

SECURITY INTELLIGENCE SERVICE

MANDATE OF PROPOSED FORCE—DEFINITION OF RESPONSIBILITIES

Hon. Edward Broadbent (Oshawa): Madam Speaker, my question is directed to the Solicitor General. The McDonald Commission did a lot of work over an extended period of time and pointed out that one of the problems with Canada's existing Security Service was that it had no clear mandate. Following up that analysis, the Commission took care to recommend rather precisely defined activities that could be put under surveillance. For instance, the McDonald Commission talked about "foreign interference" as an activity which, under certain circumstances, would warrant surveillance. Why has the Government disregarded this precision in wording, and why has it produced new and much broader wording that raises very serious questions about civil liberties? Very specifically in this context, what groups or individuals did the Government believe should come under surveillance that the McDonald Commission thought should be left in freedom?

Hon. Bob Kaplan (Solicitor General of Canada): Madam Speaker, it is indeed a question of how precise a definition we as parliamentarians can come up with to guide the Security Service into the areas of improper foreign interference, domestic subversion and so on, and keep it out of the areas of legitimate dissent, protest, and advocacy. This has been a very difficult distinction to draw. I agree in many ways with the McDonald Commission's analysis about where the line should be drawn, and I believe that the definition that we have come up with is a definition that will stand up under scrutiny of the committee to indicate that, indeed, anyone in the country who wants to engage in dissent, advocacy and protest will not for that reason become a target of the Security Service.

Mr. Broadbent: Madam Speaker, the Minister has provided no reassurances at all.

INVESTIGATION OF FOREIGN INFLUENCED ACTIVITIES

Hon. Edward Broadbent (Oshawa): Madam Speaker, the phrase used by the McDonald Commission was "foreign interference". The phrase substituted by the Government for that was "foreign influence", a fundamental distinction that could surely be made by anyone who believed in the free distribution of ideas between countries. I would ask the Minister very precisely why the Government substituted the phrase "foreign influence" for the more precise phrase "foreign interference" that the McDonald Commission used, a phrase that obviously demonstrated much more sensitivity to the maintenance of traditional civil liberties and freedom of the flow of information between countries?

Hon. Bob Kaplan (Solicitor General of Canada): Madam Speaker, I think that the expression "foreign influenced activities" is more specific than the expression "foreign interference", an expression which could have a number of interpretations that in my view "foreign influenced activities" clarifies.

Oral Questions

Mr. Broadbent: Madam Speaker, I suggest that the Minister read the McDonald Commission report again because it went on to spell out in some detail why that particular phrase was used and the kind of meaning that was attached to it.

EXERCISE OF PARLIAMENTARY CONTROL

Hon. Edward Broadbent (Oshawa): Madam Speaker, I would like to go to another area entirely. There were many who were concerned that the activities of these security forces be subject to proper scrutiny, and particularly, in a parliamentary democracy, subject to parliamentary control and not simply subject to the control of the Government of the day. In this context the McDonald Commission recommended the establishment of a committee of experts, including representatives of all Parties in the House, surely an essential requirement in a democracy, I would argue. Why has the Government abandoned this very sensible recommendation, one that would ensure that Parliament would exercise control over this body rather than leaving control in the hands of the Government, a Government which in the past has gotten us into so much trouble when it comes to civil liberties?

Hon. Bob Kaplan (Solicitor General of Canada): Madam Speaker, I do not believe that it is at all accurate to say that this responsibility of oversight has been left to Government. Indeed, this responsibility of oversight has been assigned to an external review body. The difficulty I had with the McDonald Commission's recommendations were that so many machineries of oversight were recommended, each of which would be supported by its own bureaucracy, that there would indeed be a very heavy bureaucratic weight on the effective operation of the agency. I believe that there can be effective external review by the machinery which is proposed, and I think I can demonstrate that to the House when the time comes to look in depth at these proposals.

Finally, so far as parliamentary review is concerned, I think parliamentary review is created by this Bill to an extent far greater than we know it now, because the external review committee will submit an annual report to a committee of Parliament. There will be the opportunity to examine the report, call witnesses, look at other documents—

Mr. Broadbent: Very different from what McDonald recommended.

Mr. Kaplan: Indeed, if I heard the Hon. Member correctly, it is different from the recommendations of the McDonald Commission. It is less bureaucratic. I think it is equally effective and I think that it will give Parliament, together with every other opportunity there is to question the Minister and examine the Estimates of the Security Service which will be part of the Estimates of the RCMP, more than an adequate opportunity for parliamentary review and a far greater opportunity for parliamentary review than there is under the present arrangements.