

PRIVILEGE

MR. RODRIGUEZ—ALLEGED ELECTRONIC SURVEILLANCE OF
HON. MEMBER

Mr. John Rodriguez (Nickel Belt): Mr. Speaker, I rise on a question of privilege. I want to read into the record a letter which I received yesterday from the Solicitor General (Mr. Blais):

Dear Mr. Rodriguez,

On Wednesday, March 1, you raised a question of privilege in the House of Commons asking the Speaker to obtain any tapes or other objects resulting from electronic surveillance against yourself, and to discover why that electronic surveillance operation was undertaken and why the tapes have not been turned over to you.

Unfortunately, I was not in the Commons when you raised your question of privilege but I gave assurances to reporters outside the House that no such tapes existed. On Thursday, March 2, in reply to a question from Elmer MacKay, I stated that:

"not even incidentally do we have any record of the honourable member for Nickel Belt being subjected to taping or to any other surveillance".

The full text of my response to your question of privilege is as follows:

"Mr. Speaker, I rise to speak on the question of privilege raised by the honourable member from Nickel Belt yesterday. I wish to advise you, Mr. Speaker, and through you, members of this House that I am informed by the RCMP that no authorization was ever given to Warren Hart to conduct electronic surveillance on any member of parliament.

The RCMP advised me that they do not have any tape or any record of tape existing of a conversation between one of Mr. Hart's targets and the member for Nickel Belt. Obviously, Mr. Speaker, it is impossible for me to turn over any tapes or transcripts to you or to the honourable member because if they exist, they were never in the possession of the RCMP.

In view of this reply, Mr. Speaker, the other concerns of the honourable member as to the reasons for the undertaking of an electronic surveillance and to why he was not informed do not apply".

If you so wish, I would be pleased to state this in the House as a formal reply to your question of privilege.

Jean-Jacques Blais, P.C. M.P.

Mr. Speaker, I am sure we have no reason to question the veracity of this letter. It was written by a person who is both a member of parliament and the Solicitor General. There is, however, an important problem. We have in our possession a copy of the sworn affidavit of a Mr. Warren Hart in which he says:

On explicit instructions from members of the security service of the Royal Canadian Mounted Police, I conducted electronic surveillance on the then Solicitor General of Canada, namely the Hon. Warren Allmand, a member of the Canadian House of Commons, and John Rodriguez from the Nickel Belt riding, and the NDP in British Columbia.

There is clearly a contradiction between the sworn statement of Mr. Hart and the statement of the Solicitor General in the House and in his letter to me. There is a further complication here because the Solicitor General did state in the House on February 27 that Mr. Hart was in the employ of the RCMP. He is also reported in the press as saying outside the House that the taping of both the former solicitor general and myself was "accidental", although he changed that word to "incidental" on February 28.

Privilege—Mr. Rodriguez

● (1512)

Let me repeat that I am not questioning the word of the Solicitor General (Mr. Blais) who, as a member of parliament and a minister, we must believe would not deliberately mislead the House. However, I must make the point that the Solicitor General's statement may be seen as irrelevant to my point of privilege, for two reasons.

First, over the course of previous months we have seen frequent occasions in the House when it was made clear that present and past solicitors general had not been fully aware of activities under the jurisdiction of their departments. We were told, for example, that the solicitors general had no prior knowledge of certain illegal acts and, again, that as members of parliament we should believe them. Thus, we may be led to the conclusion that once again in this case a solicitor general may lack certain knowledge.

Even if the Solicitor General's statement is accurate, however, there is still a question of privilege to be dealt with. Mr. Hart has stated in a sworn affidavit that he conducted electronic surveillance operations against me under the orders of the RCMP. If his statement is true, if he did conduct electronic surveillance operations against me, whether or not he was acting on the orders of the RCMP, then my privileges have been breached since such surveillance breaches the confidentiality of my communication with my constituents and with it my ability to perform my duties as a member of this House.

If, however, Mr. Hart's statement is completely false, my privileges have still been breached. Mr. Hart's notarized statement has been made public, and both the statement and the specific allegation that I have been the subject of electronic surveillance have received extensive publicity.

A Canadian press article, for example, in the *Ottawa Citizen* of February 28, 1978, has as the headline, "Blais Confirms Hart Taped Allmand, M.P." and reads in part as follows:

Solicitor General Jean-Jacques Blais confirmed in the House of Commons Monday that Warren Hart, an FBI informer working for the RCMP, accidentally eavesdropped on former solicitor general Warren Allmand and MP John Rodriguez (NDP-Nickel Belt).

Again in a Canadian press story in the *Ottawa Citizen* of March 1, 1978 there appears the headline as follows:

'Control' of Informer Arranged by RCMP

And in the article this statement occurs, Mr. Speaker:

Hart claimed part of his duties were to electronically eavesdrop on then solicitor general Warren Allmand and NDP MP John Rodriguez (Nickel Belt). Blais has said conversations of Allmand and Rodriguez were taped accidentally while Hart was bugging someone else.

And, Mr. Speaker, Mr. Hart has gone further—to make statements on national television in which he again stated that such electronic surveillance operations had taken place. Thus, whether or not Mr. Hart's statement is true, it has been given such extensive publicity as to call into question in the minds of my constituents the confidentiality of our communications. This, as I have stated before, distinctly impairs my ability to perform my duties as a member of this House.