

AIR INDIA INQUIRY < **CANADA**

Erased tapes held key to plot, Mountie says

CSIS's recordings could have built case, Air India probe told

JIM BROWN

THE CANADIAN PRESS

OTTAWA—A top Mountie is standing by a controversial claim that the Air India bombers could have been brought to justice years ago, if only Canada's spy agency hadn't erased key wiretap tapes.

RCMP deputy commissioner Gary Bass told a public inquiry yesterday he's convinced the missing material could have been used to build a conspiracy case against Sikh extremists suspected of the blast.

"I certainly would have been urging a prosecution," said Bass. "I think there probably would have been an opportunity for a court to accept that (wiretap material) as proof of a conspiracy . . . it would be fairly compelling evidence to put forward to Crown counsel."

At issue are hundreds of hours of wiretaps by the Canadian Security Intelligence Service in the months just before and just after the June 1985 jet bombing that killed 329.

Written summaries of the contents were kept but the originals were erased in keeping with standard service policy.

A 1992 study by the Security Intelligence Review Committee, the watchdog that monitors CSIS, was

critical of the erasures but concluded it was unlikely any critical evidence was lost.

Bass, then the RCMP inspector in charge of the Air India investigation, first challenged that finding in a memo written in 1996 and later widely publicized.

"There is a strong likelihood that, had CSIS retained the tapes between March and August 1985, a successful prosecution against at least some of the (bombing) principals . . . could have been undertaken," he wrote.

The comments have often been cited as an example of the turf wars between the RCMP and CSIS that hampered the investigation.

Bass insisted yesterday he was not trying to point fingers at the spy service. In other memos, he acknowledged Mounties could also be criticized for their investigative efforts. "I think we all share in the responsibility — both of us, the RCMP and CSIS — to co-operate and work closely together to the benefit of Canadians," he said. "I don't think either of us did particularly well at that in 1985."

Bass told the inquiry, led by former Supreme Court justice John Major, the panel was wrong to accept the word of CSIS on some erasure questions. Asked if he thought the agency had lied to the committee, Bass pulled back. "I wouldn't go so strong as to say it was a lie. It could be misinterpretation."