

*Supply—Justice*

of this parliament was taken up with references and accusations which have nothing to do with the welfare of the people of Canada, or the welfare of people anywhere on this earth, which should be our job. It is regrettable to me as a member of the house that some of those exchanges took place. I hope they are now ended, Mr. Chairman. I hope that the order in council tabled by the right hon. Prime Minister, and the inquiry which he has undertaken to promulgate, will now end the recriminations, personal attacks and personal accusations to which we have been listening for some days, in my case with some shame and some very considerable regret that this kind of thing was happening in the parliament of Canada.

As to the inquiry into the procedures of our security system, that is something which our leader, the hon. member for Burnaby-Coquitlam, will comment on when we see the order in council, or he will designate someone else from our party to do so. I will not say anything about it at this time.

I must say the order in council for the inquiry into Mr. Spencer's complaint, in my opinion gives Mr. Justice Wells all the authority he requires to make a thorough inquiry into that complaint. I took the trouble last night to ascertain once again by a long distance telephone call whether there was any change in the position taken by Mr. Spencer's solicitor, given in the language of the telegram which I read into the record on Friday. I was assured by a return long distance call that there was no change. As I read the order in council the government has said to Mr. Justice Wells, "Here in the language of Spencer himself is the complaint which he makes," and Mr. Justice Wells is given unlimited discretion to investigate that complaint.

It seems to me, Mr. Chairman, I would be merely destructive, negative, and would be wasting the time of this parliament if I did not say that the order in council and the terms of reference are such as to make it my duty to withdraw the motion which I moved. I ask for the consent of the house to do so.

**Mr. Churchill:** We are in no hurry about it.

**The Chairman:** Does the committee give unanimous consent?

**Mr. Nielsen:** No.

[*Translation*]

**Mr. Caouette:** Mr. Chairman, after hearing the statement of the right hon. Prime Minister (Mr. Pearson) about Victor Spencer, who

[Mr. Lewis.]

was dismissed under section 50 on the Civil Service Act and after hearing the usual harangue of the Leader of the Opposition (Mr. Diefenbaker), who sought to crush others to prove that he alone was right, I suggest that we must point out in all frankness and in all fairness that it is due to the initiative of the leader of the New Democratic party that the Spencer case was drawn to the attention of this parliament on January 21, 1966. Only then did the Leader of the Opposition intervene. Today, he tries to give the impression that he is the great champion of Mr. Victor Spencer. Mr. Spencer was dismissed under section 50 which clearly stipulates that there is no right to appeal and, in view of the fact that section 50 was passed unanimously by the house, by the Conservative party as well as by all the others, I wonder why the Prime Minister reversed his stand, when the order in council—once again, I am sorry but I have just the English copy—reads as follows:

[*English*]

The Committee of the Privy Council, on the recommendation of the Right Honourable Lester Bowles Pearson, the Prime Minister, advise

(1) that the Honourable Mr. Justice Dalton Courtright Wells, Toronto, Ontario, be appointed a Commissioner under Part I of the Inquiries Act to make such investigation, as in his absolute discretion he deems necessary, into the complaints made by George Victor Spencer as set out in the following telegram of 4th March, 1966:

[*Translation*]

That telegram was read by the hon. member for York South (Mr. Lewis) last Friday.

Mr. Chairman, I am not against the Leader of the Official Opposition raising that matter, even trying to make political hay, in the name of justice in Canada, in the name of common sense, as he said earlier; the hon. member for York South says that abuse was hurled from both sides of the house and that the business of the house was delayed. I say that if such a situation exists with regard to the Spencer case, the opposition parties cannot be blamed, because the government itself is responsible.

The Minister of Justice spends three weeks stating that that he will not appoint a judge or a commission and will not change his mind, and the Prime Minister, about that matter, asserts: "No, Mr. Speaker, no commission will be established to study the Spencer case because it is closed". At a certain moment, on Friday, after standing up to the opposition for three weeks, the Prime Minister declares that a judge will be appointed to study the Spencer case.