister that the rights of the hon. member for Leeds ought not to be prejudiced by the Prime Minister in this tribunal.

Some hon. Members: Hear, hear!

Mr. Baker (Grenville-Carleton): The Prime Minister has made a statement about the difficulties of the security service as a result of this information. The allegation—and that is all it is—out of the mouth of the Prime Minister does not make that true. As I listened to the Prime Minister I began to worry somewhat about what state the Prime Minister's mind might be in—

Some hon. Members: Oh, oh!

Mr. Baker (Grenville-Carleton):—with respect not only to the right of a member of parliament to carry out his duties but also the rights of a citizen in a free society not to have his case or the cases of other citizens judged or prejudged in the House of Commons. I hope it has not been lost by any member of this House that under the Official Secrets Act any person, whether he be a member of parliament, the Prime Minister or otherwise, is innocent under the law until he is proved guilty by a duly constituted court.

The problem is that the hon. member for Leeds raised in this House a matter, not which affects him as a litigant before a court—he will have to live with that if a charge is laid—but as a member of this House who believed, whether we agree with him or not, that he was exercising his duty as a member of parliament to bring to the attention of parliament, and hopefully the government, a matter which he, in a free parliament, considers of some importance to a society which we sometimes say is free and open. This Chamber is supposed to be the epitome of that freedom and openness, but unfortunately it has not been that.

I want to deal with something else the Prime Minister said. The Prime Minister alluded to a meeting he had with the Leader of the Opposition (Mr. Clark). It was entirely appro-