

*Supply—Justice*

**Mr. Cashin:** If the hon. gentleman would bear with me I think perhaps he might grasp the logic—if three is some, and I hope there is—behind what I say.

**Mr. MacInnis (Cape Breton South):** You had better stick to your notes.

**Mr. Cashin:** I see that the hon. member for Cape Breton South has made one of his highly irrelevant interruptions, and I would like to see it attributed to him, because I do not think anyone else would make a remark of equal inconsequence.

It has been impressed upon all of us, Mr. Chairman, how important secrecy is in all of these matters. I think the need for secrecy is apparent. I noted the words of the hon. member for Leeds when he said to the hon. member for York South that he did not know the facts and was never likely to know them. I think the main thing we must be sure of in all these cases is not only that justice is done but that it appears to be done.

I know—and I think before I go any further I should say this lest my remarks be misunderstood—that the remarks of the Prime Minister and the Minister of Justice concerning this particular case in question, the Spencer case, have received a lot of publicity. This has involved the ministers concerned and the Prime Minister taking a much closer look at this matter than might otherwise have been the case, and I am quite satisfied with the way this particular matter has been dealt with.

**An hon. Member:** It is of little comfort to us.

**Mr. Cashin:** The difficulty I think is that this is not a practical or desirable procedure to be carried on ad infinitum in the future as it has been carried on publicly in the past in this country. I am sure that the members of the opposition will agree with me when I say this procedure here is substantially the Canadian way of dealing with it; the same way basically that security matters were dealt with by Conservative and Liberal administrations. I think it is difficult to reconcile the nation's interests with the rights of the individual.

The point I am making is that now we have before us a discussion on this highly delicate but important matter, and surely it is time for those of us who have a very high regard for civil liberties—and this is something every Liberal feels at least equally—to discuss this, not in the light of the handling

[Mr. Woolliams.]

of the present case so that hon. gentlemen opposite may play politics with the civil liberties of a few people, but rather I think it is important that we consider that while in this particular case this may have been the only procedure we could have followed—perhaps that is not so, but it is the procedure which has been followed—I think what we must be concerned about now is to evolve a better procedure for the future; not for the man who will be known publicly as Spencer but for the anonymous Spencers whom we will not hear of in the years to come. These are the people who give concern to me and I am sure to all of us.

**Mr. Lewis:** Would the hon. gentleman permit a question? I ask this in all seriousness. Would he explain why his excellent suggestion in respect of what should happen in such cases should not be applied, to satisfy him and others that justice has been done, in the Spencer case; why not?

**An hon. Member:** Because the Prime Minister said no.

**Mr. Cashin:** I think the only thing that it would satisfy at the present time is perhaps a political motive. However, to answer that question, I would say that this is the procedure we followed for 20 years; but now in this particular case we have had a lot of public discussion about it and I am prepared to accept this on faith.

**Mr. Orlikow:** Mr. Chairman, may I—

**Mr. Cashin:** The member for Winnipeg North is so concerned about history that he is trying to make an attempt to get in the history books. In any event I do think that in the present case it has received the attention of the administration. What satisfies me and perhaps indeed all of the people is that although in the 20 years of experience we have had in these cases, even when the Leader of the Opposition was in office, there was little change, at least the Prime Minister's statement in this instance did result in an improvement in the situation.

What worries me is that in respect of situations that might arise in the future we might not have people with the same kind of attitudes that we have now in this House of Commons. There is a principle involved which may work in individual cases because of the calibre of the people in the administration dealing with it, but I do not feel this is something which ought to go unchanged. It