

Administration of Justice

• (3:20 p.m.)

With respect to the question of whether Mrs. Munsinger was ever engaged in espionage activities, I have said that my recollection of the file is that there was no such allegation. Certainly she never spied in Canada. I, of course, cannot prove of my own knowledge that she never spied before, but I can refer to press reports of investigations made since the Munsinger case came before the public. I refer to the *Toronto Telegram* of March 12 this year, page 19, which reads as follows:

Justice Minister Lucien Cardin said Thursday that Gerda Munsinger "had at one time been employed and worked in espionage work."

However official sources in Germany, the United States and Canada do not confirm this.

From Washington, Gordon Donaldson reports:

"Neither the CIA nor FBI would say they had any record of espionage involving Mrs. Munsinger."

From Bonn Alfred Schroeder cabled:

"German Central Counter Intelligence Agency does not have Munsinger record. They are emphatic that if Munsinger was engaged in espionage and later left Canada the German agency would have received advice from Canadian authorities if she returned to West Germany."

And this, to the consternation of the Minister of Justice who said she had died, is where she turned up.

From Ottawa, Ron Collister reports:

"The R.C.M.P. refuse to confirm that Mrs. Munsinger was a security risk nor will they even discuss the case—

Quite proper under the circumstances.

"However, Mrs. Munsinger was not considered a security case when she arrived in Canada in 1955 or she would not have been allowed to enter the country."

Now, sir, that is the statement of the facts based upon my recollection of the file, and it refutes absolutely the charges and innuendos with regard to security and the existence of any evidence of any offence so carelessly thrown out by the Minister of Justice. It is clear, then, that there being no breach of security or other offence reported upon or suggested, there was no obligation, occasion or common sense in my referring the report to the legal advisers in the Department of Justice for an opinion.

I may say, sir, that in any other case where it was proper to do so, whether or not the report included names of those near the government, I invariably did refer them for an official legal opinion and advice. But these were cases where offences existed or were alleged. That was not the case here.

Having concluded, as he obviously did, that he was and is unable to substantiate the slanderous security aspects of his charges, the Minister of Justice then sought to reduce the count. By his letter to the Prime Minister, read into *Hansard* by that gentleman, by the Prime Minister, on Friday last, he tries to confine the poison to an allegation that the Leader of the Opposition was guilty of improper conduct when Prime Minister in that he failed to lay the file on the case before the legal advisers in the Department of Justice for their advice and that this constituted mishandling of the case. He concluded his letter by saying:

"I have made and make no other charges."

Sir, that last sentence is just not true. His other charges stand, they have not been withdrawn nor has an apology been tendered for them, and he is convicted by his inability to prove them. But what are the charges now levelled against the Leader of the Opposition? I have given the reasons why it was not necessary, indeed was not appropriate, for me to refer the matter to the department. What possible reason was there for the then Prime Minister to do so? No offence was charged or suggested in the report. Was the Prime Minister under any possible obligation to ask the legal advisers to comment upon a report not involving any legal issue? I should think that responsible civil servants—this is the only kind we have in the Department of Justice, and I should think they are sick at heart right now as a result of the conduct of this minister and this government—would properly resent being asked to pry gratuitously into private lives.

Some hon. Members: Hear, hear.

Mr. Fulton: We can leave that sort of thing to the present Minister of Justice, who prefers to do it publicly and invites parliament—well, I say no more there.

Sir, that is the factual statement I wished to make to this house so far as my recollection of the file and the circumstances surrounding it are concerned. What is the situation with which we are left? Well, unless the minister withdraws and apologizes, then of course we are left with his allegations on the one hand and mine on the other. I have no hesitancy or fear with regard to what any examination of the file will establish in respect of the fairness or accuracy of my recollection.