

Mr. Heap: That is why this Bill is an affront to the liberties of Canadians. That is why the hyenas across the way are trying to drown out or suppress any opposition.

Mr. Deputy Speaker: Order. It is against the rules to interrupt an Hon. Member who has the floor.

Mr. Kaplan: Mr. Speaker, I rise on a question of privilege. When the RCMP are characterized as the Gestapo—

Mr. Deputy Speaker: Would the Hon. Minister please state his question of privilege?

Mr. Rossi: Say that outside of the House and see what happens to you.

Mr. Howard Crosby (Halifax West): Mr. Speaker, it is difficult to enter a serious discussion of Bill C-9, an Act to establish the Canadian Security Intelligence Service, when one member calls the RCMP the Gestapo and another tells him to step outside the House and the RCMP will descend upon him, in some vague fashion which he does not explain.

Mr. Rossi: That is not what I said.

Mr. Crosby: I do not know whether that confirms the status of the RCMP as the Gestapo or denies it, but it tells us how much serious consideration is given in the House of Commons by the government Party and the New Democratic Party to a very important issue like the establishment of the Canadian Security Intelligence Service.

I want to say that it is a legislative measure that gives me a lot of difficulty. I say that after a 25-year career in the administration of justice in Canada. That includes a ten-year career serving as a prosecutor and dealing on a day-to-day basis with the Royal Canadian Mounted Police, and another ten years dealing with the defence of criminal offenders charged under the laws of Canada.

Let me begin by saying that I stand firmly for the belief that anyone charged with a criminal offence in Canada has a full right to the opportunity to defend themselves. I believe in the principle that no one is guilty unless guilt is established before a legitimate court. We operate under the rule of law in this country. What is at stake in a legislative measure like that proposed by Bill C-9 is the rule of law in Canada. I want to state very clearly that if a new intelligence service will advance the protection of Canadians under the law, I am in favour of it. But if it is another opportunity to deprive Canadian citizens of their traditional rights under the law, then I am against it.

That is the problem we face. We do not know what kind of organization this is. If we could rely on the Solicitor General (Mr. Kaplan) as the paternal authority in this case and as the father of this new intelligence service, if we could place implicit faith in his ability to develop an appropriate and responsible intelligence service, then we would not need to debate this Bill. However, the problem is that the Solicitor General and his colleagues in the Government have destroyed any possibility of that kind of faith in the administration of justice in this country. We must question whether the proposal

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contained in Bill C-9 is legitimate and whether it is really for the benefit of Canada.

The basic principle at stake involves the question whether the RCMP, which has traditionally for decades dealt with all national police matters in this country, including internal security, should continue to perform that function or whether there should be a new organization. Quite frankly, based on present information and 25 years of experience in the administration of justice in Canada, I would suggest that we stick with the RCMP until we find for certain a better method of controlling security and all national police matters in Canada. The Royal Canadian Mounted Police have developed a tradition over generations that can only be achieved with that kind of history. It has established itself over its long history as an effective police force, as upholders of the legal tradition. Indeed, the motto of the RCMP is to uphold the law. That means law in the broad sense, not just the Criminal Code or particular statutes, but the whole purpose of the law, namely, the reasonable control of private and personal activities in Canada.

If we reject that history and that tradition of fair play in law enforcement that has been established by the Royal Canadian Mounted Police over decades and generations of Canadians, then we must make absolutely certain that what we are substituting will at least uphold that same tradition and, because of the expenditure of public funds involved, presumably improve it.

I must ask the Solicitor General and his Cabinet colleagues what evidence there is to show that this will be the case. What indication is there that the Canadian Security Intelligence Service as proposed in this Bill will be able to accomplish anything, or at least provide an effective service in that area?

There is mention of judicial control in the Bill. Unless the organization has within its own body the essential controls and attitudinal positions that are necessary to protect Canadians from a super force, the judiciary and Parliament will be powerless. It will not be able to intervene effectively.

The injustices that occur in Canada do not come to our attention on the floor of the House of Commons. The injustices that occur in Canada take place on Dorchester Street in Montreal, Yonge Street in Toronto and Barrington Street in Halifax. We never hear of those injustices. That is what injustice is all about. Injustice is not evidenced in the courts of Canada, it is present on the streets of Canada on a day-to-day basis. Unless one is involved in something like legal aid or in the administration of justice in a practical way, one does not even know about it. Do not tell me that some kind of super force created within the legal system of Canada can be subsequently controlled.

In my view, the obligation of all Members of Parliament is to ensure that, before this potential vehicle of suppression is launched, we know exactly what we are creating. Since we do not know, we cannot take the responsibility for creating a security agency that is an unknown quantity, particularly in view of the fact that we presently have a national police force that has proven its worth and merit over a long period of time.