

Protection of Privacy

today's *Montreal Gazette* the first page carries the headline "Police bugged lawyers' offices" and the article reads:

Electronic bugs found in the offices of two Montreal lawyers last week were planted there by police officers, Justice Minister Jerome Choquette admitted yesterday.

Choquette told the national assembly that members of Quebec's special organized crime squad had spied on the lawyers' offices for more than two weeks last February.

● (1710)

I think the record of the debate should be correct and should show that there has been extensive police wiretapping of lawyers' offices.

The Acting Speaker (Mr. Boulanger): Order, please. The hon. member should have risen and asked for permission to make a speech. I do not think he has raised a point of order. Is the House ready for the question?

Some hon. Members: Question.

The Acting Speaker (Mr. Boulanger): The question is on the subamendment to motion No. 13 moved by the Minister of National Health and Welfare (Mr. Lalonde). All those in favour will please say yea.

Some hon. Members: Yea.

The Acting Speaker (Mr. Boulanger): Those opposed will please say nay.

Some hon. Members: Nay.

The Acting Speaker (Mr. Boulanger): In my opinion the yeas have it.

And more than five members having risen:

The Acting Speaker (Mr. Boulanger): Is it the wish of the House to defer the vote?

Some hon. Members: Agreed.

The Acting Speaker (Mr. Boulanger): Pursuant to Standing Order 75(11), the recorded division on the proposed amendment stands deferred.

Mr. Lang: Mr. Speaker, there have been discussions and I think it would be agreeable if we were to return to motion No. 2 standing in the name of the hon. member for St. Paul's (Mr. Atkey), and motion No. 3, standing in the name of the right hon. member for Prince Albert (Mr. Diefenbaker).

The Acting Speaker (Mr. Boulanger): Is it agreed that we return to the consideration of motion No. 2, as suggested by the minister?

Some hon. Members: Agreed.

The Acting Speaker (Mr. Boulanger): Is the parliamentary secretary rising to speak to motion No. 2?

Mr. Jack Cullen (Sarnia-Lambton): Mr. Speaker, I could use the extra \$4,000 and would be prepared to work hard. Perhaps Your Honour knows something that I do not know.

[Mr. Leggatt.]

I am speaking to motion No. 2. I think it is fair to say that the definition section of the bill, particularly that part of the definition section relating to offences, has caused difficulties. It is fair to say that the minister and the department have experienced difficulty in arriving at an appropriate definition of "offence". The department originally suggested that "offence" as included in this bill should be limited to indictable offences. It was the intention of the minister and of the department, I am sure, to include the more serious offences in the definition section and that is why indictable offences were considered.

As has been explained to the House, it is not necessarily correct to say that wiretapping can be undertaken only where there is a serious indictable offence. For example, someone who has a grudge might seek permission to wiretap an individual that may have been charged with drunk driving or some other offence to be revenged on the accused and lead to his conviction.

Recognizing the catch-all provision, if you will, of the definition section in the bill, the hon. member for St. Paul's (Mr. Atkey) properly endeavoured, in the spirit in which the minister and the department were acting, to group by way of amendment the offences with respect to which wiretapping could be undertaken. The offences listed are the only offences for which wiretapping could be undertaken. They are the only offences which would be considered when an application is made. That is the kind of precision which is needed in any definition section.

Following the efforts of the hon. member for St. Paul's in this regard, I believe the hon. member for Sudbury (Mr. Jerome), the hon. member for Windsor-Walkerville (Mr. MacGuigan), the hon. member for Calgary North (Mr. Woolliams) and the hon. member for Peace River (Mr. Baldwin) indicated some of the difficulties which might arise in cataloguing very carefully each and every offence, inasmuch as one might leave some offences out. Further, in categorizing offences it is possible that offences might be included which should not in the view of the House be included.

Recognizing this, Mr. Speaker, members on both sides of the House have endeavoured to work out a compromise. The right hon. member for Prince Albert (Mr. Diefenbaker) has more than once said that the strength of this chamber lies in its ability to solve problems which cross party lines. One of our strengths is that we can get together and work out a compromise which, although it may be criticized and may not be acceptable to everybody in the House, represents a sincere effort and good will on the part of members on all sides. In that way it is often possible to do that which seemed impossible at the outset. We do not run into a situation in which one can say some are all right and some are all wrong. We compromise. Our positions are not all black and not all white. An accommodation is reached by members on both sides of the House.

I thank the hon. member for St. Paul's and the hon. member for New Westminster (Mr. Leggatt) for being good enough to look over a proposed amendment and for making many recommendations for deletions and additions. It is on that basis that I will be moving an amendment to the motion proposed by the hon. member for St.