

the deposition which I now have, I feel quite definitely that the non-arrest of the member would not only be prejudicial to the other case but to the interest of justice in general.

Yours very truly,
F. P. Brais.

I should like now to table copies of both the communications I have read.

Mr. COLDWELL: I do not think the Prime Minister gave the date of that opinion.

Mr MACKENZIE KING: The first was, Ottawa, 14th March, 1946; the one from Mr. Brais, which I have just read, Montreal, March 12th, 1946. The letter from Mr. Brais, it will be noticed, is in reply to the communication from the commission's counsel. That is how it came to be written before their letter to the Minister of Justice.

While I am dealing with this matter I might perhaps answer, from the report of the commission which I have just tabled, the question which is very much in the minds of us all—I can assure hon. members, in the mind of no one more than my own, namely, why it is that certain individuals should have been detained for the length of time that some individuals have been detained in connection with this inquiry. The commissioners themselves have doubtless seen that the public, as well as parliament, wished to be informed on this matter. I shall read the concluding paragraph of the second interim report which I have tabled. It is as follows: I quote from page 20:

In conclusion we may add that we regret not having been able to complete as yet the hearing of evidence with regard to the five other persons who are detained under the provisions of P.C. 6444 passed on October 6, 1945, but we hope that we will be able to do so shortly. On February 14 last we concurred in the advice given by counsel for the commission to the Honourable the Minister of Justice that certain named persons should be detained, and we did so because of the serious nature of the disclosures then indicated by the evidence we had heard, and the fact that cover names of persons who had not been identified appeared in the evidence which indicated that the ramifications of the disloyal practices and the persons engaged therein might be even greater than then appeared and might well be continuing. In effect the matters with which the inquiry was concerned appeared to us to be of so serious a nature from the national standpoint that we believed the course advised by counsel should be pursued in the exceptional circumstances existing. The further evidence which we have heard has not caused us to change this view but, on the contrary, has confirmed it.

In a case of this nature where the evidence has revealed the existence of an organization constituting at least a threat to the safety and interests of the state, as evidenced by the fact that some witnesses holding strategic positions have made the significant statement under oath that they had a loyalty which took priority over the loyalty owed by them to their own

country, and for that reason they acted as they did, and would unquestionably have continued so to act had they not been detected, we are of opinion that should these persons be allowed communication with outsiders or between themselves until their activities have been fully investigated, some of the basic purposes of this inquiry would be entirely defeated.

Respectfully submitted,

Robert Taschereau,
Royal Commissioner
R. L. Kellock,
Royal Commissioner.

There is a further point which I might clear up, and that is the impression that those who still remain to be interrogated feel that as no charge has been made against them they should not for that reason be detained. May I make it clear that those who are being detained by the commission are being detained for purposes of interrogation, for the purpose of getting their evidence under the section of the Inquiries Act which authorizes the commission to take that course. There is no charge against them at the moment. The purpose of the interrogation is to see whether or not, in the light of all that is known, a charge should be laid. When the commissioners come to the conclusion that a charge should be laid against anyone who has been interrogated, they bring before them the persons being interrogated and so inform them and ask them if they wish to retain counsel and if there is anything further they would like to say to the commission before the commission expresses the view that a warrant ought to be issued for their being taken into custody. All of those who have thus far been taken into custody have had that opportunity before the commission. Those against whom charges have been laid, of course, will have their case investigated by the courts and will have all the opportunities which are accorded to persons so situated to retain counsel and to take the course which they deem most advisable and which may be justifiable in the circumstances. I think that answers what the leader of the opposition had intended to ask and what the leader of the C.C.F. party has asked.

With the permission of the house I should like to introduce a motion which will permit of the printing of the documents which I have just tabled.

Mr. JOHN BRACKEN (Leader of the Opposition): Perhaps the Prime Minister would permit me a word before he makes that motion?

Mr. MACKENZIE KING: Yes.

Mr. BRACKEN: The Prime Minister has tabled the interim report of the commission to which he referred yesterday. In doing so