

*Privilege—Mr. Stanfield*

**Mr. Trudeau:** The words are to my knowledge. I have that knowledge from the commissioner of the RCMP. If the hon. gentleman from Vancouver wishes to question that gentleman's word, then of course that is his right. It seems to me—

**Mr. Fraser:** You also told us that that break-in was an isolated event.

**Mr. Trudeau:** Mr. Speaker, this is the kind of matter which should be referred to the McDonald commission, and that is what we propose to do.

**Mr. Edward Broadbent (Oshawa-Whitby):** I join in this important discussion, Mr. Speaker, following what the Prime Minister (Mr. Trudeau) just had to say. It seems to me that the Prime Minister has made two points. The first one concerns the duration of time that this kind of practice may have been in existence. With all due respect to the source, the duration of time, sir, is beside the point. If something has been going on for 30 years which has been pernicious in any way in its influence, whether or not it has become public knowledge, that is no reason to legitimize or perpetuate such a circumstance.

We all know, taking something out of the history of our country and going back into that time-frame, that the Government of Canada took a certain course of action toward Canadians of Japanese ancestry during World War II that was anything but reputable to those who concerned with civil liberties. At that time certain candidates for political office, and indeed certain members of parliament, came to the defence of those Canadians of Japanese ancestry. What the Prime Minister has had to say does not offer any persuasive evidence at all for us to abandon the concerns expressed by the hon. member for Halifax (Mr. Stanfield). Indeed, there may well have been some kind of action taken toward the candidates for office at that time, whether they were elected or not. It is something that is worth while for members of the House as it is presently constituted to consider within the framework of its present practices. The argument that the Prime Minister has made with reference to past practice is not one of substance or germane to the issue as raised by the hon. member for Halifax.

The central question is the loose definition and broad concept given to subversive or wrong activity to legitimize this kind of activity by the police forces in Canada. Without repeating the fine argument that has already been made by the hon. member for Halifax, on behalf of my colleagues I would like to lend the strongest possible, unequivocal support to the view that he expressed. If you do find there is a prima facie case that has been made out by the member for Halifax, quite independent of what the McDonald inquiry should decide to do with this matter—and it should look into it as well—it seems to me that the members of the present House have a real obligation to exercise their responsibility representing all parties to look into this matter.

I listened to the words of the Prime Minister with care when he talked this afternoon about surveillance, because in his

[Mr. Fraser.]

earlier comments he said that he had given assurances that since he has been Prime Minister there had been no surveillance of members of the House. I listened, because I know that that is not the record. The record of the Prime Minister has been that there is no electronic surveillance that has been undertaken, and that is quite a different notion. Later in his comments this afternoon he corrected himself when he made reference to surveillance of present members and he said there was no electronic surveillance. I submit, sir, that even the government's position vis-à-vis the issue of surveillance of present members is at the very least ambiguous. Mr. Speaker, I conclude by repeating what I said a few minutes ago, that we support the case made by the hon. member for Halifax 100 per cent.

● (1522)

**Mr. Bill Jarvis (Perth-Wilmot):** Mr. Speaker, I shall try not to impose upon you or repeat the argument I made last Friday when the subject was a different motion. The arguments made then were rather forceful and I hope were of assistance to you.

I want to deal briefly with two or three points. The first of these was discussed by the hon. member for Oshawa-Whitby (Mr. Broadbent), and that is the assurance that no member of the House has been the subject of electronic surveillance since 1968. I am not quite sure if that is the issue and whether it should be conclusive in preventing you from finding a prima facie question of privilege. There has been a question about that assurance as it relates to the Minister of Consumer and Corporate Affairs (Mr. Allmand) and to the hon. member for Nickel Belt (Mr. Rodriguez) who were alleged to have been the subject of such electronic surveillance. We had a question of privilege on that matter as it related to the hon. member for Nickel Belt, and it was voted upon.

If I understand the submission of the Solicitor General (Mr. Blais) correctly it is that, having confirmed the existence of a document, one defence to a prima facie question of privilege was the sensitive nature of that document or documents. I do not believe that is a defence to finding that there is a prima facie question of privilege. There is a certain sensitivity, but I think all of us would acknowledge that it has nothing to do with the question of whether our rights and privileges have been affected. Indeed, there are ways of handling that sensitivity which are well known to Your Honour.

We have, apparently, a cross check between the names of political candidates and certain lists of persons believed to be members of subversive groups or who are alleged to have participated in subversive activities.

On Friday the Deputy Prime Minister (Mr. MacEachen) made a special point of saying that no one is immune, and I quite agree. I would argue, however, that this is not the issue. There may be other documents and other manuals relating to union leaders, businessmen, municipal leaders, and all kinds of people, but each of those groups has its own remedies. Those remedies may be political or they may be legal. Our remedy, sir, is to appeal to you, because there is this one manual