

*Oral Questions*

## ALLEGATIONS OF INTERFERENCE BY JUDGE MACKAY—TYPE OF INTERVENTION REQUESTED BY MINISTER OF CONSUMER AND CORPORATE AFFAIRS

**Mr. Eldon M. Woolliams (Calgary North):** I should like to put this question, then, to the Prime Minister. While the Minister of Public Works seems to think his conversations with the Minister of Consumer and Corporate Affairs are privileged and believes he has the right to dictate the duties of judges, I assume the Prime Minister believes we have the right to know what happens, and knows what happened, as alleged by Mr. Justice Mackay, did the Minister of Consumer and Corporate Affairs ask the Minister of Public Works and the Minister of Finance to intervene on his behalf, and what kind of intervention did he want?

**Right Hon. P. E. Trudeau (Prime Minister):** Mr. Speaker, I think the preamble to the question is just as misleading as the hon. member's attempt to represent the situation.

**Mr. Woolliams:** A final supplementary question, Mr. Speaker. I see the Prime Minister is up to his usual tricks; he is trying to work another snow job on the House of Commons.

**Some hon. Members:** Hear, hear!

## ALLEGATIONS OF INTERFERENCE BY JUDGE MACKAY—PRIME MINISTER'S KNOWLEDGE OF INTERVENTION BY MINISTER OF PUBLIC WORKS

**Mr. Eldon M. Woolliams (Calgary North):** Yesterday the Minister of Public Works admitted to the House that he had contacted the associate chief justice with regard to the contempt of court proceeding in a way that can only be described as irresponsible interference. Did the Minister of Public Works advise the Prime Minister of his intention, and did he report to the Prime Minister on the conversation at any time before the story broke in the press on Tuesday with reference to the matter that is now before the House in this question period?

**Right Hon. P. E. Trudeau (Prime Minister):** Mr. Speaker, again I do not admit the preamble to the question which already prejudices the issue which I think the chief justice has something to do with. I do not admit it is irresponsible, but I am prepared to listen to objective argument on the matter. As for the question itself, the answer is no.

## ALLEGATIONS OF INTERFERENCE BY JUDGE MACKAY—PRIME MINISTER'S VIEW OF NEED FOR PUBLIC INQUIRY

**Mr. Edward Broadbent (Oshawa-Whitby):** Mr. Speaker, I have a question for the Prime Minister. While no one will dispute the appropriateness of the Prime Minister making general inquiries and looking into two sides of an issue as a general proposition when his own ministers or government are not involved as one of the two parties, and he does this before he reaches a decision about whether a public inquiry is needed or not, does the Prime Minister not see that the present circumstance is in fact fundamentally different from that in the sense that his own ministers are involved, being one of the parties in question, and also that the judge who is involved, the chief justice of the

[Mr. Speaker.]

Superior Court of Quebec, has already reprimanded a junior judge who is centrally involved in the case as well. Does not the Prime Minister see that this circumstance makes it absolutely essential that we have a public inquiry now so that he absolves himself from making the decision about the appropriateness or not either of ministers' actions or the judge's actions?

**Right Hon. P. E. Trudeau (Prime Minister):** Mr. Speaker, if I may attempt in my answer to refer to the theory of separation of powers, as expounded by the Leader of the Opposition and upon which hon. members did not want me to comment, may I simply state at this stage that if the theory of separation of powers makes any sense at all we should ask the courts to look into this matter and not attempt to run the courts for them.

**Some hon. Members:** Hear, hear!

**Mr. Broadbent:** Mr. Speaker, the Prime Minister is running roughly 12 minutes behind time, so would he now answer my question?

**Some hon. Members:** Hear, hear!

**Mr. Broadbent:** He did the same thing with the Leader of the Opposition and when he gets to the Social Credit party it will be too late. Let me ask the Prime Minister this most serious question. Since his own ministers are involved, is he not putting himself in a conflict of interest position in passing judgment about the need for a public inquiry after he gets the report, presumably filtered through the Minister of Justice?

**Mr. Trudeau:** Mr. Speaker, I am sorry that the Leader of the New Democratic Party did not understand that my reference to the separation of powers was in answer to his question, not a comment on the question of the Leader of the Opposition. The hon. member is asking parliament, the legislative branch, to inquire into the judicial branch.

**Mr. Clark:** Not at all.

**Mr. Paproski:** Stop playing games.

**Mr. Trudeau:** Let the judicial branch decide whether any wrongdoing has been done to them. If it has, it will have been done by us presumably, unless they have done it to themselves; but that is what we would like the chief justice to ascertain.

● (1430)

## ALLEGATIONS OF INTERFERENCE BY JUDGE MACKAY—REQUEST FOR PUBLICATION OF REPORT OF CHIEF JUSTICE OF QUEBEC

**Mr. Edward Broadbent (Oshawa-Whitby):** Mr. Speaker, I know the Prime Minister has always had difficulty seeing when a conflict of interest principle was involved, but I am sure it is abundantly clear today. Does he not see that he is telling the people of Canada he will make the decision about whether or not a public inquiry is needed and, if so, he is basing it on a report to which we do not have access or in respect of which we do not even know the terms of reference made to the judge. The whole thing from the public point of view is totally obscure and there-