warrant; sixth, a copy of the approved warrant; seventh, the nature of the facilities from which or the place where any such mail was opened; and eighth, the disposition of all such records including any log, copy or summary, of any such mail or the contents of such mail and the identity of and action taken by all individuals who had access to any such mail. This must be done in addition to the following: Within 60 days after the date of any warrant authorizing the opening of any mail, or the denial of any such warrant, the judge hearing the application for such warrant shall transmit to the committee on the judiciary of the Senate and House of Representatives a complete transcript of the proceedings.

That seems to me to be the kind of free and open society we should be attempting to achieve here. The government takes the position that if it goes this far with the whole process of interception, whether it be by electronic means or by opening mail, and if it takes the route of full disclosure, that will somehow imperil the ability of law enforcement agencies to do a proper job, and imperil the security of the country. The answer to that is that a similar control process has been set up in England where the practice has been extant since, I believe, 1561 and based, as I have pointed out, on a prerogative.

I commend to hon. members the report of the committee of privy councillors not only for their interest with respect to the manner in which the people of England deal with this question of mail opening and electronic surveillance but also with respect to the history mail opening. A committee of privy councillors was appointed to inquire into the interception of communications. The report was presented to parliament by the prime minister of that day, Mr. MacMillan, by command of Her Majesty, in October of 1957. The report is fairly lengthy, but I think it would be useful to read some portions of it into the record. The committee came to the conclusion that the state of the law in England at the time might fairly be expressed in the following fashion:

(a) The power to intercept letters has been exercised from the earliest times, and has been recognized in successive Acts of Parliament.

(b) This power extends to telegrams.

(c) It is difficult to resist the view that if there is a lawful power to intercept communications in the form of letters and telegrams, then it is wide enough to cover telephone communications

That is from page 139 of the report. The next stage of the report of that committee of privy councillors deals with the purpose for these intrusions into what would normally be the privacy of citizens. It deals with the use and extent of the power of interception. The committee found that the warrant of the secretary of state set out the name and address or telephone number of the persons whose communications were to be intercepted and, on occasion, a single warrant had been issued containing a number of names. That practice was discontinued after the submission of this report, so that each warrant now specifies only one name.

The report went on to say that the secretary of state—here it would be the Solicitor General—had to satisfy himself on the facts of each particular case that it was proper to issue his warrant. In practice the principle upon which the secretary of state acted was that the purposes for which communications may be intercepted must be either for the detection of serious crimes or for the safeguarding of the security of the state. Since this House passed legislation authorizing electronic eavesdropping, the government has made much of the fact that there have been a number of convictions either under the Narcotic Control Act or the Criminal Code which would not have been possible had it not been for the use of electronic surveillance methods.

In England they regard it as such a deep invasion into the privacy of the rights of the individual that they go to great lengths to spell out that it is only in serious criminal activities that this power of surveillance or of mail opening is used. I note that the legislation before us is limited, I believe, to criminal matters which would bring sentences of up to five years. I am not certain of that. It certainly is in the surveillance legislation.

Mr. Blais: The Food and Drugs Act.

Mr. Nielsen: I am grateful for that intervention by the Solicitor General. I submit that the power to issue a warrant under privacy legislation and under this legislation should not be used for the purposes of obtaining a conviction for mere possession. For traffickers in narcotics, and particularly for traffickers in heroin, I think it is an essential tool for law enforcement officers to have in this country. The issue of warrants in England for the interception of letters in connection with offences under the Dangerous Drugs Acts began as far back as 1922, and after the war the number of warrants sharply declined. No warrants have been issued since early 1956. Perhaps that is partially the result of the fact that heroin addiction is treated somewhat differently in that country than it is here.

The fact that no warrants have been issued since 1956, the latest year for which I have statistics, is undoubtedly associated with the sharp decline in the drug traffic in that country because of what is generally referred to as the legalization of medical treatments of heroin addicts in that country and the medical use of heroin. It is the Home Office in England which has the authority to act in the case of the issuance of warrants. The principles upon which the Home Office acts in deciding whether to grant an application for a warrant to intercept communications—

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PROCEEDINGS ON ADJOURNMENT MOTION

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Turner): Order, please. It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Norfolk-Haldimand (Mr. Knowles)—Manpower—Application forms for farmers seeking offshore workers; the hon. member for Hillsborough (Mr. Macquarrie)—External Affairs—Israel—Possible change of