

Administration of Justice

Mr. Fulton: I have made my statement this afternoon. I would have liked very much to be able to see the file before speaking here today.

Some hon. Members: Oh, oh.

Mr. Pickersgill: Evasion.

Mr. Fulton: I do not think my hon. friend has seen it, and I have made my statement. I am not going to go back on my statement, nor am I going to retreat from it, that the investigation which gave rise to the report I received was not initiated as the result of any security checkup in the proper sense of the word security.

Mr. Hellyer: What is the proper sense of the word?

Mr. Matheson: May I ask—

Mr. Speaker: Order, please. The hon. member for Kamloops has the floor.

Mr. Lewis: May I ask the hon. member a question? I am not concerned with the politicking going on between the Minister of Transport and himself.

Some hon. Members: Oh, sit down.

Mr. Lewis: Mr. Speaker, I repeat what I said about the questions that were asked of the hon. member for Kamloops but I want to ask him a question relating to his suggestion. Does his suggestion for the inclusion of the statement made by the Prime Minister add anything in his view to the statement now in the terms of reference about the circumstances that may have constituted a risk to security? I am seeking information. I am not trying to do anything else.

Mr. Fulton: I appreciate the terms of the hon. member's question and I assure him I will deal with that as I outline my suggestion with respect to the changes that should be made in the terms of reference.

Mr. Matheson: Mr. Speaker, may I ask a question? Did the file come from the security and intelligence branch?

Mr. Fulton: I think, Mr. Speaker, it is obvious we are getting to the root of what has been going on here. It appears to me it becomes important for the Prime Minister to say what he means by security, in the context in which he used that word in relation to this case.

Mr. Pearson: That will be easy.

Mr. Fulton: All I want is the Prime Minister's statement of March 10, to which I have referred at page 2521, made part of the terms of reference, because that was an allegation made by the Prime Minister that this was a security case.

We would also wish to have the statement made by the Prime Minister, reported at page 2532 of *Hansard*, made a part of the terms of reference and subject to the commissioner's inquiry. At that stage the Prime Minister was indicating he was prepared to adopt the amendment proposed by the hon. member for Lapointe (Mr. Grégoire) and he said, referring to the amendment:

It is that we should:

—take such steps as are necessary to establish a judicial inquiry into the security case referred to by the Minister of Justice and by the Leader of the Opposition on March 4, 1966, at *Hansard* page 2211—

The Prime Minister was prepared to adopt that as part of the terms of reference for the inquiry. In other words, in his view this was a security case and this is a matter we think the commissioner should be instructed and required to look into.

Then we think the terms of reference should be further amended by deleting the whole clause beginning about the middle of the Order in Council with the words:

—and into all the statements of the Minister of Justice in a press conference on March 10, 1966—

And ending with the words:

—and that the case was not properly handled;

We think that sentence should be deleted—

Some hon. Members: Oh, oh.

Mr. Fulton: —and that there should be substituted therefor some words which I will outline in a moment. The reason we think that deletion should be made and a substitution inserted is that in our view the words included in the Order in Council do not in the least accurately reflect the charges made by the Minister of Justice, and what we have here are words which contain refinements and important omissions and inclusions which would prevent the commissioner from getting to the root of the matter.

After all, this thing arose out of the charges made by the Minister of Justice. He said, and I have the press clippings here to substantiate it, that the case concerned not just involvement. What was implicit in the minister's statement was improper involvement, something entirely improper—

Mr. Cardin: Quote it accurately.

Mr. Pearson: Quote it.