amendment, because it is the simple, moral and decent thing to do to notify a private citizen whose conversations have been intercepted, and intercepted legally under the bill. I have heard from the minister about the famous heroin case for about four days. I refer to the famous heroin case that was brought about through the use of wiretaps. I fail to see how this particular section to which the minister objects would have in any way impeded the success of that investigation, because section 178.23(2)(b) clearly provides:

where the Attorney General of the province in which the application is made or the Solicitor General of Canada, as the case may be, certifies within the said 90 days in a manner prescribed by regulations to the judge who granted the authorization that the investigation is continuing and the judge is of the opinion that the interests of justice require that a delay of a determinate reasonable length be granted, in which case the judge may grant a determinate reasonable delay.

It is very clear, Mr. Speaker, that the case the minister has presented to the House is that this section would have created difficulty. It would have created no difficulty at all. The real issue is that the minister does not want to go to the judge. It is an inconvenience, it is a nuisance to go to the judge. We on this side of the House do not consider it a nuisance or an inconvenience, and we have confidence in the judiciary of this country to exercise its rights fairly and properly for the protection of the citizens of the country.

Some hon. Members: Hear, hear!

Mr. Leggatt: I do not have too much to add. Certainly we in this party vigorously oppose the attempt to destroy the good work of the committee. I fail to see the logic of the minister's argument on this. This is a rather vital section for those of us who believe that privacy is a substantive right and the Crown, the government or anybody can only take that right away under very special and extreme circumstances. This is not, obviously, the view that the minister takes. It is interesting that in the 1400s it was an offence in England to eavesdrop. They were very wise then. This is the right that we should all protect, Mr. Speaker, and we in this party certainly hope this motion fails when it comes to a vote.

Some hon. Members: Hear, hear!

Mr. R. Gordon L. Fairweather (Fundy-Royal): Mr. Speaker, I am sorry that the minister takes such a callous attitude toward this particular section. He and his officials had ample warning that the committee was very likely to move in the way it did on the matter of notice. The committee studying the bill this time recommended notice, and the committee studying the bill the last time around recommended that notice be given. During second reading many hon. members begged the minister to consider this recommendation. I did so at the time because I knew that the draftsmen at the minister's disposal would put the matter of notice in accurate language to cover the sense of the former committee's recommendation and also what many of us felt should be incorporated into the law.

When the minister appeared before the committee, many of us again urged upon him the need to provide legislative language to cover this notice provision. It should not be any surprise at all to the minister that the committee decided, or redecided if you like, that some notice of this invasion of a substantive right had to be given if the thrust of the act, which the minister claims is a great advance in the law, was to be given effect.

There have been many allusions to Watergate over the past few weeks. I am not going to delay proceedings very much by recounting all the shabbiness of that event. But I think the attention of hon. members should be drawn, if they have not seen it already, to an article by Morton Halperin, who is known to some people in this capital and who was a consultant to the U.S. Secretary of State, Dr. Henry Kissinger.

● (2020)

In the New York *Times* of May 31, Morton and Ina Halperin wrote an article entitled "The outrage of wiretaps". The article speaks of the wiretap placed on their telephone. Actually, the wiretap was continued even after Mr. Halperin had left the employ of the government of the United States. The wiretap first went on when he was an adviser to the presidential candidate, George McGovern. It is a poignant article, a sad article, a miserable article, because it tells the grubby story of people who have no respect for privacy.

We all, of course, give credit where it is due in the famous heroin case. But for every heroin case there are many Halperins in this world. In the case of the Halperins, the grandmother was ill. Those who were listening heard the request for medical assistance; heard the chatter of the Halperin children as they called back and forth to their friends; heard the conversation of husband and wife as they asked each other to do chores that all of us are asked to do in the ordinary family context.

It is because of such outrages that we need the notice provision. Other members may be bothered by other aspects of this bill. What has bothered me is this: the citizen who has been subject to a wiretap should have some notice of it if no prosecution results. This is the fourth time that we have asked for this notice provision to be included. The Standing Committee on Justice and Legal Affairs asked for this notice. I was very reassured by the speech of the hon. member for New Westminster (Mr. Leggatt) and I hope that once again the majority of members of this House will, when the deferred vote on this matter comes up next Tuesday, support the considered decision taken by the Standing Committee on Justice and Legal Affairs in 1973, and taken a couple of years ago when the matter was before us then.

In this case, as in other cases when the minister has been willing to make accommodation, I hope we can come to an accommodation on the urgent, important and serious matter of giving notice to one who has been subject to intrusion, subject to outrage, but who has not been prosecuted as a result of that outrage. I am urging hon. members to stand firm on this provision, as the committee did. I am glad to say that members of my party and of the NDP were supported on this issue by other liberal Liberals.

The minister likes to talk across the floor about my being in an ivory tower, and so on. I have long since ceased being bothered by epithets. Perhaps once in a while I am in an ivory tower. Perhaps once in a while it is time for an ordinary member of parliament who is not carrying