

*Measures Against Crime*

There is another part of this legislation which I repudiate entirely, and that is that part which deals with electronic surveillance, as it is called, or as it is known to simpler people, wiretapping. Just a year or so ago there was legislation on this subject. We discussed it thoroughly, and the justice committee discussed it thoroughly. We brought in legislation, which was rejected at first by the Senate, but then the Senate finally accepted it. I do not know why we have to change that; and the changes are in the wrong direction.

What is wiretapping? Wiretapping is a particularly offensive invasion of private rights. Its value is extremely dubious. I have a quotation here from Ramsey Clark, a former U.S. attorney general. In testimony to the justice and legal affairs committee of the U.S. Congress in 1973 he said, "Wiretapping was not used between 1966 and 1969, yet indictments against members of organized crime tripled."

He concluded that wiretapping is a wasteful and inefficient means of investigation and is not, moreover, effective against organized crime. He went on to say, "Wiretapping destroys the professionalism of investigators. Electronic surveillance encourages, not investigation, but just sitting and waiting for something to happen."

• (1700)

I can understand that the police like to have these gadgets. We all have a weakness for gadgets in this part of the world and I do not blame the police for wanting to have wiretapping available to them. Indeed we have conceded a limited right to conduct such operations after proper authorization. What I do not like in the least is the suggestion that we take out of the legislation the clause which says that if evidence has been obtained illegally it cannot be used in court.

I cannot understand the purpose of making something illegal and then allowing it to be used as part of a legal process. Nor can I understand the objection to notice after the event. I believe notice has to be given in 60 days and that it is possible to obtain an extension for another 90 days. This makes 180 days, and if by that time an investigation has not been completed, it ought to have been; there is no need to keep an investigation going on forever. If somebody is wiretapping me I want to know about it, and I want to be able to fight it because it is a serious invasion of privacy.

We are living in a world where there are too many invasions of privacy. What we should be doing here is trying to extend the right of privacy, not curtail it. In one corner we have the police, and in the other we find the people who believe in fundamental rights and liberties. While I personally respect the police I think they have gone much too far in their idea that they can tell us precisely what we should do in this area as members of parliament. We have our own responsibility, and I hope we discharge it in such a way as not to extend the practice of bugging or wiretapping or electronic surveillance in general.

I wish to deal now with the section of the bill which has to do with special criminal inquiries. Some are dubious as to the value of such inquiries, but I think they might serve a useful purpose if there is a fairly prevalent crime which is infecting some area of society and in regard to which the

facts ought to be brought out without the necessity of charges being laid. There are, however, grave dangers involved in such a procedure.

I myself had an opportunity to be counsel before the commission on crime in the province of Ontario. The hearings were well attended by the press. There was a most extraordinary collection of witnesses, mostly people with criminal backgrounds, backgrounds of organized crime. They talked a lingo which was hard to understand. But one thing was not hard to understand; they thought nothing of making the most slanderous statements in the witness box about people who were not there, people who did not have a chance to speak for themselves. And the press would rush to print those statements because they had been made in the course of a commission of inquiry and presumably were privileged.

I say the people who conduct these inquiries should be given the power to tell the press or anyone else. "You can listen to this but you must not publish anything which is defamatory to individuals without at least their having an opportunity to answer any charges which might be made." This would be one way of avoiding trial by use of headlines, something we do not need in this country. I hope an amendment will be made to this clause in an effort to ensure that safeguards are established against such a possibility.

I conclude as I began by saying that some of this legislation is useful and some of it is deplorable, but in order to get the useful part we should at least send it to the committee.

[Translation]

**Mr. Gilbert Rondeau (Shefford):** Mr. Speaker, the bill we are now studying and whose title refers to "peace and security" will, I think, bring something altogether different from peace and security, unless it means peace and security for the criminals and not peace and security for the silent majority of all honest Canadians.

When the minister introduced the bill, he opened the written remarks accompanying it by saying that he wanted to protect the rights and dignity of those accused of infractions. This unfortunately means, Mr. Speaker, that from now on we will have to show a lot of concern and comprehension for the accused. Bill C-83 will probably have dire consequences for the majority of honest Canadians and it is very reassuring for the minority who lives apart from them. This bill has been introduced as an omnibus bill in order to make us swallow totally unacceptable things along with others which could be palatable.

Mr. Speaker, I would like to deal particularly with two aspects of this bill. First, I think that the registration of firearms will automatically lead to the confiscation of these arms as was the case in all countries which have voted a similar legislation. This would be a downright violation of the rights of the honest people, forbidding them to indulge in certain activities during their leisure time such as marksmanship competitions and hunting. But what is more important is that the citizens would be left in a state of total insecurity and could not protect themselves from the outlaws, the criminals and all the crooks of the country. Mr. Speaker, when firearms are confiscated, only outlaws keep theirs.

[Mr. Brewin.]