

*Criminal Code Amendment*

between these two villages, some 30 miles apart, and was listening to the conversations of the union executives. Two men I knew well contacted two miners who came from Cape Breton, and from that point on the conversations were all carried out in Gaelic. The mine managers were completely confused and the strike was successful.

• (5:40 p.m.)

My second contact with wire tapping was in connection with the tapping of wires that were intended to relay advance information with respect to race track meets, and things of that sort, by persons interested in betting professionally. I have been interested in this subject for a long time, but my interest has been heightened recently by the tapping of the executive meeting place of the Pulp and Paper Workers of Canada. No doubt hon. members have read about this in the newspapers and have followed the course of this investigation. As soon as this matter was made public the premier of British Columbia appointed a commission of inquiry and Mr. Justice Sargent was appointed to undertake this work. After a considerable number of meetings, which were reported in some detail in the press, Mr. Justice Sargent said he intended to play the tapes that had been authorized to be taken by Mr. Pat O'Neal, former secretary of the B.C. Federation of Labour, so they could be reported by the press and recorded by the C.B.C.

It happened that these tapes were of an executive meeting, but after the executive meeting was over there was recorded on the tapes private conversations with regard to the men's intentions in connection with the building of a house, purchase of property, and things of that sort. They protested very vigorously against the action that was contemplated in respect of the tapes and appealed to Mr. Justice J. O. Wilson of the Supreme Court of British Columbia against this practice. Mr. Justice Wilson listened to the appeal and his judgment was in favour of the union, namely that it was improper and unfair to play tapes in public of an executive meeting of a union, or other conversations carried on at the time the executive members were meeting in this hotel. He disallowed the inquiry on those grounds. Shortly afterwards the attorney general of British Columbia reconstituted the commission of inquiry, and Mr. Justice Sargent is carrying it on.

The president of the union has refused to answer certain questions on the basis that our

Solicitor General (Mr. Pennell) instructed Mr. Justice Sargent that no questions were to be asked of Mr. Pat O'Neal with respect to his associations with the R.C.M.P. as an undercover agent prior to the incident surrounding the bugging of the hotel. Mr. Orville Braaten, who is now president of the union, refused to answer questions on that basis, and the union has again appealed to a justice of the supreme court for a decision on this matter. That appeal is now proceeding. In this connection I wish to quote from the Vancouver *Sun* of February 24, page 7. This article is headed, "Lawyer Attacks Bugging Probe. Supreme Court Hearing Set for Six-Point Assault," and says:

A six-point legal assault on the royal commission on invasion of privacy will be launched Monday in B.C. Supreme Court by the lawyer representing jailed union leader Orville Braaten.

I might say that this union leader who refused to answer certain questions, based on a former decision, was led from the court in handcuffs and taken in that way to the jail. Anyone would think he was a Hoffa, or something of that sort, instead of a very responsible citizen who is a member of the N.D.P. and has run as an N.D.P. candidate. Anyway, Mr. Speaker, that is the treatment he received. This article continues:

Mary Southin, lawyer for the president of the Pulp and Paper Workers of Canada, gave notice of her intention in Supreme Court on Thursday.

I have been in repeated contact with the executive officers of the union since this hearing was undertaken. The article continues:

Commissioner R. A. Sargent committed Braaten for contempt after he refused Wednesday to answer certain questions about a dispute between his union and the rival International Brotherhood of Pulp, Sulphite and Paper Mill Workers.

The 48-year old union leader was to appear today at the inquiry to be asked if he wishes to purge his contempt.

In a scheduled court appearance Monday, Miss Southin will seek a declaration that section 11 of the Public Inquiries Act is ultra vires of the legislature of B.C.

I read the Public Inquiries Act in the statutes of British Columbia and am of the same opinion as Miss Southin, namely that it is ultra vires of the provincial jurisdiction. The articles goes on to say:

This section was used by the government to authorize the Sargent commission to delve into the bugging of the PPWC convention by a private detective hired by international organizer Pat O'Neal.

She will also ask for a declaration that the order in council passed January 3, 1967, recommending