

*Supply—Justice*

concern to every member of this house particularly as it seeks the fundamental objective of safeguarding the liberties of individuals, presuppose the condition that the aggrieved one should be seeking relief?

It is very easy to obtain this relief; this is a free country and it requires only one word to the press. But I notice that in this case the accused has been silent. I think this silence is significant. I should like to hear what the hon. member's views are in this respect.

**Mr. Nielsen:** Governments exist as an instrument for the people, and not vice-versa. If the Minister of Justice is prepared to stand up and say that Mr. Spencer has been approached and asked whether or not he wishes to have access to the courts, and if he is prepared to say that he wants nothing to do with access to the courts, then fine; I am prepared to accept the situation. But I believe that governments exist to see that justice is done, and we do not wait for this massive rejection of government action before governments act in matters such as this. It is the government's responsibility to see that justice is done to every individual or group however small it might be.

**Mr. Lewis:** Mr. Chairman—

**Mr. Grégoire:** Mr. Chairman, may I ask a supplementary question?

**The Chairman:** Order, please. The Chair recognizes the hon. member for York South.

**Mr. Lewis:** Mr. Chairman, I want to say a few more words on the case which we have discussed a great deal. I want to start by answering, if I may, in my own way the question which has just been asked and the question interjected by the hon. member for Mount Royal as well, namely as to whether or not Mr. Spencer has asked for relief. Let me ask the hon. gentleman this question. Suppose you have, as in my experience in labour relations I have frequently found, a man who is dealt with unfairly by his employer and he is one of those easy-going, quiet, reserved, timid people—

**Some hon. Members:** Oh, oh.

**Mr. Lewis:** Don't laugh. I happen to have made inquiries about Mr. Spencer, for the information of the hon. member for Lapointe, and I happen not to be able to find where Mr. Spencer is, for the information of the hon.

member for Lapointe. If I knew where Mr. Spencer is I would find out exactly what he wants or what he does not want done in this case. But he has apparently disappeared and people do not know where he is; at least, those we are in touch with do not know.

I ask the hon. members who have asked this question: If you have a man to whom an injustice has been done by his employer, and he happens to be rather timid and does not raise objection—there are many people who do not fight for their rights themselves—does that make the injustice any the less important; does that make the principle of civil liberty any the less relevant; does that make the taking away of a man's civil right any the less significant—the fact that the man has not himself raised his voice?

The Minister of Justice says, why do we want a judicial inquiry? To answer this question I can use no better language than that of the Prime Minister. We want a judicial inquiry for the reasons the Prime Minister set out as reported in *Hansard* of 1963 at pages 4044 and 4045:

The second new requirement is to ensure that a second look is always taken by a separate body before dismissal is finally decided upon. Once the individual is told of security doubts he will have the opportunity to give his side of the case. The employing agency will consider it, consult the staff of the government security panel, and arrive at a conclusion. It may be to accept the person as reliable, in which case no problem arises.

The right hon. gentleman went on:

It may be to transfer him to a less sensitive employment, as has been the case certainly more than once in the past, where he would not have access to secret and confidential material. But if it is—

I ask the Minister of Justice to listen to the words of his and my Prime Minister:

But if it is that his dismissal must be recommended, the individual will be given a second hearing, this time by the deputy minister or head of the agency. If that interview does not resolve the doubts, and if the agency head agrees with the view that dismissal is necessary, the whole case and the relevant information, including anything that the employee himself has submitted, will be submitted to a board of review.

This is the point we are making, Mr. Chairman.

**Mr. Groos:** May I have a chance to reply to the question of the hon. gentleman?

**Some hon. Members:** No.

**Mr. Lewis:** My question was not directed to the hon. member. I say to the Minister of