

Adjournment Debate

his thoroughness in investigating the story. Mr. Fisher also indicated that "there does remain unfinished matters of equity and fairness".

● (2235)

Let us look for just a moment at the McDonald commission report. I should like to illustrate a very good example of McDonald's two-faced posture. He would not criticize government ministers because he is a Liberal and part of the "old boy" network, but his findings when read carefully are contradictory. We must remember that Starnes did not know until February of this year that McDonald had been president of the Alberta Liberal Party. Starnes had been wondering for months why McDonald never took time in his reports to make public his devastating evidence of Liberal Party attempted manipulation of the RCMP for partisan purposes. This is why Starnes resigned in disgust in 1973.

An example of the unfairness which resulted from the McDonald commission decision to avoid comment on the quality of the acts of ministers and senior public servants is contained in its third report. On page 177 the commission criticized John Starnes, the former security service chief, in the following terms:

Mr. Starnes was aware of violations of federal and provincial laws occurring as a result of physical surveillance operations. Specifically, he was aware of traffic violations, the use of false documentation, false registration in hotels and the use of false or "dummy" registration for surveillance vehicles. In the absence of supporting evidence we do not accept Mr. Starnes' broad statement that the security service talked to ministers about traffic violations and dummy registrations . . . Mr. Starnes took no steps to stop these practices which he considered to be illegal and in that respect his conduct was unacceptable.

However on page 45 of the same report, in dealing with what transpired at a meeting of cabinet ministers and senior officials on December 1, 1970, the following passage appeared concerning testimony by the secretary to cabinet, Gordon Robertson:

—he does not doubt that Mr. Starnes must have said something like, "the S & I has been doing illegal things for 20 years but never caught" or such words would not in his view appear in the notes.

The report went on to say that the secretary to cabinet:

—infers, from the fact that the notes do not record that anyone at the meeting asked Mr. Starnes what he meant by that statement, that everyone around the table must have thought Mr. Starnes was talking about . . . "minor misdemeanours where things like traffic violations, false registrations in hotels, completing ownership certificates for cars falsely, surreptitious entry, other things of that kind took place", and that was thought to be a perfectly normal and necessary part of police work.

It is difficult to imagine what better supporting evidence the commission needed to satisfy itself that ministers and senior officials were aware of such activities, yet nowhere in the three reports of the commission is the secretary to cabinet or any of the 15 others around the table criticized or cited for unacceptable conduct on this score.

This raises the interesting question of whether ministers and senior officials received notice, called "Section 13 Notices", as did Starnes, warning them that they might be cited for unacceptable conduct in relation to their knowledge of possible violations of federal and provincial laws as a result of physical surveillance operations carried out by the RCMP. If ministers

and senior officials also received such notices, the question then arises as to why such criticisms are not in the third report.

Possible explanations are that, (a) those who might have received such notices were more successful than was Starnes in appealing before the commission, (b) the criticisms were removed from the reports by the governments, or (c) the commission decided that the testimony of the secretary to cabinet, Gordon Robertson, did not constitute, to use the words of the commission, "knowledge of illegal activity combined with a failure to stop it or deal with it in some proper manner, or willful blindness".

● (2240)

I close, Mr. Speaker, by saying that my main concern is to protect the innocence of the 17 RCMP officers charged in the Quebec courts. I think this government has a responsibility to the officers to offer those documents at least to the court, so they will be cleared of any charges against them, because they received their directions from the ministers opposite.

Mr. Dave Dingwall (Parliamentary Secretary to Minister of Energy, Mines and Resources): Mr. Speaker, as the House will recall, during the course of proceedings in November, 1981, against present and past members of the RCMP instituted by the attorney general of Quebec, it was necessary to swear an affidavit under Section 41.2 of the Federal Court Act to withhold documents requested by defence counsel. These documents contained information the production of which would be injurious to national security, or disclose confidences of the Queen's Privy Council of Canada. The documents requested were among the thousands to which the commission of inquiry into the RCMP had access.

The federal commission of inquiry, headed by Mr. Justice David McDonald, was given access to all categories of government and RCMP documents. In an unprecedented move, under the terms of an order in council passed in 1979, the commission was permitted access to cabinet and cabinet committee minutes which might bear on government knowledge of illegal activities. In its third report the commission pronounced itself well satisfied with the terms and conditions of this access. It had access to the indexes of the minutes of cabinet and its committees, and was shown any minute which it thought relevant to its concerns. In its report the commission noted that the Clerk of the Privy Council interpreted its right of access to cabinet and cabinet committee in broad terms.

In its report published in August, 1981, the commission made three principal findings: Certain members and former members of the RCMP had committed acts not authorized or provided for by law which could be referred to an Attorney General, federal or provincial, for possible prosecution, and to the commissioner, RCMP, for possible discipline; that in order to establish the context of the acts in question, certain information should be made public notwithstanding the need to protect cabinet confidences, national security and international relations; no superior authority for the acts could be attributed to ministers and senior officials.